

T&E COMMITTEE #3,3.1,4,5  
April 29, 2009

Worksession

**M E M O R A N D U M**

April 28, 2009

TO: Transportation, Infrastructure, Energy & Environment Committee

FROM:  Keith Levchenko, Senior Legislative Analyst

SUBJECT: **Worksession: FY10 Operating Budget and CIP Amendments:**

- **#3: CIP Amendment: Energy Conservation: MCG**
- **#3.1 CIP Amendments: Conservation of Natural Resources**
- **#4: Department of Environmental Protection Water Quality Protection Fund**
- **#5: Non-Departmental Account (NDA) – Climate Change Implementation**

**Councilmembers should refer to packets from the T&E worksession of April 22 for background information on the Department of Environmental Protection Budget and the Climate Change Implementation Non-Departmental Account.**

*Those expected for this worksession:*

DEP Director Robert Hoyt  
Stan Edwards, Chief of Environmental Policy and Compliance  
Steve Shofar, Chief of Watershed Management  
Gladys Balderrama, Manager, Administrative Services (DEP)  
John Greiner, Office of Management and Budget

**CIP Amendments from March**

On March 19, 2009 the County Executive transmitted a package of CIP amendments and adjustments. Several of these amendments are presented below.

Facility Planning: Storm Drains (Amendment PDF on ©1)

The Executive recommends reducing current revenue-funded expenditures by \$25,000 in FY10 (from \$250,000 to \$225,000) in order to provide additional fiscal capacity in the Operating Budget. The decrease will reduce the level of effort in the project slightly. However, the program is driven by storm drainage assistance requests which fluctuate from year to year often

based on weather conditions (the more rainfall, the more requests received). **Council Staff concurs with the reduction.**

Facility Planning: Stormwater Management (Amendment PDF on ©2)

The Executive recommends reducing current revenue-funded expenditures by \$42,000 in FY10 (from \$425,000 to \$383,000) in order to provide additional fiscal capacity. The decrease will result in slightly less planning work for low impact development projects. However, given the tight fiscal situation with current revenue, **Council Staff concurs with this modest reduction.**

Energy Conservation: MCG (Amendment PDF on ©3)

On March 19, 2009 the County Executive transmitted a package of CIP amendments and adjustments. Included in this package was an amendment to switch \$60,000 of current revenue funded expenditures in FY09 to bonds. OMB staff verified that the intended expenditures qualify for bond funding. **Council Staff concurs with this change.**

### **Water Quality Protection Fund**

At the worksession on April 22 the Committee expressed support for the Water Quality Protection Fund (WQPF) budget of the Department of Environmental Protection (DEP) but with a couple of changes as noted here.

Add funding of a storm drain inventory of MCPS facilities as required by the new National Pollution discharge Elimination System (NPDES) permit.

At the April 22 meeting, DEP staff noted that there may be sufficient surplus funds in the WQPF in FY09 to accommodate this item without requiring an increase in the WQPC for FY10. DEP was in the process of completing its 3<sup>rd</sup> Quarter Analysis with OMB and that the availability of FY09 dollars could be confirmed shortly.

**Council Staff suggests that OMB update the Committee on April 29 as to the availability of FY09 dollars in the WQPF. If these dollars are available, then no FY10 action may be required in order for the storm drain inventory of MCPS facilities to proceed. NOTE: At the April 22 meeting, a cost of \$80,000 for the survey was noted. The latest DEP estimate is \$90,000).**

Defer increases in Water Quality Protection Charge (WQPC) assessments to the Montgomery Village Foundation (and other entities in similar circumstances) for FY10.

At the April 22 meeting, the Committee discussed concerns raised by the Montgomery Village Foundation regarding how its WQPC is assessed. The Foundation believes the assessment of foundation-owned roads (which are publicly used) should be reconsidered or the method by which the charge is assessed should be modified so that homeowners are assessed

directly for these common areas rather than the Foundation which cannot easily pass these costs on to its homeowners.

At the April 22 meeting, the Committee expressed support for changes in legislation and/or regulations that would address these concerns and asked Council and Executive staff to work to implement appropriate changes in a timely manner. Pending these changes, the Committee suggested that DEP defer the phase-in of costs to the Montgomery Village Foundation that were assumed for FY10. The Committee asked DEP for an estimate of the impact of this deferral on the Water Quality Protection Fund.

DEP Staff are developing a precise estimate for delaying the phase-in and will be available to discuss this issue on April 29. However, the long-term impacts on the fund will ultimately depend on what changes are made to County law or regulation.

