

Resolution No.:	<u>19-1350</u>
Introduced:	<u>June 28, 2022</u>
Adopted:	<u>July 26, 2022</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Amendments to the FY23-28 Capital Improvements Program (CIP)
Maryland-National Capital Park and Planning Commission
Elm Street Urban Park (No. 138701)
Little Bennett Regional Park Day Use Area (No. 138703)

Background


1. Section 302 of the County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of six Councilmembers.
2. This amendment corrects an omission in Resolution 19-1279, the FY23-28 CIP for the Maryland-National Capital Park and Planning Commission, which did not include the Elm Street Urban Park and Little Bennett Regional Park Day Use Area project description forms. On April 5, 2022 the Council had unanimously supported including these projects in the FY23-28 Maryland-National Capital Park and Planning Commission CIP, but staff inadvertently neglected to include the project description forms in Resolution 19-1279 that was adopted on May 26, 2022.
3. Notice of public hearing was given, and a public hearing was held on July 26, 2022.

Action

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

The FY23-28 Capital Improvements Program of the Maryland-National Capital Park and Planning Commission is amended to include the Elm Street Urban Park (No. 138701) and the Little Bennett Regional Park Day Use Area (No. 138703) projects, as reflected on the attached project description forms.

This is a correct copy of Council action.



Judy Rupp
Clerk of the Council



Elm Street Urban Park (P138701)

Category	M-NCPPC	Date Last Modified	11/23/21
SubCategory	Development	Administering Agency	M-NCPPC
Planning Area	Bethesda-Chevy Chase and Vicinity	Status	Planning Stage

Total	Thru FY21	Est FY22	Total 6 Years	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	Beyond 6 Years
-------	-----------	----------	------------------	-------	-------	-------	-------	-------	-------	-------------------

EXPENDITURE SCHEDULE (\$000s)

Planning, Design and Supervision	231	23	48	-	-	-	-	-	-	-	160
Land	782	-	-	-	-	-	-	-	-	-	782
Site Improvements and Utilities	600	188	412	-	-	-	-	-	-	-	-
TOTAL EXPENDITURES	1,613	211	460	-	-	-	-	-	-	-	942

FUNDING SCHEDULE (\$000s)

M-NCPPC Bonds	1,613	211	460	-	-	-	-	-	-	-	942
TOTAL FUNDING SOURCES	1,613	211	460	-	-	-	-	-	-	-	942

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 23 Request	-	Year First Appropriation	FY15
Appropriation FY 24 Request	-	Last FY's Cost Estimate	1,613
Cumulative Appropriation	671		
Expenditure / Encumbrances	387		
Unencumbered Balance	284		

ESTIMATED SCHEDULE

Pending Closeout

DISCLOSURES

A pedestrian impact analysis has been completed for this project.



Little Bennett Regional Park Day Use Area

(P138703)

Category	M-NCPPC	Date Last Modified	11/23/21
SubCategory	Development	Administering Agency	M-NCPPC
Planning Area	Clarksburg and Vicinity	Status	Preliminary Design Stage

Total	Thru FY21	Est FY22	Total 6 Years	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	Beyond 6 Years
-------	-----------	----------	------------------	-------	-------	-------	-------	-------	-------	-------------------

EXPENDITURE SCHEDULE (\$000s)

Planning, Design and Supervision	2,671	21	29	-	-	-	-	-	-	2,621
Site Improvements and Utilities	11,896	-	-	-	-	-	-	-	-	11,896
TOTAL EXPENDITURES	14,567	21	29	-	-	-	-	-	-	14,517

FUNDING SCHEDULE (\$000s)

G.O. Bonds	11,044	21	29	-	-	-	-	-	-	10,994
Program Open Space	3,523	-	-	-	-	-	-	-	-	3,523
TOTAL FUNDING SOURCES	14,567	21	29	-	-	-	-	-	-	14,517

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 23 Request	-	Year First Appropriation	FY19
Appropriation FY 24 Request	-	Last FY's Cost Estimate	14,567
Cumulative Appropriation	50		
Expenditure / Encumbrances	21		
Unencumbered Balance	29		

PROJECT DESCRIPTION

The Little Bennett Regional Park Day Use Area, located on the east side of MD Route 355 north of Comus Road, is a 65-acre existing meadow adjacent to wooded areas of the park and Soper's Branch stream. The day use area is designed to provide nature-based recreation and protects and interprets the existing meadow and adjacent forest habitat. The program of requirements from the master plan is accomplished in a uniquely sustainable manner that interprets the natural and cultural landscapes of the area. The project includes a multi-purpose outdoor classroom building, terraces and amphitheater, group picnic areas and shelter, play complex, learning alcoves, two entrances and an access road, parking, hard and natural surface trails, bridges and boardwalks with overlooks, signage and interpretation, stormwater management, meadow restoration with non-native invasive eradication, managed forest succession and habitat enhancement along the stream buffer.

