

Resolution No. 16-824
 Introduced: December 9, 2008
 Adopted: January 27, 2009

**COUNTY COUNCIL
 FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Special Appropriation and Amendment to the FY09 Capital Budget and Amendment to the FY09-14 Capital Improvements Program
Montgomery County Public Schools
HVAC Replacement: MCPS (No. 816633), \$252,000
Planned Lifecycle Asset Replacement (PLAR): MCPS (No. 896586), \$1,250,000
Stormwater Discharge Management: MCPS (No. 956550), \$1,500,000

Background

1. Section 308 of the County Charter provides that a special appropriation is an appropriation which states that it is necessary to meet an unforeseen disaster or other emergency, or to act without delay in the public interest. Each special appropriation shall be approved by not less than six Councilmembers. The Council may approve a special appropriation at any time after public notice by news release. Each special appropriation shall specify the source of funds to finance it.
2. Section 302 of the County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of six Councilmembers.
3. The Board of Education requested a special appropriation for the Montgomery County Public Schools' capital projects as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Amount</u>	<u>Source of Funds</u>
HVAC Replacement	816633	\$252,000	GO Bonds
PLAR	896586	\$1,250,000	GO Bonds
Stormwater Discharge	956550	<u>\$1,500,000</u>	GO Bonds
TOTAL		\$3,002,000	

4. This request, in conjunction with Resolution 16-826, is needed to address repairs at several schools. Sligo Creek and Wayside elementary schools and Northwest, Gaithersburg, and Wheaton high schools have all been identified with urgent air conditioning issues that must be repaired to make the systems operational in the spring. Burtonsville and Darnestown elementary schools and Watkins Mill high schools all have identified site issues that affect the stormwater management systems and septic systems at the schools.
5. Notice of public hearing was given and a public hearing was held on January 13.
6. The County Council declares this request is in the public interest to be acted upon without delay as provided for under special appropriation requirements described in Article 3-Section 308 of the Montgomery County Charter.

Action

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

A special appropriation to the FY09 Capital Budget and amendment to the FY09-14 Capital Improvements Program is approved for the Montgomery County Public Schools as follows and as shown on the attached project description forms.

<u>Project Name</u>	<u>Project Number</u>	<u>Amount</u>	<u>Source of Funds</u>
HVAC Replacement	816633	\$252,000	GO Bonds
PLAR	896586	\$1,250,000	GO Bonds
Stormwater Discharge	956550	<u>\$1,500,000</u>	GO Bonds
TOTAL		\$3,002,000	

This is a correct copy of Council action.


 Linda M. Lauer, Clerk of the Council

HVAC Replacement: MCPS -- No. 816633

Category
Subcategory
Administering Agency
Planning Area

Montgomery County Public Schools
Countywide
MCPS
Countywide

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

May 22, 2008
No
None
On-going

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	5,300	550	550	4,200	700	700	700	700	700	700	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	38,861	6,102	3,359	29,400	4,900	4,900	4,900	4,900	4,900	4,900	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	44,161	6,652	3,909	33,600	5,600	5,600	5,600	5,600	5,600	5,600	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	40,198	4,494	3,075	32,629	4,629	5,600	5,600	5,600	5,600	5,600	5,600	0
Qualified Zone Academy Funds	618	618	0	0	0	0	0	0	0	0	0	0
State Aid	3,345	1,540	834	971	971	0	0	0	0	0	0	0
Total	44,161	6,652	3,909	33,600	5,600	5,600	5,600	5,600	5,600	5,600	5,600	0

DESCRIPTION

This project provides for orderly replacement of heating, ventilating, air conditioning, control, and plumbing systems in facilities that are not on the modernization schedule. Related asbestos removal costs are included with each project. These systems or components are outdated or have become expensive to repair and maintain necessitating replacement. MCPS is participating in interagency planning and review of this program in order to share successful and cost effective approaches. In addition to HVAC replacement, the Council added \$725,000 in additional appropriations to the FY 1998 request for (FACE) Facilities Air Conditioning Equity (a pilot program to provide air conditioning at Cabin John Middle School and Luxmanor Elementary School). The FY 1999 appropriation had two components - \$2 million to continue the HVAC replacement program and \$1.2 million to provide additional planning and construction funds for the FACE initiative to provide air conditioning in three schools. An additional \$1.2 million was programmed in FY 2000 to complete an additional three schools.

