

Resolution No.: 15-1654
 Introduced: September 26, 2006
 Adopted: October 31, 2006

**COUNTY COUNCIL
 FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Amendment to the FY07-12 Capital Improvements Program (CIP) and Special Appropriation to the FY07 Capital Budget Maryland-National Capital Park and Planning Commission (M-NCPPC) Lake Needwood Dam Remediation (No. 078710), \$3,800,000

Background

1. Article 28, Section 2-118(a)(6) of the Maryland Code permits the County Council to amend the budget of the M-NCPPC by resolution on the Council's initiative, or at the request of the Commission, after receipt of a recommendation from the County Executive, and after public hearing upon reasonable notice to the public.
2. Section 308 of the Montgomery County Charter provides that a special appropriation: (a) may be made at any time after public notice by news release; (b) must state that the special appropriation is necessary to meet an unforeseen disaster or other emergency or to act without delay in the public interest; (c) must specify the revenues necessary to finance it; and (d) must be approved by six members of the Council.
3. 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 six Councilmembers.
4. M-NCPPC requests an Amendment to the FY07-12 CIP and a special appropriation to the FY07 Capital Budget for the Maryland-National Capital Park and Planning Commission as follows:

Project Name & Number	Cost Element	Amount	Source of Funds
Lake Needwood Dam Remediation, #078710	Design	\$310,000	GO Bonds
Lake Needwood Dam Remediation, #078710	Construction Mgmt.	\$310,000	GO Bonds
Lake Needwood Dam Remediation, #078710	Site Improvements	\$2,123,000	GO Bonds
Lake Needwood Dam Remediation, #078710	Site Improvements	\$1,057,000	Current Revenue: General
TOTAL		\$3,800,000	

5. This project is needed to address an urgent safety concern. During the last week of June 2006, heavy rains resulted in a rapid rise of the water level in Lake Needwood in Rock Creek Regional Park. This rapid rise and the observation of seepage from the downstream slope and abutment areas, led to the activation of emergency procedures and evacuation of downstream residents. The Maryland Department of the Environment, Dam Safety Division, requires that remedial measures be in place by March 2007.
6. Notice of public hearing was given and a public hearing was held.
7. On October 23, 2006 the Planning, Housing, and Economic Development Committee held a worksession to consider M-NCPPC's request and recommended approval.

Action

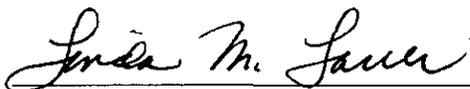
The County Council for Montgomery County, Maryland, approves the following actions:

1. The FY07-12 Capital Improvements Program of the Maryland-National Capital Park and Planning Commission is amended as reflected on the attached project description form and a special appropriation to the FY07 Capital Budget is approved as follows:

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TOTAL		\$3,800,000	

2. The County Council declares that this action is necessary to act without delay in the public interest.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

Lake Needwood Dam Remediation -- No. 078710

Category M-NCPPC
 Agency M-NCPPC
 Planning Area Rockville
 Relocation Impact None.

Date Last Modified
 Previous PDF Page Number
 Required Adequate Public Facility

October 26, 2006
 NONE
 NO

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY05	Est. FY06	Total 6 Years	FY07	FY08	FY09	FY10	FY11	FY12	Beyond 6 Years
Planning, Design and Supervision	620	0	0	620	534	86	0	0	0	0	0
Land											
Site Improvements and Utilities	3,180	0	0	3,180	2,324	856	0	0	0	0	0
Construction											
Other											
Total	3,800	0	0	3,800	2,858	942	0	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	2,743	0	0	2,743	1,801	942	0	0	0	0	0
Current Revenue:											
General	1,057	0	0	1,057	1,057	0	0	0	0	0	0

ANNUAL OPERATING BUDGET IMPACT (\$000)

DESCRIPTION

Lake Needwood Dam, located approximately 2.5 miles northeast of Rockville in Rock Creek Regional Park, has a drainage area of 12.8 square miles. This lake provides recreational opportunities, as well as storage for flood control and sediment. This PDF provides funding for corrective measures to insure the dam's integrity in the event of severe storms.

JUSTIFICATION

During the last week of June 2006, heavy rains resulted in a rapid rise of the water level in Lake Needwood. The reservoir level peaked more than 20 feet above normal, and observations of seepage from the downstream slope and abutment areas led to the activation of emergency procedures and evacuation of downstream residents. An engineering firm has been retained to work with M-NCPPC to design and construct remedial measures. The Maryland Department of the Environment, Dam Safety Division, requires remedial measures must be in place by March 2007.

Plans and Studies

Lake Needwood Dam Forensic Evaluation Summary, prepared by URS Corporation, August 25, 2006.

FISCAL NOTE

FY07 Special Appropriation and Amendment for \$3.8 million (\$2.743million GO Bonds, and \$1.057 million Current Revenue General). A portion of the Needwood Dam Repair was funded in PLAR: NL PDF 968755 as part of the FY07 Amendment.

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP	
Date First Appropriation FY07 (\$000)	Montgomery County Department of Environmental Protection Maryland Department of the Environment, Dam Safety Division National Resource Conservation Services		
Initial Cost Estimate			0
First Cost Estimate			
Current Scope FY07			0
Last FY's Cost Estimate			0
Present Cost Estimate			3,800
Appropriation Request FY07			0
Appropriation Req. Est. FY08			0
Supplemental			
Appropriation Request FY06			3,800
Transfer			0
Cumulative Appropriation Expenditures/Encumbrances			0
Unencumbered Balance			0
Partial Closeout Thru FY04	0		
New Partial Closeout FY05	0		
Total Partial Closeout	0		