ESTIMATED SCHEDULE

Pending Closeout

PROJECT JUSTIFICATION

The Montgomery County Planning Board approved the park facility plan on October 6, 2011; Countywide Park Trails Plan (2008); Little Bennett Regional Park Master Plan (2007); 2005 Land Preservation, Parks, and Recreation Plan (LPPRP); Countywide Bikeways Functional Master Plan (2005); Clarksburg Master Plan and Hyattstown Special Study Area (1994); Vision 2030: The Parks and Recreation Strategic Plan (2011); 2012 Park, Recreation and Open Space (PROS) Plan.

DISCLOSURES

A pedestrian impact analysis has been completed for this project. M-NCPPC asserts that this project conforms to the requirement of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

COORDINATION

Montgomery County Departments of Transportation and Department of Environmental Protection, and Maryland State Highway Administration.

Resolution No:	<u>19-1279</u>
Introduced:	<u>May 26, 2022</u>
Adopted:	<u>May 26, 2022</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Approval of the FY23-28 Capital Improvements Program, and Approval of and Appropriation for the FY23 Capital Budget of the Maryland-National Capital Park and Planning Commission

Background

1. As required by the Maryland Code, Land Use Article, Section 18-104 and Section 18-112, the Maryland-National Capital Park and Planning Commission sent to the County Executive an FY23-28 Capital Improvements Program and an FY23 Capital Budget for the Maryland-National Capital Park and Planning Commission.
2. Section 302 of the County Charter requires the Executive to send to the County Council by January 15 (or the next business day if it falls on a weekend/holiday) in each even-numbered calendar year a 6-year CIP, which the Executive did on January 18, 2022 for the 6-year period FY 2023-2028. Section 302 requires the affirmative vote of at least 5 Councilmembers to approve or modify the Executive's Recommended CIP. 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 (or the next business day if it falls on a weekend/holiday) in each year a recommended Capital Budget, which the Executive did on January 18, 2022 for FY 2023.
4. As required by Section 304 of the County Charter, the Council held public hearings on the Capital Budget for FY23 and on the Recommended CIP for FY23-28 on February 8 and 9, 2022.

Action

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

1. For FY23, the Council approves the Capital Budget and appropriates the amounts by project shown in Part I.
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 FY23-FY28; and
 - c) to the extent that those appropriations are not expended or encumbered.
3. The County appropriation for Park Acquisitions¹ and Legacy Open Space includes:

P872301	Park Acquisitions - County Current Revenue-General	\$250,000
P018710	Legacy Open Space - County Current Revenue-General	\$ 50,000
P018710	Legacy Open Space - County G.O. Bonds	\$500,000
(\$100,000 of G.O. Bonds appropriation is for Personnel Costs)		

The County will contribute the following amounts for non-local park projects:

County G.O. Bonds	\$14,198,000
County Current Revenue-General	\$ 4,451,000

4. The Council approves the projects for the Maryland-National Capital Park and Planning Commission FY 2023 Capital Budget and the FY 2023-2028 Capital Improvements Program as attached in Part II.
5. The Council approves the close out of the projects in Part III.
6. The Council approves the ten percent transferability basis for the level of effort projects in Part IV.
7. If a sign recognizing the contribution of any Federal, State, or local government or agency is displayed at any project for which funds are appropriated in this resolution, as a condition of spending those funds each sign must also expressly recognize the contribution of the County and the County's taxpayers.

This is a correct copy of Council action.


 Judy Rupp
 Clerk of the Council

¹ Park Acquisitions replaces the Acquisition: Local Parks and Acquisition: Non-Local Parks.

**PART I: FY23 Capital Budget for
Maryland - National Capital Park and Planning Commission**

The appropriations for FY23 in this Part are made to implement the projects in the Capital Improvements Program for FY23 - FY28.