**Non-Departmental Account (NDA) – Climate Change Implementation**  
*(Recommended FY10 Operating Budget Excerpt Attached on ©4)*

**Table 1:  
Climate Change Implementation NDA Expenditures**

<b>Item</b>	<b>Approved FY09</b>	<b>Estimate FY09</b>	<b>CE FY10</b>	<b>T&amp;E FY10</b>
Clean Energy Rewards Program	561,000	561,000	518,000	518,000
Implementation of Sustainability Working Group Recommendations	-		50,000	50,000
Tank Cleaning and Filter Costs to Ready Fleet for B-20 Fuel	47,800	9,800	24,000	24,000
Energy Audits and Energy Performance Contracting for County Buildings	666,050	666,050	-	-
Climate Protection Plan Consultant Assistance	104,170	104,170	-	-
Consumer Protection Consultant Assistance to work with MD/Fed Govt	50,000	25,000		50,000
Implementation of Telecommuting Action Plan				
- P/T OHR Specialist to Manage Telecommuters	34,480	34,480	34,760	Defer
- Equipment	97,500	-	97,500	Defer*
<b>Totals</b>	<b>1,561,000</b>	<b>1,400,500</b>	<b>724,260</b>	<b>642,000</b>

\*T&E recommended shifting \$50,000 from the telecommuting dollars to fund Consumer Protection consultant assistance in FY10.

As shown in the chart above, the T&E Committee supports the Executive’s recommendations regarding the Clean Energy Rewards Program, Sustainability Working Group dollars, and additional tank cleaning and filter costs to ready the fleet for B-20 fuel.

The Committee recommended shifting \$50,000 from the Executive’s recommended telecommuting dollars in FY10 to provide continued consultant assistance in the Office of Consumer Protection. This support is needed so that the Office can effectively advocate for issues of concern to Montgomery County residents with regard to State and Federal energy

regulations (consistent with the intent of Bill 35-07, Consumer Protection – Energy and Environmental Advocacy approved last year).

#### Implementation of Telecommuting Action Plan

The Committee deferred action on the telecommuting funding (except for the \$50,000 shift noted above) but expressed concern with regard to the cost and direction of the effort and the lack of a detailed action plan as called for in Bill 29-07, Environmental Sustainability – Climate Protection – Motor Vehicles rates.

Subsequent to the April 22 meeting, Council Staff has worked to identify any telecommuting discussions that have already occurred at the Council (via the MFP Committee) and whether this review sufficiently addresses the questions raised by Council Staff on April 22 (see packet excerpt on ©5-6).

On October 27, 2008 the MFP Committee received an update on the Interagency Telework Initiative. This initiative stems from a Council resolution approved in September 2004 which called for an interagency operational telework plan and regular process updates. The next update is scheduled for June. The October update included the results of an employee survey (see ©7) showing that 38 County employees had formal telework arrangements in place. This number was dwarfed by the number of employees working compressed days (715), 4-10 hour day workweeks (1,127; including 829 policy officers), and flex-time (331) and was even lower than the number of employees working 12 hour workdays (45).

Apart from some discussion of teleworking in the context of these other initiatives (such as the 4x10 workweek) no comprehensive plan specific to telework has been developed. Bill 29-07 places the responsibility for the development of this plan with the Sustainability Working Group (SWG). However, this Group's first focus was the creation of a Climate Protection Plan by January 15, 2009. Now that the Climate Protection Plan is out, perhaps the SWG can revisit the telecommuting issue and work (with OHR assistance) on a telecommuting plan that meets the requirements of Bill 29-07.

However, with no comprehensive telecommuting action plan in place, and concerns regarding how the recommended FY10 telecommuting dollars would be spent (see packet excerpt on ©5-6) **Council Staff continues to recommend that no additional dollars for equipment be spent in FY09 or approved for FY10 until a comprehensive telecommuting action plan is developed and discussed by the Council and the issues associated with it are addressed. The OHR position, approved but not yet filled in FY09, should remain vacant and the associated dollars not spent until this discussion can take place.”**

#### Moving Departmental Expenditures Out of the NDA

The NDA was approved late in the budget process last year with funding that was identified through increases approved in fuel/energy taxes that raised approximately \$11.1 million in additional revenue. Most of the new revenue generated was used to temper increases in property tax rates. However, a portion of the increased revenue was also used to fund

elements of this NDA (including \$1.0 million for climate change related initiatives and \$200,000 in increased funding for the Clean Energy Rewards Program).

However, an alternative to this approach would be to fund some or all of these items directly out of department budgets. Council Staff can attest to the difficulty in reviewing an NDA with multiple departmental leads. The T&E Committee had a difficult time assessing these issues as well this year. If the items were placed directly in department budgets, then the Council Committee that knows the department budget best would be responsible for the review.

The tradeoff to allocating this work to departmental budgets is that the expenditures would not be as prominently earmarked for a particular effort and departments would have flexibility during the year to reallocate or transfer resources to other accounts. However, the T&E Committee can seek briefings from departments during the year on issues of interest in order to keep abreast of what is happening.

