MAYOR AND COUNCIL

MEETING NO. 02-22
Monday, January 24, 2022 – 7:00 PM

AGENDA

Agenda item times are estimates only. Items may be considered at times other than those indicated.

Any person who requires assistance in order to attend a city meeting should call the ADA Coordinator at 240-314-8108.

Rockville City Hall is closed due to slowing down the spread of the coronavirus COVID-19 and continue practicing safe social distancing.

Viewing Mayor and Council Meetings
To support social distancing, the Mayor and Council are conducting meetings virtually. The virtual meetings can be viewed on Rockville 11, channel 11 on county cable, livestreamed at www.rockvillemd.gov/rockville11, and available a day after each meeting at www.rockvillemd.gov/videoondemand.

Participating in Community Forum & Public Hearings:

If you wish to submit comments in writing for Community Forum or Public Hearings:

- Please email the comments to mayorandcouncil@rockvillemd.gov by no later than 10:00 a.m. on the day of the meeting.
- All comments will be acknowledged by the Mayor and Council at the meeting and added to the agenda for public viewing on the website.

If you wish to participate virtually in Community Forum or Public Hearings during the live Mayor and Council meeting:

1. Send your Name, Phone number, the Community Forum or Public Hearing Topic and Expected Method of Joining the Meeting (computer or phone) to mayorandcouncil@rockvillemd.gov no later than 10:00 am on the day of the meeting.
2. On the day of the meeting, you will receive a confirmation email with further details, and two Webex invitations: 1) Optional Webex Orientation Question and Answer Session and 2) Mayor & Council Meeting Invitation.
3. Plan to join the meeting no later than 6:40 p.m. (approximately 20 minutes before the actual meeting start time).
4. Read for https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex meeting tips and instructions on joining a Webex meeting (either by computer or phone).
5. If joining by computer, Conduct a WebEx test: https://www.webex.com/test-meeting.html prior to signing up to join the meeting to ensure your equipment will work as expected.
6. Participate (by phone or computer) in the optional Webex Orientation Question and Answer Session at 4 p.m. the day of the meeting, for an overview of the Webex tool, or to ask general process questions.

Participating in Mayor and Council Drop-In

The next scheduled Drop-In session will be held, by phone, on Monday, February 7 from 5:30-6:30 p.m. with Mayor Newton and Councilmember Ashton. Please sign up by 10 a.m. on the meeting day using the form at: https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227
7:00 PM 1. Convene

2. Pledge of Allegiance

3. Agenda Review

7:05 PM 4. City Manager's Report

7:10 PM 5. COVID-19 Update

7:20 PM 6. Proclamation

   A. Proclamation Declaring National Heart Awareness Month

   B. Proclamation for Lunar New Year 2022

7:30 PM 7. Community Forum

Any member of the community may address the Mayor and Council for 3 minutes during Community Forum. Unless otherwise indicated, Community Forum is included on the agenda for every regular Mayor and Council meeting, generally between 7:00 and 7:30 pm. Call the City Clerk/Director of Council Operation's Office at 240-314-8280 to sign up to speak in advance or sign up in the Mayor and Council Chamber the night of the meeting.

7:50 PM 8. Consent

   A. Approval of Minutes

7:55 PM 9. Public Hearing on Proposed Education Commission

8:40 PM 10. Introduction and Possible Adoption of an Ordinance to (I) Require All City Contractors who Are Required to Enter a City Facility and Perform a Service or Deliver a Good that Brings Them into Close Proximity with City Staff, Officials, and Members of the Public, to Provide Proof of a COVID-19 Vaccination Before Entering a City Facility, (II) Require All Members of City
Boards, Commissions and Task Forces who are required to enter a City Facility in their capacity as a member or commissioner, to provide proof of COVID-19 vaccination before entering a City Facility; and (ii) permit any party that leases a City Facility to require their patrons and guests to provide proof of COVID-19 vaccination before entering the leased City Facility.

9:10 PM  **11. Vacancy Report/Hiring Freeze Status**

9:15 PM  **12. Discussion and Instructions on Proposed Parkland Dedication Requirements, Including Fee-In-Lieu of Dedication and Impact Fees**

10:15 PM  **13. Review and Comment - Mayor and Council Action Report**

   A.  Action Report

14.  **Review and Comment - Future Agendas**

   A.  Future Agendas

15.  **Old/New Business**

10:30 PM  **16. Adjournment**

Subject
Proclamation Declaring National Heart Awareness Month

Recommendation
Staff recommends the Mayor and Council read and present the proclamation declaring February 2022 as American Heart Month.

Discussion
February is American Heart Month, one of the most widespread and complicated health challenges in the United States and around the world.

In **1964**, President Lyndon B. Johnson declared the first American Heart Month to tackle heart disease in the United States.

Worldwide, cardiovascular disease is the leading cause of death, killing 17.9 million people every year — a number that is expected to grow past 23.6 million by 2030. About 80 percent of these deaths are from heart attack and stroke.

According to the American Heart Association in January 2019, in the United States, more than 126 million people had some form of cardiovascular disease between 2015 and 2018 and the death rate from cardiovascular disease decreased by 18.6 percent between 2006 and 2016.

Heart attack death rates have doubled during the COVID-19 pandemic, due to people not going to the hospital when they have symptoms of heart attack as they may have fears of contracting the virus.

- They say swift action is needed after a heart attack because an artery could be blocked.
- Even nonfatal heart attacks can cause long-term health issues.
- Lifestyle changes and additional stress during COVID-19 may be increasing certain people’s risk of having a heart attack.

For more resources and information, follow your health care provider’s advice or visit [www.CDC.gov/HeartDisease](http://www.CDC.gov/HeartDisease)

**5 Interesting Facts About Heart Health**

1. **Heart attacks can be silent**
   One in five heart attacks occurs without the person even knowing they had one.

2. **Heart attacks affect women differently**
   Women may experience different symptoms than men. These include pain in the back, arm, neck, or shoulder; nausea; fatigue; shortness of breath; and vomiting.

3. **Young women are at higher risk than men**
Women under the age of 50 are twice as likely to die of a heart attack as men in the same age group.

4. Mondays...
Heart attacks are more likely to occur on Monday mornings than other days of the week. Scientists attribute this to the disruption in our circadian rhythm over the weekend which leads to increased blood pressure and other changes to the nervous system.

5. Diet soda raises heart attack risk
If you drink one or more diet sodas a day, your chances of having a heart attack are 43% higher than those who drink regular soda or none at all.

**WHY AMERICAN HEART MONTH IS IMPORTANT?**
It reminds us to take care of our hearts!

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**Mayor and Council History**
The Mayor and Council observe National Heart Awareness Month annually in the City of Rockville.

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**Public Notification and Engagement**
February is the awareness month for heart health in the United States, this year **February 4, 2022**, the first Friday in February is set aside as **National Wear Red Day** to raise awareness of heart disease.

**Attachments**
Attachment 6.A.a: Proclamation for American Heart Month - February 2022 (PDF)

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[Signature]
City Clerk/Director of Council Operations
1/19/2022
WHEREAS, American Heart Month, we recommit to fighting this disease by promoting better health, wellness, and prevention awareness in our communities; and

WHEREAS, heart disease continues to be a leading cause of death in the United States. It affects Americans of all genders, races, and ethnicities; and

WHEREAS, heart disease impacts anyone, but risk factors such as high cholesterol, high blood pressure, physical inactivity, obesity, tobacco use, and alcohol drug abuse can increase the likelihood of developing the disease; and

WHEREAS, in Maryland, as well as nationwide, heart disease remains the leading cause of death for women, and something as simple as walking at least 30 minutes 6 days per week can reduce the risk of dying from a heart attack by 50%; and

WHEREAS, the death rate from heart attacks rises dramatically during the COVID-19 pandemic people are delaying or not seeking care after experiencing symptoms. It’s important not to ignore early warning signs like chest pain, palpitations, shortness of breath, sudden dizziness; and

WHEREAS, Americans can promote health and prevent disease and illness by taking simple steps to improve their physical, mental, social, and spiritual health by not smoking, eating nutritious meals, being physically active, and receiving regular medical checkups; and

WHEREAS, we honor the health care professionals, researchers, and heart health advocates who save our lives with their hard work. Every day, they put themselves on the front lines of our fight against heart disease, as well as the fight against the cold and flu season during the pandemic.

NOW, THEREFORE, the Mayor and Council of Rockville do hereby proclaim the month of February 2022, American Heart Month, and encourage the community to engage, keep up to date on news and activities that will benefit the health and wellbeing of our families.

January 24, 2022
Subject
Proclamation for Lunar New Year 2022

Recommendation
Staff recommends Mayor and Council present the Proclamation declaring Lunar New Year 2022

Discussion
The Lunar New Year usually takes place at the end of January or the beginning of February and is predominantly celebrated by many Asian cultures. This year, the Lunar New Year occurs on February 1, 2022. The event marks the arrival of spring and is based on the lunar calendar.

People celebrate the Lunar New Year by visiting their relatives, temples, and attending festivals where they let go of the troubles of the past year and hope for a better new year. Celebratory features of the Lunar New Year can also be seen in the forms of dragon and lion dances, firecrackers, pageantry, songs, games, food, and of course, the giving and spending of money.

The Spring Festival marks a new year on the lunar calendar and represents the desire for a new life. Red is the main color for the festival, as red is believed to be an auspicious color. Red lanterns hang in streets; red couplets are pasted on doors; banks and official buildings are decorated with red New Year pictures depicting images of prosperity.

The Lantern Festival marks the conclusion of the Lunar New Year and will fall on February 15, 2022. There are many different beliefs about the origin of the Lantern Festival, however, its roots date back more than 2,000 years. The Lantern Festival is the first major feast after the Lunar New Year. During the Lantern Festival, it is considered good luck to light and release a sky lantern, as many believe that they symbolize the worries from the previous year floating away.

2022 is the “Year of the Tiger.” People born in the years of the Tiger are vigorous and ambitious, daring, and courageous, enthusiastic, and generous, self-confident with a sense of justice and a commitment to helping others for the greater good.

Mayor and Council History
This is the second time this item has been brought before the Mayor and Council.
Public Notification and Engagement

The Asian Pacific American Task Force assists Rockville with a celebration of the occasion with multicultural performances, interactive displays, and refreshments. There will be to-go activities and Bento Boxes (Note: Free tickets are required and at this time, all are already distributed). The Rockville Lantern Festival will be held at Rockville’s F. Scott Fitzgerald Theatre on February 10, 2022, from 6 p.m. to 8 p.m., with multicultural performances beginning at 6:15 p.m.

Attachments

Attachment 6.B.a: Proclamation for Lunar New Year 2022 (PDF)
WHEREAS, Rockville is home to a diverse Asian community that adds to the richness and culture of our great City; and

WHEREAS, the Lunar New Year and the Lantern Festival, are special holidays for family reunions, thanksgiving, and well-wishing, are two of the most significant celebrations for Asian communities around the world and here in Rockville; and

WHEREAS, the Lunar calendar is based on a combination of lunar and solar movements. The second new moon after the winter solstice marks the beginning of the New Year and it is determined to occur on February 1, 2022, and the Lantern Festival occurs fifteen days after on February 15, 2022; and

WHEREAS, the City of Rockville is committed to recognizing Asian culture as an important part of the City and its strong, inclusive community; and

WHEREAS, this year is called the “Year of the Tiger,” one of all zodiac animals and represents people who are courageous and active, who love a good challenge and adventure in life; and

WHEREAS, the City of Rockville partners with the Asian Pacific American Task Force on the Lunar New Year Celebration, to spotlight diverse Asian cultural performances, food, interactive lantern craft activities, and displays on February 10, 2022, from 6 p.m. to 8 p.m. at Rockville’s F. Scott Fitzgerald Theatre. Multicultural performances begin at 6:15 p. m.

NOW, THEREFORE, the MAYOR AND COUNCIL OF ROCKVILLE, do hereby proclaim February 1, 2022 – February 15, 2022, as Rockville’s celebration of the Lunar New Year and Lantern Festival and call upon all the citizens of Rockville to join in this joyous observance.

January 24, 2022
Subject
Approval of Minutes

Recommendation
Staff recommends the Mayor and Council approve the following minutes:

October 18, 2021 (Meeting No. 36-21)
October 25, 2021 (Meeting No. 37-21)
November 1, 2021 (Meeting No. 38-21)
November 8, 2021 (Meeting No. 39-21)
November 15, 2021 (Meeting No. 40-21)
November 22, 2021 (Meeting No. 41-21)
December 6, 2021 (Meeting No. 42-21)
December 13, 2021 (Meeting No. 43-21)
December 20, 2021 (Meeting No. 44-21)
Subject
Public Hearing on Proposed Education Commission

Recommendation
Mayor and Council will hold a public hearing on the proposed Education Commission.

Discussion
The Mayor and Council will hold a public hearing on establishing an Education Commission.

There is a wide range of strategies for involving youth and education in local government and communities with a focus on:

- educating youth on their local government and how to be engaged,
- providing local government experience through internships and other experiential activities,
- creating events to gather input from youth, such as forums or town hall meetings

Establishing an Education Commission would be to take a more active role with the Montgomery County Board of Education, and to improve communication with the Board of Education and represent Rockville’s interest.

This would amend the Charter of the City of Rockville Advisory Commission on Public Education to include the scope of work, objectives and provide the Commission to serve as a liaison between the Rockville community and the Mayor and Council on matters of school education and facilitate community involvement in public school education.

If the Mayor and Council's desire to create an Education Commission, the number of members and the length of term would need to be determined in addition to a specific description of the mission of the group prior to the drafting of enabling legislation. The legislation would require formal adoption by the Mayor and Council.
Mayor and Council History
This item has been brought before the Mayor and Council for discussion on November 23, 2020, May 17, 2021, and November 22, 2021 meetings.

Options Considered
City Code requires Rockville residency for all Board and Commission appointees. The Mayor and Council will direct staff to develop an effective recruitment strategy in order to ensure all students residing in Rockville are informed. It will be important to clearly articulate the eligibility requirements since the City boundaries and school catchment areas are not the same.

Also, the significant number of students who live in Rockville, but attend private schools outside of the City boundaries may require special attention. Another consideration would be the length of term.

For other Boards and Commissions, a minimum of three years is required, with three years being the norm. This is a considerable commitment for students, who may be in high school and unable to give more than a year or so prior to leaving the area for college.

What staff support would be appropriate and feasible? In which department would the education commission be housed? Each of the City's boards and commissions is staffed by a liaison from the appropriate City department. That staff person provides administrative assistance, a link to other City departments, and technical information and assistance.

The liaison also is a critical link in the appointment process by maintaining records and making sure that there is communication with the CC/DCO Office to facilitate the recruitment of new members when necessary. An additional commission translates into increased workload for the supporting department.

Public Notification and Engagement
This will be the first public hearing and notification and engagement taken place on this topic.

Boards and Commissions Review
Any options that the Mayor and Council consider further, and that impact other City boards and commissions should be shared with staff.

Fiscal Impact
Upon approval, there is a possible fiscal impact associated with increasing new boards and commission in the City Government. More information about the fiscal impact will be provided based on the type of involvement the Mayor and Council decide to establish.
Next Steps
Staff will seek direction from the Mayor and Council on next steps to draft a resolution to establish an Education Commission.

Attachments
Attachment 9.a: 1.24.22 Proposed Education Commission Notice (PDF)
NOTICE OF HEARING

Notice is hereby given that the Mayor and Council of Rockville, Maryland, will conduct a virtual public hearing on Monday, January 24, 2022 at 7:00 p.m., or as soon thereafter as it may be heard, regarding the proposal for the Mayor and Council to establish an Advisory Commission on Public Education.

The Mayor and Council is seeking input from the public on the function and objectives of the proposed Advisory Commission on Education. It is anticipated that the commission would serve as a liaison between the Rockville community and the Mayor and Council on matters of education and facilitate community involvement in community education. It is also anticipated that the new Advisory Commission would take an active role with the Montgomery County Board of Education, work to improve communication with the Board of Education, and represent Rockville’s interests.

More detailed information on the above application can be found on file in the City Clerk/Director of Council Operations Office at Rockville City Hall and on the City’s website at: https://www.rockvillemd.gov/agendacenter

Viewing the Mayor and Council Public Hearing
The virtual public hearing can be viewed on Rockville 11, Channel 11 on county cable, livestreamed at www.rockvillemd.gov/rockville11, and available a day after each meeting at www.rockvillemd.gov/videoondemand.

How to Provide Testimony
If you wish to participate in the virtual Public Hearing, please call 240-314-8280 or send your name and phone number to mayorandcouncil@rockvillemd.gov no later than 10:00 a.m. on the day of the hearing, which is January 24. You will be connected with the City’s Information Technology Department to receive all the information you need to join the meeting by audio to share your comments.

If you wish to submit comments in writing for the virtual Public Hearing, please email the comments to mayorandcouncil@rockvillemd.gov by no later than 10:00 a.m. on the date of the hearing. Persons submitting testimony are requested to provide their name and address. Written comments may also be submitted to the City Clerk’s Office, 111 Maryland Avenue, Rockville, Maryland, 20850, or forwarded by email to cityclerk@rockvillemd.gov.

Written comments received after 10:00 a.m. on the date of the virtual public hearing will not be available to the Mayor and Council at the hearing and will be provided to the Mayor and Council at a later date.

Mayor and Council of Rockville
By: Sara Taylor-Ferrell, City Clerk/Director of Council Operations
Subject
Introduction and Possible Adoption of an Ordinance to (I) Require All City Contractors who Are Required to Enter a City Facility and Perform a Service or Deliver a Good that Brings Them into Close Proximity with City Staff, Officials, and Members of the Public, to Provide Proof of a COVID-19 Vaccination Before Entering a City Facility, (II) Require All Members of City Boards, Commissions and Task Forces who Are Required to Enter a City Facility in Their Capacity as a Member or Commissioner, to Provide Proof of COVID-19 Vaccination Before Entering a City Facility; and (III) Permit Any Party that Leases a City Facility to Require Their Patrons and Guests to Provide Proof of COVID-19 Vaccination Before Entering the Leased City Facility.

Recommendation
Staff recommends the Mayor and Council consider the enclosed ordinance for adoption.

Change in Law or Policy (remove this section if not needed)
While the Mayor and Council discussed the possibility of requiring vaccinations of boards, commissions, and contractors during their September 20, 2021 meeting, this is the first time this ordinance is being brought forth for the Mayor and Council’s consideration for adoption.

Discussion
As of January 12, 2022, there have been more than 61 million cases of COVID-19 in the United States with more than 837,000 deaths. According to the United States Centers for Disease Control and Prevention (CDC), unvaccinated persons had a five times greater risk of testing positive for COVID-19 and have a fourteen times greater risk of dying as a result of contracting the virus, compared to fully vaccinated but not yet boosted persons. The CDC also reports that unvaccinated persons had a ten times greater risk of testing positive for COVID-19 and have a twenty times greater risk of dying as a result of contracting the virus, compared to fully vaccinated persons who have received a booster dose.

