

**MEMORANDUM**

November 19, 2009

TO: Education Committee

FROM: <sup>GO</sup> Glenn Orlin, Deputy Council Staff Director

SUBJECT: Resolutions to amend the FY 2009-2014 Capital Improvements Program: B-CC Cluster ES Solution; Clarksburg Cluster MS Solution; Northwest Cluster ES Solution; and Seneca Valley Cluster ES Solution

In its review of the 2009-2011 Growth Policy, the Council retained the rule that no more residential subdivisions (except for senior housing) can be approved in a high school cluster where the enrollment will exceed MCPS program capacity five years from now by more than 20% at any level (ES, MS, or HS). However, the Council also noted that it could eliminate the current four cluster moratoria in the short term by programming funds in the CIP so that new capacity in the affected clusters and levels will open by August 2014. The Council amended the Growth Policy to allow the Planning Board to make a mid-cycle finding on adequacy this year if CIP amendments are approved to increase capacity.

Attached are four CIP amendments introduced by the Council that would program funds to add sufficient capacity within five years in the four moratorium clusters to bring them out of moratoria. These cost estimates were developed by MCPS staff at Council staff's request. The total cost of these projects is \$31,890,000; there are sufficient funds in the CIP reserve to absorb the cost (see the table below).

**G.O. Bond Reserve in the FY09-14 CIP (\$ thousands)**

	<b>FY10</b>	<b>FY11</b>	<b>FY12</b>	<b>FY13</b>	<b>FY14</b>	<b>Beyond FY14</b>
<b>G.O. Bond reserve</b>	<b>13,828</b>	<b>19,872</b>	<b>20,474</b>	<b>62,342</b>	<b>51,251</b>	-
B-CC ES Solution	-	-	(719)	(4,586)	(6,925)	(2,360)
Clarksburg MS Solution	-	-	(315)	(1,667)	(1,974)	(444)
Northwest ES Solution	-	-	(466)	(3,023)	(3,068)	(4,543)
Seneca Valley ES Solution	-	-	-	(173)	(876)	(751)
<b>Reserve balance</b>	<b>13,828</b>	<b>19,872</b>	<b>18,974</b>	<b>52,893</b>	<b>38,408</b>	-

There is precedent for this. The model is the Upcounty Solution project approved in the FY 2001-2006 CIP, which programmed—but did not appropriate—26 more classrooms in the Upcounty (20 for Northwest HS and 16 at Gaithersburg HS). This was done, as noted on the project description form

(PDF), to prevent the Damascus and Watkins Mill Clusters from going into residential moratoria. The PDF also noted that “alternative solutions to meet the capacity requirements in the up-county may be considered in future years” so as not to bind the BOE to these specific additions. In effect, it was a funding placeholder to be used for whatever the BOE ultimately proposed. During the next 2 years, based on BOE requests, the funds were shifted—and appropriated—to the Northwest HS Addition and Gaithersburg HS Addition projects, and also to the Clarksburg HS (Rocky Hill Conversion) project.

**1. B-CC Cluster ES Solution** (©1-2). According to the enrollment forecasts in effect last summer when the school adequacy test was last assessed, this cluster was projected to be over capacity at the ES level by 971 students (37%) by August 2014. In order to bring the cluster out of moratorium now, program capacity would have to be increased by at least 448 seats. B-CC Cluster ES Solution would program 20 additional rooms. With a program capacity of 23 students/room, this would increase program capacity by 460. Even if some of these rooms were for kindergarten, 20 rooms would be sufficient.

There are two new sources of ES capacity in the Superintendent’s FY11-16 CIP request. Westbrook ES Addition would add 344 seats by August 2013. Somerset ES Addition would add 92 seats during the 2010-2011 school year. A third project that is already programmed, the modernization of Rock Creek Forest ES, will add 288 seats when it opens in January 2015. Therefore, 724 more seats will be available within five years of this upcoming January if the Council ultimately approves the Superintendent’s request, well above the 448 needed to bring the cluster out of moratorium.