Two FY 1999 supplemental appropriations for the FACE initiative were approved - the first in the amount of \$2.635 million the second in the amount of \$320,000. Also an FY 2000 amendment was funded to accelerate the air conditioning of all remaining non-air conditioned schools and holding schools for completion by September 2000. In FY 2000, \$175,000 was transferred from this project to the Elementary School Gymnasium PDF. Funds approved in FY 2001 and FY 2002 continued this project.

An FY 2003 appropriation was approved to continue this project. An FY 2004 appropriation was approved to continue this project at its current level of effort. An FY 2005 appropriation was approved to continue to provide heating, ventilating, air conditioning, and plumbing system replacements in facilities that are not scheduled to be modernized. Increases in expenditures shown for FY 2005 and beyond reflect the need to address the backlog of HVAC projects, partially due to the delay in the modernization schedule. For FY 2005, an additional \$745,000 in state aid was included in this project as a result of federal funding, issued by the state, through the Qualified Zone Academy Bond (QZAB) program. An FY 2006 appropriation was approved to continue this project.

An FY 2007 appropriation was approved to continue this project. Expenditures shown in the adopted FY 2007-2012 CIP for this project have increased in order to address the backlog of HVAC projects, as well as the rise in construction costs. An FY 2007 Special Appropriation in the amount of \$160,000 was approved in this project as a result of federal funding, issued by the state, through the Qualified Zone Academy Bond (QZAB) program. An FY 2008 appropriation was approved to continue this level of effort project. An FY 2009 appropriation was approved to continue this level of effort project.

JUSTIFICATION

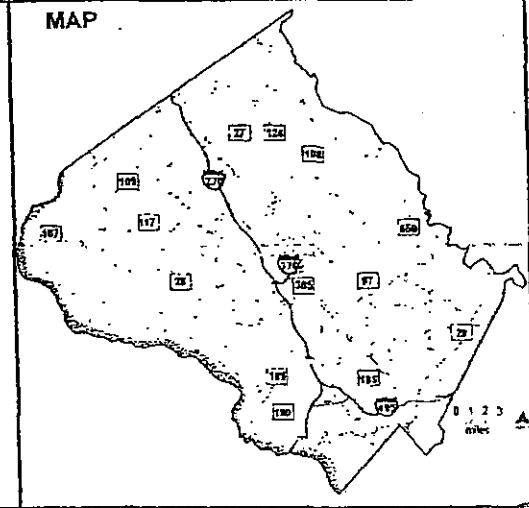
Criteria: needed for urgent health and safety needs.

OTHER DISCLOSURES

- MCPS 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	FY81	(\$000)
First Cost Estimate - Current Scope	FY96	16,388
Last FY's Cost Estimate		26,651
Appropriation Request	FY09	5,600
Appropriation Request Est	FY10	5,600
Supplemental Appropriation Request		725,000
Transfer		(45,230)
Cumulative Appropriation		10,561
Expenditures / Encumbrances		5,620
Unencumbered Balance		4,941
Partial Closeout Thru	FY06	45,642
New Partial Closeout	FY07	0
Total Partial Closeout		45,642

