

Resolution No.:	<u>16-577</u>
Introduced:	<u>May 22, 2008</u>
Adopted:	<u>May 22, 2008</u>

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: County Council

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Subject: Approval of and Appropriation for the FY 2009 Operating Budget of the Montgomery County Government

Background

1. As required by Section 303 of the County Charter, the County Executive sent to the County Council the FY 2009 Operating Budget for the Montgomery County Government.
2. As required by Section 304 of the Charter, the Council held public hearings on the Operating Budget on April 7, 2008, April 8, 2008, April 9, 2008, and April 10, 2008.

Action

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

1. The Council approves the FY 2009 Operating Budget for the Montgomery County Government and appropriates the funds as shown on the attachment to this resolution in the following sections.

Section A: The General Fund Operating Budget contains the tax-supported, non-grant-funded appropriations for departmental and non-departmental General Fund accounts.

Section B: The Special Revenue Funds Tax-Supported Budget contains the non-grant appropriations associated with all tax-supported Special Funds.

Section C: The Debt Service Budget includes all tax-supported debt service on General Obligation Bonds for the General Fund and tax-supported Special Funds and all tax-

supported expenditures for long term leases, short term leases, and other tax-supported and non-tax supported debt.

Section D: The Grant Fund Operating Budget contains the grant-funded appropriations for all tax-supported General Fund accounts and tax-supported Special Fund accounts of County Government. Any appropriation for and spending on any project funded by non-County funds is contingent on notice of receipt of the non-County funds.

Section E: The Special Revenue Funds Self-Supporting Funds Budget contains both grant and non-grant-funded appropriations for self-supporting (non-tax-supported) funds.

Section F: The Enterprise Funds Budget contains both grant and non-grant-funded appropriations for enterprise funds and the debt service appropriation for enterprise funds, and notes the total appropriations for the County's Risk Management Liability and Property Coverage Self-Insurance Fund and Employees Health Benefits Self-Insurance Fund.

2. This resolution re-appropriates or appropriates revenue received from non-County sources for programs funded in whole or in part from those non-County funds:
  - a) together with matching County funds, if any; and
  - b) to the extent that the program period approved by the non-County source requires more than one fiscal year to complete the grant program, under the terms of receipt of the non-County revenues.
3. This resolution re-appropriates the fund balances of the following funds:

- Central Duplicating Fund
- Drug Enforcement Forfeitures Fund
- Economic Development Fund
- Housing Initiative Fund
- Motor Pool (DGS) Internal Service Fund
- Rehabilitation Loan Fund
- Restricted Donation Special Revenue Fund

4. This resolution re-appropriates encumbered appropriations, permitting them to be spent in FY 2009. Any unencumbered appropriation lapses at the end of FY 2008, except as re-appropriated elsewhere in this resolution.
5. Section G of this resolution lists the entities designated to receive non-competitive contract awards under Section 11B-14(a)(4) of the County Code, which states: "A contract may be awarded without competition if the Chief Administrative Officer makes a written determination that the contract award serves a public purpose and a proposed contractor has been identified in a grant or appropriation resolution approved by the Council."

Appropriations for these awards are included in the departmental and non-departmental appropriations in Sections A through F. The Chief Administrative Officer has determined that the entities listed in Section G serve a public purpose and contract awards are in the public interest. The amounts listed in Section G are estimates only and may vary due to changed circumstances. The Council in Resolution 14-490 adopted the process to designate entities under this provision.

Section G of this resolution also includes entities eligible to receive a non-competitive payment from the Department of Health and Human Services as a supplement for direct services to promote normalization of persons with developmental disabilities. For FY 2009, the total amount paid to these entities must not exceed \$8,384,261.

6. In the following agency budgets, the Council appropriates payments to the Risk Management Liability and Property Coverage Self-Insurance Fund. The Director of Finance must transfer the following amounts from the respective appropriations for County Government, the Montgomery County Public Schools, and Montgomery College to the Risk Management Liability and Property Coverage Self-Insurance Fund on or immediately after July 1, 2008. The Director of Finance must notify the Maryland-National Capital Park and Planning Commission that its contribution to the Fund is due on or immediately after July 1, 2008.