**Council Staff recommends moving all of the dollars out of the NDA to the respective departments with the exception of the Clean Energy Rewards dollars. The Council specifically approves this dollar amount via text in the County Government Appropriation Resolution and the intent is that these dollars will be available for this purpose and not available for reallocation to or supplement from the rest of DEP's budget. From this perspective, keeping these dollars in the NDA makes sense. If this is the only item to remain in the NDA, then the NDA name should be changed to "Clean Energy Rewards."**

#### Attachments

KML:f:\levchenko\dep\fy10\t&e followup items 4 29 09.doc

# Facility Planning: Storm Drains -- No. 508180

Category  
Subcategory  
Administering Agency  
Planning Area

Conservation of Natural Resources  
Storm Drains  
Transportation  
Countywide

Date Last Modified  
Required Adequate Public Facility  
Relocation Impact  
Status

March 18, 2009  
No  
None.  
On-going

### EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY08	Rem. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	4,705	3,222	8	1,475	250	225	250	250	250	250	0
Land	119	119	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	32	32	0	0	0	0	0	0	0	0	0
Other	3	2	1	0	0	0	0	0	0	0	0
<b>Total</b>	<b>4,859</b>	<b>3,375</b>	<b>9</b>	<b>1,475</b>	<b>250</b>	<b>225</b>	<b>250</b>	<b>250</b>	<b>250</b>	<b>250</b>	<b>0</b>

### FUNDING SCHEDULE (\$000)

Current Revenue: General	4,758	3,274	9	1,475	250	225	250	250	250	250	0
G.O. Bonds	101	101	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>4,859</b>	<b>3,375</b>	<b>9</b>	<b>1,475</b>	<b>250</b>	<b>225</b>	<b>250</b>	<b>250</b>	<b>250</b>	<b>250</b>	<b>0</b>

**DESCRIPTION**

This project provides for the investigation and analysis of various storm drainage assistance requests initiated by private citizens and public agencies. These requests are related to the design, construction, and operation of public drainage facilities where flooding and erosion occur. This project includes expenditures for the preliminary and final design and land acquisition for storm drain projects prior to inclusion in the Storm Drain General project, or as a stand-alone project in the CIP. Prior to its inclusion in the CIP, the Department of Transportation (DOT) will conduct a feasibility study to determine the general and specific features required for the project. Candidate projects currently are evaluated from the "Drainage Assistance Request" list. As part of the facility planning process, DOT considers citizen and public agency requests and undertakes a comprehensive analysis of storm drainage issues and problems being experienced in the County. This analysis is used to select areas where a comprehensive long-term plan for the remediation of a problem may be required. No construction activities are performed in this project. When a design is 35 percent complete, an evaluation is performed to determine if right-of-way is needed. Based on the need for right-of-way, the project may proceed to final design and the preparation of right-of-way plats under this project. The cost of right-of-way acquisition will be charged to the Advanced Land Acquisition Revolving Fund (ALARF). When designs are complete, projects with a construction cost under \$500,000 will be constructed in the Storm Drain General project. Projects with a construction cost over \$500,000 will be constructed in stand-alone projects.

**CAPACITY**

Projects will be designed to accommodate the ten-year storm frequency interval.

**COST CHANGE**

Reduce funding and expenditures for fiscal capacity in FY10.

**JUSTIFICATION**

Evaluation, justification, and cost-benefit analysis are completed by DOT as necessary. In the case of participation projects, the preparation of drainage studies and preliminary plans will be prepared by the requestor's engineer and reviewed by DOT.

**OTHER**

Before being added as a sub-project, concept studies are evaluated based on the following factors: public safety, damage to private property, frequency of event, damage to public right-of-way, environmental factors such as erosion, general public benefit, availability of right-of-way and 5:1 benefit cost ratio. In the case of public safety or severe damage to private property, the 5:1 benefit (damage prevented) cost ratio can be waived. Drainage assistance requests are evaluated on a continuing basis in response to public requests. DOT maintains a database of complaints.

Construction Projects Completed: Brookville Rd., Thomlinson Ave., Snider Ln., Beech Ave., Aramat Dr.

Under Construction: Linden Ln., Eldrid Dr., Johnson Ave.

Candidate Projects for FY09 and FY10: Town of Glen Echo, Village of Chevy Chase, Whittier Blvd., Marymount Rd., Springloch Rd., Arrowood Dr.

**OTHER DISCLOSURES**

- A pedestrian impact analysis has been completed for this project.

- \* Expenditures will continue indefinitely.

