

Resolution No.:	<u>20-667</u>
Introduced:	<u>October 29, 2024</u>
Adopted:	<u>November 19, 2024</u>

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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

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**SUBJECT:** Amendment to the FY25-30 Capital Improvements Program and Supplemental Appropriation # 25-21 to the FY25 Capital Budget Montgomery County Government Office of Agriculture Ag Land Preservation Easements (No. 0788911), \$739,758

**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. 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 no fewer than six members of the Council.
3. The County Executive recommends the following capital project appropriation increases:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Ag Land Preservation Easements	0788911	Land	\$739,758	Agriculture Transfer Tax

4. This appropriation is needed because the Office of Agriculture received the FY24 State Ag Transfer Tax amount of \$939,758 which was \$739,758 higher than the projected and appropriated amount of \$200,000. The recommended amendment is consistent with the criteria for amending the CIP because the Office of Agriculture has several significant opportunities to acquire additional easements in the Ag Reserve which may be lost if not acted upon at this time and the supplemental leverages significant non-County sources of funds.
5. The County Executive recommends an amendment to the FY25-30 Capital Improvements Program and a supplemental appropriation in the amount of \$739,758 for Ag Land Preservation Easements (No. 0788911) and specifies that the source of funds will be from Agriculture Transfer Tax.
6. Notice of public hearing was given and a public hearing was held.

### Action

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

The FY25-30 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and a supplemental appropriation is approved as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Ag Land Preservation Easements	0788911	Land	\$739,758	Agriculture Transfer Tax

This is a correct copy of Council action.



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Sara R. Tenenbaum  
Clerk of the Council