Amount	
\$9,809,740	County General Fund Risk Management Non-Departmental Account
4,401,970	County Special, Enterprise, and Internal Service Funds Contributions
6,398,710	Fire and Rescue System – Fire Tax District Funds
7,800,400	Montgomery County Public Schools
402,080	Montgomery College
1,269,800	Maryland-National Capital Park and Planning Commission

In addition to contributions from County Government and County and Bi-county agencies, the following contributions and revenues are expected to be realized in FY 2009.

\$231,070	Housing Opportunities Commission
158,800	Revenue Authority
159,820	City of Gaithersburg
1,077,990	City of Rockville
16,340	City of Rockville Housing Authority
197,480	City of Takoma Park
7,660	Bethesda Urban Partnership
19,320	Other Municipal Income
4,380,000	Other Income (includes investment income and recovered losses)

These contributions and the fund balance are available to support a FY 2009 Risk Management Liability and Property Coverage Self-Insurance Fund appropriation of \$43,423,690.

7. This resolution appropriates \$10,000,000 for the Future Federal, State, or Other Grant Non-Departmental Account in the County Government Grant Fund to fund specific programs or activities designated in a grant, donation, contribution, reimbursement, or other non-County funding source received in FY 2009. When the County receives funds for a program from a non-County source, the County Executive may transfer appropriation from this Account to the appropriate fund for a department or office to support the program. The following conditions apply to the use of this transfer authority:

- (A) The program must not require any new FY 2009 tax-supported appropriation or future tax-supported County funds.

- (B) Subject to the balance in the account, any amount can be transferred in FY 2009 for any program which meets at least one of the following four conditions: (1) the amount is \$200,000 or less; (2) the program was funded in FY 2008; (3) the program was included in the FY 2009 budget; (4) the program was funded by the Council in a supplemental or special appropriation in FY 2009. Any program that does not meet one of these four conditions must be funded by a supplemental or special appropriation.

- (C) The Executive must notify the Council within 30 days after each transfer.

The Department of Finance may transfer appropriation to the Restricted Donation Special Revenue Fund on a quarterly basis. The Council must approve a transfer for any individual donation which exceeds \$200,000 unless the donation meets one of the conditions in subparagraph (B) of this paragraph.

The Executive must approve each transfer under this paragraph and must forward to the Council a copy of a monthly list prepared by the Office of Management and Budget of each grant for which this transfer process has been used. The Office of Management and Budget must maintain a record to ensure that the total appropriation is not exceeded.

The Executive may also transfer an appropriation from a specific department or office grant appropriation in the County Government Grant Fund to the Future Federal, State, or Other Grant Non-Departmental Account when a specific grant is less than the amount appropriated. The amount of the transfer must equal the difference between the amount appropriated and the grant award.

8. The Executive may transfer County matching funds within a department or office from the appropriate fund to an account for the same department or office in the Grant Fund when the grantor requires a County match.

9. When the County Government receives more non-County funds than were budgeted for a program which also receives some County funds:
  - a) Council approval is not required to substitute the non-County funds for County funds. In this case, there is no change in the appropriation.
  - b) Council approval is required to increase the appropriation. The Council may decide to substitute non-County funds for County funds instead of increasing the appropriation.
10. When the County Government receives official notice that government aid or grant funds will be less than was budgeted for a program:
  - a) Council approval is required to substitute County tax-supported funds for non-County funds. In this case, there is no change in appropriation.
  - b) The Executive must report to the Council any recommendation to reduce expenditures in an affected program to offset any loss of non-County funds. A reduction of 10% or less from the amount estimated in the FY 2009 approved budget for any grant or specific source of government aid may be reported through the monthly report required in paragraph 7 of this resolution.
11. For FY 2009, funds for Federal Emergency Management Agency (FEMA) reimbursements of Urban Search and Rescue Team activities may be appropriated through a transfer from the Future Federal, State, or Other Grant Non-Departmental Account as provided in paragraph 7. In order to use this method of appropriation, the Executive must forward a copy of each FEMA authorization letter to the Council President within 5 working days after the County receives the FEMA authorization.
12. For FY 2009, reimbursement payments from the Federal government for providing security through the Police Department on an overtime basis may be appropriated through a transfer from the Future Federal, State, or Other Grant Non-Departmental Account as provided in paragraph 7. In order to use this method of appropriation, the Executive must forward to the Council President a copy of a contract, memorandum, or letter from a Federal agency authorizing the County to provide such security. The Department must specify the amount of reimbursement funding, and the contract, letter, or memorandum must be forwarded within 5 working days after the County receives the authorization.
13. For FY 2009, reimbursement payments from Federal, state, or local governments for emergency response or assistance by Montgomery County departments or offices may be appropriated through a transfer from the Future Federal, State, or Other Grant Non-Departmental Account as provided in paragraph 7. In order to use this method of appropriation, the Executive must forward to the Council President a copy of the contract, memorandum, or letter from the Federal, state, or local agency authorizing the County to provide the requested assistance. The Executive must specify the amount of