In the State of Maryland, as of January 12, 2022, there have been more than 861,000 cases of COVID-19 and more than 12,100 deaths reported. Hospitalizations and the rolling daily positive rate are at levels not seen since the peak of the beginning of the pandemic in 2020.
Recognizing the importance that being vaccinated has on reducing an individual’s risk of contracting and transmitting the virus that causes, COVID-19, the Mayor and Council, during their October 4, 2021 meeting, adopted Resolution No. 13-21 which recognized that vaccination remains the most effective way to mitigate COVID-19 hospitalizations and deaths. It required that by November 15, 2021 all City employees will be required to have received the single dose of the Johnson & Johnson COVID-19 vaccine or both doses of the Moderna or Pfizer COVID-19 vaccine. Additionally, pursuant to Resolution No. 13-21, all employees, including seasonal, temporary, and part-time employees, will be required to receive any additional doses (i.e., booster shots) of the COVID-19 vaccine in a manner and schedule consistent with the current CDC guidelines.

The City recognizes that many of our contractors, and their employees, often work in close proximity to City employees; potentially placing our employees at risk of contracting COVID-19 due to the vaccination status of those with whom they regularly interact at work. To that end, staff propose the Mayor and Council adopt an ordinance requiring all City contractors who are required to enter a City facility and perform a service or deliver a good that brings them into close proximity with City staff, officials, and members of the public, to provide proof of COVID-19 vaccination before entering a City facility. This is not without precedence. On August 10, 2021, the Government of the District of Columbia announced a similar requirement for their contractors.

Staff recognize that challenges exist with modifying existing contracts to include a requirement that their staff who are required to enter a City facility and perform a service or deliver a good that brings them into close proximity with City staff, officials, and members of the public, must provide proof of COVID-19 vaccination. To that end, we propose that this requirement only apply to contracts executed after this ordinance is adopted. Recognizing that there is an immediate need to protect our employees who work in close proximity to our contractors and their employees, staff proposes that we provide written notice to current contract holders making them aware of the requirements of this new ordinance. We would ask that they abide by its requirements and advise that any new contracts, or contract extensions, will contain this requirement.

This draft ordinance will also require that all members of a City board, commission or task force who are required to enter a City facility in their respective capacity as a member of a City board, commission or task force must provide the City Clerk/Director of Council Operations or her authorized designees with proof of COVID-19 vaccination before entering a City facility to carry out their duties as a member of a City board, commission or task force. This requirement mirrors what was outlined for staff in Resolution No. 13-21 and will provide a greater level of protection for our employees and those board, commission or task force members who work in close proximity to each other.

Finally, this ordinance memorializes previous direction following discussion from the Mayor and Council to allow any party who leases a City facility to require that their patrons or guests provide proof of COVID-19 vaccination before entering the leased City facility.
Upon adoption of this ordinance, staff will develop procedures and policies necessary to administer the requirements. This will include, but may not be limited to, procedures for demonstrating proof of COVID-19 vaccination, any exceptions, definitions of relevant terms, and required protocols for contractors and subcontractors, lessees, and members of City boards, commissions, and task forces.

**Next Steps**

Upon adoption, staff will develop processes and procedures necessary to administer this Ordinance, which will include procedures for demonstrating proof of COVID-19 vaccination, any exceptions, definitions of relevant terms, and required protocols for contractors and subcontractors, lessees, and members of City boards, commissions, and task forces.

**Attachments**

Attachment 10.a: Ordinance-vaccination requirements (PDF)

[Signature]

Rob DiSpirito, City Manager  
1/19/2022
ORDINANCE NO. _____

ORDINANCE TO: (i) require all City contractors who are required to enter a City facility and perform a service or deliver a good that brings them into close proximity with City staff, officials, and members of the public, to provide proof of a COVID-19 vaccination before entering a City facility, (ii) require all members of City boards, commissions and task forces who are required to enter a City facility in their capacity as a member or commissioner, to provide proof of COVID-19 vaccination before entering a City facility; and (iii) permit any party that leases a City facility to require their patrons and guests to provide proof of COVID-19 vaccination before entering the leased City facility.

RECITALS

WHEREAS, the entire country is experiencing high level community transmission and as of January 13, 2022 there have been more than 62.5 million cases of COVID-19 in the United States, with more than 840,000 deaths; and

WHEREAS, as of January 12, 2022, there have been more than 861,000 cases of COVID-19 in the State of Maryland and more than 12,100 confirmed deaths; and

WHEREAS, COVID-19, including the highly contagious Delta and Omicron variants, continue to pose a very serious health risk, especially to individuals who are not fully vaccinated, according to the Centers for Disease Control and Prevention (CDC), the Maryland Department of Health, and the Montgomery County Department of Health and Human Services; and

WHEREAS, it is in the best interest of the City to protect its employees and the public, and the City is committed to doing its part to mitigate the impact of COVID-19 in the workplace; and

WHEREAS, on October 4, 2021, the Mayor and Council adopted Resolution No: 13-21 requiring all City employees to be fully vaccinated by November 15, 2021 and receive any additional doses of the COVID-19 vaccine in a manner and schedule consistent with current CDC guidelines; and

WHEREAS, City contractors, boards, commissions, task forces, patrons and guests attending meetings and events at City facilities are often in close proximity to City employees; and

WHEREAS, one of the most effective ways to combat the COVID-19 virus is to require that City contractors, boards, commissions and task forces who are required to enter a City facility in their
capacity as a member or commissioner, provide proof of COVID-19 vaccination before entering a City facility, and to permit individuals leasing City facilities to require patrons and guests to provide proof of COVID-19 vaccination before entering the leased City facility.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND THAT: City contractors who are required to enter a City facility and perform a service or deliver a good that brings them into close proximity with City staff, officials, and members of the public are required to provide proof of COVID-19 vaccination before entering a City facility. Additionally, all members of City boards, commissions, and task forces who are required to enter a City facility in their capacity as a member or commissioner, are required to provide proof of COVID-19 vaccination before entering a City facility; and

BE IT FURTHER ORDAINED THAT: any party that leases a City facility is permitted to require their patrons and guests to provide proof of COVID-19 vaccination before entering the leased City facility.

SECTION I

1. To the extent permitted by law, all contractors, including their employees, subcontractors and agents, that are required to enter a City facility and perform a service or deliver a good that brings them into close proximity with one or more City employees, members of the Mayor and Council, members of a City board, commission or task force, or members of the general public, pursuant to the terms of a contract or contract-like instrument entered into with the City, must provide the City Manager or his authorized designees with proof of COVID-19 vaccination before entering a City facility under the terms of the contract or contract-like instrument.

2. All members of a City board, commission or task force who are required to enter a City facility in their respective capacity as a member a City board, commission or task force must provide the City Clerk/Director of Council Operations or her authorized designees with proof of COVID-19 vaccination before entering a City facility to carry out their duties as a member of a City board, commission, or task force.

3. Any party who leases a City facility pursuant to a contract or contract-like instrument entered into with the City may require, upon written notice to the City Manager or his authorized designees, their patrons, or guests to provide proof of COVID-19 vaccination before entering the leased City facility.

SECTION II

For purposes of this Ordinance, the term proof of COVID-19 vaccination means the demonstration, pursuant to policies adopted by the City Manager, of having received a full dose of a COVID-19 vaccine authorized by the Federal Drug Administration in a manner and on a schedule consistent with current United States Centers for Disease Control and Prevention guidelines, or the demonstration of qualifying for an exemption pursuant to policies adopted by the City Manager.
The City Manager may, from time to time, adopt policies necessary to administer this Ordinance, including, but not limited to, procedures for demonstrating proof of COVID-19 vaccination, any exceptions, definitions of relevant terms, and required protocols for contractors and subcontractors, lessees, and members of City boards, commissions, and task forces.

SECTION III

This ordinance takes effect __________, 2022.

SECTION IV

This Ordinance expires and has no further force or effect __________, 202__.
I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Mayor and Council of Rockville at its meeting of _____________, 2022.

_________________________________
Sara Taylor-Ferrell
City Clerk/Director of Council Operation
Subject
Vacancy Report/Hiring Freeze Status

Recommendation
Staff recommends that the Mayor and Council review and discuss the Vacancy and Hiring Freeze Report of positions that were open as of December 31, 2021.

Discussion
The attached reflects all open positions with totals by funds ending December 31, 2021.

The Gross Personnel Savings category shown on the attached report for each position represents the portion of the FY22 adopted budget, including salary and benefits, that covers the number of days the position has been vacant in FY2022.

Mayor and Council History
The vacancy report was created in response to a Mayor and Council request during the FY2015 budget process. Since that time, staff has provided the Mayor and Council with reports.

Attachments
Attachment 11.a: FY22 December Vacancy and Hiring Freeze Report (PDF)
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<th>Status of Positions</th>
<th>Days Open</th>
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<td>Web &amp; Digital Communication Manager</td>
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<td>5/30/2021</td>
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<td>Urban Forestry Maintenance Tree Climber UN105</td>
<td>100%</td>
<td>6/10/2019</td>
<td>Frozen</td>
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****Please note:**** The blue highlight indicates status change from the previous report, and the yellow highlight indicates a new position added since the previous report.
### Vacancy and Hiring Freeze Report - Water Fund Positions Open as of 12/31/2021

<table>
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<tr>
<th>Department</th>
<th>Cost Center</th>
<th>Working Title</th>
<th>Grade</th>
<th>% Water Fund</th>
<th>Position Vacancy Date</th>
<th>Status of Positions</th>
<th>Days Open FY2022</th>
<th>Days Open FY2022</th>
<th>FY22 Adopted Budget</th>
<th>Gross Personnel Savings</th>
<th>Number of Positions</th>
<th>Subject to Freeze</th>
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<tbody>
<tr>
<td>Public Works</td>
<td>Fleet Services</td>
<td>Fleet Mechanic I</td>
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<td>Crew Supervisor II - Utilities</td>
<td>AD109</td>
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<td>9/21/2021</td>
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**Total:**

$301,320.00 $86,561.56

*****Please note:*** The blue highlight indicates status change from the previous report, and the yellow highlight indicates a new position added since the previous report.
<table>
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<th>Working Title</th>
<th>Grade</th>
<th>% Sewer Fund</th>
<th>Position Vacancy Date</th>
<th>Status of Positions</th>
<th>Days Open FY2022</th>
<th>Days Open FY22</th>
<th>FY22 Adopted Budget</th>
<th>Gross Personnel Savings</th>
<th>Number of Positions</th>
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<td>100%</td>
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**Subject**
Discussion and Instructions on Proposed Parkland Dedication Requirements, Including Fee-In-Lieu of Dedication and Impact Fees

**Recommendation**
Staff recommends that the Mayor and Council receive a presentation on proposed regulations to require dedication of public parkland in connection with new development, the results of the public outreach meetings, and provide direction.

**Change in Law or Policy**
If enacted, these potential changes to City Code would require parkland dedication or fee-in-lieu of dedication, and a potential park impact fee, for new developments.

**UPDATE**
At the December 7, 2020 work session on this topic, the Mayor and Council provided the following feedback.

- Agreed that the City should consider implementing a parkland dedication and/or fee-in-lieu to provide for future parkland.
- Discussed how to identify priority sites for acquisition since the City has acknowledged areas with deficiencies rather than specific sites for acquisition.
- Agreed that the suitability of potential parkland to be dedicated would be made by the Director of Recreation and Parks, but that the Mayor and Council will need to approve the acceptance of the parkland.
- Discussed options for ensuring that the established timeframe for using the fee-in-lieu funds collected is reasonable and considers property acquisition and procurement processes. The initial staff recommendation of a 7-year timeframe for using funds was not based on code and could be modified by the Mayor and Council; however, the City must make sure that expended funds benefit the project where the funds were derived. Another option to extend the time-period would be to collect fee-in-lieu at time of occupancy permit rather than building permit, as is typical.
- Agreed that applying the requirements citywide would maximize flexibility.
- Suggested that a definition of pending projects should be included if they are exempted.
• Suggested that a developer’s improvement to an existing park could be part of this proposal.
• Suggested that parkland separated by large rights-of-way from the development should not count to satisfying the parkland need. In addition, the requirements should not get in the way of housing production.
• Suggested that Champion projects encourage consolidation to provide more flexibility for developments that in turn would yield larger parkland properties.
• Expressed that perhaps one-size-fits-all is not appropriate across all mixed-use (MX) zones, and that the City could look at different percentages.
• Agreed that the City should undertake public outreach prior to coming back to the Mayor and Council and receiving direction to prepare a draft ordinance.

The City has undertaken two public outreach meetings (December 2nd and December 7th) to gain feedback. Below is a summary of the feedback received at the meetings. Written comments are also attached.

The public outreach meetings were attended by a total of 16 individuals, most if not all of whom were residents of Rockville. Most attendees were strongly in favor of the concept of a reliable way of achieving parkland in new development and applauded the Mayor and Council for considering it. Most speakers were in favor of dedication over fee-in-lieu or a parks impact fee as the best way to achieve the goal of additional parkland. Others recognized that the flexibility afforded by fee-in-lieu was a positive aspect, and some expressed support for both parkland dedication/fee-in-lieu and impact fees. Other concerns expressed include:

• Whether implementing a new requirement would dissuade developers who are providing needed housing in the City;
• Whether the minimum requirement for parkland dedication in the MX zones should be uniform or more related to the density and location of each zone;
• Concern that the additional fees/dedication would increase the cost of residential units in the City;
• Whether the requirements should apply to developments that are only commercial;
• Emphasis on acquisition should be for prime natural areas and areas for additional tree planting to gain the environmental benefits;
• Concerns expressed about ensuring park maintenance is adequate;
• City should explore conservation easements on land that could be used as parkland but would remain privately-owned;
• Support for extending the period during which the City must spend the in-lieu funds or risk losing them. Others thought there should be no end date.

Background
The following was provided for the previous December 7, 2020 work session item as background information for this topic.
Open space and recreation are highly valued in Rockville. The City has approximately 1,035 acres of parkland in 65 parks with a variety of amenities across the community. Recreation facilities range from small-scale neighborhood-based spaces for programming and meetings, to large ‘specialized’ facilities that serve the entire community and beyond.

Funds are allocated each year to maintain and upgrade the parks and recreation facilities in the city to ensure safe, clean, and attractive amenities for residents and visitors. The 2016 Community Survey results indicate that recreation facilities, athletic facilities, and the appearance of City parks are rated much higher than in other benchmark jurisdictions.

To ensure equitable access to park facilities citywide, the City set a goal to provide parkland within a 10-minute walk from any residence. The City’s PROS Plan also established a goal to maintain a ratio of 18 acres of parkland for every 1,000 residents. While some areas of the city are well served by parks within convenient walking distance, others are not. As a city with a population nearing 70,000 and 1,035 acres of parkland, the goal for acreage per 1,000 residents is not currently met.

The population is projected to grow to 82,000 by 2040, and this growth will put even more pressure on the existing parks and recreation facilities. The population growth calls for creation of new or expansion of existing parks and other recreation facilities to meet the demand that comes with additional users, especially in redeveloping and urbanizing areas along Rockville Pike and in Town Center.

The Mayor and Council authorized a study on parkland dedication and fee-in-lieu options in 2017. PDS and Recreation and Parks staff, in consultation with consultant Duncan & Associates, developed background and options to address the issues, resulting in the Report on Parkland Acquisition Approaches for the City of Rockville that was presented to the Mayor and Council in February 2018 (See Attachment A). The Mayor and Council held subsequent work sessions to discuss the issues and provide direction.

The attached report describes jurisdictions in this region and nationally that are using these mechanisms and outlines the pros and cons of both options. At work sessions in May 2018 and July 2019, the Mayor and Council discussed the options presented and provided direction to staff on their preferred approach to increasing the amount of public parkland in the city. They also addressed offsetting the cost to the City of providing park and recreation facilities to serve residents of new developments.

**Overview of Options**

The City does not currently have a permanent, dedicated funding source or other specific mechanism to acquire or require parkland from developers during the development review process. The goal of the parkland acquisition initiative is to create a consistent, standardized tool to use as new development occurs. The intent is to give the City an opportunity to
strategically manage growing demands placed on the parks and recreation system, and to reasonably ensure that new capacity can be provided to assist in meeting those demands.

The 2018 report outlined two primary options for addressing the need to ensure that the City’s parks and recreation facilities are not overburdened with the stress of an increasing population from new development. The options presented were:

- Parkland dedication, or fee-in-lieu when dedication is not feasible; and
- An impact fee for parks and recreational facilities.

These approaches could ensure that the landowner, developer, and future residents who are creating the new demand for new parks and recreation facilities bear a portion of the costs of the City providing them.

**Parkland Dedication/Fee-in-lieu of Dedication**

The 2018 report recommended the parkland dedication/fee-in-lieu option as the primary mechanism for achieving additional parkland in new development. During the discussions, the Mayor and Council supported the staff recommendation of on-site parkland dedication at a rate of ten (10) percent of the project land area for development in the City’s Mixed-Use (MX) zones, twenty (20) percent of the project land area for development in the Residential Medium Density (RMD) zones, and single-family detached residential (R) zones. The requirement for dedication, or fee-in-lieu of dedication, would only apply to new development containing residential if there are more than 25 multifamily, 20 townhouse or attached units, or 15 single-family detached units are proposed. The dedication would not be required on previously-approved projects, such as Twinbrook Quarter.

The requirement for dedication of parkland, or fee-in-lieu of dedication, would also apply to non-residential developments that contain a minimum of 5,000 square feet of floor area. Suitability criteria would need to be developed to ensure that dedicated parkland could be integrated with the City’s park system, and that the land to be developed is desirable as public parkland from the City’s perspective.

The Recreation and Parks Department Director has stated that public parkland smaller than 0.3 acre is not desirable, which means that a developer would be required to achieve the minimum 3-acre parcel or project size for public park dedication. Staff’s recommendation is that the Director of Recreation and Parks would make the recommendation as to whether the proposed dedication is acceptable to the City, with the Mayor and Council needing to finalize the acceptance.

This decision as to what type of dedication and/or fee applied to the developer should be made as early in the development review process as possible so that applicants design their project to accommodate the parkland or not, as appropriate. At the pre-application stage, an applicant could be put on notice that the City will be looking for dedicated parkland in a particular project, based on the recommendations in the Comprehensive Plan, PROS Plan or Strategic
Plan. In addition, the Recreation and Parks Advisory Board could also provide its recommendation on the applicant’s proposal to meet this requirement. Staff recommended, and the Mayor and Council concurred during the June 20 work session, that a minimum project size of three acres be required for dedication of public parkland to be considered.

Depending on the location and nature of the proposed parkland to be dedicated, the City might prefer payment of a fee-in-lieu of dedication in certain situations. For proposed development projects that include residential units and that would otherwise be required to comply with the parkland dedication requirement, the report proposed a fee-in-lieu equal to 10% of the assessed value of the land within the project boundaries. Improvements to land are not included.

Parkland will be dedicated where new development occurs, which primarily means the Mixed-Use zones such as MXTD, MXCD and MXE zones, represented geographically by the Rockville Pike corridor, Town Center, and the Research Boulevard and Piccard Drive areas primarily. All these areas will require additional parkland as new residential redevelopment occurs. Otherwise, the Comprehensive Plan, the Parks, Recreation and Open Space Plan, or the Recreation and Parks Strategic Plan will provide guidance on the desirability of parkland dedication in other locations. Most of the developable parcels in other zoning districts are smaller than three acres, so these redevelopment projects would not dedicate parkland but would be subject to the fee-in-lieu instead.