**Council staff recommendation: Approve the B-CC Cluster ES Solution amendment, but revise the last sentence under the Description to read:**

**The County Council anticipates that the Board of Education will request one or more specific projects that will add these classrooms by [the start of the 2014-2015 school year] January 2015, and that these funds would be used for that purpose.**

If the Council approves this PDF, then the Planning Board should not make its mid-cycle assessment of the school test until January, at which point the additional capacity from the Rock Creek ES modernization will be within 5 years of completion and thus be ‘countable’ under the school test.

**2. Northwest Cluster ES Solution** (©3-4). According to last summer’s enrollment forecasts, this cluster was projected to be over capacity at the ES level by 700 students (20+%) by August 2014. In order to bring the cluster out of moratorium now, program capacity would have to be increased by at least 5 seats. Northwest Cluster ES Solution would program 8 additional rooms. With a program capacity of 23 students/room, this would increase program capacity by 184. Even if some of these rooms were for kindergarten, 8 rooms would be more than sufficient.

The Superintendent’s request calls for the Darnestown ES Addition, which would add 182 seats by August 2013. Therefore, these seats will be available within the next five years if the Council ultimately approves the Superintendent’s request, well above the 5 seats needed to bring the cluster out of moratorium.

**Council staff recommendation: Approve the Northwest Cluster ES Solution amendment.**

3. Seneca Valley Cluster ES Solution (©5-6). According to last summer's enrollment forecasts, this cluster was projected to be over capacity at the ES level by 395 students (21%) by August 2014. In order to bring the cluster out of moratorium now, program capacity would have to be increased by at least 15 seats. Seneca Valley Cluster ES Solution would program 4 additional rooms. With a program capacity of 23 students/room, this would increase program capacity by 92. Even if some of these rooms were for kindergarten, 4 rooms would be more than sufficient.

The Superintendent's request calls for the Waters Landing ES Addition, which would add 237 seats by August 2013. Therefore, these seats will be available within the next five years if the Council ultimately approves the Superintendent's request, well above the 15 seats needed to bring the cluster out of moratorium.

**Council staff recommendation:** Approve the Seneca Valley Cluster ES Solution amendment.

4. Clarksburg Cluster MS Solution (©7-8). According to last summer's enrollment forecasts, this cluster was projected to be over capacity at the MS level by 370 students (33%) by August 2014. In order to bring the cluster out of moratorium now, program capacity would have to be increased by at least 143 seats. Clarksburg Cluster MS Solution would program 10 additional rooms. With a program capacity of 21.25 students/room, this would increase program capacity by 212. Even if some of these rooms were for ESOL or special education, 10 rooms would be more than sufficient.

The Superintendent's request calls for a new Clarksburg/Damascus MS, which would add 988 seats by August 2015. While the capacity would be more sufficient to bring the cluster out of moratorium, it would be provided a semester too late for the 5-year 'countable' period. MCPS staff acknowledges that, from a production standpoint, the new school could be built a year sooner. However, this is a \$44.3 million project: accelerating it would add fiscal pressure in the earlier of years of the CIP, especially FY13, and so this is not a likely outcome. No capacity additions are in the offing for either Neelsville MS or Rocky Hill MS.

**Council staff recommendation:** Do not approve the Clarksburg Cluster MS Solution amendment. The Clarksburg Cluster would remain in moratorium, but if the Council ultimately adopts the Superintendent's request for a new Clarksburg/Damascus MS, the cluster will be out of moratorium next July when the school will be 'countable.'

5. **Summary.** The total cost of the three amendments proposed for approval is \$27,490,000, which is readily absorbable from the capital reserve in the FY09-14 CIP. None of these PDFs would appear in the FY11-16 CIP if the aforementioned new projects recommended by the Superintendent—totaling \$33,248,000—are ultimately approved.

As noted in the Growth Policy worksession, the forecast is that none of these clusters will be in moratorium by next July, but that the Richard Montgomery cluster will be. Council staff, working with MCPS staff, will develop a Richard Montgomery Cluster ES Solution PDF for the Committee's and Council's consideration during this winter's review of the FY11-16 CIP.

