



Committee: GO
Committee Review: N/A
Staff: Naeem M. Mia, Legislative Analyst
Purpose: To receive testimony/final action - vote expected
Keywords: Property Disposition, CASA de Maryland

AGENDA ITEM #12
November 29, 2022
Public Hearing/Action

SUBJECT

Declaration of No Further Need – Disposition via Long-Term Lease of 14645 Rothgeb Drive, located in Rockville, Maryland, to CASA de Maryland

EXPECTED ATTENDEES

Greg Ossont, Deputy Director, Department of General Services

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- Introduction on November 15, 2022.
- Public Hearing and Action on November 29, 2022. A motion is required.

DESCRIPTION/ISSUE

The County Executive requests Council approval of a Declaration of No Further Need (DNFN) to enter into a long-term 99-year lease with CASA de Maryland for County-owned office space at 14645 Rothgeb Drive in Rockville, Maryland.

The Property is improved with a commercial building which was formerly used as an animal shelter. CASA de Maryland occupies a portion of the building through a license agreement with the County. The rest of the building, which is in shell condition, is vacant.

CASA de Maryland currently has a contract for service with the County's Department of Health and Human Services to provide and operate a program of employment, training, and supportive services for low-income, multicultural residents at the subject building. The long-term lease of the vacant space is needed to allow CASA, Inc. to renovate this location as a workforce development and training center to provide employment and training services to low-income residents so they can access meaningful long-term employment. The rent charged to CASA is for a nominal sum and below fair market value, as CASA intends to operate a program in the County's public interest.

On October 11, 2022, the Council approved a CIP supplemental appropriation (Cost Sharing: MCG - CIP No. 720601), for DGS to enter into a new contract with CASA, Inc. in the amount of \$5,000,000 for the renovation of the space to suit CASA's program requirements, as well as an amendment to Section G, Fiscal Year 2023 Designation of Entities for Non-Competitive Contract Award Status listing CASA, Inc.

The property transfer of this property complies with the requirements established under County Code 11B-45.01 Disposition of Real Property, including:

- This transaction is subject to the Property Disposition process as the lease of County-owned properties is in excess of two (2) years.

- The Executive transmitted to the Council the material terms on October 12, 2022.
- On October 20, 2022 Executive Order 212-22 was published in the County Register to give notice of the County’s intent to proceed with disposition to CASA and that there was no further need for public use. A virtual public hearing was held on November 7, 2022.
- The Executive transmitted to the Council the Declaration of No Further Need on November 8, 2022.

This report contains:

1. Resolution Approving Transfer	© 1-2
2. November 8, 2022 memo from County Executive	© 3-4
3. Executive Order 212-22	© 5-6
4. October 12, 2022 memo from County Executive (material terms)	© 7-8
5. October 11, 2022 Council staff packet - CIP Supplemental Appropriation	© 9-17

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Resolution No.: _____
Introduced: November 15, 2022
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President at the request of the County Executive

SUBJECT: Approval of Disposition via Long-Term Lease of 14645 Rothgeb Drive, located in Rockville, Maryland, to CASA de Maryland

Background

1. Montgomery County Code §11B-45 requires the Council to approve a Declaration of No Further Need before the Executive can dispose of real property that has more than nominal value. Prior to seeking Council approval of a Declaration of No Further Need, the Executive must:
 - (a) submit all material terms of the proposed disposition and any appraisal the Executive relied on in setting the property's market value to the Council; and
 - (b) publish a declaration in the County Register and post a notice on the County website that the County has no further need for the property.If the Council, by resolution, approves the Executive's Declaration of No Further Need, the Executive may dispose of the property for fair market value.
2. Montgomery County Code §11B-45 defines a disposition as "a sale, a lease or license for a term of 2 years or longer, or a lease or other document which includes an option to buy. If a license or lease for an initial term of less than 2 years is extended or renewed beyond 2 years, that extension or renewal is a disposition."
3. On October 12, 2022, the Executive transmitted the material terms of the proposed disposition. The Executive recommended entering into a long-term 99-year lease of County-owned office space at 14645 Rothgeb Drive, in Rockville Maryland, to CASA de Maryland ("CASA").
4. CASA de Maryland currently has a contract for service with the County's Department of Health and Human Services to provide and operate a program of employment, training, and supportive services for low-income, multicultural residents at the subject building. The long-term lease of the vacant space is needed to allow CASA to renovate this location as a workforce development and training center to provide employment and training services to low-income residents so they can access meaningful long-term employment.

