

Resolution No.: 15-1687
Introduced: November 28, 2006
Adopted: November 28, 2006

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Special Appropriation to the FY07 Capital Budget
Montgomery County
Acquisition: Non-Local Parks (No. 998798)

Background

1. Article 28, Section 2-118(a)(6) of the Maryland Code 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. On August 1, 2006, the Council approved an amendment to the FY07-12 Capital Improvements Program increasing the amount of funding available for this project. The Council deferred appropriation until M-NCPPC provided the Planning, Housing, and Economic Development Committee with further information on park acquisition strategies. M-NCPPC provided the requested information.
4. M-NCPPC requests a special appropriation to the Montgomery County FY07 Capital Budget as follows:

Project Name	Project No.	Cost Element	Amount	Source of Funds
Acquisition: Non-Local Parks	998798	Land	\$2,000,000	Program Open Space

5. The approved FY07 appropriation and expenditures were recommended prior to receipt of the State of Maryland's actual FY07 allocation to Montgomery County, and was based on the allocation known for FY06. The State of Maryland Department of Natural Resources increased the amount of FY07 allocation for Montgomery County.

- 6. This amendment and special appropriation 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. Notice of public hearing was given and a public hearing was held.
- 8. On October 23, 2006 the Planning, Housing, and Economic Development Committee held a worksession to consider M-NCPPC’s request and recommended approval.
- 9. On October 31, 2006, the Council approved Resolution No. 15-1652. Since the resolution provided funding in the M-NCPPC Capital Budget and Non-Local Acquisitions are funded in the County Government Capital Budget, the resolution was reconsidered by the Council on November 28 and readopted as an addition to the County Government Capital Budget.

Action

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

- 1. A special appropriation to the FY07 Capital Budget for Montgomery County is approved as follows:

Project Name	Project No.	Cost Element	Amount	Source of Funds
Acquisition: Non-Local Parks	998798	Land	\$2,000,000	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