COORDINATION
CIP Master Plan for School Facilities



Planned Life Cycle Asset Repl: MCPS -- No. 896586

Category
Subcategory
Administering Agency
Planning Area

Montgomery County Public Schools
Countywide
MCPS
Countywide

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

May 19, 2008
No
None
On-going

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	33302880	280	200	2,600	50480	400	450	450	450	450	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	5,400	875	775	3,750	600	650	625	625	625	625	0
Construction	3380132824	6,897	6,120	19,807	3,647	3,392	3,192	3,192	3,192	3,192	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	41,304	8,052	7,095	26,157	4,647	4,442	4,267	4,267	4,267	4,267	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	37,047	5,236	5,654	26,157	4,647	4,442	4,267	4,267	4,267	4,267	0
Qualified Zone Academy Funds	4,257	2,816	1,441	0	0	0	0	0	0	0	0
Total	41,304	8,052	7,095	26,157	4,647	4,442	4,267	4,267	4,267	4,267	0

DESCRIPTION

This project funds a comprehensive and ongoing plan to replace key facility and site components based on an inventory of their age and conditions. A comprehensive inventory of all such components has been assembled so that replacements can be anticipated and accomplished in a planned and orderly manner. Facility components included in this project are code corrections, physical education facility/field improvements, school facility exterior resurfacing, partitions, doors, lighting, media center security gates, bleachers, communication systems, and flooring.

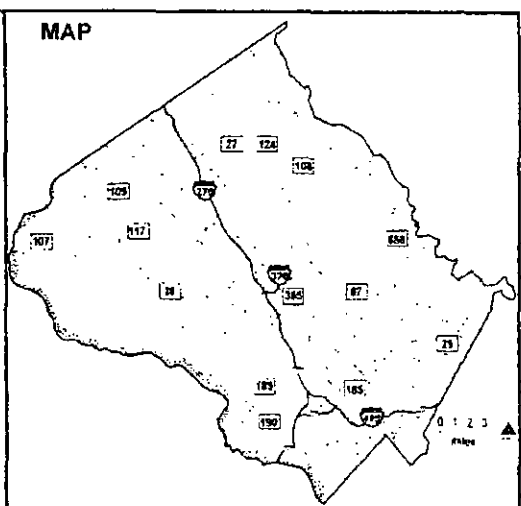
An amendment to the FY 2003-2008 CIP was approved to provide two additional staff members for the Department of Facilities Management to manage the additional contracts within the PLAR project office. The approved amendment also provided cafeteria upgrades to four high schools and one middle school, and provided upgrades to the mechanical/electrical/emergency preparedness systems at the Carver Education Services Center (CESC). The Board of Education requested funds to provide minor improvements at the swimming pool at Piney Branch Elementary School; however, the County Council in the adopted CIP, moved these funds from this project in MCPS to the county government's PLAR project. An FY 2003 special appropriation and amendment to the FY 2003-2008 CIP in the amount of \$1.586 million was approved for systemic renovation projects and funded through the Federal School Renovation Program Funds via the Maryland State Department of Education.

An FY 2005 appropriation was approved to continue this project. The appropriation also includes funding for the replacement of walk-in and serving lines at various cafeterias throughout the system. For FY 2005, an additional \$428,000 in state aid was included in this project as a result of federal funding, issued by the state, through the Qualified Zone Academy Bond (QZAB) program. An FY 2006 appropriation was approved to continue this project at its current level of effort. An FY 2007 appropriation was approved to continue to address PLAR projects systemwide. The increase in expenditures shown above will address the rise in construction costs and a rising backlog of projects, as well as provide additional funding for playground equipment, and the replacement of a variety of cafeteria equipment throughout the school system. The County Council approved, in the FY 2007-2012 CIP additional funding to provide minor modifications to the Gosvenor holding facility. An FY 2007 Special Appropriation in the amount of \$992,000 was approved in this project as a result of federal funding, issued by the state, through the Qualified Zone Academy Bond (QZAB) program. An FY 2008 appropriation was approved to continue this level of effort project.

