

Resolution No: 15-1278
Introduced: December 13, 2005
Adopted: January 17, 2006

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

SUBJECT: Special Appropriation to the Maryland-National Capital Park and Planning Commission's FY06 Capital Budget, and Amendment of M-NCPPC's FY05-10 Capital Improvements Program (CIP), to Add \$400,000 in Program Open Space (POS) Acquisition Funds to the Acquisition: Local Parks PDF 767828

Background

1. Article 28, section 2-118(a)(6) of the Annotated Code of Maryland 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. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of six Councilmembers.
4. M-NCPPC requests the following capital project appropriation increase for Acquisition: Local Parks:

Project Name	Project No.	Cost Element	Amount	Source of Funds
Acquisition: Local Parks	767828	Land	\$400,000	Program Open Space

5. The approved FY06 appropriation and expenditures were recommended prior to receipt of the State of Maryland's actual FY06 allocation to Montgomery County, and was based on the allocation known for FY04. The State of Maryland Department of Natural Resources increased the amount of FY06 allocation for Montgomery County.

6. This special appropriation and amendment is needed because of the increase in Program Open Space allocation from the Maryland State Department of Natural Resources. This amendment is consistent with the criteria for amending the CIP because the project leverages significant non-County sources of funds (Program Open Space).
7. The County-Executive recommends amendment of the FY05-10 Capital Improvements Program and a special appropriation in the amount of \$400,000 for Acquisition: Local, PDF 767828, and specifies that the source of funds will be Program Open Space.
8. Notice of public hearing was given and a public hearing was held.

Action

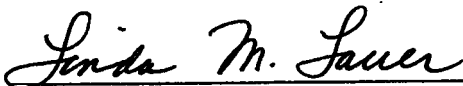
The County Council for Montgomery County, Maryland, approves the following actions:

1. The FY05-10 Capital Improvements Program of the Maryland-National Capital Park and Planning Commission is amended as reflected on the attached project description form and a special appropriation is approved as follows:

Project Name	Project No.	Cost Element	Amount	Source of Funds
Acquisition: Local Parks	767828	Land	\$400,000	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:

October 21, 2005
 21-5 (03 App)
 NO

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY04	Rem. FY04	Total 6 Years	FY05	FY06	FY07	FY08	FY09	FY10	Beyond 6 Years
Planning, Design and Supervision	60	0	0	60	10	10	10	10	10	10	0
Land	3,759	0	0	3,759	359	1,000	600	600	600	600	0
Site Improvements and Utilities											
Construction											
Other	518	0	368	150	25	25	25	25	25	25	0
Total	4,337	0	368	3,969	394	1,035	635	635	635	635	0

FUNDING SCHEDULE (\$000)

Program Open Space	3,808	0	49	3,759	359	1,000	600	600	600	600	0
Federal Aid	0	0	0	0	0	0	0	0	0	0	0
Park and Planning Bonds	529	0	319	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
Program-Staff				78	13	13	13	13	13	13	0
Program-Other				18	3	3	3	3	3	3	0
Net Impact				96	16	16	16	16	16	16	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, Airy Hill Local Park Addition, 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 addition of FY09 and FY10 to this ongoing project.

STATUS

Ongoing.

OTHER

Beginning in FY03, \$25,000 covers annual onetime costs to secure properties, e.g. removing attractive nuisances, posting properties, cleaning up sites, etc. In FY05, building structures at Piney Branch Local Park and Airy Hill Local Park will be demolished. 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 AND AMENDMENT TO ADD \$400,000 IN PROGRAM OPEN SPACE FUNDS.

After partial closeout, the FY04 cumulative appropriation for POS is \$773. The FY05 POS allocation to this PDF is \$359. The \$773 FY04 appropriation is sufficient to cover the \$359 new allocation from the state. FY06 APPROPRIATION BY FUNDING SOURCE: \$600,000 POS, \$35,000 PARK AND PLANNING BONDS, AND -\$32,000 WSSC BONDS. NET FY06 APPROPRIATION: \$603,000.

APPROPRIATION AND EXPENDITURE DATA		
Date First Appropriation	FY00	(\$000)
Initial Cost Estimate		0
First Cost Estimate		
Current Scope	FY97	11,001
Last FY's Cost Estimate		4,018
Present Cost Estimate		4,337
Appropriation Request	FY06	603
Supplemental Appropriation Request	FY06 06	400
Transfer		0
Cumulative Appropriation		794
Expenditures/Encumbrances		16
Unencumbered Balance		778
Partial Closeout Thru	FY03	10,702
New Partial Closeout	FY04	49
Total Partial Closeout		10,751

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