The 2018 report noted that it is important to provide a basis for what the fee-in-lieu funds may be spent on and where fee-in-lieu funds could be expended. Revenue generated through fees paid in-lieu of dedication will be used by the City for parkland acquisition, expansion or enhancement of existing parks, to serve the new residents of the development that was assessed the fee. Fees collected under this provision will be spent in the general vicinity of the site of the development application.

The City can use the Parks, Recreation and Open Space (PROS) Plan, Recreation and Parks Strategic Plan, and the Comprehensive Plan for guidance in deciding upon which facilities, programs, and locations to spend the fees that are collected. The Mayor and Council previously supported a tiered preference system, whereby the first preference is within one-half mile from the development site, the second preference is within the same planning area as the development site, and the third preference is within an adjacent planning area within one mile of the development site. This would allow the funds to contribute toward neighborhood parks, community centers or regional facilities if the criteria are met. However, given the analysis in the Strategic Plan regarding facility and programmatic needs, the Mayor and Council should consider establishing priorities based on these identified needs, in concert with the tiered preference system.

The staff initially recommends that fees collected by the City must be spent within seven (7) years from the date of receipt. This period may be extended by five (5) years if, at the end of
the initial seven-year period, less than 50% of the residential units within the development project that generated the fee have been constructed. If the City does not expend the fee payment within seven (7) years of being paid, the applicant/developer (or successor) may request a refund for the portion of the fee that was not expended.

**Impact Fees**

Impact fees, which would be a fee charged to the developer on a per-residential unit and per-square-foot-of-commercial-floor-area basis payable at the time of building permit, must relate to the park and recreation needs generated by the new development. Also, the revenue must substantially benefit the new development. Impact fees should be used to defray capital expenses for land acquisition or facilities, but not for operating costs.

The Mayor and Council made the following recommendations at its prior meetings of May 18, 2018, July 8, 2019 and December 7, 2020:

1. The City would apply the Parks impact fee for nonresidential projects, including retail/restaurant, office, industrial and other similar uses. The 2018 report recommended that a minimum of 5,000 square footage for nonresidential development be the threshold for applying the impact fees. This was supported by the Mayor and Council.

2. The impact fee levels should be set at 75% of the updated figures recommended by the fiscal consultant in order to reduce the financial impact on property developers.

3. The impact fees be indexed to the Capital Cost Index published in the *Engineering News Record*. The report noted that several Maryland counties index their impact fees to this standard.

4. The following were discussed as being exempt from impact fees and/or land dedication:
   - The Moderately Priced Dwelling Units (MPDUs) portion of the development;
   - Existing and pending Project Plans (Projects under review or that have already been approved); and
   - Developments with three or fewer residential units.

Although Maryland does not have a specific, required timeframe for spending the funds collected as impact fees, the revenue collected would likely need to be spent, or at least programmed, within about seven (7) years of being collected. The revenue may be used for capital expenses only, and for new capacity such as new or expanded parkland, or new or expanded recreational facilities in the city.

**Additional Recommendations**
The 2018 report also included the following recommendations, which were supported by the Mayor and Council. However, the current Mayor and Council has not provided direction on these items.

1. A combination of on-site dedication, fee-in-lieu of dedication, and off-site dedication may be acceptable to meet the dedication requirements. The Director of Recreation and Parks would make the determination of acceptability, with appeals from this decision made to the Approving Authority of the development application (i.e., Planning Commission or Mayor and Council).

2. Credit for onsite amenities and private open space, to include indoor spaces devoted to public use, may be assigned to meet up to 50 percent of the dedication requirement. Qualifying amenities would be specified in the code.

3. Areas dedicated to parkland could be used to meet other development standards, such as forestry or stormwater management requirements, provided that the public parkland use is not impeded. The condition of the land to be dedicated to the City, and any planned improvements, would have to be acceptable to the City.

4. The Mayor and Council indicated that they could support a “hybrid” program which would utilize some combination of both impact fees and dedication/fee-in-lieu, as the situation dictates. Staff believes that this should be the Mayor and Council’s decision.

Requirements in Other Local Jurisdictions

City of Frederick

The City of Frederick, Maryland has established a park dedication or fee-in-lieu program for residential development similar to what is being considered for Rockville. Following is a current summary of Frederick’s program:

- The program requires the dedication of parkland in connection with new residential development, with distinctions are made between new residential development and infill development. The program is applicable to any development that increases the number of units beyond what is currently on the property.
- The Planning Commission and the Recreation and Parks Commission may recommend a waiver of the parkland dedication if it is determined that there is sufficient parkland in the vicinity.
- The parkland dedication requirement may be waived for townhouse and multi-family developments if it is determined that the private open space provided can reasonably serve the development.
- The parkland dedication requirement is 1,000 square feet for each new residential unit and 500 square feet for each accessory detached dwelling unit.
- For infill development, the requirement is 500 square feet per unit and 250 square feet for each accessory detached unit.
For retirement communities, the dedication requirement is 500 square feet per dwelling, but may be satisfied through private open space so long as that space meets the relevant park standard.

Where a park is dedicated per this regulation, 75 percent of the dwelling units must be within a quarter mile of the park, and no unit can be more than one-half mile from the park. If the Planning Commission determines that park dedication is unsuitable at that location, it may require dedication at another suitable location, pay a fee-in-lieu, or a combination of both. The fee amount is determined by the Board of Aldermen based on a recent appraisal of the property.

The funds from the fee-in-lieu may be used for:

- Acquisition of parkland.
- Pay the principal, interest or other costs of financing instruments intended for the acquisition of City parkland.

In the Downtown Commercial/Residential (DB), Carroll Creek Overlay, and Historic districts within the city, a park impact fee of $1,000.00 per new dwelling unit is assessed, the funds used to provide parkland improvements within the defined area.

The Planning Commission may approve off-site parkland dedication if it is located within a half mile of the site and cannot be interrupted by a primary arterial street or freeway. Such off-site parkland must be connected to the development site by a sidewalk or pathway system.

If the development does not generate enough area to provide a 3-acre park, either by itself or in combination with adjacent developments, the Planning Commission may approve a combination of a fee and dedication of land for private, rather than public use.

At the time of site plan approval, if parkland is not being dedicated then the fee-in-lieu or the park improvement fee must be paid. In the case of dedication, no more than 50 percent of the dwellings may be built until the dedication is accepted by the City and the park improvements have been completed.

**Prince Georges County**

Prince Georges County has a parkland dedication ordinance with fee-in-lieu. It is limited to new residential subdivisions and does not apply to site plan projects. The dedication requirement ranges from 5% to 15% of the site depending on the density of development.

**Montgomery County**

Montgomery County has an adopted Parks, Recreation and Open Space Plan that states that recommendations for parks and recreation must be provided in all urban plans and sector plans. New parkland is added to the County park system through dedication via the land
development process, direct purchase using CIP funds, or occasional donation from property owners. Dedication is not a zoning requirement but may be achieved through the optional development method, which may entail density or other incentives provided as part of a development project.

**City of Gaithersburg**

The City of Gaithersburg requires a minimum green area, landscaping and amenity area for new development as a percentage of the site, but there is no specific parkland requirement or impact fee.

**Next Steps**

Following the feedback from the public outreach meetings, the Mayor and Council needs to determine if a zoning text amendment (ZTA) should be developed to go through the public process. The dedication/fee-in-lieu program would require a significant revision to the City’s current Zoning Ordinance. Amendments would be needed to the definitions and all zones to add new or revised requirements for the provision of parkland or fee-in-lieu in place of the current open space and public use space requirement. Establishing an impact fee program would require amendments to an appropriate section of City Code to apply an additional fee and/or land dedication during the development and construction process.

If the Mayor and Council desires to move forward with the amendment process, staff needs direction on the specifics of the proposed changes. These include:

1. Whether to implement a parkland dedication and fee-in-lieu system, an impact fee regime, or a combination of both;
2. Basic parameters of parkland dedication, including the amount of parkland dedicated by zoning category.
   a. Should there be varying amounts required within each zoning category, such as MXTD (high density) vs. MXC (low density)?
   b. Minimum amount of land to be dedicated as public parkland. The discussion has been a minimum of 0.3 acres;
   c. Minimum thresholds of development that requires parkland dedication;
   d. Development of suitability standards for land to be dedicated as parkland, to be determined initially by the Director of Recreation and Parks and approved by Mayor and Council;
   e. Criteria for where and how the fee-in-lieu funds will be spent – the three-tiered system with preferences from the Recreation and Parks guiding documents;
   f. Maximum time during which the fee-in-lieu funds must be spent, including when the time period begins (building permit issuance vs. occupancy permit).
3. If Impact Fees are also to be considered, parameters associated with them should also be determined.
   a. Fees set at 75% of the amount established by the 2018 study;
   b. Apply to both residential and nonresidential development;
c. Indexed to the Capital Cost Index published by the Engineering News Record;
d. Exclusions include MPDUs, pending projects (to be defined), and projects with less than three units.

Following this, staff will bring back the proposed ZTA and code amendments for authorization to move forward at a future meeting.

**Mayor and Council History**
The Mayor and Council have discussed this topic on February 12, 2018, May 18, 2018, and July 8, 2019. The Mayor and Council gave preliminary direction at those sessions. The Mayor and Council also held a work session on this topic on December 7, 2020, which is summarized in this report.

**Public Notification and Engagement**
Staff undertook a public notification and engagement program based on the Mayor and Council's direction at the December 7, 2020 meeting. These virtual public input sessions were held on December 2 and December 7, 2021 and were widely publicized.

**Boards and Commissions Review**
Staff will solicit input from appropriate boards and commissions, including the Planning Commission, Environment Commission and Recreation and Parks Board, during the zoning text amendment process and prior to bringing back a recommended ordinance for consideration.

**Fiscal Impact**
A positive fiscal impact to the City is expected should the program be implemented. This program could:

- Produce more attractive and desirable developments;
- Attract young families due to new parks; and
- Help in retaining and recruiting employees for our workforce.

However, these new requirements may discourage some new residential development due to potentially higher costs for the project compared to other jurisdictions which could conceivably impact future.

**Next Steps**
The next steps depend upon the direction received from the Mayor and Council on moving forward with a parkland/payment-in-lieu ordinance revision, the potential components, and the process. The dedication/fee-in-lieu program would require a significant revision to the Zoning Ordinance. Amendments would be needed to the definitions and all zones to add new or revised requirements for the provision of parkland or fee-in-lieu in place of the current open space and public use space requirement.

Establishing an impact fee program would require amendments to an appropriate section of City Code to apply an additional fee and/or land dedication during the development and construction process.
Additional options for possible future consideration include creating a vehicle for tax deductible public donations, and the establishment of a mechanism similar to the Art in Public Places program where an established percentage of the previous year’s general fund allocation is set aside each year to go into the park acquisition fund.

Once direction stated above is received, staff will bring back the specific regulations for authorization to file the zoning ordinance amendments.

**Attachments**
Attachment 12.a: Report on Parkland Acquisition Approaches for the City of Rockville (2018) (PDF)
Attachment 12.b: Written Comments (PDF)
Report on Parkland Acquisition Approaches for the City of Rockville

Community Planning and Development Services
Recreation and Parks
City Manager’s Office

January 2018
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Attachment A - Map of Existing Parks and Recreational Facilities

Attachment B - Walkability Analysis / Access to Parks

Attachment C - Definitions (current) of Open Area and Public Use Space
I. Introduction

The parks and recreational facilities maintained and operated by the City of Rockville are often cited as a key factor in Rockville residents rating our quality of life so high. It has long been a priority of the City to provide a top-notch park and recreation system that offers enjoyable neighborhood parks, community facilities and other recreational amenities. The City’s current level of service in terms of parkland per 1,000 residents is roughly 16 acres. The map at Attachment A shows the City’s existing parks and recreational facilities.

While some areas of the city are well served by parks within walking distance of their neighborhoods, others are not. Also, with a growing population, there is continued pressure to create new park space, especially in redeveloping and urbanizing areas along Rockville Pike and in Town Center. The map at Attachment B describes how the City is covered in terms of walkability to parks.

The focus of this report (and work session with the Mayor and Council) is to discuss ways to go about ensuring that while new growth occurs, the City is able to plan for and provide new park space and recreational facilities. The overarching goal is to provide parks and recreational facilities, or to collect fees to create them, as new development occurs so that the new development does not overburden the existing park system, and the City continues to provide facilities that serve all residents. One of the many keys to this effort will be to create a mechanism that is fair and equitable as the City attempts to keep up with the on-going demands of a growing population.

The City currently does not specifically require parks to be provided as part of new development projects. Instead, we have standards requiring that “open area” and “public use space” be provided within new development projects. However, those standards are fairly flexible and permissive in terms of what constitutes an open area and public use space, and they do not specifically call for the creation of additional parkland. The City also has goals, policies and recommendations in the Comprehensive Master Plan and in the Parks, Recreation and Open Space Plan that speak to the need and desire to acquire parkland, but those recommendations have not been implemented through an ordinance requirement.

There are tools used in other jurisdictions that provide the means to ensure new parks and recreational facilities are provided as new development occurs. These tools will be explored further in this report.
II. How has the City acquired parks in the past?

There are a number of ways in which the City has acquired parkland over the years, including recently. These include the following.

- **Deeded to City as part of a development project** – As the King Farm, Fallsgrove, Rose Hill, and Tower Oaks development projects were planned and approved, the City was able to negotiate for park and open space to be dedicated to the City for public use. These include Mattie Stepanek Park, King Farm Park, Fallsgrove Park, Village Green, and the Rose Hill and Tower Oaks stream valleys.

- **Conveyed to the City by a Homeowners Association** – This involved the acquisition by the City of parcels A and B from the Chestnut Lodge Planned Development area, conveyed by their homeowners’ association earlier this year.

- **Purchased from Developer** - In conjunction with the acquisition of the two donated parcels from the Chestnut Lodge HOA, parcel I of Chestnut Lodge was purchased by the City from the private owner of the parcel.

- **Purchased from the County** – The City arranged to purchase land previously owned by the county at 175 Watts Branch Parkway where the Karma Academy once stood.

- **Land Swap with County** – The City has swapped property with the county in the past, including for a portion of Upper Watts Branch (a school site) in exchange for land adjacent to Wootton Parkway.

Revenue sources that have been used for acquisition include the City’s general fund appropriations, and state grants through the Program Open Space fund. This is a grant program funded through real estate transfer taxes, administered by the Maryland Department of Natural Resources, with funds being allocated annually to the counties for subsequent allocation. The City does not currently have a permanent, dedicated funding source, nor other specific mechanisms to acquire or require parkland in the city.

It should also be noted that there is a portion of the County property tax dedicated to advanced parkland acquisition. It is administered by the Maryland National Capital Park and Planning Commission. Although that tax is assessed on properties in the city as well as throughout the county, the City does not typically receive any of the revenue generated. The fund is used to support and expand the countywide parks system, which city residents also use. The tax rate is .001, or 1/10th of a penny per $100 of assessed value.

Although some of these tools have served us well from time to time, they are not ones that may be used on a consistent basis as new development occurs, especially with the redevelopment nature of our recent growth patterns. A consistent, standardized tool that can be employed regularly as new development occurs will give the City an opportunity to more carefully manage the demands placed upon our park and recreational facilities, and to reasonably ensure that new capacity is provided to meet those new demands.
III. Tools used by other jurisdictions

Many jurisdictions across the country, as well as a few locally, use either a parkland dedication requirement through their zoning ordinance, or an impact fee that is charged to new development for parks and recreation facilities. Below are several examples researched by staff. One common feature they all share is a robust park system for their local population.

Parkland Dedication examples

**Austin, TX** has a dedication ordinance required for residential subdivisions, site plans that include residential units, and hotels/motels. The required amount is based on a formula of parkland acreage per 1,000 resident population to be generated by the development (to maintain 9.4 acres of parkland per 1,000 population); the amount varies by density of the project. In their “urban core,” parkland dedication cannot exceed 15% of the gross site area. The requirement is reduced for affordable housing. Under certain conditions, the land can remain as private parkland, with a recorded recreation easement, for 100% of the requirement. Austin includes a fee-in-lieu provision where dedication of land is not feasible. The fee-in-lieu amount is based on the average purchase price to the City for acquiring an acre of parkland, along with the parkland level-of-service (which is based on the total citywide acreage of neighborhood parks and greenways relative to the city’s population).

Their Recreation and Parks director makes the initial determination as to whether to accept dedication or fee-in-lieu, with final approval by their Land Use Commission. They emphasize the purpose of the fee in-lieu is not to achieve equity in terms of where parkland is provided, but rather to have development maintain the same citywide parkland level-of-service. If development occurs in deficient areas, the dedication tool may contribute to equity. Otherwise, bond funds, grants, donations or some other source would be needed to address deficiency problems. However, when deciding where to spend their fee-in-lieu, they do use a parkland deficiency map as a guide, along with other criteria in their operating procedures. Their funds must be spent within five (5) years of collection.

**St. Paul, MN** requires 150 square feet of parkland per residential dwelling unit, up to a maximum of 4.5% of the buildable land area, or a fee-in-lieu of dedication at $1,200 per dwelling unit (up to 4.5% of county assessor’s value of the land). The requirement is reduced for affordable housing.

They are also one of the few jurisdictions that require parkland dedication for non-residential projects. St. Paul has documented that 90% of their demand for park space is from residential uses, and 10% from commercial/industrial. They require 28 square feet per 1,000 square feet of commercial gross floor area (GFA), 11 square feet per 1,000 square feet of industrial GFA, and 6 square feet per 1,000 square feet GFA for wholesale, warehousing and storage space. Non-residential projects that are less than 5,000 square feet are exempt.

They also have an option for private land to be maintained for public use instead of making a dedication. However, the area must be accessible to the public in a manner similar to public land, and a parkland development agreement must be executed. They specify that funds collected through fee-in-lieu shall be used within ½ mile of the project for which the funds were collected, or for the neighborhood or community park nearest to the project.
Dunedin, FL requires dedication, or a fee in-lieu, when five (5) or more residential units are constructed, via a site plan or subdivision. They require six (6) acres to be dedicated per 1,000 population to be generated (prorated for the project). The six (6) acres are split evenly between neighborhood and community park needs.

They allow credit up to 75% of the neighborhood park requirement to be private open space. Their fees collected in-lieu of dedication must be spent or obligated within 7 years of collection, and be spent in the “general vicinity” of the area where the fees were generated.

Impact Fee examples

Pasadena, CA has used their Residential Impact Fee since 1988 to help mitigate the impacts on the park system from new residential development. The fee is imposed on all new residential development, and they range from $15,000 to over $28,000 per unit depending on the number of bedrooms; affordable housing units are charged $800. The fee has been the primary funding mechanism for parkland acquisition, trails and capital improvements for parks in the city’s budget. It helped fund the first new city park in over 30 years, and brought about the city dog park in the city. They can also use the fund on any school ground park which is subject to a cooperative agreement between the city and the Pasadena Unified School District.

Boulder, CO has an impact fee for parks and recreation that ranges from $2,700 to $7,000 per unit, depending on the size of the dwelling unit. In Sacramento, CA, their park development impact fee is about $3,500 for multi-family units (but $1,600 if in an infill area), and $5,900 for single-family units ($2,700 if infill).

