

Resolution No.: 15-1686  
Introduced: November 28, 2006  
Adopted: November 28, 2006

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: County Council

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**SUBJECT:** Amendment to the FY07-12 Capital Improvements Program (CIP) and  
Special Appropriation to the FY07-12 Capital Budget  
Maryland-National Capital Park and Planning Commission (M-NCPPC)  
Black Hill Trail Renovation and Extension (No. 058701)

**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. 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 an amendment to the FY07-12 CIP and a special appropriation to the FY07 Capital Budget for M-NCPPC to provide for the renovation of a deteriorated segment of the existing trail, and construction of a 1.2 mile trail extension to connect the adjacent residential community to Black Hill Regional Park as follows:

Project Name	PDF #	Cost Element	Amount	Funding Source
Black Hill Trail Renovation & Extension	058701	Planning, Design & Supervision	\$379,000	GO Bonds
Black Hill Trail Renovation & Extension	058701	Site Improvements	\$1,277,000	GO Bonds
Black Hill Trail Renovation & Extension	058701	Site Improvements	\$2,328,000	Program Open Space
<b>TOTAL</b>			<b>\$3,984,000</b>	



- 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. Notice of public hearing was given and a public hearing was held.
- 7. On October 23, 2006 the Planning, Housing, and Economic Development Committee held a worksession to consider M-NCPPC’s request and recommended approval.
- 8. On October 31, 2006 the Council approved Resolution No. 15-1657. Since the funding amount in the resolution was inconsistent with the Project Description form and the Council’s intent, the resolution was reconsidered by the Council on November 28 and readopted in the amount requested by M-NCPPC.

**Action**

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

- 1. The FY07-12 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	PDF #	Cost Element	Amount	Funding Source
Black Hill Trail Renovation & Extension	058701	Planning, Design & Supervision	\$379,000	GO Bonds
Black Hill Trail Renovation & Extension	058701	Site Improvements	\$1,277,000	GO Bonds
Black Hill Trail Renovation & Extension	058701	Site Improvements	\$2,328,000	Program Open Space
<b>TOTAL</b>			<b>\$3,984,000</b>	

- 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.

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Linda M. Lauer, Clerk of the Council