Project Name (Project Number)	FY23 Appropriation	Cumulative Appropriation	Total Appropriation
Bethesda Park Impact Payment (P872002)	500,000	15,000,000	15,500,000
Legacy Open Space (P018710)	820,000	81,978,000	82,798,000
Legacy Urban Space (P872104)	3,500,000	7,875,000	11,375,000
Mid-County Park Benefit Payments (P872201)	500,000	2,500,000	3,000,000
Park Acquisitions (P872301)	4,280,000	0	4,280,000
ADA Compliance: Local Parks (P128701)	880,000	5,537,000	6,417,000
ADA Compliance: Non-Local Parks (P128702)	1,000,000	6,748,000	7,748,000
Ballfield Initiatives (P008720)	2,600,000	10,222,000	12,822,000
Blair HS Field Renovations and Lights (P872105)	1,500,000	1,400,000	2,900,000
Brookside Gardens Master Plan Implementation (P078702)	1,450,000	10,461,000	11,911,000
Cost Sharing: Local Parks (P977748)	75,000	551,000	626,000
Cost Sharing: Non-Local Parks (P761682)	50,000	356,000	406,000
Energy Conservation - Local Parks (P998710)	100,000	647,000	747,000
Energy Conservation - Non-Local Parks (P998711)	200,000	420,000	620,000
Facility Planning: Local Parks (P957775)	400,000	2,729,000	3,129,000
Facility Planning: Non-Local Parks (P958776)	300,000	2,308,000	2,608,000
Hillandale Local Park (P871742)	800,000	5,700,000	6,500,000
Minor New Construction - Local Parks (P998799)	1,363,000	3,529,000	4,892,000
Minor New Construction - Non-Local Parks (P998763)	1,900,000	4,085,000	5,985,000
North Branch Trail (P871541)	600,000	4,672,000	5,272,000
Park Refreshers (P871902)	8,143,000	15,505,000	23,648,000
Planned Lifecycle Asset Replacement: Local Parks (P967754)	5,800,000	27,197,000	32,997,000
Planned Lifecycle Asset Replacement: NL Parks (P968755)	6,031,000	22,342,000	28,373,000
Pollution Prevention and Repairs to Ponds & Lakes (P078701)	1,200,000	8,139,000	9,339,000
Restoration Of Historic Structures (P808494)	500,000	3,486,000	3,986,000
S. Germantown Recreational Park: Cricket Field (P871746)	981,000	2,300,000	3,281,000
Small Grant/Donor-Assisted Capital Improvements (P058755)	1,100,000	5,786,000	6,886,000
Stream Protection: SVP (P818571)	1,750,000	7,849,000	9,599,000
Trails: Hard Surface Design & Construction (P768673)	500,000	4,008,000	4,508,000
Trails: Hard Surface Renovation (P888754)	1,500,000	5,186,000	6,686,000

**PART I: FY23 Capital Budget for
Maryland - National Capital Park and Planning Commission**

The appropriations for FY23 in this Part are made to implement the projects in the Capital Improvements Program for FY23 - FY28.

Project Name (Project Number)	FY23 Appropriation	Cumulative Appropriation	Total Appropriation
Trails: Natural Surface & Resource-based Recreation (P858710)	500,000	3,488,000	3,988,000
Urban Park Elements (P871540)	750,000	2,550,000	3,300,000
Vision Zero (P871905)	500,000	1,800,000	2,300,000
Wheaton Regional Park Improvements (P871904)	4,737,000	0	4,737,000
Total - Maryland - National Capital Park and Planning Commission	56,810,000	276,354,000	333,164,000

PART II: Approved Projects

The Council approves the projects for the Maryland-National Park and Planning Commission FY 2023 Capital Budget and FY 2023-2028 Capital Improvements Program as attached in Part II.

Project Number	Project Name
P727007	ALARF: M-NCPPC
P872002	Bethesda Park Impact Payment
P018710	Legacy Open Space
P872104	Legacy Urban Space
P872201	Mid-County Park Benefit Payments
P872301	Park Acquisitions
P128701	ADA Compliance: Local Parks
P128702	ADA Compliance: Non-Local Parks
P008720	Ballfield Initiatives
P872101	Black Hill Regional Park: SEED Classroom
P872105	Blair HS Field Renovations and Lights
P078702	Brookside Gardens Master Plan Implementation
P977748	Cost Sharing: Local Parks
P761682	Cost Sharing: Non-Local Parks
P998710	Energy Conservation - Local Parks
P998711	Energy Conservation - Non-Local Parks
P998773	Enterprise Facilities' Improvements
P957775	Facility Planning: Local Parks
P958776	Facility Planning: Non-Local Parks
P871742	Hillandale Local Park
P998799	Minor New Construction - Local Parks
P998763	Minor New Construction - Non-Local Parks
P871541	North Branch Trail
P118704	Northwest Branch Recreational Park-Athletic Area
P871745	Ovid Hazen Wells Recreational Park
P871902	Park Refreshers
P967754	Planned Lifecycle Asset Replacement: Local Parks
P968755	Planned Lifecycle Asset Replacement: NL Parks
P078701	Pollution Prevention and Repairs to Ponds & Lakes
P872202	Power Line Trail
P808494	Restoration Of Historic Structures
P871746	S. Germantown Recreational Park: Cricket Field
P058755	Small Grant/Donor-Assisted Capital Improvements
P818571	Stream Protection: SVP
P768673	Trails: Hard Surface Design & Construction
P888754	Trails: Hard Surface Renovation

PART II: Approved Projects

The Council approves the projects for the Maryland-National Park and Planning Commission FY 2023 Capital Budget and FY 2023-2028 Capital Improvements Program as attached in Part II.