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP																																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Date First Appropriation</td> <td style="text-align: right;">FY81</td> <td style="text-align: right;">(\$000)</td> </tr> <tr> <td>First Cost Estimate</td> <td style="text-align: right;">FY10</td> <td style="text-align: right;">4,859</td> </tr> <tr> <td>Current Scope</td> <td></td> <td></td> </tr> <tr> <td>Last FY's Cost Estimate</td> <td></td> <td style="text-align: right;">4,884</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Appropriation Request</td> <td style="text-align: right;">FY10</td> <td style="text-align: right;">225</td> </tr> <tr> <td>Supplemental Appropriation Request</td> <td></td> <td style="text-align: right;">0</td> </tr> <tr> <td>Transfer</td> <td></td> <td style="text-align: right;">0</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Cumulative Appropriation</td> <td style="text-align: right;">3,634</td> </tr> <tr> <td>Expenditures / Encumbrances</td> <td style="text-align: right;">3,414</td> </tr> <tr> <td>Unencumbered Balance</td> <td style="text-align: right;">220</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Partial Closeout Thru</td> <td style="text-align: right;">FY07</td> <td style="text-align: right;">0</td> </tr> <tr> <td>New Partial Closeout</td> <td style="text-align: right;">FY08</td> <td style="text-align: right;">0</td> </tr> <tr> <td>Total Partial Closeout</td> <td></td> <td style="text-align: right;">0</td> </tr> </table>	Date First Appropriation	FY81	(\$000)	First Cost Estimate	FY10	4,859	Current Scope			Last FY's Cost Estimate		4,884	Appropriation Request	FY10	225	Supplemental Appropriation Request		0	Transfer		0	Cumulative Appropriation	3,634	Expenditures / Encumbrances	3,414	Unencumbered Balance	220	Partial Closeout Thru	FY07	0	New Partial Closeout	FY08	0	Total Partial Closeout		0	<p>Montgomery County Department of Environmental Protection Maryland-National Capital Park and Planning Commission Maryland Department of the Environment United States Army Corps of Engineers Montgomery County Department of Permitting Services Utility Companies Annual Sidewalk Program</p>	
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# Facility Planning: SM -- No. 809319

Category  
Subcategory  
Administering Agency  
Planning Area

Conservation of Natural Resources  
Stormwater Management  
Environmental Protection  
Countywide

Date Last Modified  
Required Adequate Public Facility  
Relocation Impact  
Status

March 18, 2009  
No  
None.  
On-going

### EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY08	Rem. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	8,095	4,964	193	2,938	855	383	425	425	425	425	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	42	42	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>8,137</b>	<b>5,006</b>	<b>193</b>	<b>2,938</b>	<b>855</b>	<b>383</b>	<b>425</b>	<b>425</b>	<b>425</b>	<b>425</b>	<b>*</b>

### FUNDING SCHEDULE (\$000)

Current Revenue: General	7,200	4,069	193	2,938	855	383	425	425	425	425	0
State Aid	140	140	0	0	0	0	0	0	0	0	0
Stormwater Management Waiver Fees	797	797	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>8,137</b>	<b>5,006</b>	<b>193</b>	<b>2,938</b>	<b>855</b>	<b>383</b>	<b>425</b>	<b>425</b>	<b>425</b>	<b>425</b>	<b>0</b>

#### DESCRIPTION

This project provides funds for facility planning and feasibility studies to evaluate watershed conservation needs and identify remedial project alternatives for stormwater management, stormwater retrofit, low impact design (LID), and stream restoration projects. In addition, facility planning serves as a transition stage for a project. Selected projects vary in type including: preparation of watershed conservation plans assessing stream erosion and habitat; inventories of alternative stream restoration and retrofit projects; complementary non-structural measures to help mitigate degraded stream conditions in rural and developed watersheds; identification of potential flood problems and flood damage reduction measures; and hydrologic, hydraulic, and water quality monitoring and analyses as required to quantify impacts of watershed development and projects to be implemented. Facility planning is a decision-making process that investigates critical project elements such as: usage forecasts; economic, social, environmental, and historic impact analyses; public participation; potential non-County funding sources; and detailed project cost estimates. Facility planning represents planning and preliminary design and develops a program of requirements in advance of full programming of a project.

#### COST CHANGE

Reduce funding and expenditures for fiscal capacity.

#### JUSTIFICATION

Facility planning supports requirements for watershed assessments required in the County's National Pollutant Discharge Elimination System (NPDES) stormwater permit for municipal stormwater discharges and implements the Countywide Stream Protection Strategy (CSPS, 2003). There is a continuing need for the development of accurate cost estimates and an exploration of alternatives for proposed projects. This project establishes the facilities planning data and alternatives analyses needed to identify and set priorities for individual capital projects. Facility planning costs for projects which are ultimately included in stand-alone Project Description Forms (PDFs) are reflected here and not in the resulting individual project. Future individual CIP projects which result from facility planning will each reflect reduced planning and design costs.

The CSPS identified the condition of County watersheds and prioritized subwatersheds for protection and/or restoration. Facility planning studies are targeted based on the CSPS.