Local/Regional examples

The City of Frederick, MD actually has both an impact fee and a parkland dedication requirement. They require 500 square feet of parkland to be dedicated for each infill residential unit and for retirement communities, and 1,000 square feet for other non-infill residential units. They have a provision where private open space may suffice to serve multi-family and townhouse development, and dedication would not be required unless the comprehensive plan calls for a park in the area. They also have a provision where, if approved by the city, the city may deem areas in forest or proposed for afforestation (or reforestation in a forest conservation easement) to be suitable as public parkland.

Fee-in-lieu is determined by the Board of Aldermen and is based on the fair market value of the property with a recent appraisal. Funds may be used to acquire city parkland, or to pay the principal, interest or other costs of bonds, notes or other obligations issued or undertaken by or on behalf of the city to finance the acquisition of city parkland. Under certain conditions, private open space may comprise 20% of the total parkland required.

In addition to their required parkland dedication, the City of Frederick also charges a park and recreation impact fee of $868 per residential unit (but $586 if the development has a pool to be maintained by the homeowner’s association).
Prince Georges County has had a parkland dedication ordinance with fee-in-lieu since 1981. Theirs is limited to new residential subdivisions, so it doesn’t apply to site plan projects. Their dedication requirement ranges from 5% to 15% of the site depending on the density of the development project.

Fairfax County, VA has a strategic plan requiring 10% of their land mass to be held as county parks. In suburban areas, their goal is to provide at least 5 acres per 1,000 population. In urban areas, the goal is 1.5 acres per 1,000 population and 1 acre per 10,000 employees. Countywide, their goal is for a minimum of 13 acres per 1,000 population.

Montgomery County has an adopted Parks, Recreation and Open Space Plan that states that recommendations for parks and recreation must be provided in all urban plans and sector plans, with a hierarchy and typology of parks described. New parkland is added to the County park system through: dedication via the land development process, direct purchase using CIP funds, and the occasional donation of land by property owners. Dedication is not a zoning ordinance requirement, but can be achieved through their optional method of development, which provides additional density or other incentives for certain amenities provided as part of a development project. The White Flint Plan recommended several parks in the area, but according to the County, those will likely be privately owned and maintained. The plan also discusses the possibility of an amenity fund, but that has not yet been pursued.

The City of Gaithersburg requires a minimum green area, landscaping and amenity area for new development as a percentage of the site, but they don’t have a specific parkland requirement nor an impact fee.
IV. Guidance from the Comprehensive Master Plan and Parks, Recreation and Open Space Plan

When considering new land use or other tools required to advance goals of the City, it is always advisable to look to the Comprehensive Master Plan for guidance to ensure consistency with the City’s overall vision for the community. Fortunately, the 2002 Comprehensive Master Plan (the “Master Plan”), as well as other subsequent neighborhood plans and plan elements, provide guidance and support for possible new tools the City may want to consider.

Chapter 6 of the Master Plan addresses Recreation, Parks and Open space, and identifies parkland acquisition as a critical issue. It discusses the desire for parkland dedication and also for a payment-in-lieu fee of 5% of the total value of the land being developed. It goes on to say that this is “generally a last resort option; however, consideration should be given to adopting such a requirement to apply only in cases where dedication is not practical or feasible.” The chapter concludes with a set of recommendations, which includes the following:

“Require allocation of a minimum of 20% of development area for parkland. The requirement should provide appropriate payment-in-lieu only if the allocation of parkland is not feasible or desirable.” (p. 6-7)

The Rockville Pike Neighborhood Plan, adopted in 2016, builds upon the Master Plan goals by recommending that 10-acres of new parkland be created along the Rockville Pike corridor. The plan states as a goal to have parkland accessible within a 10-minute walk from any residence. It describes a minimum size of 3/10 of an acre for new parkland, and that 15% of a developable project’s site should be allocated to publicly-accessible open space (or fee-in-lieu).

The Parks, Recreation and Open Space (PROS) Plan was adopted by the Mayor and Council in 2009, and although it is not technically part of the Master Plan, it certainly provides guidance for park needs throughout the city. The plan recommends obtaining funding for land acquisition, and for a focus on areas of greatest need, especially East Rockville, Twinbrook, Town Center and Rockville Pike.
V. Two Options to Consider

Two options are presented for the Mayor and Council to consider as possible approaches for the acquisition or expansion of parks and recreation facilities, with details on both described in the following section. The two options are:

1. Parkland dedication, or fee-in-lieu when dedication is not feasible (a new option supported by the Comprehensive Master Plan)
2. Impact fee for parks and recreation facilities (a new option)

Both measures provide an approach to help meet the demand for new parks and recreation facilities as new development occurs, but without overburdening existing residents with the financial impact to expand the City’s park system due to increased demand caused by the new development. With this type of regulatory or “user fee” approach, the intent is that the landowner, developer and future residents who are creating the demand for new park facilities should bear at least a portion of the costs of providing new parks and recreation facilities. Historically, the City has often had to resort to using general fund reserves to pay for parkland, rather than having a ready park fund to tap.

Both approaches must also meet certain ‘tests,’ starting with being proportional in terms of the requirement relative to the demand generated by the new development. There must also be a relationship or a “nexus” between the dedication or use of the fees and the benefits received by the development. Finally, any fees that are generated must be spent in a timely manner so they benefit the new residents creating the demand.

Neither measure is intended to achieve equity in terms of providing park space or recreation facilities in certain areas of a city. They are not designed to make up for existing deficiencies in park space or recreation facilities. Rather they are intended to have new development reasonably pay for itself in terms of impacts they would have on the City’s parks and recreation facilities. The City must remain committed to taking the lead in the creation of new parkland and recreation facilities, and also work with applicants to meet our future demands.

Public Use Space and Open Area Zoning Text Amendment

Staff will also propose updates to our current open area and public use space requirements, regardless of which of the two options described in this report might be favored by the Mayor and Council. Staff will bring forward a zoning text amendment that proposes to combine those two current zoning ordinance standards into a “common open space” standard with a clearer definition of what should be included. The current definitions of “open area” and “public use space” are included in Attachment C. The standards for this new common open space requirement should be adjusted to work in concert with any new parkland dedication requirement or impact fee that the City decides to implement. The table on page 9 provides suggestions for what a common open space requirement might be. That new draft standard will be finalized and brought forward in a zoning text amendment for consideration as direction is provided on the options described in this report.
A. Option 1 - Parkland Dedication, with a Fee-in-Lieu-of dedication

**Description** – This approach would be implemented as a zoning ordinance standard, requiring onsite parkland dedication for public use, or payment of a fee-in-lieu of dedication. This approach would implement the Master Plan recommendation of allocating a certain percentage of a development area for parkland, or to allow a fee-in-lieu where it is not practical or feasible to dedicate. It would apply to all new applications for development and redevelopment that result in a net increase in residential dwelling units, as described below.

As this option was drafted, staff was mindful of having an approach that is reasonable and provides some flexibility in how it could be administered. For dedication, allowing options is important – the City could require onsite dedication as a starting point, but also allow offsite dedication, or a fee-in-lieu of dedication, or a combination of approaches. The City could also consider private open space to meet a portion of the dedication requirement, and allow onsite private amenities to be credited at least partly against the dedication requirement. Staff also proposes to allow applicants to use at least a portion of the proposed dedicated area to meet some of their forestry requirements.

**Applicability** – A parkland dedication requirement, or fee-in-lieu-of dedication, could apply to site plan applications and subdivision plats, with the following net increase in residential dwelling units on the project site (above the number of units that previously existed):

- 25 multi-family dwelling units
- 20 townhouse (single family attached) dwelling units
- 15 single-family detached dwelling units

Staff believes it is important to have a threshold below which this option would not apply. Development projects yielding a fewer number of units than indicated here would likely generate either very small parcels of proposed dedicated park areas which would not be desirable for the City to maintain, or would generate a modest fee-in-lieu amount that would be restricted in terms of how, where and when it could be spent. Also, the stress on the existing park system by relatively few units would likely be small.

For affordable or moderately-priced dwelling units, staff has not defined a credit or exemption since we are not proposing to apply it on a per-unit basis. The standard is based on land area, so a reduction or exemption may not apply. One exception would be if the entire development project consists of affordable units, then we could exempt the entire application (or require a lower percentage to be set aside or paid-in-lieu).

**Dedication Requirement** – Consistent with the Master Plan recommendation, an onsite parkland dedication requirement could be based on a percentage of the total site area. It would vary by zoning district, similar to the current open area and public use space requirements. As noted above, the current open area and public use space standards are also proposed to be amended and combined into one common open space standard, with a new definition which is described later in this report.
### Possible Dedication and Open Space Requirements in Mixed Use Zones

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<th>Suggested Common Open Space %</th>
<th>Current Requirements %</th>
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*Public use space is within required open area.

An additional consideration regarding the standards suggested here is to allow an exemption from the Common Open Space requirement if an applicant proposes to set aside a greater amount of dedicated parkland than the minimum required percentage.

### Medium Density Residential Zones

For proposed development in the Residential Medium Density Zones (RMD-25, RMD-15 and RMD-10), the City currently has a standard requiring 50% open area within the overall site (section 25.11.06). This section should be amended to include a parkland dedication requirement of 20%, which could be part of an overall 50% open area standard (which would also be updated to the new common open space requirement).

### Single Dwelling Unit Residential Zones

For proposed development in the Single Dwelling Unit Zones (R-400, R-200, R-150, R-90, R-75, R-60 and R-40), the same parkland dedication standard of 20% would be required. But those cases would be reviewed through the subdivision process. Section 25.21.19 would need to be updated, which currently describes the City’s standards for Public Sites and Open Spaces as follows: “proposed park, playground, or other public use shown in the Plan..., the subdivider must dedicate or reserve, at the option of the Commission, adequate space for such purpose…”

When analyzing possible dedication standards to use for the mixed use and residential zones, staff considered different approaches to determine what a fair standard would be, including a calculation based on setting aside a specific amount of square footage per dwelling unit or per capita. However, staff continued to come back to the guideline recommended in the current Comprehensive Master Plan (which suggests 20% dedication of developed area). Nevertheless, the recommendation here is to consider a lower set-aside amount (10%). This standard is a reasonable one to begin with, and is also accompanied by flexibility in how it could be administered. It is roughly in line with (but lower than) the City’s current level of service for parkland, but is not as impactful as a per-unit or per-capita standard might be. Many jurisdictions that require parkland dedication do so on the basis of maintaining a level...
of service expressed by the number of acres per resident population. However, trying to maintain our current level of service of 16.5 acres per 1,000 in population through a dedication requirement would be too onerous to require for new development projects.

**Suitability standards/criteria for dedicated land** - To determine whether proposed parkland is suitable for dedication, the criteria below could be used by the City in making its determination. The use of the term “suitability” is intended to result in parkland area that can meet the park and recreation needs of new residents in the development that is triggering the need.

- **Minimum size** – a proposed parkland dedication shall be no less than 3/10 of an acre in the MX-TD and MX-CD zones, and no less than ½ acre in all other zones. If the ordinance standard results in an amount less than these minimum allowable parkland dedication areas, then a fee-in-lieu-of dedication would be required.
- **Usability** – the proposed area must be useable as park space in terms of topography, drainage and configuration of the site. It shall not be configured as a narrow strip of land without substantial demonstration of its purpose and function to serve the general public.
- **Contiguous** – the proposed parkland to be dedicated shall be in a contiguous area to the extent feasible. Small, scattered, individual sites will likely not be accepted, unless it is demonstrated that they would serve the needs of residents of the proposed development.
- **Accessibility** – the proposed dedicated site must be accessible to the general public.
- **Connectivity to other parks** – where existing parks, open space, or trails are present on sites adjoining the proposed development project, the proposed parkland to be dedicated should be located so it is contiguous to such areas, and provide connections to adjoining parks and open areas where feasible.
- **Underserved areas** – when the neighborhood where the proposed development is occurring is at a deficit in terms of park space, then parkland dedication will be preferred over payment of a fee-in-lieu. Underserved and deficit areas would be based on guidance provided in the City’s Parks, Recreation and Open Space Plan as well as the Comprehensive Master Plan.
- **Sensitive and rare habitat protection** – proposed dedication areas that provide for the protection of habitat for sensitive and rare plant and animal species are desired.
- **Consistent with the City’s Comprehensive Master Plan** – proposed parkland dedications shall be consistent with and result in implementing the City’s Parks, Recreation and Open Space Plan and/or the Comprehensive Master Plan.

**Determination of parkland dedication or fee-in-lieu** – It is the City’s preference to have land dedicated onsite for a public park with the development projects that trigger this requirement. However, it will also be possible for an applicant to propose to pay a fee-in-lieu-of dedication in instances where dedication is not feasible on the site, or not desired by the City. If a proposed site does not meet the minimum size requirements, or is otherwise determined to be unsuitable by the City based on the criteria described above, then a fee-in-lieu-of dedication may be provided. However, the City is also providing an opportunity for an applicant to propose an off-site parkland dedication when onsite.
dedication is determined not to be feasible. Finally, a combination of options (onsite dedication, fee-in-lieu, and off-site dedication) will also be considered and may be allowed.

The process for determining whether to accept a proposed dedication, to require a fee-in-lieu-of dedication, to allow an off-site dedication, or a combination of those options, is to have the director of the Recreation and Parks Department consider the applicant’s submittal, and following consultation with the City Manager, provide direction early in the development review process. The director will evaluate the proposed method of meeting this requirement based on the suitability standards described above, and will provide a determination in writing based on those standards.

This determination will occur early in the development review process in order to provide certainty and predictability for the applicant for their overall design of the project. The determination by the director of the Recreation and Parks department will be made during the pre-application stage of site plan review, or during the review of a preliminary plan for subdivision for single-family residential development. The Director of Recreation and Parks will notify the applicant in writing of this determination.

When City staff have completed their full review of an application, with a recommendation prepared for transmittal to the approving authority for action, the staff report will describe the determination made for parkland dedication, or payment of a fee-in-lieu, or a combination thereof.

Appeal - If the Director rejects a request by the developer to dedicate parkland, or to pay a fee-in-lieu-of dedication, the applicant may appeal the decision to the approving authority for the application. The approving authority will then make the final determination as to whether the dedication or fee-in-lieu-of dedication will be accepted, considering the suitability standards set forth above and the recommendation of the Director.

Offsite Parkland Dedication – The City may accept an offsite dedication of parkland upon approval of such proposal by the Director of Recreation and Parks, provided it is in the general vicinity of the development site and meets the suitability standards/criteria for dedicated land described above.

Credit for onsite amenities and private open space – The City may allow that privately-owned onsite amenities being provided with the development project could be credited against the public parkland dedication and fee-in-lieu requirement, but not to exceed 50% of the requirement. Onsite amenities that may be considered for such credit include publicly-accessible open areas, parks, playgrounds, trails and exercise areas. Credit may also be provided for indoor spaces dedicated to the provision of publicly-accessible art, and open areas or dedicated spaces open to the public such as museums, art galleries, science centers or facilities, cultural arts centers, or community rooms.

As with the approval of dedicated parkland, the Director of Recreation and Parks will make the determination as to whether credit for onsite amenities and private open space will be accepted, which will also be determined during the pre-application stage.
Land, facilities, and improvements approved under this provision must be accessible to the public in a manner similar to public parkland. The City and the owners of the development must execute a parkland development agreement insuring that specific land will be developed and maintained by the owners, and that the parkland use is a covenant that runs with the land.

This provision is consistent with other jurisdictions analyzed. St. Paul, MN, allows private land to be maintained for public use for up to 100% of the dedication requirement. Austin, TX, allows up to a 50% credit for onsite amenities provided by an applicant (for pools, exercise areas and publicly-accessible open space). Dunedin allows a credit for up to 75% of their neighborhood park requirement where private open space is being provided and will be privately maintained (but only for the neighborhood park requirement; but not the community park requirement). Frederick, MD has a provision where private open space may suffice to serve multi-family and townhouse development, and dedication would not be required unless the master plan calls for a park.

**Ability to meet certain development standards/requirements on proposed parkland dedication sites**

With the approval of the Director of Recreation and Parks, the City could allow the proposed parkland dedication area to be used to meet a portion of certain development standards, provided the primary use of the proposed parkland area for public recreation is not impeded. A maintenance agreement between the City and the applicant will be required, describing maintenance responsibilities and other obligations.

The following could be acceptable on the dedicated parkland:

- Areas in forest or proposed for afforestation or reforestation in a forest conservation easement.
- Environmental site design features and related improvements required as a result of the development project. This may include publicly accessible, useable portions of a stormwater management facility.

This provision would be consistent with other jurisdictions as well. Although Frederick does not allow stormwater ponds in dedicated areas, they do allow areas in forest or proposed for afforestation or reforestation in such areas. Austin allows up to 50% of a dedicated site to be in the floodplain, and the City of San Jose allows a 50% credit for stormwater detention facilities.

**Ownership, conveyance and improvement of dedicated land**

Ownership of dedicated parkland will be conveyed to the City, and will be City-maintained. Conveyance of parkland will occur through subdivision plat approval and recordation prior to obtaining building permits for the project, and will be accompanied with a fee simple deed conveying ownership to the City.

If amenities or improvements to the park are being provided by the developer, those shall be completed in a manner consistent with City standards, and accepted by the City prior to issuance of occupancy permits. Otherwise the applicant will provide improvement guarantees for grading and seeding of the parkland to be dedicated. The dedicated land will be conveyed in a condition that is graded, seeded and otherwise prepared as agreed upon, and free from debris and other construction material.
Proposed Amendments Impacting Approved Parkland Dedication Areas – If an amendment to an approved site plan or subdivision is proposed that would impact an approved parkland dedication area (public or private), or would impact the required fee-in-lieu, then a recommendation from the Director of Recreation and Parks is required as part of the application. Compliance with the dedication or fee-in-lieu standards is still required.
Fee-in-lieu-of dedication

Description – When dedication of parkland (either onsite or off-site) is deemed by the City to not be feasible due to the suitability standards described, payment of a fee-in-lieu-of dedication would be required. Fee-in-lieu funds would be spent in the general vicinity of the development from which the fees were paid. The funds can be pooled with other in-lieu payments, or other City or park funds, for the acquisition of land for new parks or expansion of existing ones. However, they cannot go toward operations, recreational programs or maintenance of parkland or facilities. The funds should also not be used specifically to remedy existing park deficiencies, unless this also aligns with the needs created by the new development.

Amount Required – The amount of a required fee-in-lieu payment would be based on the assessed value of the land at the time of pre-application. The source for determining the assessed value of the land will be the State of Maryland’s Department of Assessments and Taxation (SDAT) most recent records published online.

For proposed development projects that include residential units, and would otherwise be required to comply with the parkland dedication requirement, the fee-in-lieu is equal to 10% of the assessed value of the land within the project boundaries; improvements to land are not included.

As described, a combination of onsite and/or offsite parkland dedication and fee-in-lieu is acceptable. If an applicant dedicates a portion of the required parkland and satisfies the balance of the requirement with fee-in-lieu, the amount of land dedicated will be deducted from the required fee-in-lieu payment that was otherwise required.

