

#3 - Montgomery College CIP for odd-numbered calendar years, and Capital Budget
Requires 6 affirmative votes.

Resolution No.:	<u>16-963</u>
Introduced:	<u>May 21, 2009</u>
Adopted:	<u>May 21, 2009</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Approval of Amendments to the Approved FY09-14 Capital Improvements Program, and Approval of and Appropriation for the FY10 Capital Budget of Montgomery College

Background

1. As required by the Education Article, Section 16-301 of the Maryland Code, the Board of Trustees sent to the County Executive and County Council an FY10 Capital Budget for Montgomery College. The Board also requested amendments to the Approved FY09-14 Capital Improvements Program (CIP).
2. Section 302 of the County Charter requires the Executive to send to the Council by January 15 in each even-numbered calendar year a 6-year CIP, which the Executive did on January 15, 2008 for the 6-year period FY09-14. Section 302 requires the affirmative vote of at least 5 Councilmembers to approve or modify the Executive's Recommended CIP. On May 22, 2008, the Council approved the College's CIP for FY09-14 in Resolution 16-570. After the Council approves a CIP, Section 302 permits the Council to amend it at any time with the affirmative vote of at least 6 Councilmembers.
3. Section 303 of the Charter requires the Executive to send to the Council by January 15 in each year a recommended Capital Budget, which the Executive did on January 15, 2009 for FY10. The Executive also sent to the Council his recommendations on amendments to the Approved FY09-14 CIP. On January 27, 2009 the Council recommended several other potential amendments.
4. On March 19, 2009 the Executive sent to the Council several additional recommended amendments to the Approved FY09-14 CIP. On March 24, 2009, Council staff recommended several other potential amendments.
5. As required by Section 304 of the Charter, the Council held public hearings on February 10, 2009 and on April 14, 15, and 16, 2009 on the Capital Budget for FY10 and on amendments to the Approved FY09-14 CIP.

Action

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

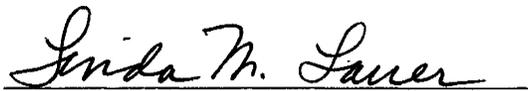
1. For FY10, the Council approves the Capital Budget and appropriates the amounts by project which are shown in part I. The expenditure of funds for each item in the Capital Budget must comply with all restrictions and requirements in the project description form for that item, as the form is contained in the Approved CIP as amended by this resolution, and as the CIP is amended by the Council under Charter Section 302 after this resolution is adopted.

2. The Council reappropriates the appropriations made in prior years for all capital projects:
 - a) except as specifically reflected elsewhere in this resolution;
 - b) in the amounts and for the purposes specified in the approved CIP for FY09-14; and
 - c) to the extent that those appropriations are not expended or encumbered.

3. The Council approves those projects shown in Part II as amendments to the Approved FY09-14 CIP.

4. The County Council approves the close out of the project in part III.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council