

Resolution No.: 20-19
Introduced: December 13, 2022
Adopted: January 17, 2023

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Council President at the Request of the County Executive

SUBJECT: Supplemental Appropriation to the FY23 Operating Budget
Montgomery County Government Department of Environmental Protection
Tree Canopy Conservation, \$750,000

Background

1. 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 six Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of seven 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.
2. The County Executive has requested the following FY23 Operating Budget appropriation increases for the Department of Environmental Protection:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
	\$750,000		\$750,000	Tree Canopy Conservation Fund

3. This increase is needed because all available funds have been encumbered and committed. So far in FY23, more than \$915,000 of the available \$933,000 has been encumbered and committed to 2,250 new tree orders, replacements, and watering in August 2022. The Tree Canopy Law, Section 55-10(b) of the County Code, established the Tree Canopy Fund to administer a shade tree planting program to spend the funds from the dedicated account. Shade tree planting through the Tree Montgomery program fulfills the County's requirements to comply with this requirement in the Tree Canopy Law and is also an

important part of the County's climate goals. At the end of FY22, the Tree Canopy Conservation account balance was \$2,169,584.

4. The County Executive has recommended a supplemental appropriation to the FY23 Operating Budget in the amount of \$750,000 for the Department of Environmental Protection and specify that the source of funds will be the Tree Canopy Conservation fund.
5. Notice of a public hearing was given, and a public hearing was held on January 17, 2023.

Action

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

1. A supplemental appropriation to the FY23 Operating Budget of the Department of Environmental Protection is approved as follows:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
	\$750,000		\$750,000	Tree Canopy Conservation Fund

2. The County Council declares that this action is necessary to act without delay in the public interest, and that this appropriation is needed to meet the critical need.

This is a correct copy of Council action.



Judy Rupp
Clerk of the Council