

#4 - Park and Planning Commission CIP for odd-numbered calendar years, and Capital Budget Requires 6 affirmative votes.

Resolution No: 16-964
Introduced: May 21, 2009
Adopted: May 21, 2009

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Approval of Amendments to the Approved FY 2009-2014 Capital Improvements Program, and Approval of and Appropriation for the FY 2010 Capital Budget of the Maryland-National Capital Park and Planning Commission

Background

1. As required by Article 28, Section 2-118 of the Maryland Code, the Maryland-National Capital Park and Planning Commission sent to the County Executive an FY 2010 Capital Budget.
2. Section 302 of the County Charter requires the Executive to send to the County Council by January 15 in each even-numbered calendar year a 6-year Capital Improvements Program (CIP), which the Executive did on January 15, 2008 for the 6-year period FY 2009-2014. Section 302 requires the affirmative vote of at least 5 Councilmembers to approve or modify the Executive's Recommended CIP. On May 22, 2008 the Council approved a CIP for FY 2009-2014 in Resolution 16-571. After the Council approves a CIP, Section 302 permits the Council to amend it at any time with the affirmative vote of at least 6 Councilmembers.
3. Section 303 of the Charter requires the Executive to send to the Council by January 15 in each year a Recommended Capital Budget, which the Executive did on January 15, 2009 for FY 2010. The Executive also recommended amendments to the Approved FY 2009-2014 CIP.
4. As required by Section 304 of the Charter, the Council held public hearings on April 13, 14, 15, and 16, 2009 on the Capital Budget for FY 2010 and on amendments to the Approved CIP for FY 2009-2014.

Action

The County Council for Montgomery County, Maryland approves the following resolution for the Maryland-National Capital Park and Planning Commission:

1. For FY 2010, the Council approves the Capital Budget and appropriates the amounts by project that are shown in part I. The expenditure of funds for each item in the Capital Budget must comply with all restrictions and requirements in the project description form for that item, as the form is contained in the Approved CIP as amended by this resolution, and as the CIP is amended by the Council under Charter Section 302 after this resolution is adopted.

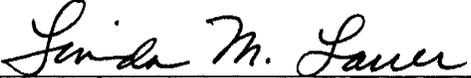
2. The Council reappropriates the appropriations made in prior years for all capital projects:
 - a) except as specifically reflected elsewhere in this resolution;
 - b) in the amounts and for the purposes specified in the Approved CIP for FY 2009-2014; and
 - c) to the extent that those appropriations are not expended or encumbered.

3. The Council approves, as amendments to the Approved FY 2009-2014 CIP, projects shown in part II.

4. The Council approves the close out of the projects in part III.

5. The Council approves the partial close-out of the projects in part IV.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council