#### OTHER

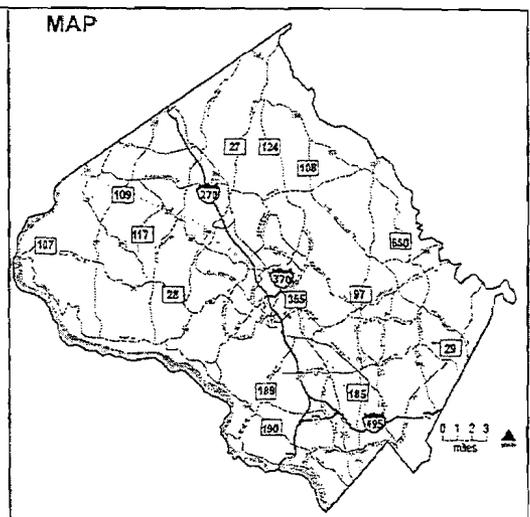
Ongoing projects are in the Muddy Branch, and Great Seneca Creek watersheds. Projects planned for FY09-10 include: Continuation of the Great Seneca Creek and Muddy Branch Feasibility studies; initiation of the Anacostia Watershed Restoration Plan, and an automated fixed monitoring station operation required by the National Pollutant Discharge Elimination System permit.

#### 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	FY93	(\$000)
First Cost Estimate	FY10	8,137
Current Scope		
Last FY's Cost Estimate		8,179
Appropriation Request	FY10	383
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		6,054
Expenditures / Encumbrances		5,553
Unencumbered Balance		501
Partial Closeout Thru	FY07	0
New Partial Closeout	FY03	0
Total Partial Closeout		0

**COORDINATION**  
Maryland-National Capital Park and Planning Commission  
U. S. Army Corps of Engineers  
Washington Suburban Sanitary Commission  
Department of Permitting Services  
Department of Transportation



# Energy Conservation: MCG -- No. 507834

Category  
Subcategory  
Administering Agency  
Planning Area

General Government  
County Offices and Other Improvements  
General Services  
Countywide

Date Last Modified  
Required Adequate Public Facility  
Relocation Impact  
Status

March 18, 2009  
No  
None.  
On-going

### EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY08	Rem. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	270	0	0	270	45	45	45	45	45	45	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	1,217	0	77	1,140	240	180	180	180	180	180	0
Other	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>1,487</b>	<b>0</b>	<b>77</b>	<b>1,410</b>	<b>285</b>	<b>225</b>	<b>225</b>	<b>225</b>	<b>225</b>	<b>225</b>	<b>*</b>

### FUNDING SCHEDULE (\$000)

Current Revenue: General	4	0	4	0	0	0	0	0	0	0	0
G.O. Bonds	1,483	0	73	1,410	285	225	225	225	225	225	0
<b>Total</b>	<b>1,487</b>	<b>0</b>	<b>77</b>	<b>1,410</b>	<b>285</b>	<b>225</b>	<b>225</b>	<b>225</b>	<b>225</b>	<b>225</b>	<b>0</b>

### OPERATING BUDGET IMPACT (\$000)

Maintenance				-168	-8	-16	-24	-32	-40	-48
Energy				-777	-37	-74	-111	-148	-185	-222
<b>Net Impact</b>				<b>-945</b>	<b>-45</b>	<b>-90</b>	<b>-135</b>	<b>-180</b>	<b>-225</b>	<b>-270</b>

#### DESCRIPTION

This program provides for profitable energy conservation retrofits in County-owned buildings. Retrofits to lighting systems, building envelopes, heating and cooling controls, and boiler efficiency upgrades are provided through this project. A central Energy Management and Control System (EMS) has been installed to monitor major buildings. Energy audits have been conducted to identify and prioritize energy conservation projects throughout the 35 largest buildings. Advanced energy-saving technologies are introduced into County facilities as they become economical and reliable. Retrofits are performed during off hours and do not disrupt services at affected buildings. For new construction and renovation projects, energy design guidance is provided to contractors, and energy budgets are developed and enforced. Utility costs for County facilities are monitored in a computer database.

#### JUSTIFICATION

This program is part of the County's cost-containment program. The projects pay for themselves in a short time, generally one to five years. The County then continues to benefit for many years through lower utility costs. The program is environmentally responsible in reducing the need for utility power plants and decreasing greenhouse gas emissions. The project fulfills the County's voluntary commitment to reduce energy use in all its buildings under the EPA Energy Star Buildings Program. The project is necessary to fulfill the mandate of Montgomery County Code Section 8-14A, Building Energy Design Standards. Improvements in lighting and HVAC controls also improve employee comfort and productivity. Major retrofits of these energy technologies will be made at all County facilities not presently scheduled for renovation. Future maintenance costs are also reduced.

#### FISCAL NOTE

Replace current revenue with GO bonds in FY09.

#### OTHER DISCLOSURES

- \* Expenditures will continue indefinitely.