5. On October 20, 2022 Executive Order 212-22 was published in the County Register to give notice of the County's intent to proceed with disposition to CASA and that there was no further need for public use.
6. The Council is scheduled for a public hearing and action on this recommended disposition on November 29, 2022.

Action

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

The Declaration of No Further Need for the Lease Agreement in Excess of two (2) Years of the County-owned office spaces located at 14645 Rothgeb Drive, Rockville Maryland, 20850 is approved and the property may be disposed of as described in the material terms provided to the Council on October 12, 2022, the memorandum dated November 8, 2022, and in Executive Order 212-22 as published in the County Register on October 20, 2022. The County Council waives the requirement that the disposition be a fair market value transaction.

This is a correct copy of Council action.

Judy Rupp
Clerk of the Council




OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

November 8, 2022

TO: Gabe Albornoz, President
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Declaration of No Further Need – 14645 Rothgeb Drive

On October 12, 2022, I transmitted material terms to Council and provided notice that I intend to dispose through long-term lease County-owned property located at 14645 Rothgeb Drive, Rockville, Maryland 20850 (“Property”) to CASA de Maryland.

As required under Section 11B-45 of the Montgomery County Code, an Executive Order must be issued declaring that the County-owned site is no longer needed for public use. Attached please find Executive Order 212-22 which was published in the *County Register* on October 20, 2022 to give notice of my intent to proceed with the 99-year lease to CASA de Maryland for a nominal sum. The County Council may waive the requirement that the Subject Property be disposed of at full market value under section 11B-45 of the County Code.

The Property is improved with a commercial building which was formerly used as an animal shelter. CASA de Maryland occupies a portion of the building. The rest of the building, which is in shell condition, is vacant.

CASA de Maryland currently has a contract for service with the County’s Department of Health and Human Services to provide and operate a program of employment, training, and supportive services for low-income, multicultural residents at the subject building. The Property must go through disposition to allow for the long-term 99-year lease.

I hope this information is helpful. If you have any questions, please contact Greg Ossont, Deputy

Declaration of No Further Need – 14645 Rothgeb Drive

November 8, 2022

Page 2 of 2

Director, Department of General Services, at 240.777.6192 or
greg.ossont@montgomerycountymd.gov.

Enclosure: Executive Order No. 212-22
Material Terms Memo dated October 12, 2022

cc: Jennifer Bryant, Director, Office of Management and Budget
Michael Coveyou, Director, Department of Finance
David Crow, Acting Controller, Department of Finance
Luisa Cardona, Director, Mid-County Regional Services Center
Pete Fosselman, Director, Bethesda Chevy-Chase Regional Services Center
David Dise, Director, Department of General Services
Greg Ossont, Deputy Director, Department of General Services
Cynthia Brenneman, Division Chief, Department of General Services
Ronnie Warner, Division Chief, Department of General Services



MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Disposition of County Property: 14645 Rothgeb Drive	Executive Order No. 212-22	Subject Suffix
Montgomery County Department of General Services	Department No.	Effective Date 10-20-22

County Executive Declaration of No Further Need

Recitals

WHEREAS, the County owns approximately 3.8 acres of property at 14645 Rothgeb Drive, Rockville, described in the Deed recorded among the Land Records of Montgomery County at Book 4384, page 574 and (“the Property”); and

WHEREAS, the Property is improved with a commercial building which was formerly used as an animal shelter; and

WHEREAS, the County intends to enter a 99-year lease for a nominal sum with CASA de Maryland which currently has a contract for service with the County’s Department of Health and Human Services to provide and operate a program of employment, training and supportive services for low income, multi-cultural residents at the subject building; and

WHEREAS, CASA de Maryland currently occupies a portion of the building pursuant to a License Agreement with the County to provide the above described services per the contract for services. The rest of the building, which is in shell condition, is vacant; and

WHEREAS, the Property must go through disposition to allow for the long-term 99-year lease; and

WHEREAS, the County Executive has completed the Preliminary Reuse Review and Reuse Analysis; and

WHEREAS, the material terms of the sale of the Property are as stated above; and

WHEREAS, under Section 11B-45 of the County Code, the County Council may waive the requirement that the Property be disposed of at full market value; and

WHEREAS, in accordance with the provisions of Montgomery County Code Section 11B-45 and COMCOR 11B.45.01.08, Disposition of Real Property, the County Executive must issue an Executive Order declaring that County owned or controlled land is no longer needed for County use.



MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Disposition of County Property: 14645 Rothgeb Drive	Executive Order No. 212-22	Subject Suffix
Montgomery County Department of General Services	Department No.	Effective Date 10-20-22

ACTION

In consideration of the above recitals, the County Executive hereby declares that the County Property, approximately 3.8 acres of property on at 14645 Rothgeb Drive, Rockville, Maryland, 20850, is no longer needed for County use and, upon Council approval, will be disposed of through long-term lease to CASA de Maryland.

Approved as to Form and Legality
Office of the County Attorney

By: Neal Anker
Date: 10/3/2022

APPROVED

Yaakov "Jake" Weissmann
Assistant Chief Administrative Officer

Date: 10/20/22




OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

October 12, 2022

TO: Gabe Albornoz, President
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Material Terms – 14645 Rothgeb Drive

In accordance with the provisions of 11B-45, Property Disposition, the purpose of this memorandum is to provide the material terms related to the disposition of 14645 Rothgeb Drive, Rockville, Maryland 20850 (“Property”).

The Property is improved with a commercial building which was formerly used as an animal shelter. CASA de Maryland occupies a portion of the building. The rest of the building, which is in shell condition, is vacant.

The County intends to enter a 99-year lease for a nominal sum with CASA de Maryland, which currently has a contract for service with the County’s Department of Health and Human Services to provide and operate a program of employment, training, and supportive services for low-income, multi-cultural residents at the subject building. The Property must go through disposition to allow for the long-term 99-year lease.

I hope this information is helpful. If you have any questions, please contact Greg Ossont, Deputy Director, Department of General Services, at 240.777.6192 or greg.ossont@montgomerycountymd.gov.

cc: David Dise, Director, Department of General Services
Greg Ossont, Deputy Director, Department of General Services
Cynthia Brenneman, Division Chief, Department of General Services
Ronnie Warner, Division Chief, Department of General Services

Material Terms – 14645 Rothgeb Drive

October 12, 2022

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Jennifer Bryant, Director, Office of Management and Budget

Michael Coveyou, Director, Department of Finance

David Crow, Acting Controller, Department of Finance

Luisa Cardona, Director, Mid-County Regional Services Center

Pete Fosselman, Director, Bethesda Chevy-Chase Regional Services Center



Committee: Joint
Committee Review: At a future date
Staff: Carolyn Chen, Legislative Analyst *CJC*
Purpose: To receive testimony – no vote expected
Keywords: #CASA #grants #costsharing #capitalgrants

AGENDA ITEM #6
 September 13, 2022
Public Hearing

SUBJECT

Amendment to the FY23-28 Capital Improvements Program and Supplemental Appropriation #23-13 to the FY23 Capital Budget, including an amendment to Section G, FY23 Designation of Entities for Non-Competitive Contract Award, Montgomery County Government Department of Recreation, Cost Sharing: MCG (CIP No. 720601), \$5,000,000

COUNCIL DECISION POINTS

[Introduction occurred July 26, 2022](#). Notice of Public Hearing for a capital budget amendment was received and published by *The Daily Record* on July 29, 2022; at least 15 days before the public hearing scheduled date. (See page ©8)

DESCRIPTION/ISSUE

- On July 21, 2022, the County Executive transmitted a request for an Amendment to the FY23-28 Capital Improvements Program (CIP) and a Supplemental Appropriation to the FY23 Capital Budget for the Montgomery County Government Cost Sharing CIP project, in the amount of \$5,000,000.
- The Chief Administrative Officer recommends an amendment to Resolution 19-1285, Section G, for a Non-Competitive Award for CASA, Inc.

SUMMARY OF KEY DISCUSSION POINTS

- Department of General Services (DGS) will enter into a new contract with CASA, Inc. in the amount of \$5,000,000 for the purpose: “Provide capital support for the renovation of 14645 Rothgeb Drive, Rockville, MD¹ for use as a workforce development and training center.” (See page ©3)
- The [Office of Racial Equity and Social Justice’s](#) (ORESJ) racial equity impact assessment of Supplemental Appropriation #23-13 will be included in a revised staff packet when received.

This report contains:

County Executive July 21, 2022 Transmittal Memorandum..... ©1
 Chief Administrative Officer July 21, 2022 Transmittal Memorandum..... ©3
 Draft Supplemental Appropriation Resolution..... ©5
The Daily Record Public Hearing Notice Affidavit..... ©8

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¹ The premises at 14645 Rothgeb Drive, Rockville, Maryland is the former location of the Montgomery County Animal Shelter.




OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

July 21, 2022

TO: Gabe Albornoz, President
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Amendment to the FY23-28 Capital Improvements Program and Supplemental Appropriation #23-13 to the FY23 Capital Budget, including an amendment to Section G, FY23 Designation of Entities for Non-Competitive Contract Award Montgomery County Government
Department of Recreation
Cost Sharing: MCG (CIP No. 720601), \$5,000,000

I am recommending a supplemental appropriation to the FY23 Capital Budget and amendment to the FY23-28 Capital Improvement Program in the amount of \$5,000,000 for Cost Sharing: MCG (CIP No. 720601), including a request to amend the Fiscal Year (FY) 2023 Operating Budget Resolution 19-1285, Section G, and the FY23 Designation of Entities for Non-Competitive Contract Award Status, for the Department of General Services (DGS). Appropriation for this project will fund the renovation of the former Montgomery County Animal Shelter and CASA, Inc. offices at 14645 Rothgeb Drive, Rockville, MD.

The County will lease the premises at 14645 Rothgeb Drive, Rockville, MD to CASA, Inc. for the purpose of developing a workforce development and training center. This increase is needed to allow CASA, Inc. to renovate this location as a workforce development and training center to provide employment and training services to low-income residents so they can access meaningful long-term employment. The recommended amendment is consistent with the criteria for amendment to the CIP because it presents a significant opportunity for enhancing workforce development, training, and small business support and leverages private funds.

DGS will enter into a new contract with CASA, Inc. in the amount of \$5,000,000 for the purpose “Provide capital support for the renovation of 14645 Rothgeb Drive, Rockville, MD for use as a workforce development and training center.”

I recommend that the County Council approve this supplemental appropriation and amendment to the FY23-28 Capital Improvements Program in the amount of \$5,000,000 and specify the source of funds as

Amendment to the FY23-28 Capital Improvement Program and Supplemental Appropriation #23-13

July 21, 2022

Page 2 of 2

Current Revenue: General. Included with this transmittal packet is a written determination from the Chief Administrative Officer that a non-competitive contract award with CASA, Inc. for the purposes and the amount stated above serves a public purpose and is in the public interest, in accordance with Section 11B-14(a)(4) of the Montgomery County Code.

I appreciate your prompt consideration of this action.

ME:khe

Enclosure: Amendment to the FY23-28 Capital Improvements Program and Supplemental Appropriation #23-13 to the FY23 Capital Budget

cc: Jennifer R. Bryant, Director, Office of Management and Budget
David Dise, Director, Department of General Services



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

Richard S. Madaleno
Chief Administrative Officer

MEMORANDUM

July 21, 2022

TO: Gabe Albornoz, President
Montgomery County Council

FROM: Richard S. Madaleno, Chief Administrative Officer *Richard Madaleno*

SUBJECT: Amendment to the Fiscal Year 2023 Operating Budget Resolution 19-1285, Section G, Fiscal Year 2023 Designation of Entities for Non-Competitive Contract Award Status: CASA, Inc.

The Department of General Services (DGS) is requesting to amend the Fiscal Year (FY) 2023 Operating Budget Resolution 19-1285, Section G, and the FY23 Designation of Entities for Non-Competitive Contract Award Status as described below.

DGS will add the following award:

Named Entity	Purpose	Award
CASA, Inc.	Provide capital support for the renovation of 14645 Rothgeb Drive, Rockville, MD for use as a workforce development and training center.	\$5,000,000

Supplemental Appropriation #23-13, as proposed by the County Executive, provides \$5,000,000 in County funds and an amendment for the Cost Sharing: MCG (CIP No. 720601) project, and includes an amendment to Section G of Resolution 19-1285 to allow for the County to enter into a non-competitive contract award with CASA, Inc. to carry out this project. The purpose of this funding provides for the renovation and redevelopment of 14645 Rothgeb Drive, Rockville, MD as a workforce development and training center.

I have determined that this action serves a public purpose and is in the public interest. Therefore, I recommend that the Council amend the Miscellaneous Provision in Section G of Resolution 19-1285 for the FY23 Designation of Entities for Non-Competitive Award.

