

AGENDA ITEM #8  
March 17, 2009  
**Public Hearing**

**MEMORANDUM**

March 13, 2009

TO: County Council

FROM: Essie McGuire, Legislative Analyst *Essie McGuire*

SUBJECT: **Public Hearing – Supplemental Appropriation to the FY09 Operating Budget, Montgomery County Public Schools, Retrofit School Buses with Emission Reduction Devices, \$699,501**

Today the County Council will hold a public hearing on a supplemental appropriation to the FY09 Operating Budget, Montgomery County Public Schools, to Retrofit School Buses with Emission Reduction Devices, \$699,501. The source of funds is a Federal grant from the Environmental Protection Agency (EPA).

This grant will be used to purchase diesel particulate filters for school buses that will reduce the amount of emissions. The Board of Education requested this appropriation on January 13, 2009. The County Executive has recommended approval. The Council introduced the appropriation on March 10, and the Education and Transportation, Infrastructure, Energy, and Environment Committees are scheduled to jointly review the appropriation request on March 23.

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OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

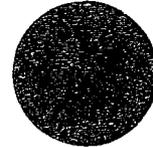
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Isiah Leggett  
County Executive

MEMORANDUM

February 19, 2009



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RECEIVED

TO: Phil Andrews, President, County Council  
FROM: Isiah Leggett, County Executive   
SUBJECT: Supplemental Appropriation #09-255  
FY09 Operating Budget  
Montgomery County Public Schools  
Retrofit School Buses with Emission Reduction Devices  
\$699,501

On January 13, 2009, the Board of Education (BOE) requested authorization to receive and expend an FY09 supplemental appropriation for a grant award of \$699,501 from the United States Environmental Protection Agency (EPA) to retrofit 72 school buses with emission reduction devices.

In April 2004, EPA identified air pollution as a significant health problem in the metropolitan Washington area and gave local governments five years to reduce the amount of ozone depleted by carbon monoxide, hydrocarbons, and particulate emissions from motor vehicles. MCPS applied for and received a grant from EPA's National Clean Diesel Funding Assistance Program to outfit 72 school buses with diesel particulate filters that will reduce the amount of emitted particulate matter and volatile organic compounds. The Montgomery County Department of Transportation has reviewed this grant and determined that it is consistent with the County's policy objectives.

I recommend that the County Council approve this supplemental appropriation of \$699,501 from the EPA to retrofit 72 school buses with emission reduction devices. The source of funds is a federal grant.

IL:cg

Attachments: Supplemental Appropriation #09-255  
Request from the Board of Education

Resolution No: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: County Council

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SUBJECT: Supplemental Appropriation #09-255  
FY09 Operating Budget  
Montgomery County Public Schools  
Retrofit School Buses with Emission Reduction Devices  
\$699,501

Background

1. Section 5-105(d) of the Education Article of the Annotated Code of Maryland provides for the expenditure of non-local funds by the County Board of Education after adoption of the budget, only with the approval of the County fiscal authority.
2. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
3. The County Executive received the Board of Education's action of January 13, 2009, requesting a supplemental appropriation to the operating budget as follows:

<u>Category</u>	<u>Amount</u>	<u>Funding Source</u>
09 Student Transportation	<u>\$ 699,501</u>	Federal Grant
	Total \$ 699,501	

4. The Board of Education has stated that this appropriation is needed to receive and expend \$699,501 for the grant fund. In April 2004, EPA identified air pollution as a significant health problem in the metropolitan Washington area and gave local governments five years to reduce the amount of ozone depleted by carbon monoxide, hydrocarbons, and particulate emissions from motor vehicles. MCPS applied for and received a grant from EPA's National Clean Diesel Funding Assistance Program to outfit 72 school buses with diesel particulate filters that will reduce the amount of emitted particulate matter and volatile organic compounds. The Montgomery County Department of Transportation has reviewed this grant and determined that it is consistent with the County's policy objectives.
5. The County Executive recommends a supplemental appropriation to the FY09 Operating Budget of \$699,501 and has specified that the source of funds will be a federal grant.
6. Notice of a public hearing was given, and a public hearing was held.