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP												
<table border="1"> <tr> <td>Date First Appropriation</td> <td>FY78</td> <td>(\$000)</td> </tr> <tr> <td>First Cost Estimate</td> <td></td> <td></td> </tr> <tr> <td>Current Scope</td> <td>FY10</td> <td>1,487</td> </tr> <tr> <td>Last FY's Cost Estimate</td> <td></td> <td>1,746</td> </tr> </table>	Date First Appropriation	FY78	(\$000)	First Cost Estimate			Current Scope	FY10	1,487	Last FY's Cost Estimate		1,746	Energy Conservation Work Program - Energy Star Upgrades Department of General Services	
Date First Appropriation	FY78	(\$000)												
First Cost Estimate														
Current Scope	FY10	1,487												
Last FY's Cost Estimate		1,746												
<table border="1"> <tr> <td>Appropriation Request</td> <td>FY10</td> <td>225</td> </tr> <tr> <td>Supplemental Appropriation Request</td> <td></td> <td>0</td> </tr> <tr> <td>Transfer</td> <td></td> <td>0</td> </tr> </table>	Appropriation Request	FY10	225	Supplemental Appropriation Request		0	Transfer		0					
Appropriation Request	FY10	225												
Supplemental Appropriation Request		0												
Transfer		0												
<table border="1"> <tr> <td>Cumulative Appropriation</td> <td></td> <td>362</td> </tr> <tr> <td>Expenditures / Encumbrances</td> <td></td> <td>80</td> </tr> <tr> <td>Unencumbered Balance</td> <td></td> <td>282</td> </tr> </table>	Cumulative Appropriation		362	Expenditures / Encumbrances		80	Unencumbered Balance		282					
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Expenditures / Encumbrances		80												
Unencumbered Balance		282												
<table border="1"> <tr> <td>Partial Closeout Thru</td> <td>FY07</td> <td>9,716</td> </tr> <tr> <td>New Partial Closeout</td> <td>FY08</td> <td>259</td> </tr> <tr> <td>Total Partial Closeout</td> <td></td> <td>9,975</td> </tr> </table>	Partial Closeout Thru	FY07	9,716	New Partial Closeout	FY08	259	Total Partial Closeout		9,975					
Partial Closeout Thru	FY07	9,716												
New Partial Closeout	FY08	259												
Total Partial Closeout		9,975												

from the Employees' Retirement System (ERS), Retirement Savings Plan (RSP), Retiree Health Benefit Trust (RHBT), and the General Fund on behalf of the Montgomery County Deferred Compensation Plan (DCP) trust funds and are, therefore, not appropriated here. The Board of Investment Trustees manages the assets of the ERS and RHBT through its investment managers in accordance with the Board's asset allocation strategy and investment guidelines. The Board also administers the investment programs for the RSP and DCP. The Board consists of 13 trustees including the Directors of Human Resources, Finance, Management and Budget, and the Council Staff; one member recommended by each employee organization; one active employee not represented by an employee organization; one retired employee; two members of the public recommended by the County Council; and two members of the general public.

<b>FY10 Recommended Changes</b>	<b>Expenditures</b>	<b>WYs</b>
<b>FY09 Approved</b>	<b>0</b>	<b>0.0</b>
<b>FY10 CE Recommended</b>	<b>0</b>	<b>0.0</b>

### **Boards, Committees, and Commissions**

There are approximately 75 boards, committees, and commissions, created by law or resolution, which serve the County for a variety of purposes. These funds provide for the reimbursement of certain expenses incurred by eligible members of boards, committees, or commissions while on official business and/or for expenses related to the establishment of any new boards, committees, or commissions.

<b>FY10 Recommended Changes</b>	<b>Expenditures</b>	<b>WYs</b>
<b>FY09 Approved</b>	<b>20,000</b>	<b>0.0</b>
Increase Cost: Dependent Care and Travel Reimbursement	7,000	0.0
<b>FY10 CE Recommended</b>	<b>27,000</b>	<b>0.0</b>

### **Charter Review Commission**

Section 509 of the County Charter requires that a Charter Review Commission be appointed by the County Council every four years, within six months after the Council assumes office, for the purpose of studying the Charter. The Commission shall report at least once to the Council on the Commission's activities within one year after appointment. Commission reports shall be submitted no later than May 1 of every even-numbered year. The reports shall contain recommendations concerning proposed Charter amendments, if any. This NDA provides for the expenses of the Commission.

<b>FY10 Recommended Changes</b>	<b>Expenditures</b>	<b>WYs</b>
<b>FY09 Approved</b>	<b>150</b>	<b>0.0</b>
Increase Cost: Biennial Cycle Adjustment	1,350	0.0
<b>FY10 CE Recommended</b>	<b>1,500</b>	<b>0.0</b>

### **Climate Change Implementation**

This NDA provides funding to implement the initiatives the Council adopted in Bills 29-07, Environmental Sustainability - Climate Protection - Motor Vehicles; 30-07, Buildings - Energy Efficiency; 32-07, Environmental Sustainability - Climate Protection Plan; and 35-07, Consumer Protection - Energy and Environmental Advocacy; and to fund the Clean Energy Rewards program established in County Code 18A-11.