Resolution: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: Planning, Housing, and Economic Development Committee

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SUBJECT: Amendment to the FY09-14 Capital Improvements Program,  
Montgomery County Public Schools  
B-CC Cluster ES Solution

Background

1. 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.
2. The Planning, Housing, and Economic Development Committee recommends adding this project to program sufficient funds to design and construct twenty permanent elementary school classrooms in the Bethesda-Chevy Chase (B-CC) high school cluster. These classrooms would meet capacity requirements under the Growth Policy, ending a residential moratorium in the B-CC cluster. It is anticipated that ultimately the Board of Education will request one or more specific projects that will add these classrooms by the start of the 2014-2015 school year, and that these funds would be used for that purpose.
3. 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 FY09-14 Capital Improvements Program of the Montgomery County Public Schools is amended as reflected on the attached project description form.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council

## BCC Cluster ES Solution -- No. (TBD)

Category	Montgomery County Public Schools	Date Last Modified	October 2, 2009
Subcategory	Individual Schools	Required Adequate Public Facility	Yes
Administering Agency	MCPS	Relocation Impact	None
Planning Area	Bethesda-Chevy Chase	Status	

### EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY08	6 Yr. Total	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	1,416	0	1,348	0	0	0	719	365	264	68
Land	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	2,014	0	2,014	0	0	0	0	1,828	186	0
Construction	10,423	0	8,518	0	0	0	0	2,393	6,125	1,905
Other	737	0	350	0	0	0	0	0	350	387
<b>Total</b>	<b>14,590</b>	<b>0</b>	<b>12,230</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>719</b>	<b>4,586</b>	<b>6,925</b>	<b>2,360</b>

### FUNDING SCHEDULE (\$000)

G.O. Bonds	14,590	0	12,230	0	0	0	719	4,586	6,925	2,360
<b>Total</b>	<b>14,590</b>	<b>0</b>	<b>12,230</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>719</b>	<b>4,586</b>	<b>6,925</b>	<b>2,360</b>

#### DESCRIPTION

Due to increasing enrollment growth, this project includes funds to design and construct 20 permanent elementary school classrooms in the Bethesda-Chevy Chase high school cluster. These additional classrooms would meet capacity requirements under the Growth Policy, ending a residential moratorium in the B-CC cluster. The County Council anticipates that ultimately the Board of Education will request one or more specific projects that will add these classrooms by the start of the 2014-2015 school year, and that these funds would be used for that purpose.

#### CAPACITY

Teaching Stations Added: 20

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP
Date First Appropriation	Mandatory Referral - M-NCPPC Department of Environmental Protection Protection Building Permits: Code Review Fire Marshal Department of Transportation Inspections Sediment Control Stormwater Management WSSC Permits	See Map on Next Page
First Cost Estimate		
Current Scope		
Last FY's Cost Estimate		
Appropriation Request		
Appropriation Request Est.		
Supplemental Appropriation Request		
Transfer		
Cumulative Appropriation		
Expenditures/Encumbrances		
Unencumbered Balance		
Partial Closeout Thru		
New Partial Closeout		
Total Partial Closeout		

Resolution: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: Planning, Housing, and Economic Development Committee

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SUBJECT: Amendment to the FY09-14 Capital Improvements Program,  
Montgomery County Public Schools  
Northwest Cluster ES Solution

Background

1. 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.
2. The Planning, Housing, and Economic Development Committee recommends adding this project to program sufficient funds to design and construct eight permanent elementary school classrooms in the Northwest high school cluster. These classrooms would meet capacity requirements under the Growth Policy, ending a residential moratorium in the Northwest cluster. It is anticipated that ultimately the Board of Education will request one or more specific projects that will add these classrooms by the start of the 2014-2015 school year, and that these funds would be used for that purpose.
3. 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 FY09-14 Capital Improvements Program of the Montgomery County Public Schools is amended as reflected on the attached project description form.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council

## Northwest Cluster ES Solution -- No. (TBD)

Category	Montgomery County Public Schools	Date Last Modified	October 2, 2009
Subcategory	Individual Schools	Required Adequate Public Facility	Yes
Administering Agency	MCPS	Relocation Impact	None
Planning Area	Germantown	Status	

### EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY08	6 Yr. Total	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	932	0	932	0	0	0	466	280	186	0
Land	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	1,307	0	1,307	0	0	0	0	1,046	261	0
Construction	8,486	0	4,243	0	0	0	0	1,697	2,546	4,243
Other	375	0	75	0	0	0	0	0	75	300
<b>Total</b>	<b>11,100</b>	<b>0</b>	<b>6,557</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>466</b>	<b>3,023</b>	<b>3,068</b>	<b>4,543</b>

### FUNDING SCHEDULE (\$000)

G.O. Bonds	11,100	0	6,557	0	0	0	466	3,023	3,068	4,543
<b>Total</b>	<b>11,100</b>	<b>0</b>	<b>6,557</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>466</b>	<b>3,023</b>	<b>3,068</b>	<b>4,543</b>

#### DESCRIPTION

Due to increasing enrollment growth, this project includes funds to design and construct eight permanent elementary school classrooms in the Northwest high school cluster. These additional classrooms would meet capacity requirements under the Growth Policy, ending a residential moratorium in the Northwest cluster. The County Council anticipates that ultimately the Board of Education will request one or more specific projects that will add these classrooms by the start of the 2014-2015 school year, and that these funds would be used for that purpose.

#### CAPACITY

Teaching Stations Added: 8

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP
Date First Appropriation      FY	Mandatory Referral - M-NCPPC Department of Environmental Protection Protection Building Permits: Code Review Fire Marshal Department of Transportation Inspections Sediment Control Stormwater Management WSSC Permits	See Map on Next Page
First Cost Estimate		
Current Scope                      FY10      11,100		
Last FY's Cost Estimate              0		
Appropriation Request              FY09      0		
Appropriation Request Est.        FY10      0		
Supplemental Appropriation Request      0		
Transfer                                      0		
Cumulative Appropriation              0		
Expenditures/Encumbrances        0		
Unencumbered Balance                0		
Partial Closeout Thru                FY06      0		
New Partial Closeout                FY07      0		
Total Partial Closeout                0		

Resolution: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: Planning, Housing, and Economic Development Committee

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SUBJECT: Amendment to the FY09-14 Capital Improvements Program,  
Montgomery County Public Schools  
Seneca Valley Cluster ES Solution

Background

1. 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.
2. The Planning, Housing, and Economic Development Committee recommends adding this project to program sufficient funds to design and construct four permanent elementary school classrooms in the Seneca Valley high school cluster. These classrooms would meet capacity requirements under the Growth Policy, ending a residential moratorium in the Seneca Valley cluster. It is anticipated that ultimately the Board of Education will request one or more specific projects that will add these classrooms by the start of the 2014-2015 school year, and that these funds would be used for that purpose.
3. 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 FY09-14 Capital Improvements Program of the Montgomery County Public Schools is amended as reflected on the attached project description form.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council

(5)

## Seneca Valley Cluster ES Solution -- No. (TBD)

Category	Montgomery County Public Schools	Date Last Modified	October 2, 2009
Subcategory	Individual Schools	Required Adequate Public Facility	Yes
Administering Agency	MCPS	Relocation Impact	None
Planning Area	Germantown	Status	

### EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY08	6 Yr. Total	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	231	0	219	0	0	0	0	173	46	11
Land	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	186	0	186	0	0	0	0	0	186	0
Construction	1,287	0	644	0	0	0	0	0	644	643
Other	97	0	0	0	0	0	0	0	0	97
<b>Total</b>	<b>1,800</b>	<b>0</b>	<b>1,049</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>173</b>	<b>876</b>	<b>751</b>

### FUNDING SCHEDULE (\$000)

G.O. Bonds	1,800	0	1,049	0	0	0	0	173	876	751
<b>Total</b>	<b>1,800</b>	<b>0</b>	<b>1,049</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>173</b>	<b>876</b>	<b>751</b>

#### DESCRIPTION

Due to increasing enrollment growth, this project includes funds to design and construct four permanent elementary school classrooms in the Seneca Valley high school cluster. These additional classrooms would meet capacity requirements under the Growth Policy, ending a residential moratorium in the Seneca Valley cluster. The County Council anticipates that ultimately the Board of Education will request one or more specific projects that will add these classrooms by the start of the 2014-2015 school year, and that these funds would be used for that purpose.