Project Number	Project Name
P858710	Trails: Natural Surface & Resource-based Recreation
P871540	Urban Park Elements
P871905	Vision Zero
P118703	Warner Circle Special Park
P871904	Wheaton Regional Park Improvements

PART III: Capital Improvements Projects To Be Closed Out

The following capital projects are closed out effective 30-Jun-2022, and the appropriation for each project is decreased by the amount of the project's unencumbered balance.

Project Number	Project Name
-----------------------	---------------------

No Projects Closed Out (on Part III)

PART IV: Ten Percent Transferability Basis for Level of Effort Projects (in \$000s)

Up to 10% of the Cumulative Appropriation [A] less Prior Year Thru Actual Expenditures [B] for the on-going projects displayed below is eligible for transfer into other projects within the same category effective as of July 1st, 2022

Project Name (Project Number)	Cumulative Appropriation as of July 1 [A]	Prior Year Thru Expenditure [B]	Cumulative Appropriation Basis for Transferability Purposes
Acquisition: Local Parks (P767828)	9,369	7,165	2,204
Acquisition: Non-Local Parks (P998798)	22,105	9,812	12,293
ADA Compliance: Local Parks (P128701)	6,417	3,387	3,030
ADA Compliance: Non-Local Parks (P128702)	7,748	5,119	2,629
Ballfield Initiatives (P008720)	12,822	6,301	6,521
Bethesda Park Impact Payment (P872002)	15,500	7,050	8,450
Cost Sharing: Local Parks (P977748)	626	476	150
Cost Sharing: Non-Local Parks (P761682)	406	306	100
Energy Conservation - Local Parks (P998710)	747	386	361
Energy Conservation - Non-Local Parks (P998711)	620	281	339
Enterprise Facilities' Improvements (P998773)	15,262	8,665	6,597
Facility Planning: Local Parks (P957775)	3,129	1,965	1,164
Facility Planning: Non-Local Parks (P958776)	2,608	1,355	1,253
Legacy Open Space (P018710)	82,798	77,209	5,589
Legacy Urban Space (P872104)	11,375	-	11,375
Mid-County Park Benefit Payments (P872201)	3,000	-	3,000
Minor New Construction - Local Parks (P998799)	4,892	1,760	3,132
Minor New Construction - Non-Local Parks (P998763)	5,985	2,779	3,206
Park Acquisitions (P872301)	4,280	-	4,280
Park Refreshers (P871902)	23,648	2,592	21,056
Pollution Prevention and Repairs to Ponds & Lakes (P078701)	9,339	5,289	4,050
Restoration Of Historic Structures (P808494)	3,986	1,946	2,040
Small Grant/Donor-Assisted Capital Improvements (P058755)	6,886	2,865	4,021
Stream Protection: SVP (P818571)	9,599	3,317	6,282
Trails: Hard Surface Design & Construction (P768673)	4,508	2,813	1,695
Trails: Hard Surface Renovation (P888754)	6,686	2,775	3,911
Trails: Natural Surface & Resource-based Recreation (P858710)	3,988	2,337	1,651
Urban Park Elements (P871540)	3,300	721	2,579
Vision Zero (P871905)	2,300	317	1,983
Planned Lifecycle Asset Replacement: Local Parks (P967754)	32,997	17,335	15,662

PART IV: Ten Percent Transferability Basis for Level of Effort Projects (in \$000s)

Up to 10% of the Cumulative Appropriation [A] less Prior Year Thru Actual Expenditures [B] for the on-going projects displayed below is eligible for transfer into other projects within the same category effective as of July 1st, 2022

Project Name (Project Number)	Cumulative Appropriation as of July 1 [A]	Prior Year Thru Expenditure [B]	Cumulative Appropriation Basis for Transferability Purposes
Planned Lifecycle Asset Replacement: NL Parks (P968755)	28,373	11,927	16,446

Note: These projects were previously partially closed out (FY 16 was last year of partial capitalization).