RSM:rs

Enclosure: Amendment to the FY23-28 Capital Improvements Program and Supplemental Appropriation #23-13 to the FY23 Capital Budget

Amendment to FY23 Operating Budget, Section G, Designation of Entities for Non-Competitive
Contract Award

July 21, 2022

Page 2 of 2

cc: Joy Nurmi, Chief of Staff to Council President
Fariba Kassiri, Deputy Chief Administrative Officer
Jennifer R. Bryant, Director, Office of Management and Budget
Avinash G. Shetty, Director, Office of Procurement

Resolution: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY23-28 Capital Improvements Program and Supplemental Appropriation #23-13 to the FY23 Capital Budget
Montgomery County Government
Department of Recreation
Cost Sharing: MCG (No. 720601), \$5,000,000

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:

Project Name	Project Number	Cost Element	Amount	Source of Funds
Cost Sharing: MCG	720601	Construction	\$4,850,000	Current Revenue: General
Cost Sharing: MCG	720601	Other	\$150,000	Current Revenue: General
TOTAL			\$5,000,000	

4. The County will lease the premises at 14645 Rothgeb Drive, Rockville, MD to CASA, Inc. for the purpose of developing a workforce development and training center. This increase is to allow CASA, Inc. to renovate this location as a workforce development and training center to provide employment and training services to low-income residents so they can access long-term meaningful employment. The recommended amendment is consistent with the criteria for amendment to the CIP because it presents a significant opportunity for enhancing workforce development, training, and small business support and leverages private funds.
5. The County Executive recommends an amendment to the FY23-28 Capital Improvements Program and a supplemental appropriation in the amount of \$5,000,000 for Cost Sharing: MCG (No. 720601), and specifies that the source of funds will be Current Revenue: General.
6. Section 11B-14 (a) (4) of the Montgomery County Code states that a contract may be awarded without competition if the Chief Administrative Officer makes a written determination that the contract award serves a public purpose and the proposed contractor has been identified in a grant or appropriation resolution approved by the Council.
7. 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 FY23-28 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and a 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>
Cost Sharing: MCG	720601	Construction	\$4,850,000	Current Revenue: General
Cost Sharing: MCG	720601	Other	\$150,000	Current Revenue: General
TOTAL			\$5,000,0000	

The Council approves an amendment to Council Resolution No. 19-1285, Section G, FY23 Designation of Entities for Non-Competitive Award Status. The Chief Administrative Officer has recommended this action and stated that this action serves a public purpose and is in the public interest.

The FY23 Designation of Entities for Non-Competitive Contract Award Status is amended to reflect:

The Department of General Services will enter into a new contract with CASA, Inc. in the amount of \$5,000,000 for the purpose “Provide capital support for the renovation of 14645 Rothgeb Drive, Rockville, MD for use as a workforce development and training center.”

This is a correct copy of Council action.

Judy Rupp
 Clerk of the Council

The Daily Record

200 St. Paul Place Suite 2480
Baltimore, Maryland 21202
1 (443) 524-8100
www.thedailyrecord.com

Order #: 12141974
Case #: 5451
Description:

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

7/29/2022

Supplemental Appropriation #23-6 to the County Government's FY23 Capital Budget, Departmen



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Montgomery County
MONTGOMERY COUNTY COUNCIL PUBLIC HEARINGS
September 13, 2022, at 1:30 P.M.
The deadline to sign up to speak is September 12 at 5 P.M.

(1) Supplemental Appropriation #23-6 to the County Government's FY23 Capital Budget, Department of General Services, Energy Conservation (No. P507834), \$975,269 (Source of Funds: Utility Incentives)

(2) Supplemental Appropriation #23-7 to the County Government's FY23 Capital Budget, Department of General Services, Exelon-Pepco Merger Fund (No. P362105), \$636,971 (Source of Funds: Utility Incentives)

(3) Amendment to the County Government's FY23-28 Capital Improvements Program (CIP) and Supplemental Appropriation #23-13 to the FY23 Capital Budget Montgomery County Government Department of Recreation Cost Sharing: MCG (No. 720601), \$5,000,000 (Source of Funds: Current Revenue General)

Documents available at www.montgomerycountymd.gov/council. Residents have the opportunity to testify remotely for public hearings or provide in-person testimony at the Council Office Building in Rockville. Residents can register to speak at a public hearing, provide written testimony, prerecorded audio or video testimony using the online form at <https://www.montgomerycountymd.gov/COUNCIL/PHSignUp.html>; or sent by mail to County Council, 100 Maryland Ave, Rockville, MD 20850; or residents may sign up to testify remotely by phone (call 240-777-7803 for information). To express an opinion call 240-777-7900.

jy29