<b>FY10 Recommended Changes</b>	<b>Expenditures</b>	<b>WYs</b>
<b>FY09 Approved</b>	<b>1,561,000</b>	<b>0.0</b>
Add: Initial Implementation of Sustainability Working Group Recommendations	50,000	0.0
Increase Cost: Group Insurance Adjustment	280	0.0
Technical Adj: Annualization of FY09 Personnel Costs	0	0.5
Decrease Cost: Adjust Clean Energy Rewards Based on Projected Participation	-43,000	0.0
Decrease Cost: Elimination of One-Time Items Approved in FY09	-844,020	0.0
<b>FY10 CE Recommended</b>	<b>724,260</b>	<b>0.5</b>

### **Closing Cost Assistance**

This NDA provides financing for real estate closing cost expenses to assist moderate- to middle-income home buyers. Eligible first-time home buyers can receive a seven-year loan under the program to help pay the settlement expense of a home purchase. The maximum amount of loans is the lesser of \$7,500 or five percent of the sale price of the single-family residence. The Housing Opportunities Commission (HOC) administers and operates the program. As part of an arrangement between HOC and the Federal National Mortgage Association (Fannie Mae), the County has established this account to help defray program operating costs

## T&E, April 22, Agenda Item #3 Council Staff Packet Excerpt

### Telecommuting Action Plan

Bill 29-07, "Environmental Sustainability – Climate Protection – Motor Vehicles rate" included requirements to establish a telecommuting action plan with numerical targets for County employee participation. The exact language of the bill is below:

#### **33-24. Telecommuting.**

(a) Definitions. In this Section, the following words have the meanings indicated:

"Director" means the Director of the Department of Human Resources or the Director's designee.

"Sustainability Working Group" means the Group defined in Section 18A-13.

"Telecommute" means a work arrangement in which some or all of the work is performed at an alternative work site such as a home or office space near a home.

(b) Telecommuting Action Plan. The [[Director]] Sustainability Working Group must prepare a Telecommuting Action Plan that sets out a plan for increasing the number of County employees who telecommute.

(c) Contents. The Telecommuting Action Plan must:

(1) set numerical goals for the number of County employees who telecommute;

(2) identify the circumstances under which a County employee may telecommute; and

(3) identify procedures that a County employee must follow to obtain permission to telecommute.

(d) Annual report. The [[Director]] Sustainability Working Group must report to the County Executive and County Council by [[September 1]] January 15 of each year on the actions taken in the preceding fiscal year to implement the Telecommuting Action Plan.

As part of the FY09 Budget, \$34,480 was included for a part-time position in the Office of Human Resources to manage this effort and \$97,500 for outfitting 25 employees with laptop computers, blackberry devices, and network hardware at a cost of \$3,900 per employee. The FY10 budget includes resources to continue the part-time position and to outfit another 25 employees. These costs were first forwarded to the Council during its deliberations on Bill 29-07.

Council Staff is skeptical of the need for the outfitting costs for several reasons:

1. No telecommuting action plan has been presented to the Council for discussion. It appears to be premature to invest substantial dollars without an understanding of the short and long-term program being put in place.
2. Many employees probably already own their own computer equipment and cell phones and would not need additional equipment purchased at the County's expense.
3. Since telecommuting provides a family-friendly benefit (and cost savings in terms of commuting-related costs to employees) it is not clear why the County should invest substantial dollars to subsidize an employee for this. Would the County also be responsible for upgrading this equipment later? What about the monthly charges for blackberry service?

4. It is not clear why a blackberry device is needed. Employees can use land-line phones, their own cell phones (perhaps with a reimbursement for business-related calls), and email services from their own computers.
5. Since this program is requested to be funded in the Climate Implementation NDA, then a tangible and cost-effective carbon reduction benefit should be realized. However, in this case, the expenditures requested provide for only a small number of employees to telecommute. If these employees only telecommute part-time (perhaps once per week or once every two weeks) the environmental benefit for the investment made is even further reduced. It is not clear that this is the best investment of dollars to reduce greenhouse gas emissions. The consultant work with the SWG (mentioned above) may provide some help here in terms of prioritizing greenhouse gas reduction efforts.

In Council Staff's experience, the primary impediment to even part-time telecommuting (other than jobs that preclude telecommuting altogether, such as bus drivers, uniformed public safety officers, etc..) is the lack of interest in such an arrangement by either an employee or an employee's manager, not lack of the necessary equipment.

Council Staff has forwarded these concerns to Office of Human Resources (OHR) staff for comment and requested that they be available to discuss these issues at the T&E worksession.