Administering the Fee – The fee must be paid prior to issuance of the first building permit for the development project, but at the discretion of the City, partial payments may be made that are proportional based on the number of units being developed within the phases of a multi-phase project.

Expenditure of fees collected - Revenue generated through fees paid in-lieu-of dedication will be used by the City for parkland acquisition, expansion or enhancement of existing parks, to serve the new residents of the development that was assessed the fee. Fees collected under this provision will be spent in the general vicinity of the site of the development application. The City will use the Parks, Recreation and Open Space Plan and the Comprehensive Master Plan for guidance in deciding on locations to spend fees collected.

The funds generated by fee-in-lieu will not be used for maintenance and operations, and will be used only for the following purpose:

- To acquire parkland for a public use; or
- For capital expenses for new, expanded or enhanced public parks and/or recreation facilities
The fees collected will need to be accounted for separately from other funds, including being segregated from the City’s general fund money. The funds would be appropriated in the budget that is approved by the Mayor and Council, and most likely in the form of a Capital Improvement Project.

Fees collected by the City must be spent within seven (7) years from the date of receipt. This period may be extended by five (5) years if, at the end of the initial seven-year period, less than 50% of the residential units within the development project that generated the fee have been constructed.

Refund - If the City does not expend the fee payment within seven (7) years of being paid, the applicant/developer (or successor) may request a refund for the portion of the fee that was not expended. The refund request must be made in writing and filed with the Finance Department no later than 180 days after the expiration of the deadline to expend the funds. The Finance Department will refund the unspent fees to the applicant.
B. Option 2 - Impact Fee for Parks and Recreational Facilities

The other option staff is putting forth for consideration is that of an impact fee that could be charged to new development applications during the permitting process. An impact fee is a commonly accepted financing mechanism used by local jurisdictions to offset the cost of expansion of infrastructure or government facilities that would be required to be built as a result of new development. It’s a way of assuring new development pays its “fair share” for providing services. It is based on maintaining the current level of service by assessing new development the proportional cost of expanding that service or facility. For parks and recreational facilities, it is typically charged for new residential development, but may also be required with new non-residential construction.

As described in a 2009 impact fee study conducted for the City, in order for an impact fee to be valid, it typically must satisfy two conditions: “rational nexus” and “rough proportionality.” First, there must be a need for the additional facilities or expansion of infrastructure as a result of the new development. Second, there must be a fair and equitable connection between the fee charged to the new development and the benefit it receives. A municipality may only charge an impact fee for capital projects that will benefit the new development, and for services provided by the jurisdiction.

A Maryland Attorney General’s opinion issued in 2004 addresses this concept as well. In response to a request from Taneytown, MD, the opinion supports the power of Maryland municipalities to enact reasonable impact fees as a regulatory tool. But there must be a sufficient nexus between the fee assessed and the proportional cost of providing the benefits supported by that fee to the affected property owners. It should be used to defray the costs of infrastructure and capital expenses, but not for operating costs. The Attorney General’s office stated:

"Under the rational nexus test, an impact fee is permissible as a regulatory measure, so long as (1) the fee relates to the needs attributable to new development, and (2) the revenue collected is earmarked for the substantial benefit of the development charged."

2008/09 City of Rockville Impact Fee study

In 2008, the City contracted with the consulting firm Municipal Financial Services Group (MFSG) of Annapolis to evaluate, calculate and recommend possible impact fees for the City to consider. The areas studied and ultimately recommended were: public safety, recreation and parks, stormwater and general government. Other service areas were studied but not recommended. However, as the study was concluded in 2009 during the “Great Recession,” none of the recommended fees were enacted. There were also concerns about the timing of spending revenue that is generated, and where it could be used.

The calculation of the fees was based on the incremental cost of replacing the current recreational and park facilities owned and operated by the City. The actual value of the land for parks was excluded from the calculation.

Facilities counted within the inventory at the time included: the swim center, the senior center, F. Scott Fitzgerald Theater, Glenview Mansion, all the community and neighborhood centers, the King Farm Farmstead, the Beall Dawson House, and other facilities, for a total of 183,319 square feet of facility space. The estimated average cost to build a new facility was $250 per square foot, plus another $50
per square foot to outfit the facility. At a total cost of $300 per square foot, times 183,319 square feet total, the full cost to replace all facilities was estimated at about $55 million. This cost was then allocated between residential and non-residential uses in the city, and then further broken down for an average cost per resident and per employee.

The following table describes the 2009 recommendation for impact fees for parks and recreational facilities that could be charged for different uses, along with a potential revenue generation forecast through fiscal year 2030.

**Recreation/Parks Recommended Impact Fees (2009 study):**

<table>
<thead>
<tr>
<th>Residential (per unit)</th>
<th>Fee</th>
<th>Potential Revenue – FY09 to FY30</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family detached</td>
<td>$1,711</td>
<td>$95,800</td>
</tr>
<tr>
<td>Single family attached</td>
<td>$1,524</td>
<td>$253,000</td>
</tr>
<tr>
<td>Multi-family / other</td>
<td>$1,230</td>
<td>$7,567,400</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Non-residential (per 1000 sq ft)</th>
<th>Fee</th>
<th>Potential Revenue – FY09 to FY30</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail / Restaurant</td>
<td>$582</td>
<td>$468,800</td>
</tr>
<tr>
<td>Office</td>
<td>$931</td>
<td>$5,224,900</td>
</tr>
<tr>
<td>Industrial</td>
<td>$517</td>
<td>$42,700</td>
</tr>
<tr>
<td>Other</td>
<td>$466</td>
<td>$453,200</td>
</tr>
</tbody>
</table>

The study recommended spending the fees collected within six to eight years, and they could be used for expansion of recreational facilities operated by the City.
Updated Impact Fees

The City re-engaged with the firm MFSG to update the base assumptions and other data used in the 2009 study, so that a revised, current impact fee may be considered. They have included the land cost within the calculation as well (at about $840,000 of assessed value per acre), and have updated the cost of improved facility area at $400 per square feet. Below are the updated impact fee rates to consider, with those provided by the consultants, and fee levels recommended by staff (along with average fees from a 2015 national survey).

Updated Recreation/Parks Impact Fees:

<table>
<thead>
<tr>
<th>Residential (per unit)</th>
<th>National Average (2015)*</th>
<th>Updated Fees from consultant study</th>
<th>Recommended Fees by Staff (75% of the consultant fee)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family detached</td>
<td>$2,812</td>
<td>$2,290</td>
<td>$1,718</td>
</tr>
<tr>
<td>Single family attached</td>
<td>$1,950</td>
<td></td>
<td>$1,463</td>
</tr>
<tr>
<td>Multi-family / other</td>
<td>$2,099</td>
<td>$1,570</td>
<td>$1,178</td>
</tr>
<tr>
<td>Non-residential (per 1000 sq ft)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail / Restaurant</td>
<td>$815</td>
<td>$700</td>
<td>$525</td>
</tr>
<tr>
<td>Office</td>
<td>$881</td>
<td>$1,120</td>
<td>$840</td>
</tr>
<tr>
<td>Industrial</td>
<td>$562</td>
<td>$620</td>
<td>$465</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>$560</td>
<td>$420</td>
</tr>
</tbody>
</table>


Staff believes an impact fee for parks and recreation facilities should be one of the options seriously considered as this discussion continues.

Staff also recommends that the impact fees be adjusted downward slightly from the fee levels determined through the updated consultant work. The rates recommended by staff in the table above are at 75% of the levels determined by the consultants to be defensible and justifiable based on the methodology used. It is customary for jurisdictions enacting new impact fees to not charge the full amount allowable, since this introduces a new financial impact to the economics of development projects. However, this is a policy decision that would ultimately be decided by the Mayor and Council.

Staff also recommends that units required under the City’s Moderately Priced Dwelling Unit (MPDU) program be fully exempt from paying impact fees. Since it a long-standing City goal to promote the creation of additional affordable and moderately-priced housing options, exempting such units from this new charge would be consistent with that goal.

If the impact fee option is ultimately adopted, staff recommends that development applications that are currently in the review process should be exempt from the fee. This would include complete, accepted applications for projects plans, site plans and building permits.

An impact fee would be administered at the building permit stage of the review process, where the fee would be paid prior to issuance of a building permit. As such, it would have the effect of being phased in for a large, multi-phase development project, since the fee would only apply to those phases about to
be constructed. Staff also recommends exempting any development application where three (3) or fewer additional (net) residential dwelling units are being created on the subject site. If this is applied to new non-residential development as well, then there should also be a minimum square footage at which it is triggered (perhaps at 5,000 square feet and above).

Although Maryland does not have a specific, required timeframe for spending the funds, the revenue collected would likely need to be spent, or at least programmed, within about seven (7) years of being collected. The revenue may be used for capital expenses only, and for new capacity such as new or expanded parkland, or new or expanded recreational facilities in the City.

There are jurisdictions which also include annual adjustments to impact fees. For instance, in Maryland, Anne Arundel, Talbot and Queen Anne’s counties adjust their fees each year based on the Construction Cost Index published in the Engineering New Record. In those jurisdictions, fees are automatically adjusted to account for inflationary increases in the cost of providing public facilities utilizing the most recent twenty-city annual national average data from the Engineering News Record Construction Cost Index. The City currently makes a similar adjustment using the Builder’s Cost Index to the in-lieu fee in the Publicly-Accessible Art in Private Development ordinance.
## Parkland Dedication / Fee-In-Lieu Examples

<table>
<thead>
<tr>
<th>Ex. #</th>
<th>Acres</th>
<th>Dwelling Units</th>
<th>Assessed Value (land)</th>
<th>Zone</th>
<th>Parkland Dedication (at 10%) in Acres</th>
<th>Parkland Dedication (at 10%) in Sq. Ft.</th>
<th>Common Open Space (10%) in Sq. Ft.</th>
<th>Total Open Area in Sq. Ft.</th>
<th>Fee-In-Lieu at 10% of Assessed Value</th>
<th>Residential Impact Fee $1,178/unit (multifamily)</th>
<th>Non-Res Sq. Ft.</th>
<th>Non-Res Use Type</th>
<th>Non-Res Impact Fee</th>
<th>Total Impact Fee (Res and Non-Res)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3.5</td>
<td>360</td>
<td>$8,400,000</td>
<td>MXTD</td>
<td>0.35</td>
<td>15,246</td>
<td>15,246</td>
<td>30,492</td>
<td>$840,000</td>
<td>$360,468</td>
<td>100,000</td>
<td>Retail</td>
<td>$525</td>
<td>$52,500</td>
</tr>
<tr>
<td>2</td>
<td>5.0</td>
<td>400</td>
<td>$6,000,000</td>
<td>MXTD</td>
<td>0.50</td>
<td>21,780</td>
<td>21,780</td>
<td>43,560</td>
<td>$600,000</td>
<td>$400,520</td>
<td>6,000</td>
<td>Retail</td>
<td>$525</td>
<td>$3,150</td>
</tr>
<tr>
<td>3</td>
<td>4.0</td>
<td>200</td>
<td>$2,700,000</td>
<td>MXTD</td>
<td>0.40</td>
<td>17,424</td>
<td>17,424</td>
<td>34,848</td>
<td>$270,000</td>
<td>$200,260</td>
<td>5,000</td>
<td>Office</td>
<td>$840</td>
<td>$4,200</td>
</tr>
<tr>
<td>4</td>
<td>3.5</td>
<td>275</td>
<td>$1,700,000</td>
<td>MXE</td>
<td>0.35</td>
<td>15,246</td>
<td>15,246</td>
<td>30,492</td>
<td>$170,000</td>
<td>$283,456</td>
<td>15,000</td>
<td>Retail</td>
<td>$525</td>
<td>$7,875</td>
</tr>
<tr>
<td>5</td>
<td>3.2</td>
<td>650</td>
<td>$12,400,000</td>
<td>MXTD</td>
<td>0.32</td>
<td>13,939</td>
<td>13,939</td>
<td>27,878</td>
<td>$1,240,000</td>
<td>$650,845</td>
<td>50,000</td>
<td>Retail</td>
<td>$525</td>
<td>$26,250</td>
</tr>
<tr>
<td>6</td>
<td>2.3</td>
<td>275</td>
<td>$2,500,000</td>
<td>MXTD</td>
<td>0.23</td>
<td>9,801</td>
<td>9,801</td>
<td>19,602</td>
<td>$250,000</td>
<td>$275,358</td>
<td>10,000</td>
<td>Retail</td>
<td>$525</td>
<td>$5,250</td>
</tr>
<tr>
<td>7</td>
<td>10.0</td>
<td>1000</td>
<td>$20,000,000</td>
<td>MXCD</td>
<td>1.00</td>
<td>43,560</td>
<td>43,560</td>
<td>87,120</td>
<td>$2,000,000</td>
<td>$1,001,300</td>
<td>200,000</td>
<td>Office (3/4)</td>
<td>$840</td>
<td>$120,750</td>
</tr>
</tbody>
</table>

### Notes:
1. For MX-TD & MX-CD, the minimum area to be dedicated (for the dedication scenario) is \( \frac{3}{10} \) of an acre (13,068 sq. ft.); therefore the minimum development site where dedication is required is 3 acres.
2. For all other zones, the minimum area to be dedicated is \( \frac{1}{2} \) an acre (21,780 sq. ft.); therefore the minimum development site where dedication is required is 5 acres.
3. Project examples 1, 2, 3, 5 and 7 would dedicate land onsite (under the dedication scenario), since the proposed dedicated area exceeds the minimum required size.
4. Project examples 4 and 6 would pay fee in-lieu-of dedication, since the dedicated area would be less than the minimum size allowed.
5. For the impact fee examples, the rates are those recommended by staff, and MPDUs are exempt from the calculation (15% of the units in the MX-TD & MX-CD zones are MPDUs, and 12.5% of the units are MPDUs in all other zones).
VII. Pros and Cons of the Two Options

Pros of Parkland Dedication and Fee-In-Lieu:

- It’s an accepted standard in the typical zoning powers of a municipality
- Has a direct, clear relationship to the application to which it is being applied
- With dedication, the land is made available at the location where the development being built is creating the need
- It is in support of Master Plan goals to create additional parkland (20% per the plan)

Cons of Parkland Dedication and Fee-In-Lieu:

- Appears to be more effective as a suburban standard, where new subdivisions are created or large development projects are built. Rockville is experiencing mostly smaller, infill, mixed use projects.
- Will mostly result in fee-in-lieu payments, since the average size of our site plans is 2.5 acres and the same cons that are listed in the Cons of Impact Fee would be applicable.
- Fee-in-lieu must be spent in the general vicinity of the development project, so it is limited in terms of how, where and when it must be used; and must be tracked and accounted for separately
- It’s an additional regulatory demand on top of already fairly restrictive standards
- Dedication of land would require an applicant to go through the subdivision platting process, which doesn’t always happen on a site plan application (especially redevelopment activities)

Pros of Impact Fee:

- Would potentially apply to more residential units than a parkland dedication standard
- We can vary the fee by residential unit type, and apply it to non-residential permits, too
- Average size of site plans is too small to be affected by parkland dedication, so most projects would pay fee-in-lieu anyway.
- We have a methodology already (by MFSG) along with the regulatory authority to do it

Cons of Impact Fee:

- Requires creation of a separate fund, to ensure it is spent in a timely manner
- Requires active CIP planning to program funds, and the discipline to spend in a timely manner and to combine it with other city revenue where necessary for project implementation
- Places the burden on the City to purchase land where necessary (dedication requirement places more of this burden on the developer)
- City must have funds available to construct park amenities (with impact fees and other revenue as needed)
In answer to the question, I believe Rockville should require Parkland with New Development without question.

One issue that needs to be addressed in this effort is “What is the nature of the parkland that should be established?” While tot lots, ball fields, and other recreational structures are important, I believe that it is critical to focus on natural settings and native flora and fauna.

Trees are a critical element to this focus for many reasons, some of which I will list, although this list is not meant to be exhaustive. Trees combat climate change. They enhance water quality by filtering pollutants, controlling erosion, and creating habitat for aquatic life. They provide shade which saves on electricity and contributes to human and animal comfort, as well as human physical and mental health. They provide habitat for wildlife, thereby slowing species extinction and countering ecotype disruption. They support pollinator life cycles. They are critical to the health and comfort of City of Rockville residents. They must be preserved and their numbers in the city increased.

I have served on the Planning Commission for nearly 8.5 years. While I in no way speak for the commission in these comments, my experience on the body provides the basis for them. During my tenure there have been multiple attempts to change ordinances or grant waivers that allow a huge reduction in the number of trees that developers are required to plant. This has been particularly evident with townhouse developments. That reduction has been a 2/3 reduction, which can be a very large number of trees.

It was interesting to me that the day after the second hearing to gain public input on the question of whether Rockville should require parkland with new development, the Planning Commission was reviewing a text amendment that revises the number of trees required for townhouse lots. The proposal was likely an improvement over the existing code. However, while it was not clear what the precise impact would be, the general one was a reduction in the number of required trees. I find it ironic and inconsistent that this text amendment is being considered while the Mayor and Council are asking for input on the issue of requiring parkland with new development. That said, the Planning Commission as a body voted in favor of the amendment over my single opposing vote.

I understand why developers don’t want to spend the money or release the land for that many trees. However, the townhouse developments that are being approved these days are essentially bare of trees, and, therefore in my mind, ugly and unhealthy. They are also overcrowded, overpriced, and traffic congestion is not being addressed adequately.

I congratulate the Mayor and Council on starting to develop an approach to the acquisition of parkland. However, I also ask that you spread the concept of parkland throughout new developments and encourage developments to contain more open space containing trees.
Thank you for your consideration.

Have a happy holiday season and a healthy new year.

Anne Goodman
Dear Mr. Wasilak,

I recently saw that the City of Rockville is asking for public input on whether developers should be required to include parkland in new developments.

My answer is ABSOLUTELY YES.

I have been an active volunteer to remove nonnative plants with certified Weed Warriors at various parks of Rockville as I love parks and nature.

For me, trees, native plants for pollinators, and places for people to unwind and meet their neighbors are much needed as development continues at a rapid pace.

Please benefit our community for years to come by including parks as an essential part of healthy communities!

Sincerely,

Audrey

Sent from my iPhone
First and foremost, congratulations and thanks to the Mayor and Council and City staff for your consideration of this text amendment. Over the past 70 years, parkland has been set aside and dedicated for public use in most large residential developments. As a result, Rockville is blessed with 1,000+ acres of City parks. While there are significant gaps, a large percentage of residents live within a 10-minute walk of a park. Hopefully this text amendment will provide the mechanism for Rockville to begin to fill in the areas where parks are desperately needed.

Working under what was at the time essentially an unofficial policy, the City was able to broker the dedication of 20% of the King Farm tract and 34% of the Fallsgrove tract for public parks. The particular development scenarios for these projects helped to make this possible. Much of this new parkland is on buildable land, a key consideration if recreational uses are to be accommodated. As a result, several large, attractive and highly usable parks were added to the system, along with significant forested, stream valley sections. These two developments brought in thousands of new residents. It was critically important then, as it is now, to provide these parks for all the new residents, to ensure these large new areas included conveniently located park, recreation and open space resources, as well as to protect existing nearby parks from over-use.