reimbursement funding and the contract, letter, or memorandum must be forwarded within 5 working days after the County receives the authorization.

14. In Resolution No. 16-99, adopted April 24, 2007, and Resolution No. 16-557, adopted May 14, 2008, the Council expressed its intent to appropriate the funds necessary to implement the collective bargaining agreement with the Fraternal Order of Police, Lodge 35 for July 1, 2007 through June 30, 2010. This resolution appropriates funds in FY 2009 for this purpose.
15. In Resolution No. 16-558, adopted May 14, 2008, the Council expressed its intent to appropriate the funds necessary to implement the collective bargaining agreement with Local 1664, Montgomery County Career Fire Fighters Association of the International Association of Fire Fighters, AFL-CIO for July 1, 2008 through June 30, 2011. This resolution appropriates funds in FY 2009 for this purpose.
16. In Resolution No. 16-100, adopted April 24, 2007, and Resolution No. 16-556, adopted May 14, 2008, the Council expressed its intent to appropriate the funds necessary to implement the collective bargaining agreement with Local 1994, Municipal and County Government Employees Organization of the United Food and Commercial Workers, AFL-CIO for the period July 1, 2007 through June 30, 2010. This resolution appropriates funds in FY 2009 for this purpose.
17. Effective July 6, 2008, the Council approves a 4.5% general wage adjustment to the minimum and maximum salary of each grade of the Salary Schedules for County Government non-represented employees. This resolution appropriates funds in FY 2009 for these purposes.
18. Effective July 6, 2008, the Council approves a 4.5% general wage adjustment to the minimum and maximum of each grade in the Salary Schedule for non-represented employees in the Management Leadership Service (MLS). This resolution appropriates funds in FY 2009 for this purpose.
19. Effective July 6, 2008, the Council approves a 4.0% general wage adjustment to the minimum and maximum of each grade of the Salary Schedule for Police Management. This resolution appropriates funds in FY 2009 for this purpose.
20. Effective July 6, 2008, the Council approves a 4.5% general wage adjustment to each grade in the Salary Schedule for Sheriff Management. This resolution appropriates funds in FY 2009 for these purposes.
21. Effective July 6, 2008, the Council approves a 4.5% general wage adjustment to each grade in the Salary Schedule for Uniformed Correctional Management. This resolution appropriates funds in FY 2009 for these purposes.

- 22. Effective July 6, 2008, the Council approves a 2.0% general wage adjustment to each grade in the Salary Schedule for Fire and Rescue Management. Effective January 4, 2009, the Council approves an additional 2.0% general wage adjustment to each grade in the Salary Schedule for Fire and Rescue Management. This resolution appropriates funds in FY 2009 for this purpose.
- 23. Effective July 6, 2008, the Council approves a \$0.45 adjustment to the hourly wage of each grade of the County Government Seasonal Salary Schedule. This resolution appropriates funds in FY 2009 for this purpose.
- 24. For FY 2009, this resolution appropriates \$3,432,070 to the Compensation and Employee Benefits Adjustment Non-Departmental Account for the following purposes. The County Executive may transfer the entire amount appropriated in this NDA to County departments or offices as needed.