**Absent compelling information from OHR staff, Council Staff recommends that no additional dollars for equipment be spent in FY09 or approved for FY10 until a telecommuting action plan is discussed by the Council and the issues associated with it (including those mentioned above) are addressed. If the OHR position has not been filled yet, then that position should remain vacant and the associated dollars not spent as well until this discussion can take place.**

**Alternate work week/telcommuting survey results**

					Total Alt.		Total Positions	% AWW	% AWW & TC
	Compressed	4 x 10 Hours	Flex	12 hour	Work Telecom- Week muting				
<b>Legislative</b>									
County Council	4	0	3	0	7	0	85	8.2%	8.2%
Board of Appeals	0	0	0	0	0	0	4	0.0%	0.0%
Inspector General	0	0	0	0	0	0	5	0.0%	0.0%
Legislative Oversight	0	0	0	0	0	0	11	0.0%	0.0%
Merit System Protection Board	0	0	0	0	0	0	2	0.0%	0.0%
People's Counsel	0	0	0	0	0	0	2	0.0%	0.0%
Zoning and Administrative Hearings	0	0	0	0	0	0	4	0.0%	0.0%
	0	0	0	0	0	0	0		
<b>Subtotal Legislative</b>	<b>4</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>113</b>	<b>6.2%</b>	<b>6.2%</b>
<b>Executive</b>									
Board of Investment Trustees	4	0	0	0	4	0	6	66.7%	66.7%
County Executive	0	0	0	0	0	0	59	0.0%	0.0%
Board of Elections	0	0	0	0	0	0	28	0.0%	0.0%
Commission for Women	0	0	1	0	1	0	13	7.7%	7.7%
Community Use of Public Facilities	2	0	10	0	12	0	28	42.9%	42.9%
County Attorney	0	0	0	0	0	0	76	0.0%	0.0%
Consumer Protection	14	1	0	0	15	0	22	68.2%	68.2%
Economic Development	0	0	2	0	2	0	53	3.8%	3.8%
Environmental Protection	21	8	0	0	29	2	152	19.1%	20.4%
Ethics Commission	0	0	0	0	0	0	3	0.0%	0.0%
Finance	18	0	6	0	24	2	133	18.0%	19.5%
Housing and Community Affairs	27	0	0	0	27	0	90	30.0%	30.0%
Human Resources	0	0	1	0	1	0	84	1.2%	1.2%
Human Rights	1	3	7	0	11	8	21	52.4%	90.5%
Intergovernmental Relations	1	0	0	0	1	1	5	20.0%	40.0%
Liquor Control	0	0	0	0	0	0	324	0.0%	0.0%
Management and Budget	0	0	2	0	2	0	34	5.9%	5.9%
General Services	7	112	6	0	125	0	460	27.2%	27.2%
Public Information	5	0	0	0	5	1	12	41.7%	50.0%
Public Libraries	1	0	20	0	21	0	481	4.4%	4.4%
Transportation (DOT)	184	92	30	0	306	0	1,428	21.4%	21.4%
Permitting Services	0	0	0	0	0	0	221	0.0%	0.0%
Recreation	12	2	13	0	27	1	167	16.2%	16.8%
Regional Services Centers	0	0	0	0	0	0	35	25.7%	25.7%
BCC	3	0	0	0	3	0			
Midcounty	0	0	1	0	1	0			
Silver Spring	0	1	0	0	1	0			
East County	0	0	0	0	0	0			
UpCounty	0	0	4	0	4	0			
Technology Services	0	0	62	0	62	11	177	35.0%	41.2%
Urban Districts	0	0	0	0	0	0	33	0.0%	0.0%
Correction and Rehabilitation	0	22	14	0	36	0	568	6.3%	6.3%
Fire Rescue	15	8	10	0	33	1	1,267	2.6%	2.7%
Health and Human Services	268	13	102	0	383	6	1,761	21.7%	22.1%
Emergency Mgt & Homeland Security	0	3	3	0	6	0	10	60.0%	60.0%
Police	126	829	18	45	1,018	5	1,852	55.0%	55.2%
<b>Subtotal Executive</b>	<b>709</b>	<b>1,094</b>	<b>312</b>	<b>45</b>	<b>2,160</b>	<b>38</b>	<b>9,603</b>	<b>22.5%</b>	<b>22.9%</b>
Sheriff	2	33	16	0	51	0	181	28.2%	28.2%
Circuit Court	0	0	0	0	0	0	119	0.0%	0.0%
State's Attorney	0	0	0	0	0	0	125	0.0%	0.0%
<b>Subtotal Judicial</b>	<b>2</b>	<b>33</b>	<b>16</b>	<b>0</b>	<b>51</b>	<b>0</b>	<b>425</b>	<b>12.0%</b>	<b>12.0%</b>
<b>Grand Total</b>	<b>715</b>	<b>1,127</b>	<b>331</b>	<b>45</b>	<b>2,218</b>	<b>38</b>	<b>10,141</b>	<b>21.9%</b>	<b>22.2%</b>
<b>% of Workforce by AWW Category</b>	<b>7.1%</b>	<b>11.1%</b>	<b>3.3%</b>	<b>0.4%</b>	<b>21.9%</b>	<b>0.4%</b>	<b>22.2%</b>		

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