I believe the outline of the text amendment, as drafted is overall complete and well thought-out. The flexibility to require dedication, or fee-in-lieu or an impact fee will make this practical and workable. Requiring dedication within very small development parcels would not yield usable park spaces. It is highly appropriate for the City to be able to decide in each case whether dedication (if the parcel is large enough) or fee-in-lieu would serve the community’s interest best.

Here a couple of areas I suggest changes to the text:

- For larger developments (should for instance the City annex another large land parcel), consideration should be given to requiring the developer to contribute to the cost of constructing the parks. Constructing new parks from scratch is an expensive undertaking.
- For Fee-in-Lieu funds, seven years to spend is likely not enough, given all the process, public input, etc. necessary to design and build new parks. Consider ten years, with two five-year extensions.
- Fee-in-Lieu funds and funds collected through Impact fees could be a real asset, but would be much more effective if the city could pool the funds to obtain parkland anywhere in the city. There are obvious benefits to obtaining new parkland nearby new development areas, but that will not always be possible. Perhaps an exception process could be added, requiring Mayor and Council approval, if it’s determined that obtaining parkland in close proximity to the development is not feasible, either because no land is available or available land is too expensive, e.g. Rockville Pike planning area.
Opportunities to obtain new parkland in some areas of the City, e.g. Twinbrook, East Rockville, are very limited. All the land is currently in use. It may be necessary for the City to purchase land with existing structures, in order to build new parks. The Mayor and Council should consider the option to buy currently “improved” land in order to add parks in these underserved areas.
Green spaces are one of the things that most attracted my husband and I to Rockville. Rockville’s long-time designation as a Tree City USA and policy of having parkland within a 10-minute walk of every citizen long made it an attractive alternative to other suburbs, and increased property values here. The importance of green spaces was reinforced by the Covid pandemic, when people found parkland the only place to get out of the house or apartment, and many discovered for the first time how much they valued nature as a place of recreation, refuge and inspiration. Covid reminded us that **PARKLANDS ARE AN ESSENTIAL PUBLIC GOOD** for people of all ages and incomes.

It is a huge loss to the quality of life in Rockville that many of our green spaces are being replaced by development. **IT IS TIME TO REQUIRE EVERY NEW DEVELOPMENT TO INCLUDE PARKLAND.** It is especially important to provide parkland as part of transit-oriented development, since many people do not own cars to travel to parks.

**It is essential to require developers to retain green space** for:

- Improving our mental and physical health,
- Encouraging children’s’ healthy development,
- Providing pollinator habitat,
- Managing stormwater runoff,
- Making our streets inviting for walking and bicycling,
- Reducing the ‘heat island’ effect of new developments, and
- Mitigating rising temperatures from climate change (green spaces lower temperatures and reduce energy demands from AC).

It’s no coincidence that Rockville Town Center is an unappealing destination with nothing but concrete on all sides (outside the Red Brick Courthouse grounds). The lack of trees along many streets and in commercial areas (e.g., Town Center, Twinbrook) forces us to drive for errands and to Metro during the summer instead of walking or biking (which increases emissions and worsens climate change). **I urge Rockville’s Mayor and Council to Require Parkland with New Development.**

Thank you for your attention,
Hello Jim,

My name is Jake Rose. I'm a resident in the City of Rockville.

I wanted to thank you for asking for public input about requiring parkland with new development - [https://rockvillereports.com/should-parkland-be-required-with-new-development/](https://rockvillereports.com/should-parkland-be-required-with-new-development/).

I support this new requirement. I enjoy public space on a daily basis, and creating this requirement would allow future residents to do the same for years to come. The preserved land in this area is one of the reasons the quality of life in this City is so high.

Thank you,

- Jake Rose
To Whom it may concern,

I won't be able to attend the Zoom call tonight, but I wanted to provide some comments. I think Rockville has done a great job with many large and small parks distributed across neighborhoods. I believe that it is critical that new developments should have associated greenspace. As more and more space is devoted to large apartment and office buildings and less to single family homes with reasonable yard space, I think it is critical to make sure there is plenty of greenspace. I also think it is critical to have garden areas with water and native plants for pollinators. It makes sense and most people enjoy green space. Well-managed greenspace and gardens are important for people's well-being as well as for the planet.

For example the new Twinbrook Quarters is going to be a huge development with stores and dwellings along the 355 corridor which is already full of malls and their associated 'dead space' parking areas. The current plan is/was to have some green space incorporated into the development. I hope this is still a requirement.

Thanks

Josephine Cox
Twinbrook resident
Jim,

Thank you for the talk this evening. I would be interested in the slides and the fact sheet.

I’d like to echo Deborah Landau’s suggestion of not letting in lieu of funds expire and return to developers, given the difficulty and time horizon of land acquisition. These funds should stay with the city for the purpose of eventual parkland acquisition to benefit residents. I think the idea of putting that money in an endowment or appreciating fund would be a good one.

I feel strongly that parkland should be dedicated to native plants, shrubs and trees to provide shade, oxygen and wellbeing for people and wildlife alike, rather than rubber-mulched playgrounds and turf or concrete.

I liked Chuck Woolery’s suggestion of green roofs and biophilic construction as ways to increase green space. He and I have talked in the past about some kind of Citizen’s Conservation Corps- perhaps residents could be given a small tax break or enter a raffle for free passes to the Swim Center, for example, for volunteer hours they put in with maintaining public parks, as a way to incentivize this kind of work and to get more residents involved and interested.

Thank you again for your time!
Dear Distinguished Mayor and Council:

I was fortunate to attend Jim Wasilak’s presentation yesterday on whether Rockville should require parkland with new development in the city, and I appreciate the outreach in this matter. Parklands are an essential public amenity, the importance of which cannot be overestimated. The answer, in my opinion, is a resounding "Yes!"

When my family and I were looking for a house 12+ years ago, one of the draws of the Hungerford neighborhood, besides the proximity to Metro and the relative affordability of homes, was the existence of not just one, but three (!) parks within walking distance. The policy of offering parkland within a 10-minute walk for every citizen makes Rockville an attractive alternative to other suburbs. During the pandemic, when the only safe place was inside your home, or outside away from others, parks became important to many that had not visited them before. Natural spaces offer refuge and physical and mental wellbeing. Many for whom telework has become an integral part of their work lives now find having wild spaces nearby a welcome outlet.

I continue to be dismayed that tree cover and green spaces are removed in the name of progress. A prime example is the new Tower Oaks development- the name of which is an insult to the formerly towering oaks that gave their lives for this. New housing and retail should remain in areas that are already developed (i.e., redevelopment). IT IS TIME TO REQUIRE EVERY NEW DEVELOPMENT TO INCLUDE PARKLAND, or to pay parks impact/in lieu of fees where parkland is not immediately available. However, the quality of the green open space is also critical.

I urge the Mayor and Council to be thoughtful about the quality of those spaces. A rubber-mulched playground or a mowed turf field are both wildlife deserts. I urge you to look to native trees, shrubs and plants that support native insects, birds, and small mammals, as well as supporting city residents. If you are not yet familiar with it, the homegrown national park movement is a game-changer (https://homegrownnationalpark.org/). Thoughtfully designed native green spaces improve physical and mental health, sequester carbon dioxide and produce oxygen, provide habitat, and reduce stormwater flooding and summer temperatures. In short, they help mitigate climate change and ecosystem degradation.

Mr. Wasilak’s presentation also mentioned the thinking on returning in lieu of funds to developers if not used within a certain number of years (e.g., seven). Deborah Landau suggested, and I agree very strongly, that in lieu of funds should remain with the City indefinitely for the express purpose of acquiring parkland. Eventually returning funds to the developer defeats the whole purpose of the in lieu of payment and is an end run around setting aside green space.

I urge you to require parkland with new development.

Thank you for your attention,

Monica Berger

1007 Brice Rd, Rockville, MD 20852
Dear Mayor and Council Members,

Green spaces are one of the features that attracted my wife and I from Bethesda to Rockville. The necessity of green spaces was reinforced by the Covid pandemic, when people flooded into parkland to get out of the house or apartment. For example, it’s amazing how many suddenly flocked to Red Gate Park, and lots of people discovered for the first time how much they valued nature as a place of recreation, refuge and inspiration. Covid reminded us of what Rockville Mayors and Councils have long known: **PARKLANDS ARE AN ESSENTIAL PUBLIC GOOD** for people of all ages and incomes.

It is a huge loss to the quality of life in Rockville that many of our green spaces are being replaced by development. **IT IS TIME TO REQUIRE EVERY NEW DEVELOPMENT TO INCLUDE PARKLAND.** It is especially important to provide parkland as part of transit-oriented development and lower-income neighborhoods, since many people do not own cars to travel to parks.

**It is essential to require developers to retain green space** for:

- Improving our mental and physical health,
- Encouraging children’s’ healthy development,
- Providing pollinator habitat,
- Managing storm water runoff,
- Making our streets inviting for walking and bicycling,
- Reducing the ‘heat island’ effect of new developments, and
- Mitigating rising temperatures from climate change (green spaces lower temperatures and reduce energy demands from AC).

I urge the Rockville Mayor and Council to Require Parkland with New Development.

Thank you for your attention,

Dr. Robert Williamson
5705 Stillwell Road, Rockville 20851
From: Robert DiSpirito <rdispirito@rockvillemd.gov>
Sent: Tuesday, November 30, 2021 2:13 PM
To: Ricky Barker; Tim Chesnutt; Craig Simoneau
Cc: David Levy; Jim Wasilak; Christine Henry; James Woods; Emad Elshafei; Bryan Barnett-Woods
Subject: FW: Parkland and New Development

From: Sean Cullinane <cullinsk@gmail.com>
Sent: Tuesday, November 30, 2021 1:15 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Parkland and New Development

Good afternoon,

I will not be able to attend either discussion regarding the parkland requirement discussion with new
development. However, I would like to voice my opinion in case written comments are taken into account.

I want to advocate that any new development should require mandatory parkland as well as bike lanes. It is critical to
hold property developers accountable for using valuable land in Rockville given the growing climate change threats. In
all development, the entire community must be kept in mind since the entire city is impacted as more land is altered and
built. By including parkland, Rockville ensures that the health of the city is secured as well as assistance with water
retention issues.

Additionally, I want to add that Rockville should also include bike and pedestrian lanes with all development, paid for by
developers. Every statistics shows a direct connection between more bike lanes and more bicyclists. By adding bike
lanes around the city, we decrease traffic, expedite delivery of goods, and create a city that is easier to get around. This
is another low cost mechanism that places health and wellness as a primary concern.

Thanks and feel free to contact me if I can add further comments.

Sean Cullinane
Hi Jim. Thanks for the thorough presentation last night and a chance to provide input. Following up, based on my experience with RedGate, there is a clear desire and need for parks in our communities. I would advocate for the City to move forward and seek further input from residents on this important issue.

Thank you once again,

Wayne Breslyn
1916 Stanley Avenue, Twinbrook
Subject
Action Report

Recommendation
Staff recommends that the Mayor and Council review and comment on the Action Report.

Attachments
Attachment 13.A.a: Action Report Updated for 012422 Final (PDF)

Rob DiSpirito, City Manager 1/18/2022
Blue - new items to the list.
Red - latest changes.
Green – items proposed to be closed and removed.

Mayor and Council Action Report

## Future Agenda Items to Schedule

<table>
<thead>
<tr>
<th>Topic:</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board of Supervisors of Elections Increase from Five to Seven Members</td>
<td>Mayor and Council requested a discussion of increasing the membership of the Board of Supervisors of Elections from five to seven.</td>
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<tr>
<td>False Police Reports</td>
<td>Mayor and Council requested a discussion of false Police reports. False reporting has long been codified in Maryland Criminal Code (Criminal Law, Title 9).</td>
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<tr>
<td>Local Preference Procurement Approach</td>
<td>Mayor and Council requested a discussion of a local preference procurement approach.</td>
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<td>Retirement Incentive/Employee Buyout Program</td>
<td>Staff will provide information about employee buyout programs and discuss the potential for a Rockville program.</td>
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<tr>
<td>Discussion and Instruction on Small Cell Antennas</td>
<td>Mayor and Council requested a discussion and instruction agenda item on small cell antennas.</td>
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<tr>
<td>Historic Resources Work Plan Presentation and Discussion</td>
<td>A 10-Year work program for Historic Preservation was discussed at the February 8, 2021 meeting, where the Mayor and Council provided feedback. Staff will return with the updated work program for a Presentation and Discussion on February 7, 2022.</td>
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<tr>
<th>Ref. #</th>
<th>Meeting Date</th>
<th>Staff/ Dep</th>
<th>Response Method</th>
<th>Direction to Staff / Action Taken / Status</th>
<th>Timeline</th>
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<tbody>
<tr>
<td>2014-23</td>
<td>9/8/11</td>
<td>R&amp;P</td>
<td>Future Agenda</td>
<td>King Farm Farmstead</td>
<td>Ongoing</td>
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**Status:**

**King Farm Farmstead Fire Suppression** - Design for water infrastructure – The WSSC HPA (step one in the approval process for water infrastructure) has been approved and City staff and the consultant are responding to the first review comments regarding the design of the water infrastructure. Design of fire suppression concept is complete. On December 13, 2021, Mayor and Council directed staff to proceed with the construction of the water and sewer line and electric infrastructure. ARPA funds will be used to increase the budget by $650,000 for the water and sewer line and $450,000 for the electric...
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<tr>
<td>2015-14</td>
<td>7/13/15</td>
<td>CMO</td>
<td>Future Agenda</td>
<td>Purchasing Study Response</td>
<td>Late spring/summer 2022</td>
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<td>Status: An update on the Procurement Action Plan was shared on August 3, 2020. An MFD and Procurement Action Plan Update was provided on September 27, 2021. The next update is scheduled for late spring/summer 2022.</td>
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<tr>
<td>2016-12</td>
<td>9/26/16</td>
<td>HR</td>
<td>Email</td>
<td>Provide a Vacancy Report to the Mayor and Council on a monthly basis.</td>
<td>Monthly</td>
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<td>Status: The Mayor and Council directed that this shift to an every other month written report provided by email. The other months will include a report on the Mayor and Council agenda. A vacancy report/hiring freeze update was provided on agenda at the January 11, 2021 Mayor and Council meeting. The January report was provided by email in February. The February report was provided on agenda at the March 22, 2021 meeting. The March report was provided via email on April 26, 2021. The April report was provided on agenda on May 10, 2021. The May was provided via email in June of 2021. The June 2021 report was sent in via email in July. July and August updates were provided in a report on agenda at the September 27, 2021 meeting. The September report will be sent via email in October. The October report was provided on agenda at the November 22, 2021 meeting. The November report will be provided by email in December. The December report will be provided on agenda at the January 24, 2022 Mayor and Council meeting. The January report will be sent via email in February. The February report will be included as part of the Budget Worksession materials for the March 21, 2022 meeting.</td>
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<tr>
<td>2016-16</td>
<td>10/10/16</td>
<td>DPW</td>
<td>Future Agenda</td>
<td>Global Issues on BRT</td>
<td>Ongoing</td>
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<td>Schedule another discussion on BRT with the City of Gaithersburg and Montgomery County, to include broader issues such as governance and finance. Consider holding the meeting in Gaithersburg.</td>
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<td>2016-18</td>
<td>10/24/16</td>
<td>PDS</td>
<td>Email</td>
<td>Status: County staff presented an update on the Veirs Mill Rd/MD 586 project to the Mayor and Council on November 2, 2020. County transportation is determining a recommended alternative for design of the MD 355 route. Montgomery County will make a Presentation on MD 355 BRT on March 7, 2022.</td>
<td>Ongoing</td>
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<tr>
<td>2016-18</td>
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<td>FAST – Faster, Smarter, More Transparent (Site Plan/Development Review Improvements) Provide regular updates on the status of the work. Status: A FAST update was provided to the Mayor and Council on November 18, 2019 followed by email updates in October 2020 and March 2021 as an alternative to a Mayor and Council Agenda Item. Phase 1 FAST Zoning Updates - Staff has drafted the proposed changes and presented to the Planning Commission on May 26, who recommended in favor of the amendments. The Mayor and Council held a public hearing on June 21, D&amp;I on July 12, and further discussion on September 13 on the modifications, which include: • Allowing concurrent reviews of development applications during annexation. • Allowing for the abandonment of previous development approvals and providing a process for an alternate development proposal on a site. • Establishing a streamlined approval process for non-residential redevelopment within the city’s commercial corridors and for minor site improvements in general. • Defining additional improvements that may be classified as minor site plan amendments • Provision of a new research and development use and associated regulations, to be established in certain non-residential zones. • Clarifying street connection requirements in the mixed-use guidelines. • Modifying the definition of a demolition to include the removal of more than 50% of a building’s floor area or substantial reconstruction. Staff prepared additional information as requested by Mayor and Council. On October 4 and 18, 2021 the Mayor and Council provided direction to staff, and an ordinance to approve the zoning text amendment that includes changes requested by the Mayor and Council was approved on 10/25/21.</td>
<td>Ongoing</td>
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<td>Since adoption, staff has met internally to review and update processes to align with the new code and is developing guidance documents for applicants to ensure that they are aware of the updates.</td>
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<td>MyGovernmentOnline (MGO) Implementation - MGO is a comprehensive system for case management, web-based submittals, payments, digital plan review, and inspections. The first phase launched on October 25 and included all permits related to building, fire protection, and trades as well as associated trade licenses. PDS staff has worked with MGO and IT staff to collaborate on developing workflows for the system and improving processes at the same time. The system for online payments has been set up and tested with Finance. Staff has worked with PIO to announce the date and changes, including hosting two webinar sessions for users. Each session had over 40 attendees. Since going live, staff and MGO have worked together to address challenges that have arisen, and staff continues to work with MGO to improve user experiences and optimize workflows. Future phases later this year and early next year will include development projects (site plans, plats, variances, etc.), additional licenses, public works permits, and more.</td>
<td>Late Summer/Early Fall 2022</td>
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<tr>
<td>2017-6</td>
<td>2/27/17</td>
<td>CMO</td>
<td>Email</td>
<td>Minority-, Female- &amp; Disabled-Owned Businesses Provide updates on the Procurement Division’s activities to engage and support minority-, female- and disabled-owned businesses. Status: The MFD Report for FY19 and FY20 was shared with the Mayor and Council by email on May 1, 2020. A Mayor and Council Agenda Item on October 19, 2020 provided a forward-looking discussion of the City’s MFD outreach program, including program metrics, program successes, potential program adjustments. MFD and Procurement Action Plan Updates were provided on for September 27, 2021. The next update is scheduled for late summer/early fall 2022.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>2018-1</td>
<td>1/22/18</td>
<td>Finance</td>
<td>Action Report</td>
<td>Utility Billing System Provide updates on the replacement of the Velocity Payment System, powered by Govolution. Status: The new payment portal went live on January 11, 2021. All customers have been sent mail informing them of the new account numbers so they can use the new vendor Invoice Cloud. The new payment portal opened the week of January 25, 2020. Staff recommends this item be closed.</td>
<td>Ongoing</td>
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<td>2018-7</td>
<td>6/18/18</td>
<td>CMO</td>
<td>Agenda Item</td>
<td>LGBTQ Initiatives Identify and implement Mayor and Council suggestions.</td>
<td>Ongoing</td>
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and Council please provide staff with direction. The implementation of the Impresa system and Invoice Cloud (online portal) was successful. While there were some back-end issues, none impacted services to customers. For the customers billed thus far, a third have paid their water bill through one of the Invoice Cloud’s services. Once the system has been fully acclimated, a reduction in cost should be seen FY22. We are currently looking at options on incentives for customers to sign-up for paperless billing and also adding a round up feature to one of the programs when paying a utility bill. Currently, the Invoice Cloud dashboard allows customers to pay a water bill or donate to one of our City programs – they can do both using the shopping cart feature. It will take approximately two full billing cycles (Jan – March and April – June) and interactions with customers before staff is able to offer relevant statistics related to online usage, and round up rates, etc. The system has been through two full billing cycles and is fully stabilized. Regarding the round up feature, staff discussed this with the vendor and unfortunately, they don’t have the programming in place to offer this. The programming is needed, due to the City using a 3rd party payment vendor. Staff has requested that they develop the programming and the soonest soft commitment that they made is the October/November 2021 timeframe. Staff will follow up later in this calendar year and will provide updated information when it is available. Utility billing will be receiving a software update from Harris in December which includes the programming for the round up feature. Before it’s introduced to the public, testing needs to be conducted with both Harris and Invoice Cloud on the features and import file. During this time, final testing and implementation of the new rate structure is occurring, which is set at a higher priority with Harris. Once staff has validated the round up feature, it should be available by early spring.
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<tr>
<td>2018-8</td>
<td>6/18/18</td>
<td>CMO/RCPD/ R&amp;P/HCD</td>
<td>Town Meeting</td>
<td>Rockville Goes Purple&lt;br&gt;&lt;br&gt;Status: The final component of the 2020 National Recovery Month activities is the release of a Rockville 11 interview with Rona Kramer, State Secretary of Aging, on opioids and older adults. View the special at: <a href="https://youtu.be/NoksgFBBY7I">https://youtu.be/NoksgFBBY7I</a>.&lt;br&gt;&lt;br&gt;A proclamation declaring September 2021 as National Recovery Month was approved on August 2, 2021 and a Rockville Goes Purple Update was provided at the August 2, 2021 meeting.&lt;br&gt;&lt;br&gt;• The kick-off event was held on September 13, 2021 at City Hall at 5:45 pm and was broadcast on Rockville 11.&lt;br&gt;&lt;br&gt;• The Mayor and Council hosted a virtual WebEx, on 6 p.m. Saturday, Sept. 18, to discuss the HBO documentary, “The Crime of the Century,” with guest Jonathan Novak, a former DEA attorney who took part in the documentary.&lt;br&gt;&lt;br&gt;• Other events included a drug take-back day, 10 a.m.-2 p.m. Saturday, Sept. 18 at the Rockville City Police Department, and trainings in the opioid overdose reversal drug Narcan at noon, Tuesday, Sept. 14 and 6 p.m. Another Narcan training is planned for Tuesday, Sept. 28.&lt;br&gt;&lt;br&gt;• To learn more about the Rockville Goes Purple campaign, visit <a href="http://www.rockvillemd.gov/rockvillegoespurple">www.rockvillemd.gov/rockvillegoespurple</a>.</td>
<td>Ongoing</td>
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<tr>
<td>Date</td>
<td>Action Panel</td>
<td>Agenda Item</td>
<td>Description</td>
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<tr>
<td>8/1/18</td>
<td>PDS</td>
<td>Agenda Item</td>
<td>Neighborhood Shopping Centers</td>
<td>Discuss mechanisms to encourage neighborhood shopping center revitalization and explore additional zoning and uses. Staff, REDI and the Rockville Chamber of Commerce met in January 2021 to discuss the research necessary to eventually bring this item forward. A Discussion on Incentivizing Shopping Centers is scheduled for February 28, 2022.</td>
<td>February 28, 2022</td>
</tr>
<tr>
<td>10/8/18</td>
<td>PDS</td>
<td>Future Agenda</td>
<td>Short-Term Residential Rentals</td>
<td>Discuss how to manage short-term residential rentals’ (e.g., Airbnb) impact on city neighborhoods and explore options for taxing users.</td>
<td>Spring 2022</td>
</tr>
<tr>
<td>10/15/18</td>
<td>CMO</td>
<td>Future Agenda</td>
<td>Volunteer Program</td>
<td>Status: A report on the number of volunteers and volunteer hours for the first half of FY20 was provided on the January 13, 2020 agenda. On November 2, 2020, staff provided an FY20 volunteer update and discussion of strategies to increase volunteerism. Staff will work with the CC/DCO to create content protocols for the Board and Commission web pages using recommendations from the BCTF as a guide. Staff will share a work plan with goals and timelines for the volunteer program with the Mayor and Council. An update was provided at the May 10, 2021 Mayor and Council meeting. Updates will be provided every six months. A Volunteer Program and Process Update is scheduled for January 31, 2022.</td>
<td>January 31, 2022</td>
</tr>
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</table>

