

Resolution No.: 16-899  
Introduced: March 3, 2009  
Adopted: March 31, 2009

**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.

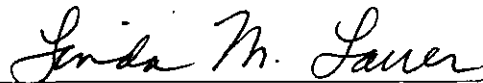
**Action**

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.



Linda M. Lauer, Clerk of the Council