

Resolution No: 15-1279
Introduced: December 13, 2005
Adopted: January 17, 2006

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

SUBJECT: Special Appropriation to Montgomery County Government's FY06 Capital Budget to Add \$1,921,000 in Program Open Space (POS) Acquisition Funds to Acquisition: Non-Local, PDF 998798.

Background

1. Article 28, section 2-118(a)(6) of the Annotated Code of Maryland permits the County Council to amend the budget 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. The Maryland-National Capital Park and Planning Commission (M-NCPPC) requests the following capital project appropriation increase for Acquisition: Non-Local Parks. 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.

Project Name	Project No.	Cost Element	Amount	Source of Funds
Acquisition: Non-Local	998798	Land	\$1,921,000	Program Open Space

5. This special appropriation is needed because of an increase in Program Open Space allocation from the Maryland State Department of Natural Resources. This recommended action leverages significant non-County sources of funds (Program Open Space).

6. The County Executive recommends a special appropriation in the amount of \$1,921,000 for Acquisition: Non-Local Parks, PDF 998798, and specifies that the source of funds will be Program Open Space.
7. Notice of public hearing was given and a public hearing was held.

Action


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

1. A special appropriation to Montgomery County Government's FY06 Capital Budget as follows:

Project Name	Project No.	Cost Element	Amount	Source of Funds
Acquisition: Non-Local	998798	Land	\$1,921,000	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: Non-Local Parks -- No. 998798

PROPOSED

Category **M-NCPPC**
 Agency **M-NCPPC**
 Planning Area **Countywide**
 Relocation Impact **None.**

Date Last Modified
 Previous PDF Page Number
 Required Adequate Public Facility

November 8, 2005
 21-6 (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	847	0	57	790	115	135	135	135	135	135	0
Land	10,662	0	1,073	9,589	1,958	3,063	1,142	1,142	1,142	1,142	0
Site Improvements and Utilities											
Construction											
Other	0	0	0	0	0	0	0	0	0	0	0
Total	11,509	0	1,130	10,379	2,073	3,198	1,277	1,277	1,277	1,277	0

FUNDING SCHEDULE (\$000)

POS-Stateside (P&P only)	0	0	0	0	0	0	0	0	0	0	0
Program Open Space	10,536	0	1,073	9,463	1,832	3,063	1,142	1,142	1,142	1,142	0
State DNR (P&P only)	126	0	0	126	126	0	0	0	0	0	0
G.O. Bonds	0	0	0	0	0	0	0	0	0	0	0
Current Revenue: General	847	0	57	790	115	135	135	135	135	135	0

ANNUAL OPERATING BUDGET IMPACT (\$000)

Maintenance				120	20	20	20	20	20	20	0
Program-Staff				24	4	4	4	4	4	4	0
Program-Other				0	0	0	0	0	0	0	0
Net Impact				144	24	24	24	24	24	24	0
Workyears				0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

DESCRIPTION

This PDF identifies capital expenditures and appropriations for acquisition of non-local parkland, i.e., acquisitions in stream valley, conservation, regional, recreational, and special parks. This PDF provides latitude to acquire properties consistent with master plans and Commission policies, as properties become available. It also provides for related costs, e.g., surveys and appraisals. The acquisition schedule for FY05-10 includes, but is not limited to, purchases in Clarksburg Greenway, Little Seneca Stream Valley Park, Calithea Farm, and Great Seneca Stream Valley Park. Other acquisitions will be pursued if funds are available.

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, area master plans, and functional plans. The Commission acquires as much parkland as possible in "dedication" through the development review process, however, this method does not meet all parkland needs and must be supplemented by a direct land acquisition program.

Cost Change

Decrease due to elimination of \$2,325 Stateside POS and reduction in annual POS allocation and related costs.

STATUS

Ongoing.

OTHER

*Expenditures will continue indefinitely.

FISCAL NOTE

SPECIAL APPROPRIATION IN FY06 ADDED \$1,921,000 IN PROGRAM OPEN SPACE FUNDING. M-NCPPC'S FY05-10 CIP AMENDED TO REFLECT THIS SPECIAL APPROPRIATION. After partial closeout, FY04 cumulative appropriation is \$6917, i.e. \$6740 cumulative appropriation, plus \$177 supplemental

APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY99	(\$000)
Initial Cost Estimate		0
First Cost Estimate		
Current Scope	FY99	0
Last FY's Cost Estimate		12,218
Present Cost Estimate		11,509
Appropriation Request	FY06	1,277
Supplemental Appropriation Request	FY05 06	1,921
Transfer		0
Cumulative Appropriation		3,203
Expenditures/Encumbrances		0
Unencumbered Balance		3,203
Partial Closeout Thru	FY03	11,334
New Partial Closeout	FY04	2,630
Total Partial Closeout		13,964

COORDINATION

Acquisition: Local PDF 767828
 Legacy 2000 PDF 018710
 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

appropriation. The \$6917 cumulative appropriation consists of \$2,325 POS Stateside, \$4,411 POS, and \$181 County Current Revenue. The \$2,325 POS Stateside appropriation exceeds the funds available from the State and should be disappropriated in FY05. The actual FY05 POS allocation is \$1,359 of which \$1,000 is allocated to Acquisition: Non-Local and \$359 is allocated to Acquisition: Local. In addition, the State of Maryland balance for Montgomery County in FY04 included \$126 in Land and Water Conservation (L&WC) funds that can be used for acquisition purposes and require no match; these funds are shown in the funding schedule as State (DNR) and programmed to be spent in FY05. As of April 2004, the State of Maryland balance for Montgomery County also included \$46 in POS acquisition funds not already appropriated; the \$46 POS will be added to the \$1,000 POS acquisition allocation in FY05. Thus, the FY05 appropriation request is: -\$2,325 POS Stateside + \$1,000 new POS allocation + \$46 POS remaining State balance + \$126 State (DNR) + \$69 Current Revenue. The net new appropriation is -\$1,084.