

Resolution No.: 16-746
 Introduced: September 23, 2008
 Adopted: October 14, 2008

**COUNTY COUNCIL
 FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY09-14 Capital Improvements Program and Supplemental Appropriation #09-S09-CMCG-03 to the FY09 Capital Budget Montgomery County Government Department of Transportation Montrose Parkway West (No. 500311), \$6,159,000

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>
Montrose Parkway West	500311	Land	<u>\$6,159,000</u>	G.O. Bonds
TOTAL			\$6,159,000	

- 4. This increase is needed for the following reasons:
 - a. The first property was originally appraised at \$4,667,000 by an independent appraiser and funds were deposited with the court. The property owner disputed the appraisal and the County re-negotiated to reach a new agreement appraising the land at \$12,614,000. The County's Master Plan identified a portion of the property as open space and the Maryland National Capital Park and Planning Commission (M-NCPPC) has agreed to purchase the land for \$2,480,000. Therefore, the County's remaining obligation is \$5,467,000.
 - b. Final negotiated payment of \$692,000 for the second property was recently made through the ALARF project. The supplemental appropriation will allow for a prompt reimbursement to the ALARF project, leaving that project's appropriation available for other land purchases.
- 5. The County Executive recommends an amendment to the FY09-14 Capital Improvements Program and a supplemental appropriation in the amount of \$6,159,000 for the Montrose Parkway West (No. 500311), and specifies that the source of funds will be G.O. Bonds.
- 6. Notice of public hearing will be given and a public hearing will be held.

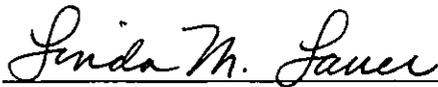
Action

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

The FY09-14 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and a supplemental appropriation to the FY09 Capital Budget is approved as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Montrose Parkway West	500311	Land	<u>\$6,159,000</u>	G.O. Bonds
TOTAL			\$6,159,000	

This is a correct copy of Council action.



 Linda M. Lauer, Clerk of the Council

**Attachment to Resolution No.: 16-746
Montrose Parkway West -- No. 500311**

Category
Subcategory
Administering Agency
Planning Area

Transportation
Roads
Transportation
Rockville

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

September 10, 2008
Yes
None.
Under Construction

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	5,483	4,422	618	443	443	0	0	0	0	0	0
Land	37,440	27,125	2,787	7,528	7,528	0	0	0	0	0	0
Site Improvements and Utilities	1,136	267	869	0	0	0	0	0	0	0	0
Construction	32,267	21,343	6,499	4,425	4,425	0	0	0	0	0	0
Other	91	91	0	0	0	0	0	0	0	0	0
Total	76,417	53,248	10,773	12,396	12,396	0	0	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	51,013	31,634	9,246	10,133	10,133	0	0	0	0	0	0
Contributions	35	0	0	35	35	0	0	0	0	0	0
Development Approval Payment	1,362	987	375	0	0	0	0	0	0	0	0
EDAET	5,206	5,206	0	0	0	0	0	0	0	0	0
Impact Tax	17,599	14,731	1,152	1,716	1,716	0	0	0	0	0	0
Intergovernmental	512	0	0	512	512	0	0	0	0	0	0
Investment Income	63	63	0	0	0	0	0	0	0	0	0
Rental Income - Roads	2	2	0	0	0	0	0	0	0	0	0
Transportation Improvement Credit	625	625	0	0	0	0	0	0	0	0	0
Total	76,417	53,248	10,773	12,396	12,396	0	0	0	0	0	0

OPERATING BUDGET IMPACT (\$000)

Maintenance				270	0	54	54	54	54	54
Energy				270	0	54	54	54	54	54
Net Impact				540	0	108	108	108	108	108