Action

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

A supplemental appropriation to the FY09 Operating Budget of the Montgomery County Public Schools is approved as follows:

<u>Category</u>	<u>Amount</u>	<u>Funding Source</u>
09 Student Transportation	<u>\$ 699,501</u>	Federal Grant
Total	\$ 699,501	

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council

Office of the Superintendent of Schools  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland

January 16, 2009

# 09-255

MEMORANDUM

To: The Honorable Isiah Leggett, County Executive  
The Honorable Phil Andrews, President,  
Montgomery County Council

From: Jerry D. Weast, Superintendent of Schools



Subject: Transmittal of Board of Education Item #4.3.1

Recommended FY 2009 Supplemental Appropriation to Retrofit Buses with Emission  
Reduction Devices

BOE Meeting Date: January 13, 2009

Amount of Money: \$699,501

Type of Action: Supplemental Appropriation

JDW:LAB:MCS:jp

Attachment

Copy to:

Dr. Spatz

Montgomery County Office of Management and Budget

Office of the Superintendent of Schools  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland

January 13, 2009

MEMORANDUM

To: Members of the Board of Education

From: Jerry D. Weast, Superintendent of Schools 

Subject: Recommended FY 2009 Supplemental Appropriation to Retrofit Buses with Emission Reduction Devices

**Recommendation in Brief**

Authorization is requested to receive and expend, subject to County Council approval, an FY 2009 supplemental appropriation of \$699,501 from the United States Environmental Protection Agency (EPA) to retrofit 72 buses with emission reduction devices.

**Background Information**

In April 2004, when the EPA identified air pollution as a problem in Metropolitan Washington, DC, local governments were given five years to significantly reduce the amount of ozone depleted by carbon monoxide, hydrocarbons, and particulate emissions from motor vehicles.

Montgomery County Public Schools (MCPS) has the seventh largest publicly owned school bus fleet in the United States. More than 96,000 MCPS students travel over 20 million miles per year in the district's 1,272 buses. To help the county meet EPA standards, MCPS was one of the first school districts in Maryland to retrofit its buses with diesel oxidation catalysts and reflash electronic control modules. In 2006, MCPS established a five-minute idle time limitation on each of its buses and strictly prohibited idling in front of school buildings. MCPS also has modified operations on Code Red days (days with high levels of ozone), reduced its use of electricity generated by fossil fuels, and adopted policies that encourage the use of green alternatives.

In June 2007, an estimated 21,000 children and 57,000 adults residing in Montgomery County were suffering from asthma and 29,000 adults and 12,000 children were suffering from bronchitis and emphysema. Children in Montgomery County who grow up in poverty are 40 percent more likely to be exposed to air pollutants. For this reason, low-income children have higher rates of respiratory problems which contribute to absenteeism. Reducing bus emissions that are precursors of ozone will have a direct impact on the health of the county's most disadvantaged residents, especially its children.

In April 2008, MCPS applied to the United States Environmental Protection Agency for a grant from the National Clean Diesel Funding Assistance Program. The requested funds would be used to outfit 72 school buses with diesel particulate filters that reduce the amount of emitted particulate matter and volatile organic compounds. Achieving these reductions will help Montgomery County achieve the goals for pollution reduction that EPA has established for April 2010.

### **Evaluation**

In addition to improved health of citizens in Montgomery County, Maryland, and the rest of the Metropolitan Washington, DC area, significant reductions in emissions of fine particulate matter, carbon monoxide, and hydrocarbons are the intended outcomes of this project. The expected amount of reduced pollutants will be: 10.50 fewer tons of hydrocarbons, 51.93 fewer tons of carbon monoxide, and 5.60 fewer tons of particulate matter over the lifetime of the buses to be retrofitted. This reduction will be documented using the EPA Diesel Emissions Quantifier.

### **Use of Funds**

The grant provides funding in the amount of \$699,501 for the purchase of diesel oxidation catalysts and modification of the electronic control module chip that allows the diesel engine to operate at lower temperatures resulting in a reduction in emissions.

### **Recommended Resolution**

Resolved, That the superintendent of schools be authorized to receive and expend an FY 2009 supplemental appropriation of \$699,501 from the United States Environmental Protection Agency to retrofit 72 buses with exhaust enhancements.

<u>Category</u>	<u>Amount</u>
9 Student Transportation	\$ <u>699,501</u>
Total	\$ <u>699,501</u>

and be it further

Resolved, That a copy of this resolution be sent to the county executive and County Council; and be it further

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

JDW:LAB:MCS:ps