In July, the Mayor and Council postponed the Volunteer Appreciation Party to the Spring 2022. For the Fall 2021, Mayor and Council asked the City Manager’s Office to create and distribute some form
of volunteer acknowledgement and appreciation. The City’s volunteers from the past year should be included. Staff is actively working on this.

Status of employee appreciation event:
Human Resources is exploring the option of holding a virtual employee appreciation event by the end of February 2022.

<table>
<thead>
<tr>
<th>2019-1</th>
<th>10/29/18</th>
<th>PDS</th>
<th>Future Agenda</th>
<th>Accessory Buildings/Structures</th>
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<td>Status: On April 20, 2020, the Mayor and Council discussed potential revisions to the development standards for accessory structures. The Mayor and Council directed staff to conduct additional neighborhood outreach to educate and inform residents of the proposed changes and to bring back the item for discussion and instruction. Discussion and instruction on Accessory Buildings and Accessory Dwelling Units was held at the November 16th Mayor and Council meeting. The Mayor and Council directed staff to conduct comprehensive outreach to hard-to-reach neighborhoods and all HOA and community associations. A series of virtual meetings will be scheduled to gather additional community feedback. Staff will promote information broadly that explains it in a very clear and easy to understand manner. Staff will closely track the community input and will share it in a staff report for the public hearing that will be scheduled after the virtual meetings are completed. Staff held three WebEx community meetings and received a number of comments from the participants. A summary of the comments was provided to the Mayor and Council as part of the May 10, 2021 public hearing. At the public hearing, four speakers spoke in favor of allowing ADU’s, while four speakers were opposed. At the hearing on accessory building standards, two speakers expressed detailed comments on certain aspects of the text amendment. Items regarding the Discussion and Instructions to staff for the ADU Text Amendment and the Accessory Buildings/Structures Text Amendment is scheduled for April 18, 2022.</td>
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### 2019-2

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<th>Event</th>
<th>Agenda Section</th>
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<tbody>
<tr>
<td>2/25/19</td>
<td>RedGate Park Planning</td>
<td>Future Agenda</td>
<td>Status: The Mayor and Council provided staff direction on June 22, 2020 to engage the public in a planning process for a new destination park at RedGate. Staff has procured new public engagement software to support the effort and will begin the engagement process. The Mayor and Council will receive updates during the planning process and will be engaged in the public outreach portion of the work. Funding for consultant services was requested as part of the FY21 Budget Amendment #1 to Mayor and Council on October 26, 2020. FY21 Budget Amendment #1 was approved on November 2, 2020. Task Order for consultant services is out to bid with the City’s 17-18 vendors. Once received, a team will evaluate the proposals to determine whether to award or go out to bid. When awarded, RedGate team will work with consultant to implement virtual public engagements and ultimately present three concepts to Mayor and Council. On Friday, January 22, 2021, the City officially issued the purchase order for the consultant work on this project. Staff has already begun meeting with the consultant team and aim to have the first public engagement opportunity in late February/early March. The public process for RedGate Park was announced under the City Manager’s report on March 22, 2021 at the Mayor and Council meeting. Through a video message, residents were invited to visit the project website to complete a survey on what types of activities and facilities they would like to see at RedGate Park. There are also opportunities for commenting through the website so that individuals can choose the format they are most comfortable using. Informed by the survey and best practices, three site concepts that display different alternatives for RedGate Park will be shared with the public in winter of 2021, to help further guide the discussion of both what should be at RedGate Park, and where those uses should be located within the park. Based on that feedback, a final site concept will be presented to Mayor and Council for their approval in the winter/spring 2022. Staff updated the Mayor and Council on the planning process on October 18, 2021. Staff will present RedGate proposed site alternatives to the Mayor and Council on February 7, 2022.</td>
<td>February 7, 2022</td>
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### 2019-4

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<th>Event</th>
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<tr>
<td>3/25/19</td>
<td>Special Districts</td>
<td>Future Agenda</td>
<td>Status: The Mayor and Council discussed various options on 1/4/21 and decided to pursue an Arts &amp; Entertainment district. Staff, in partnership with REDI and other stakeholders, will return to the Mayor and Council to discuss options for a formal State designation and for locations to promote. At the July 19, 2021 meeting, the Mayor and Council approved</td>
<td>TBD</td>
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a resolution designating the Rock East District area within the East Gude Drive corridor in Rockville in response to a request from REDI. On October 18, 2021, the Mayor and Council presented a Rock East District certificate of recognition to the Executive Director of REDI. Staff will return in the future, along with REDI, to discuss the concept of applying to the State for designation as an Arts & Entertainment District, perhaps focusing on Town Center.

<table>
<thead>
<tr>
<th>2019-7</th>
<th>4/1/19</th>
<th>R &amp; P</th>
<th>Future Agenda</th>
<th>Early Childhood Education and Child Care Services</th>
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<tbody>
<tr>
<td></td>
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<td></td>
<td>Discuss city provision of early childhood education services (history of the current program, community need for the service, private sector market, expansion to additional Rockville locations) and future services.</td>
</tr>
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</table>

Status: To prepare for the discussion, staff will obtain the results of a childcare user survey conducted for Montgomery County’s Early Childhood Coordinating Council (ECCC) and will incorporate information requested in recent conversations with the Mayor and Council. The Mayor and Council approved the delay on January 4, since the County has not yet released the survey results. Staff obtained survey results from the Commission for Women and the County’s ECCC and is analyzing them in preparation for the April 5, 2021 discussion. At the April 5, 2021 Mayor and Council meeting, Mayor and Council discussed Early Childhood Education with seven panelists that have various early childhood education perspectives. Staff is working on the next steps and requests for information that came from the meeting and will follow up with responses.

Staff will continue to monitor opportunities for Mayor and Council to promote and advocate for quality childcare. The City has developed a “Child Care Reference and Links” webpage to direct parents and providers to county, state, and non-profit resources. The webpage gives parents links to childcare location services, subsidy programs. Providers can see links to opportunities from the county and state. An update will be provided to the Mayor and Council at a meeting in January 2022 in a similar format to the April 21, 2021 meeting to include early childhood education panelists from the County and State. Staff has already begun working on the report. When a specific date is identified in the winter of 2022 it will be shared with the Mayor and Council.
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<thead>
<tr>
<th>Year</th>
<th>Date</th>
<th>Department</th>
<th>Type</th>
<th>Title</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019-10</td>
<td>4/1/19</td>
<td>HR</td>
<td>Email</td>
<td>Personnel Policy and Procedures Manual Update</td>
<td>Share an update on the status of this effort. Status: In follow up to the Feb. 24 presentation of the updated PPM, the Mayor and Council discussed it again on October 26, 2020. Staff provided the revised draft PPM and responses to Mayor and Council questions on October 9, in advance of the October 26 brief book. The Mayor and Council removed the item from the October 26 agenda. The first discussion was held on November 19, 2020. The discussion included the development of a Rockville parental leave program. The parental leave and RIF policy discussion items were moved to October 25, 2021. A Comprehensive Review and Revision of the Personnel and Procedures Manual discussion has been scheduled for April 25 and May 2, 2022.</td>
</tr>
<tr>
<td>2019-12</td>
<td>4/1/19</td>
<td>Police</td>
<td>Future Agenda</td>
<td>Parking Enforcement at Street Meters</td>
<td>Share an overview of Rockville’s current program and how other local jurisdictions handle parking enforcement at street meters, including hours of enforcement. Status: Town Center parking meter spaces have been signed as 15-minute curbside pick-up, and a system for improved food pick-up is in place in Town Square to support food service establishments. The Police Department intends to move forward with the implementation of Smart Meters in FY22, should the Mayor and Council provide approval through the FY22 budget process. An agenda item regarding Citation Fees and Fines, which includes items related to parking, was held May 3, 2021. Staff will return to the Mayor and Council with answers to questions, additional information, and a modified parking fine fee structure based on Mayor and Council feedback. Introduction of an Ordinance to Amend Chapter 23 of the Rockville City Code Entitled “Traffic” So as to Increase the Fine Amount for Violations of Parking Restrictions Within Fifteen Feet of a Fire Hydrant; Parking Restrictions Within the Lane Markings, or Signs, Designating a Fire Lane; and Parking Restrictions in Designated Handicapped Parking Spaces occurred on June 14 and adoption occurred on the June 21 meeting. The Police Department Parking Related Citation Fines Ordinance introduction and adoption occurred on October 18, 2021. Once the fee adjustments are approved, public outreach will be conducted to educate residents on the rationale for the changes through Rockville Reports and other City communication channels.</td>
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<tr>
<td>Date</td>
<td>Task Force</td>
<td>Staff Recommendations on the Priorities of the Boards and Commissions Task Force Report</td>
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**Status:**
The Mayor and Council discussed the Task Force’s report and next steps on July 6, 2020. The Mayor and Council directed the three appointed officials to return on agenda, on November 23, 2020 with specific updates and responses to the recommendations in the report and an action plan for next steps. The Mayor and Council will also discuss recruitment of volunteers for boards and commissions during the November 23 Agenda Item on new boards and commissions. These items were discussed on November 23, 2020 by the Mayor and Council. On May 17, 2021 staff will present the Appointed Officials Proposed Policies and Procedures Guidelines – BCTF Recommendation for Mayor and Council discussion and instructions, and possible adoption. This will include an update on the status of recommendations included in the November 23, 2020 staff report. Discussion, and Instruction, and Possible Adoption - Appointed Officials' Proposed Policies and Procedure Guidelines - BCTF Recommendations was scheduled for May 17, 2021, but staff was not available. This item was approved at the November 1, 2021 meeting. The “Guidelines and Procedures Handbook” will be provided to every member of the City’s Board, Commissions, Committees and Task Forces. There will be planned training sessions scheduled for both members and staff liaisons. The CC/DCO will start the process of updating the training for each board or commission and scheduling annual meetings with the Mayor and Council on work plan, goals, accomplishments, and new member training and orientation materials.
| 2020-02 | 3/18/2020 | CAO | Future Agenda | 5G Wireless Technology  
Status: On March 18, 2020 and May 11, 2020, the Mayor and Council discussed and introduced Zoning Text Amendment TXT2019-00251 on regulating the Installation of Small Cell Antennas. Staff is researching topics and questions raised by the Mayor and Council prior to scheduling adoption of the Ordinance. In addition, the FCC has issued another order which requires that this text amendment be modified prior to adoption. Staff is currently evaluating what changes must be made. It is likely that the text amendment may be modified significantly and would require beginning the public review process again. The CAO has hired an outside attorney who is assisting with the ordinance rewrite. The date is to be determined by the Mayor and Council as to when this will appear on the meeting agenda. City engaged Best, Best and Krieger (BB&K) to provide advice and edits on the zoning text amendment TXT2019-00251 for 5G/small cell installations. The firm completed its review and edits. Due to staffing changes in both PDS and the CAO, current staff will need to evaluate the firm’s work and assess how best to move forward on BB&K’s suggested changes to the text amendment. | TBD |
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<th>Date</th>
<th>Action</th>
<th>Division</th>
<th>Description</th>
<th>Status</th>
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<tbody>
<tr>
<td>2020-03</td>
<td>1/13/2020</td>
<td>DPW</td>
<td>Future Agenda</td>
<td>Climate Change Efforts Brief the Mayor and Council on City efforts related to climate change.</td>
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<td>• Status: The Mayor and Council reviewed preliminary findings and discussed the process for developing Rockville’s first Climate Action Plan on September 21, 2020. Staff led a public engagement process in the Fall and winter of 2020, including meeting with various boards and commissions, a virtual Climate Action Plan Open House on November 17, and an online survey open through the end of February. Throughout 2020/2021, staff worked with a consultant and COG to develop a cost/benefit analysis of climate actions, and work with different departments on a climate resiliency analysis. The Mayor and Council received a presentation on the County’s Draft Climate Action Plan on February 8, 2021 from Montgomery County officials. The County released their final plan in June of 2021; the County’s plan contains several actions for municipal coordination that informed the action included in the City’s plan. The City’s Environmental Management Division held a virtual community meeting to provide an update on the Draft Climate Action Plan on July 22, 2021 from 7 – 8:30 pm. The Mayor and Council received a Presentation and Discussion of the Draft Climate Action plan on November 15, 2021. The draft plan was developed with extensive input from the Environment Commission and members of the community. It contains approximately 42 actions to reduce greenhouse gases and increase resiliency to climate change in an equitable manner; including several measures to increase renewable energy and electric vehicles in both City operations and throughout the community. The draft CAP also includes a preliminary review of potential costs, effectiveness, feasibility, equity considerations, and co-benefits for each action to help inform the Mayor and Council on implementation needs, future budget considerations, and potential metrics to access progress through 2030. Staff looks forward to receiving feedback on the draft plan this winter to chart a feasible and effective path towards strategic implementation. On October 19, 2021, staff provided an advanced email copy of the Draft Climate Action Plan to the Mayor and Council via email. Also included is the tentative public engagement campaign schedule. The Mayor and Council provided comments on the draft plan on November 15, 2021. Staff invites additional comments to be submitted to staff by December 17, 2021. A public comment period is open through</td>
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December 3, The Mayor and Council requested to review compiled comments, consider changes, and consider adoption of the plan at the January 10, 2022 meeting. On January 10, 2022, the Mayor and Council adopted the resolution and approved the Climate Action Plan, reflecting the discussion of the governing body. The Mayor and Council also adopted the resolution to Transition the City On-Road Fleet to Cleaner and More Efficient Fuel Sources. Staff will provide an annual Climate Action Report to the Mayor and Council to report progress on the Plan initiatives.
### Affordable Housing Goals

Discuss Rockville’s strategy to meet the affordable housing goals established by the Metropolitan Washington Council of Governments (COG).

**Status:** Multiple Future Agenda Items will explore a variety of strategies to meet the affordable housing goals, including adjustments to the City’s Moderately-Priced Dwelling Unit (MPDU) program, tax exemptions for affordable housing, fees and other subsidized housing programs. Staff will explore with the Mayor and Council other barriers to affordable housing by reviewing the zoning ordinance, identifying developable and under-utilized parcels, and seeking additional affordable housing funding opportunities and tools. To inform the Future Agenda Items, staff will conduct public forums to solicit feedback on strategies.