Unemployment Insurance	\$ 250,000
Non-Qualified Retirement	20,200
Deferred Compensation Management	125,480
Collective Bargaining Actuarial Services	75,000
Pay for Performance (Management Leadership Service)	1,670,930
Pay for Performance (Non-represented)	952,260
Performance Management Program	338,200
<b>TOTAL</b>	<b>\$ 3,432,070</b>

- 25. In FY 2009, the County Executive must implement the Retirement Incentive Program authorized in County Code §33-42(j) and take any other legally authorized actions necessary to reduce at least \$5 million in County personnel costs through retirement incentives. In FY 2009, the Executive must also take other legally authorized actions to reduce County personnel costs, or implement other productivity improvements and increased efficiencies in County government operations, that in the aggregate will reduce appropriated expenditures by at least \$8 million.

For FY 2009, to effectuate these reductions, this resolution appropriates (\$13,000,000) to the Productivity Enhancements and Personnel Cost Savings Non-Departmental Account. The County Executive must transfer the reductions required by this appropriation to the County departments or offices where those reductions will be realized.

Retirement Incentive Program	\$ (5,000,000)
Reduced Personnel Cost/Productivity and Efficiencies	(8,000,000)
<b>TOTAL</b>	<b>\$ (13,000,000)</b>

The Executive must report to the Council on the results of the Retirement Incentive Program and the extent that personnel cost and productivity and efficiency improvement savings have been achieved in each County department and office by September 15, 2008; December 1, 2008; March 1, 2009; and June 15, 2009.

26. This resolution appropriates \$16,391,930 to pre-fund retiree health insurance benefits consistent with Resolution No. 16-555, adopted on May 14, 2008. These funds must not be spent for any other purpose and must be deposited into the Trust created under County Code §33-159 for the payment of retiree health insurance benefits.
27. The Council requests that the participating agencies continue the work of the Interagency Technology Policy and Coordination Committee as described in Resolution 12-1758, approved on July 26, 1994.
28. The Department of Technology Services must forward no later than October 30, 2008, a draft comprehensive departmental strategic plan which includes explicit references to technology modernization platform requirements, a resource requirements element, a strong human resources planning component providing decision support to in-house versus contracted skills, metrics that will measure the Department's success and an explicit innovation evaluation and adoption mechanism.
29. This resolution appropriates \$72,000 to the Department of Technology Services to retain an independent consultant to develop a strategic roadmap for the replacement of the existing Computer Aided Dispatch (CAD) system. The Department will work with the Council to develop a written strategy for CAD replacement that is integrated into an overall plan to replace or upgrade the Public Safety Communications System which also includes portable and mobile radios, mobile computers, and network infrastructure.
30. The Council requests that the participating agencies continue the work of the Interagency Procurement Coordinating Committee, the Interagency Public Information Working Group, the Interagency CIP Coordination Group, the Interagency Energy Management Group, the Interagency Training Team, and the Interagency Administrative and Support Service Working Group in efforts to share information, provide assistance, and cooperate on efficiencies and planning.
31. For FY 2009 this resolution includes an appropriation for each element of the fire and rescue system, consisting of the Montgomery County Fire and Rescue Service (excluding the local fire and rescue departments), the local fire and rescue departments, and the Fire and Rescue Commission. This designation reflects the intent of Charter Section 306. Notwithstanding the separate appropriation items, the Council intends that funds be transferable, within the limits set in Charter Section 309, between the Montgomery County Fire and Rescue Service and the local fire and rescue departments.
32. County tax funds appropriated for use by local fire and rescue departments must not be spent or encumbered, directly or indirectly, for legal fees or expenses related to pursuing any claim against County Government or any County agency, except as expressly agreed to by the Executive with prior advice and review by the Council as part of a settlement of a civil action to which the County is a party. The Fire Chief must adopt a policy to implement this paragraph and assure compliance by local fire and rescue departments through the annual financial audit process.

