

Resolution No.: 17-620
Introduced: November 13, 2012
Adopted: December 4, 2012

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY13-18 Capital Improvements Program and Supplemental Appropriation #13-S13-CMCG-6 to the FY13 Capital Budget Montgomery County Government Department of Environmental Protection SM Facility Major Structural Repair (No. 800700), \$480,000

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 five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six 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>
SM Facility Major Structural Repair	800700	Construction	\$480,000	State Aid
TOTAL			\$480,000	State Aid

- 4. This supplemental appropriation and amendment to the FY 13-18 CIP is needed in order to fully appropriate a grant from the Maryland Department of Natural Resources' Chesapeake & Atlantic Coastal Bays Trust Fund. State Aid in the amount of \$480,000 will be allocated to the County's stormwater management CIP project noted above in an effort to meet the provisions of the County's Municipal Separate Storm Sewer System (MS4) permit.
- 5. The County Executive recommends amendments to the FY13-18 Capital Improvements Program and supplemental appropriations in the amount of \$480,000 to the SM Facility Major Structural Repair (#800700) project, and specifies that the source of funds will be State Aid.
- 6. Notice of public hearing was given and a public hearing was held.

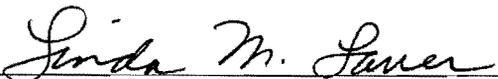
Action

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

The FY13-18 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and 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>
SM Facility Major Structural Repair	800700	Construction	\$480,000	State Aid
TOTAL			\$480,000	State Aid

This is a correct copy of Council action.



 Linda M. Lauer, Clerk of the Council

SM Facility Major Structural Repair -- No. 800700

Category	Conservation of Natural Resources	Date Last Modified	January 10, 2012
Subcategory	Stormwater Management	Required Adequate Public Facility	No
Administering Agency	Environmental Protection	Relocation Impact	None.
Planning Area	Countywide	Status	On-going

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est. FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	6,365	671	774	4,940	785	815	835	835	835	835	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	1,045	0	0	0	0	0	0
Construction	14,065	1,866	2,339	9,860	1,565	1,635	1,665	1,665	1,665	1,665	0
Other	0	0	0	0	18,300	0	0	0	0	0	0
Total	20,450	2,537	3,113	14,800	2,350	2,450	2,500	2,500	2,500	2,500	*

FUNDING SCHEDULE (\$000)

State Aid	6,000	0	0	6,000	1,000	1,000	1,000	1,000	1,000	1,000	0
Water Quality Protection Bonds	11,450	0	2,650	8,800	1,350	1,450	1,500	1,500	1,500	1,500	0
Water Quality Protection Charge	3,000	2,537	463	0	0	0	0	0	0	0	0
Total	20,450	2,537	3,113	14,800	2,350	2,450	2,500	2,500	2,500	2,500	0

DESCRIPTION

This project provides for the design and construction of major structural repairs to County maintained stormwater management facilities. The County is responsible for structural maintenance of over 2,000 stormwater management facilities, an increase of approximately 300 stormwater management facilities. The project includes old facilities that require more extensive maintenance as ponds fill with sediment, pipes rust, concrete structures crack and deteriorate, and dam embankments develop leaks. Some of the existing stormwater facilities require extensive engineering analysis and design and may require retrofitting which is funded through the SM Retrofit: Countywide project (No. 808726).

COST CHANGE

Increase is due to an increase number of projects to meet the Municipal Separate Storm Sewer System Permit (MS4), the inclusion of larger and more complex projects, higher construction costs, and the utilization of new sliplining techniques.

JUSTIFICATION

This project provides for major structural repairs in order to comply with the County's MS4 permit. It is limited to funding repairs at those few, generally large, facilities that require extensive engineering design and permitting that cannot be accomplished within a single fiscal year due to the time required to obtain State and Federal permits.

OTHER

The Department of Environmental Protection (DEP) continues to partner with the Maryland State Highway Administration as part of the Inter-County Connector (ICC). The partnership enables the county to realize significant cost savings while retrofitting a number of stormwater management facilities. Projects include: Quince Orchard Manor (Quince Orchard Valley Neighborhood Park), Montgomery Auto Park, Brookville Depot, Lake Whetstone, Chadswold, Hunters Woods, B'nai Israel, Brandemill, Gunners Lake, Persimmon Tree and ICC cost-share.

FISCAL NOTE

supplemental
~~While the State has indicated a desire to increase funding for stormwater management projects, this will require state legislative action. Until that legislation is enacted, only committed state funding is appropriated.~~ The partial State Aid appropriation is based on a letter of commitment the County received from the State of Maryland.

OTHER DISCLOSURES

- The Executive asserts that this project conforms to the requirements of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.
- * Expenditures will continue indefinitely.

APPROPRIATION AND EXPENDITURE DATA		
Date First Appropriation	FY07	(\$000)
First Cost Estimate	FY13	20,450
Current Scope		
Last FY's Cost Estimate		12,250
Appropriation Request	FY13	1,350
Appropriation Request Est.	FY14	1,450
Supplemental Appropriation Request	480	0
Transfer		0
Cumulative Appropriation		5,650
Expenditures / Encumbrances		3,223
Unencumbered Balance		2,427
Partial Closeout Thru	FY10	0
New Partial Closeout	FY11	0
Total Partial Closeout		0

COORDINATION
 Department of Transportation
 Maryland-National Capital Park and Planning Commission
 Department of Permitting Services
 Homeowners Associations
 Montgomery County Public Schools
 Department of General Services
 Maryland State Highway Administration
 SM Retrofit: Countywide (No. 808726)

Maryland Department of Natural Resources

MAP