#### CAPACITY

Teaching Stations Added: 4

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP
Date First Appropriation	Mandatory Referral - M-NCPPC Department of Environmental Protection Protection Building Permits: Code Review Fire Marshal Department of Transportation Inspections Sediment Control Stormwater Management WSSC Permits	See Map on Next Page
First Cost Estimate		
Current Scope		
Last FY's Cost Estimate		
Appropriation Request		
Appropriation Request Est.		
Supplemental Appropriation Request		
Transfer		
Cumulative Appropriation		
Expenditures/Encumbrances		
Unencumbered Balance		
Partial Closeout Thru		
New Partial Closeout		
Total Partial Closeout		

6

Resolution: \_\_\_\_\_

Introduced: \_\_\_\_\_

Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: Planning, Housing, and Economic Development Committee

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SUBJECT: Amendment to the FY09-14 Capital Improvements Program,  
Montgomery County Public Schools  
Clarksburg Cluster MS Solution

Background

1. 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.
2. The Planning, Housing, and Economic Development Committee recommends adding this project to program sufficient funds to design and construct ten permanent middle school classrooms in the Clarksburg high school cluster. These classrooms would meet capacity requirements under the Growth Policy, ending a residential moratorium in the Clarksburg cluster. It is anticipated that ultimately the Board of Education will request one or more specific projects that will add these classrooms by the start of the 2014-2015 school year, and that these funds would be used for that purpose.
3. 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 FY09-14 Capital Improvements Program of the Montgomery County Public Schools is amended as reflected on the attached project description form.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council

## Clarksburg Cluster MS Solution -- No. (TBD)

Category	Montgomery County Public Schools	Date Last Modified	October 2, 2009
Subcategory	Individual Schools	Required Adequate Public Facility	Yes
Administering Agency	MCPS	Relocation Impact	None
Planning Area	Clarksburg	Status	

### EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY08	6 Yr. Total	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	420	0	420	0	0	0	315	84	21	0
Land	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	678	0	678	0	0	0	0	678	0	0
Construction	3,018	0	2,716	0	0	0	0	905	1,811	302
Other	97	0	142	0	0	0	0	0	142	142
<b>Total</b>	<b>4,400</b>	<b>0</b>	<b>3,956</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>315</b>	<b>1,667</b>	<b>1,974</b>	<b>444</b>

### FUNDING SCHEDULE (\$000)

G.O. Bonds	4,400	0	3,956	0	0	0	315	1,667	1,974	444
<b>Total</b>	<b>4,400</b>	<b>0</b>	<b>3,956</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>315</b>	<b>1,667</b>	<b>1,974</b>	<b>444</b>

#### DESCRIPTION

Due to increasing enrollment growth, this project includes funds to design and construct ten permanent middle school classrooms in the Clarksburg high school cluster. These additional classrooms would meet capacity requirements under the Growth Policy, ending a residential moratorium in the Clarksburg cluster. The County Council anticipates that ultimately the Board of Education will request one or more specific projects that will add these classrooms by the start of the 2014-2015 school year, and that these funds would be used for that purpose.

#### CAPACITY

Teaching Stations Added: 10

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP
Date First Appropriation      FY	Mandatory Referral - M-NCPPC Department of Environmental Protection Protection Building Permits: Code Review Fire Marshal Department of Transportation Inspections Sediment Control Stormwater Management WSSC Permits	See Map on Next Page
First Cost Estimate		
Current Scope                      FY10      4,400		
Last FY's Cost Estimate              0		
Appropriation Request              FY09      0		
Appropriation Request Est.        FY10      0		
Supplemental Appropriation Request      0		
Transfer                                      0		
Cumulative Appropriation              0		
Expenditures/Encumbrances        0		
Unencumbered Balance                0		
Partial Closeout Thru              FY06      0		
New Partial Closeout                FY07      0		
Total Partial Closeout                0		