33. For FY 2009, this resolution appropriates \$39,228,000 to the Department of Liquor Control. During FY 2009, the Director of Finance must transfer to the General Fund all Liquor Control Fund “Income before Capital Contributions and Transfers” as defined in the FY 2007 Comprehensive Annual Financial Report. The County Council has estimated that this transfer will amount to at least \$30,410,060.
34. During FY 2009, the Council estimates that the Director of Finance will transfer the following amounts from the General Fund to these Non-Tax Supported Funds:

Amount	Fund
\$1,675,670	Solid Waste Disposal Fund
9,782,490	Montgomery Housing Initiative
1,153,770	Permitting Services Fund: Public Agency Permits and Green Tape Position
1,582,830	MCPS Instructional Television Fund
1,321,600	Montgomery College: Cable TV Fund
151,860	Community Use of Public Facilities

35. For FY 2009 this resolution appropriates \$5,315,480 to the County Arts and Humanities Council Non-Departmental Account, which must be allocated as follows:

Purpose	Amount
<b>Arts and Humanities Council Activities</b>	
Operating Support	\$3,247,830
Small/Mid-Size Organizations, Creative Projects, Arts Education, and Individual Artist/Scholar Grants	518,840
Public Arts Trust Maintenance	10,000
Administration	373,810
<b>Total Arts and Humanities Council Activities</b>	<b>\$4,150,480</b>
<b>Assistance to Individual Organizations</b>	
American Film Institute (Silver Theatre operating support, which AFI must repay from net revenues before any revenue sharing with the County)	500,000
Heritage Tourism Alliance (operating support – match for State funds)	100,000
Imagination Stage (facility debt service and/or debt retirement)	400,000
Pyramid Atlantic (facility debt payment)	165,000
<b>Total Assistance to Individual Organizations</b>	<b>\$1,165,000</b>
<b>Grand Total -- Arts and Humanities Council NDA</b>	<b>\$5,315,480</b>

Of the funds appropriated for the administration of the Arts and Humanities Council, \$31,350 must be used only to provide health insurance benefits for one or more of the Council's full-time employees. The Arts and Humanities Council's Board of Directors must determine how these benefits are provided. If the County Attorney finds that these employees' participation is consistent with Federal and County law, these funds may be used to buy health insurance for these employees through the County Government's Group Health Insurance program. These funds must not pay more than 80% of the cost of the premium of the health insurance coverage selected by the Arts and Humanities Council's Board of Directors.

The Arts and Humanities Council must administer all funds appropriated in this resolution under Assistance to Individual Organizations except those funds appropriated for assistance to the American Film Institute, which for FY 2009 may be administered by an Executive branch department.

36. As required by County Code §2-151(f), the Council recommends projected budgets for the Office of Inspector General of \$730,146 in FY 2010, \$760,812 in FY 2011, and \$792,766 in FY 2012.
37. The Interagency Technology Fund (ITF) Designated Reserve will have a balance of \$2,268,730 at the beginning of Fiscal Year 2009. Funds will be added to the Designated Reserve when past ITF loans are repaid. When fiscal conditions allow, the Council intends to make contributions to the ITF Designated Reserve to support additional investments in technology as described in Council Resolution No. 16-475.
38. The Director of Finance must designate \$1,940,370 of General Fund funds at the beginning of FY 2009 to fulfill the FiberNet chargeback requirement of the County Government.
39. As required by Charter Section 209 and as a condition of spending any funds appropriated in this resolution to fund new merit system positions in County Government, the Office of Management and Budget must notify the Council President each month, no later than the tenth of the month, of each permanent full or part-time position created in the County Government during the preceding month. The notice must also specify the source of funds for each position.
40. This resolution appropriates \$450,000 for inflation adjustments for tax-supported contractors with the Department of Health and Human Services (DHHS). DHHS must award these funds to private non-profit service providers whose contracts continue beyond the first year of a contract period and who have satisfactorily performed their contracted duties. Any inflation adjustment awarded under this paragraph must not exceed 2% of the total contract price. Contracts funded by non-County grants are not eligible for an inflation adjustment under this paragraph.