An FY 2008 transfer of \$1.080 million was approved to to expand the freezer capacity of the Central Food Production Facility, as well as address the electrical needs for the existing data center at CESC. An FY 2008 Special Appropriation in the amount of \$620,000 was approved as a result of federal funding, issued by the state, through the Qualified Zone Academy Bond (QZAB) program/Aging Schools Program (ASP). Also, an FY 2008 Special Appropriation in the amount of \$821,000 was approved as a result of federal funding, issued by the state, through the Qualified Zone Academy Bond (QZAB) program. For the FY 2009-2014 CIP, the Board of Education approved an increase to each of the fiscal years beyond the approved expenditures in the Amended FY 2007-2012 CIP. On May 22, 2008, the County Council, in the adopted FY 2009-2014 CIP, reduced the Board of Education's requested increase by half for each fiscal year. An FY 2009 appropriation was approved to continue this project to address PLAR projects, as well as the replacement of playground equipment and replacement of cafeteria equipment systemwide.

APPROPRIATION AND EXPENDITURE DATA		
Date First Appropriation	FY89	(\$000)
First Cost Estimate	FY96	24,802
Current Scope		
Last FY's Cost Estimate		27,058
Appropriation Request	FY09	4,647
Appropriation Request Est.	FY10	4,442
Supplemental Appropriation Request		+1250
Transfer		0
Cumulative Appropriation		15,147
Expenditures / Encumbrances		10,658
Unencumbered Balance		4,489
Partial Closeout Thru	FY06	46,190
New Partial Closeout	FY07	0
Total Partial Closeout		46,190

COORDINATION		
CIP Master Plan for School Facilities		
	FY 09	FY 10-14
Salaries and Wages	252	1260
Fringe Benefits	96	480
Workyears	4	20



Stormwater Discharge Management: MCPS -- No. 956550

Category
Subcategory
Administering Agency
Planning Area

Montgomery County Public Schools
Countywide
MCPS
Countywide

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

November 13, 2007
No
None
On-going

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	250	0	0	0	250	0	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	1,200	1,200	0	0	0	0	0	0	0	0	0
Construction	1,250	0	0	0	250	1,000	0	0	0	0	0
Other	210	0	0	0	0	0	0	0	0	0	0
Total	1,200	1,200	0	0	250	1,000	0	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	1,200	1,200	0	0	0	0	0	0	0	0	0
Total	1,200	1,200	0	0	0	0	0	0	0	0	0

DESCRIPTION

This project will provide funds to meet the State of Maryland requirements that all industrial sites be surveyed and a plan developed to mitigate stormwater runoff. FY 1995 funds were utilized to conduct site evaluations of the four MCPS maintenance/transportation depots. Funds were appropriated in FY 1996 through FY 1998 to implement measures required by law at the Bethesda and Shady Grove maintenance/transportation depots. Funds approved in FY 1999-2001 completed work at the Randolph and Clarksburg Depots. Work under this project includes concrete curbing to channel rainwater, oil/grit separators to filter stormwater for quality control, modifications to retention systems, the installation of a surface pond for stormwater management quality control at Randolph, and other items to improve stormwater management systems at these sites.

This project was reviewed by the interagency committee for capital programs that affect other county agencies to develop the most cost effective method to comply with state regulation. The FY 2000 appropriation continued to address improvements at the Randolph Depot. Costs for this project increased significantly with inflation adjustments for FY1998 and FY 1999 and an increase in scope of the Randolph facilities stormwater retention surface pond. FY 2001 expenditures completed the improvements at the Randolph Depot.

An FY 2007 Special Appropriation in the amount of \$1.2 million was approved to bring all storm water management facilities on school sites up to current maintenance standards. Once the maintenance backlog is addressed, it is anticipated that all future maintenance responsibilities will be transferred to the Department of Environmental Protection (DEP) within the Water Quality Protection Fund.

FISCAL NOTE

State Reimbursement: Not eligible

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP
Date First Appropriation		
First Cost Estimate		
Current Scope		
Last FY's Cost Estimate		
Appropriation Request		
Appropriation Request Est.		
Supplemental Appropriation Request		
Transfer		
Cumulative Appropriation		
Expenditures / Encumbrances		
Unencumbered Balance		
Partial Closeout Thru		
New Partial Closeout		
Total Partial Closeout		