DESCRIPTION

This project provides a new four-lane divided road from a point on Montrose Road (starting 600 feet east of Tildenwood Drive) eastward to 'old' Old Georgetown Road (approximately 5,300 feet) in the undeveloped land formerly reserved for the Rockville Facility. The typical section of the Parkway will be a closed section road with 11-foot wide lanes and a 12- to 30-foot wide median. A 10-foot wide bikeway will run along the north side of the Parkway east of Old Farm Creek, and a 5-foot wide sidewalk will run along the south side. Near Old Farm Creek the bikeway will pass under the Parkway and will continue westward on the south side of the Parkway to Tildenwood Drive. The 10-foot wide bikeway will continue westward from a point on Tildenwood Drive approximately 550 feet south of Montrose Road to the Montrose Road/North Farm Lane intersection within the land formerly reserved for the Rockville Facility. Montrose Road will be widened to six lanes with a median, and five-foot wide sidewalks will be provided along the north side of Montrose Road from the Parkway to Tower Oaks Boulevard and along the south side from Tildenwood Drive to Tower Oaks Boulevard. Noise barrier walls will be constructed along the north side of Montrose Road for about 1,300 feet behind homes on Farm Haven Drive in the North Farm community in Rockville and along the south side of Montrose Road for about 1,700 feet behind homes in the Old Farm community in North Bethesda. A berm will be provided along Montrose Road behind the homes on the northern side of Tildenwood Lane to the east of Tildenwood Drive. Enhanced streetscaping will be provided between East Jefferson Street and 'old' Old Georgetown Road. Other improvements include extending Hitching Post Lane to Farm Haven Drive, providing a new four-way signalized intersection with pedestrian phasing at the new Hitching Post Lane/Farm Haven Drive/Montrose Road intersection, constructing a bridge on Montrose Road over Old Farm Creek to enhance wildlife passage, and maintaining landscaping for five years after construction is complete. The southern leg of the Tildenwood Drive/Montrose Road intersection will not be widened as part of this project.

CAPACITY

By 2020, the Average Daily Traffic (ADT) Volume for Montrose Road between Tildenwood Lane and East Jefferson Street is estimated to exceed 74,000 vehicles. Without this project, several Montrose Road intersections will fail.

COST CHANGE

Increase due to land acquisition.

JUSTIFICATION

The North Bethesda Master Plan allows for 21,000 additional jobs and 9,000 additional residences (beyond 1999), and this project is one of the master-planned transportation facilities needed to accommodate the master-planned growth. In addition, the project will provide congestion relief on Montrose Road, safe turning movements onto and off of Montrose Road, safe places for pedestrians to cross Montrose Road, and reduced cut-through traffic in neighborhoods

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP
Date First Appropriation FY03 (\$000)	Maryland Department of the Environment U. S. Army Corps of Engineers Maryland Department of Natural Resources Department of Permitting Services Maryland-National Capital Park and Planning Commission Maryland State Highway Administration Washington Suburban Sanitary Commission Washington Gas PEPCO City of Rockville Montgomery County Department of Environmental Protection Miscellaneous Stream Valley Improvements Special Capital Projects Legislation [Bill No. 12-02] was adopted by Council May 23, 2002.	See Map on Next Page
First Cost Estimate Current Scope FY09 70,378		
Last FY's Cost Estimate 70,378		
Appropriation Request FY09 2,243		
Appropriation Request Est. FY10 0		
Supplemental Appropriation Request 6,159		
Transfer -120		
Cumulative Appropriation 68,135		
Expenditures / Encumbrances 67,557		
Unencumbered Balance 578		
Partial Closeout Thru FY06 0		
New Partial Closeout FY07 0		
Total Partial Closeout 0		

Montrose Parkway West -- No. 500311 (continued)

abutting Montrose Road.

North Bethesda/Garrett Park Master Plan 1992, and Master Plan of Highways.

OTHER

As a permit requirement the project includes the construction of a bio-retention facility at the Tilden Woods Park and participation in the costs associated with the construction of 1,200 linear feet of the Booze Creek Stream Stabilization project. The project cost assumes acquisition of approximately 7.4 acres of the 16.7-acre *Armstrong tract*, the MSHA right-of-way, and an approximately 130 foot right-of-way on the Wilgus tract. Consistent with M-NCPPC's staff recommendation for the Wilgus East development, the project assumes dedication of a 130-foot wide portion of Wilgus Parcel N231.

FISCAL NOTE

The intergovernmental and contribution revenue represent WSSC's share of the utility costs and developer's share of the project costs, respectively. Impact Tax funds are assumed for this project.

OTHER DISCLOSURES

- A pedestrian impact analysis has been completed for this project.
- Land acquisition will be funded initially through ALARF, and then reimbursed by a future appropriation from this project. The total cost of this project will increase when land expenditures are programmed.