41. This resolution appropriates \$1,447,030 to the Department of Police to contract for operation of the County Animal Shelter. These funds may be used to pay the costs associated with amending the current contract with the Montgomery County Humane Society. From this amount, the Montgomery County Humane Society must reimburse the Second Chance Wildlife Center \$34,000 for care and rehabilitation of animals.
42. This resolution appropriates \$9,782,490 from the General Fund as a contribution to the Montgomery Housing Initiative Fund. The FY 2009 appropriation, combined with the re-appropriation of the FY 2008 fund balance, loan repayments, investment income, and revolving resources available in the capital improvements program, is estimated to provide more than \$54.8 million to acquire, rehabilitate, and preserve affordable housing in the County.
43. The Department of Housing and Community Affairs may allocate up to \$1.03 million from the Housing Initiative Fund for “Building Neighborhoods to Call Home” services. As a part of this initiative, the Department must allocate the following:
  - \$185,130 to CASA of Maryland to operate of the Pine Ridge Community Center.
  - \$150,000 to Montgomery Housing Partnership to provide training and support for owners of small rental properties.
  - \$100,000 to Montgomery Housing Partnership for neighborhood revitalization planning.
  - \$41,000 to Interfaith Works, Inc. to fund the cost of a part-time property manager.
  - \$200,000 to Rebuilding Together for operating support to enable the organization to assist low-income homeowners with home repairs (including accessibility modifications) and referrals to community resources.
44. The Department of Housing and Community Affairs must allocate \$500,000 from the Housing Initiative Fund to the Housing Opportunities Commission for the closing cost assistance revolving fund.
45. The Department of Housing and Community Affairs must reserve \$4.5 million of the non-revolving program appropriation to the Housing Initiative Fund to implement a plan to transition County housing programs for the homeless to a Housing First model. These funds may be used to acquire properties, provide rental subsidies, fund case management provided by County staff or under contract, and pay costs associated with the transition of existing shelter services. The County Executive must send the Council a Housing First transition plan by October 15, 2008. The plan must specify the long-term goals and implementation steps needed to achieve a Housing First model and those implementation steps to be taken in FY09 and FY10. Funds may be spent to implement this plan as soon as the plan is transmitted to the Council. If the plan does not require spending \$4.5

million in FY09, the amount reserved under this paragraph can be reduced to the amount required to implement the model. The allocation of these funds does not limit the amount that may be spent from the Housing Initiative Fund for homeless persons or persons at risk, and does not impose any limit on projects that may be funded by the revolving Acquisition and Preservation Program.

- 46. This resolution appropriates one half of the net revenue attributable to the increase in the rate of the recordation tax enacted in Bill 11-07, *Recordation Tax – Rate*, to the Housing Initiative Fund. Seventy percent of these funds must be used to create a local housing voucher program and 30% must be used for short-term emergency rental assistance.
- 47. The Director of Finance must maintain a record of all payment-in-lieu-of-taxes (PILOT) agreements currently in effect under the Tax-Property Article of the Maryland Code. The record must estimate (in current year dollars) the amount of property taxes abated for each agreement for each of the next 10 fiscal years. As authorized by County Code §52-18M, the Director of Finance may sign payment-in-lieu-of-taxes agreements for affordable housing that abate annual property tax revenues, up to the following annual limits, for all properties not owned or operated by the Housing Opportunities Commission:

Cumulative Maximum for Non-HOC PILOT Tax Abatements

FY 2009	\$ 7,800,000
FY 2010	\$ 8,190,000
FY 2011	\$ 8,599,500
FY 2012	\$ 9,029,500
FY 2013	\$ 9,481,000
FY 2014	\$ 9,955,000
FY 2015	\$10,452,800
FY 2016	\$10,975,500
FY 2017	\$11,524,200
FY 2018	\$12,100,410

The Director of Finance must not sign any payment-in-lieu-of-taxes agreement that would increase the total amount of abated property tax revenues above any of the listed annual limits without prior approval of the County Council by resolution.

The Director of Finance must calculate in the FY 2010 annual operating budget the total amount of property taxes to be abated under all PILOT agreements (including those for properties owned or operated by the Housing Opportunities Commission) that will be in effect during FY 2010.

- 48. As required by Charter Section 209 and as a condition of spending any funds appropriated in this resolution, the Office of Management and Budget must provide to the Council the second and third quarterly budget analysis of department and office expenditures and revenues no later than 45 days after the end of the second and third fiscal quarters.

49. As a condition of spending any funds appropriated in this resolution and not disapproved or reduced under Charter Section 306, the Executive must transmit to the Council any recommended budget savings plan or similar action. As used in this paragraph, “similar action” includes any recommendation to spend less than 90% of the funds appropriated for any non-competitive contract award listed in Section G of this resolution. Any budget savings plan or similar action is subject to review and approval by the Council. This paragraph does not apply to any hiring freeze which applies to all or substantially all departments and offices of County Government.
50. The County Executive must inform the Council within 30 days if the Executive makes any changes in the fund balance policy for any non-tax supported fund in County Government or the addition or elimination of any non-tax supported fund in County Government.
51. Funds appropriated to the Rockville Parking District Non-Departmental Account (NDA) may be spent to reimburse the City of Rockville for revenue lost due to the provision of free patron parking for the Rockville Library only if free parking is mandated at County libraries by Council resolution.
52. This resolution appropriates General Funds to the Department of Public Libraries in 3 programs: Library Services to the Public; Collection Management; and Administration, Outreach, and Support Services. Each program must be treated as a division for purposes of Charter Section 309.
53. As a condition of spending any funds appropriated in this resolution, each non-competitive contract awarded as a Community Grant that was recommended by the County Executive or a Council Grant must require each recipient to submit a one-page report by February 2, 2009, and a one-page report by July 31, 2009 to the Office of Management and Budget and the contracting department describing the results achieved with the funds awarded. The Office of Management and Budget must submit all reports to the Council by February 17, 2009, and August 17, 2009, respectively.
54. The Department of Environmental Protection may use Water Quality Protection Funds allocated for residential and commercial Low Impact Development projects for a rebate program. This is intended to increase the range of incentives to encourage broader participation among residents and businesses in this component of the County’s Water Quality Protection program.
55. This resolution appropriates \$1,561,000 to the Climate Change Implementation Non-Departmental Account (NDA) to implement the initiatives the Council adopted in Bills 29-07, Environmental Sustainability – Climate Protection – Motor Vehicles; 30-07, Buildings – Energy Efficiency; 32-07, Environmental Sustainability – Climate Protection Plan; and 35-07 Consumer Protection – Energy and Environmental Advocacy; and to

fund the Clean Energy Rewards program established in County Code §18A-11. The funds appropriated in this NDA must be allocated as follows:

<b>Purpose</b>	<b>Amount</b>
Tank Cleaning and filter costs to ready County fleet for B-20 fuel	\$ 47,800
Implementation of the Telecommuting Action Plan	97,500
Human Resources Specialist to manage telecommuters	34,480
Consultant to perform energy audit and energy performance contract cost benefit determination	666,050
Consultant to assist with the development of a Climate Protection Plan	104,170
Consultant to assist the Office of Consumer Protection with participation in matters before federal and state agencies	50,000
Clean Energy Rewards	561,000
<b>TOTAL Climate Change Implementation NDA</b>	<b>\$1,561,000</b>

56. For FY 2009, when the County Government decides that it will apply for a grant or respond to a granting agency on how it would spend a formula-awarded grant, the Chief Administrative Officer or his designee must notify the Council Staff Director in writing of the name and purpose of the grant, the amount being requested or the formula-driven award amount, the name of the agency the application is directed to, the term of the grant, and the name of the department or departments that seek to receive the grant award. This requirement applies when any of the following conditions are met:
- the application is for a new grant of more than \$200,000 or formula-driven award of more than \$200,000 for a new program; or,
  - the grant or award would require the appropriation of new tax-supported funds in the current or any future fiscal year; or,
  - the grant application or proposal to spend formula-driven funds will create a new position within County Government.

Upon request, the Chief Administrative Officer or his designee must send a copy of the grant application or description of the proposed use of a formula-driven award to the Council Staff Director within 3 working days after submitting it to the funding agency.

This is a correct copy of Council action.

  
 Linda M. Lauer, Clerk of the Council