**The City’s Homeowners Tax Credit Program and the County’s Senior Tax Credit Program** was included in the Mayor and Council’s budget survey and other materials during the first FY22 Budget Worksession on November 9, 2020. Mayor and Council held a work session on housing matters at its February 22, 2021 meeting. The specific discussion items included MPDUs Affordability Restriction period, Senior Tax Credits, Employer-Assisted Housing, and Incentives in Exchange for More Affordable Units. The next steps will include additional research related to help further the discussion on the senior tax credit. The items to be researched will include current assessed value of Rockville homes, reaching out to the County about pursuing changes to the County’s program; additional data from SDAT. Staff will also reach out to Gaithersburg about their homebuyer assistance program to learn about funding levels, staffing levels and other pertinent program information. The Mayor and Council received the 2040 Comprehensive Master Plan on March 15, 2021 for review. The 2040 plan included consideration of missing middle housing.

**Voluntary Rent Guidelines (and MPDU Rent and Income Schedule)**—A resolution was approved by Mayor and Council on April 12th allowing for 1.4% increase.

**MPDU Declaration of Covenants and Restrictions (Rental)**—Staff is also developing a system for tracking rental MPDU expiration dates (there are about 900 units with different expiration dates) to be discussed on agenda on February 22, 2021. The Mayor and Council were provided with a spreadsheet showing the expiration dates of the Declaration of Covenants and Restrictions for each development containing rental MPDUs. M&C would like to explore extending changes the current 30-year MPDU affordability...
period to 99 years. Staff will bring forth to the Mayor and Council recommended amendments to the City Code Chapter 13.5 (MPDU Ordinance) and the implementing regulations in Fall 2021. Staff brought this item to the Mayor and Council on November 8, 2021. Please see related text below.

Standardizing MPDU Set-Aside
Staff previously brought forth to the Mayor and Council a concept discussion of standardizing the MPDU set-aside requirement to 15% throughout the city regardless of zoning designation (some areas of the city only require 12.5%). The Mayor and Council directed staff to take the next steps, which was to include hosting a public forum for feedback followed by redline revisions to the MPDU ordinance and regulations. Staff will bring forth the redlined revisions to the Mayor and Council for consideration. A public hearing is not required for MPDU code updates. On November 8, 2021, the Mayor and Council introduced proposed amendments, including standardizing the set-aside requirement to 15% throughout the city. The Mayor and Council elected to hold a public hearing, which is scheduled for December 6, 2021. Other proposed amendments include the following:

- Establishing a 99-year control period for certain rental MPDUs;
- Applying the in-lieu fee formula applicable to lifecare facilities to senior or special needs housing with services;
- and clarifying restrictions on the re-sale of certain MPDUs.

The Mayor and Council approved the following modifications to Chapter 3.5 on December 20, 2021:

- Establish a 99-Year Control Period for certain rental MPDUs;
- Uniformly Apply a Fifteen Percent (15%) MPDU set-aside Requirement for developments of 50 or more units;
- To clarify restrictions on the re-sale of certain MPDUs; and
- Update the name of the implementing department.

The Director of Housing and Community Development is reaching out to the Mayor and Council to ascertain the next steps regarding the application of the In-Lieu Fee formula currently only applicable to Lifecare Facilities for contributions to the Moderately Priced Housing Fund, in lieu of providing MPDUs to Senior or Special Needs Housing with Services uses. The Mayor and Council asked that this item come back to the governing body for further discussion and consideration.

Annual MPDU Updates—Per Mayor and Council request at the March 15, 2021 budget work session, HCD will provide an annual report on MPDU
MPDU Statement—MDUs sold (including resales), foreclosed, and delivered, and units that age out of the program annually starting in 2022.

**Employee Homeownership Assistance Program**—This was discussed at the February 22, 2021 Housing Work Session. Staff shared that a follow-up memo will be circulated to the Mayor and Council with recommended strategies for consideration. The City Manager circulated a follow-up memo with Mayor and Council on 3/21/2021. The memo provided an overview of Gaithersburg program and recommended a path to fund a similar (smaller scale) program for the City of Rockville. Staff awaits M&C direction for further action. An Employee Housing Assistance Program discussion will be held on November 15, 2021. On November 15, 2021, staff presented for discussion to the Mayor and Council follow-up information on Gaithersburg’s Employer-Assisted Housing Program and a draft employee survey. HCD plans to deploy the survey over the next several weeks and keep it open for 30 days (we may extend the time if necessary) and report the results to the Mayor and Council in the spring (2022).

**MPDU Declaration of Covenants and Restrictions (Homeownership)**—The Mayor and Council requested that staff bring forth for Mayor and Council discussion concepts on shortened Moderately Priced Dwelling Unit (MPDU) Declaration of Covenants and Restriction for the homeownership component of the MPDU program. This was discussed in the context of a development proposal for the King Buick site and the potential for creating a feasible workforce product at the site. The concern is that the current 30-year control period on all MPDUs would make workforce units above 80% of AMI an unattractive purchase for buyers at the applicable sales prices and be subjected to restrictions of the MPDU Declaration of Covenants and Restriction. Staff will bring this item to the Mayor and Council in the winter or at a later time that works for Mayor and Council.

**RHE PILOT request for 29 scattered site units.** This item is on the Mayor and Council agenda for December 20, 2021.

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<tr>
<th>Date</th>
<th>Issue</th>
<th>Description</th>
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<tr>
<td>2020-09 1/27/2020</td>
<td>DPW</td>
<td>Corridor Cities Transitway&lt;br&gt;Provide background information to facilitate the current Mayor and Council taking an official position on the CCT route.&lt;br&gt;Status: Discussion will be scheduled for a future Mayor and Council meeting.</td>
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<tr>
<td>2020-10 1/27/2020</td>
<td>DPW</td>
<td>I-270 widening&lt;br&gt;Establish a strategy for negotiating with the State.&lt;br&gt;Status: Mayor Newton spoke at the public hearing on Sept. 10. The comment period on the DEIS was extended from Oct. 8 to Nov. 9. The</td>
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Mayor and Council discussed the DEIS on October 26 and provided comments on the DEIS letter. The Mayor and Council approved the letter to MDOT on November 2, 2020. Councilmember Pierzchala forwarded an advocacy strategy to the Mayor and Council that is under consideration and was discussed at the December 7 meeting. Staff sent an email to the District 17 Delegation inviting them to attend a Mayor and Council meeting in January 2020, prior to the start of the State legislative Session, to discuss advocating in support of the City’s interests. At the December 14 meeting, the Mayor and Council provided direction to staff to research hiring outside expertise and counsel regarding I-270 widening and to take into consideration the four bullet points included in the summary provided by Councilmember Pierzchala. The Mayor and Council held a worksession to discuss potential outside consultant needs and other matters related to the I-495 & I-270 at their January 25, 2021 meeting. The Mayor and Council directed staff to develop a scope of work that would include tasks, milestones, and costs for outside consultant expertise. Additionally, staff will continue to coordinate with Don’t Widen I-270, Park and Planning, and Transportation Planning Board partners, as well as with other organizations who may have similar interests. On April 12, the Mayor and Council approved the Acting City Attorney to move forward with procuring a legal consultant to assist with the I-495 and I-270 Managed Lanes Project. MDOT/SHA and Federal Highway Administration (FHWA) published the Supplemental Draft Environmental Impact Statement (SDEIS) on 10/1/21 and comments will be accepted until 11/15/21. Two MDOT/SHA virtual public hearing sessions are scheduled for 11/1/21. At the October 4 meeting the Mayor and Council approved that a letter would be sent to MDOT asking for the public comment process to be extended to at least 120 days. The letter from the Mayor and Council to MDOT/SHA and the Federal Highway Administration was sent on October 15, 2021. Under Old/New business at the November 8, 2021, meeting the Mayor and Council approved the City’s comments to MDOT/SHA regarding the I-270 & I-495 Managed Lanes Study Supplemental Draft Environmental Comments. The approved SDEIS letter was sent to SHA/MDOT. On November 12, 202, MDOT/SHA announced that the public comment period was extended to November 30, 2021.

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<tr>
<th>2020-08</th>
<th>1/27/2020</th>
<th>CMO/PDS/Finance/DPW</th>
<th>Worksession</th>
<th>Town Center</th>
<th>Ongoing</th>
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<td>Follow-up on Mayor and Council direction from the Town Hall meeting and Urban Land Institute (ULI) report.</td>
<td>Status: A Mayor and Council status update and discussion of Town Center initiatives was held on January 4, 2021.</td>
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Parking – On July 12, 2021, Federal Realty changed the rate structure to permit the first two hours of parking to be free in the Town Square garages, without the need for validation.

Town Center Road Diet – Study and report to Mayor and Council on suggestions in the TAP report and Mayor and Council’s discussion.
Status: The consultant presented their analysis of N. Washington St and East Middle Ln to the Mayor and Council on October 5, 2020, when staff received direction on the preferred approach. That direction was amended on April 19, 2021. The project was approved in the FY22 CIP for design and construction funding. A design contract was awarded on September 7, 2021.

Real Estate/Broker/Economic Assessment – In the context of the next update on the ULI recommendations, invite industry experts to dialogue on competitive challenges to Town Center.
  • Status: REDI and city staff will continue to provide their professional insights on competitive challenges to Town Center. The Mayor and Council discussed Town Center on January 4, 2021.

Undergrounding of Route 355 – Revisit the information provided to the Mayor and Council, including community impacts, to formulate an official Mayor and Council position post COVID-19.
  • Status: On August 2, 2021, the Mayor and Council adopted the Rockville 2040 Comprehensive Plan, choosing to retain the concept of undergrounding MD 355, with an elevated pedestrian promenade, as the City’s long-term policy, as is indicated in the Town Center Master Plan. The WMATA study of the Rockville Metro Station will provide an opportunity to discuss that policy and how implementation would interact with the future plans for the station and Bus Rapid Transit.

Community Engagement – on 1/4/21, the Mayor and Council directed staff to return with options for how to engage Town Center residents, business owners and other stakeholders. Two meetings on this topic were held with City staff across departments, as well as REDI and the Rockville Chamber. An internal draft memorandum presenting the approach has been developed. The City Manager has directed that staff conduct additional outreach to residents, businesses and others to ensure that the strategy complies with needs and desires of Town Center stakeholders. A revised memo will be completed for the City Manager to share with the Mayor and Council in early 2022.

The Future of Gibbs Street and E. Montgomery Avenue
In June 2020, the City closed Gibbs Street to vehicular traffic, to allow businesses and non-profit organizations to have expanded areas for outdoor seating and activities during the pandemic. The City did the same with E. Montgomery Avenue, between Maryland Avenue and E. Montgomery Avenue. Adjustments were made at various points to both streets, including improved entrance areas (through decorative planters), Federal Realty bringing enhanced street furniture to Gibbs, adjustments to how the furniture is arranged on Gibbs, and re-opening a portion of E. Montgomery Avenue to permit, on the south side, one lane of vehicular traffic and one parking lane (while still permitting a restaurant tent on the north side of the previously closed block). On July 1st, the Mayor and Council authorized that this arrangement be left in place until October 31, 2021. On October 1, 2021 the City Manager provided the Mayor and Council with a report on the status of Town Center Streeteries. While the City negotiates for a permanent agreement with FRIT, the City Manager extended indefinitely the temporary permits for outdoor seating on Gibbs Street. This item will be brought as Consent Item in the future (TBD). The City Manager also maintained the current partial road closure on East Montgomery Avenue and will extend temporary outdoor dining permits in 6-month intervals to the World of Beer. The free, 15-minute on-street parking for curbside pickup will continue in designated spaces in Town Center. Staff is also examining new signage to reduce confusion and provide better clarity for visitors.

**Tax Incentives for Development** – on 1/4/21, the Mayor and Council asked that staff return to present potential options to encourage more residential development in Town Center, including through tax incentives.

**Addressing maximum building heights in Town Center** – on 1/4/21, the Mayor and Council asked that staff provide options for increasing allowable building heights in certain locations in Town Center. This topic was discussed in the June 7, 2021 Rockville 2040 Comprehensive Plan work session and direction was provided to staff regarding how heights are discussed in the Planning Area 1 (Town Center) section of the plan. Introduction and Adoption of the Rockville 2040 Comprehensive Plan occurred on August 2, 2021.
<table>
<thead>
<tr>
<th>2020-11</th>
<th>PDS</th>
<th>Future Agenda</th>
<th>Proposed Annexation of and Project Plan for 16200 Frederick Road (King Buick Property)</th>
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<td>On November 23, 2020, the Mayor and Council directed staff to initiate the annexation process, through introduction of a resolution to expand the corporate boundaries (annexation). After the Planning Commission’s review and recommendation, including of the zoning for the parcel, the Mayor and Council held a public hearing on the proposed annexation on May 17th. On June 21st, the Mayor and Council reviewed testimony, introduced an ordinance to amend the zoning ordinance to apply an MXCD zone to the property, and provided instructions to staff to return for adoption of the annexation resolution and approval of the new zoning. Those actions were scheduled for October 4th. On September 13th, the Mayor and Council approved a proposed Annexation Agreement with the prospective developer, EYA, to establish parameters for the proposed development project. Also, EYA submitted a project plan application for the development project. The Mayor and Council approved the project plan with conditions, November 8, 2021. Staff recommends that this item be closed. Mayor and Council, please provide direction to staff.</td>
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<tr>
<th>Year</th>
<th>Date</th>
<th>Department</th>
<th>Category</th>
<th>Description</th>
<th>Status</th>
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<tr>
<td>2020-14</td>
<td>4/20/20</td>
<td>CMO/CAO</td>
<td>Future Agenda</td>
<td>Smoking/Vaping Awareness Campaign (Public Rights-of-Way &amp; multi-family residential developments) Develop a public awareness campaign about the negative impacts of smoking generally, on people with underlying health conditions and on neighbors in multi-family residential communities.</td>
<td>Completed</td>
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<td>Status: The Mayor and Council discussed this topic on July 20, 2020. Throughout the month of November, the City conducted an information campaign describing the dangers of tobacco use and educating the Rockville community about where they can expect smoke-free environments, and what steps to take to be healthy and smoke-free. A proclamation for the Great American Smokeout was issued at the October 26 Mayor and Council meeting. A Healthy Rockville recognition program has been created for smoke-free multifamily housing. Next steps included sending letters to the business community reminding them of smoke-free laws. An accurate list of all restaurants has been developed, and the letter was sent in April 2021. Staff recommends that this item be moved to the completed section of the report. Mayor and Council, please provide direction. The Assistant Planning Director reached out to Federal Realty Investment Trust (FRIT) to make them aware of the issues with patrons not following the City’s No Smoking Ordinance in outdoor seating areas controlled by FRIT and requested that FRIT reach out to their tenants and remind them of the requirements. Staff has also requested that FRIT continue to remind patrons using public areas in the vicinity of the plaza that they must follow the City’s No Smoking Ordinance. Additional no smoking signage was installed on Gibbs Street. Staff recommends that this portion of the item also be considered as complete. Mayor and Council, please provide direction to staff.</td>
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<tr>
<td>2020-16</td>
<td>6/1/20</td>
<td>RCPD/HCD/CMO</td>
<td>Future Agenda</td>
<td>Social Justice, Racism and Bias Prepare suggestions for Mayor and Council discussion of ways to further engage with and educate our community.</td>
<td>Ongoing</td>
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<td>Status: On June 22, 2020, the Mayor and Council discussed the Rockville City Police Department’s (RCPD) fair and impartial policing strategies. Frequently Asked Questions were posted online to educate the community. The Mayor and Council on November 16, 2020 approved the vision, purpose, and mission of a new Community Policing Advisory Board (CPAB) and directed staff to come back with a resolution to formally approve the establishment of the CPAB. The Mayor and Council</td>
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Council approved the resolution to establish the CPAB on December 7, 2020.

The Community Policing Advisory Board began meeting in March 2021, the group has organized into four subcommittees to review data and statistics regarding calls for service within the city, the department's policies and procedures, mental health and officer wellness as well as outreach and community engagement. The Board has had lengthy discussions regarding the agency’s budget – specifically reviewing if there is adequate funding for training and the types of training being offered to officers. There is an emphasis on ensuring RCPD is focused on crisis intervention and effective methods for de-escalation and dealing with those in mental crisis. Unfortunately, due to COVID-19, the Board has not been able to participate in community outreach events with RCPD and meet with the community to hear their thoughts and concerns; however, the Board has attended the Fair and Impartial Policing Training held this past summer. The Board has engaged in conversations with MCPS/Richard Montgomery High School in regards to the Community Engagement Officer role (formerly SRO’s) and if there is any action that needs to be addressed with the current structure of the program. The Board is also interested in focusing on ways to communicate with the community to provide important educational resources and points of contact at local organizations for assistance with substance abuse, homelessness, domestic violence, mental crisis, etc.

On September 21, 2020, the Mayor and Council discussed short, mid and long-term action ideas, aspirations and directives and directed staff to further revise the table and develop a plan for next steps. The follow-up discussion was held during the December 14, 2020 meeting regarding the employee survey on racial equity and inclusion. The input will help to inform the preparation for the discussion on further refining the social justice, racism, and bias action plan and next steps, which is scheduled as a worksession for January 25, 2021. On January 25, 2020 the Mayor and Council held a follow-up discussion and provided direction on potential action items and implementation strategies. Staff will develop and populate a tracking chart with which to monitor the activity and progress of each action.

The Human Services Advisory Commission (HSAC) and Human Rights Commission (HRC) shared an overview of their community survey instrument and discussed it at the March 1st Mayor and Council meeting, prior to deployment. The HSAC and HRC will present the community survey results to the Mayor and Council. The governing body will have
the opportunity to provide direction on the survey results and it will be included, with the community input, in the list of implementation strategies for potential direction on implementation.

Community Survey - at the March 15, 2021 Mayor and Council meeting, a member of the Mayor and Council suggested structuring the community survey to make it scientific. The suggestion was made in the context of planning and budgeting the ARP funding for assistance programs. Staff will follow up with Mayor and Council to gain additional understanding of the suggestions. Community Survey is scheduled to be released in the Spring of 2021.

As of the week of 4/26/21, the community Survey has been translated into 5 languages (Spanish, Russian, Mandarin Chinese, Vietnamese, and Korean). HSAC and HRC commissioners are inputting the survey questions into SurveyMonkey. The survey was released on June 2nd. The HRC/HSAC plans to report the survey results to the Mayor and Council in the first quarter of calendar year 2022.

Resolution for Equity and Social Justice - was first discussed on May 24, 2021. The Mayor and Council discussed the proposed resolution and provided edits to staff. Staff brought forth to the Mayor and Council a revised version of the resolution for discussion and adoption on July 12, 2021. The resolution was adopted on July 12, 2021 with one change (adding “Latino” to a clause). The Mayor and Council also directed staff to prepare a resolution titled “Hate Has No Place Here” condemning all hate. Staff will bring forth a draft resolution at the September 13, 2021 Mayor and Council meeting. The Mayor and Council approved a resolution titled “Hate Has No Place Here” at the September 13, 2021 M&C meeting.

The City Manager shared with the Mayor and Council potential draft job descriptions for the Diversity, Equity and Inclusion professional and Mental Health Specialist. The City Manager and the Police Chief also discussed restructuring the Mental Health Specialist position through a contractual relationship with Montgomery County, which is presently being designed into an MOU with the County’s Department of Health and Human Services. Both positions were included in the FY22 Adopted Budget.

The Assistant to the City Manager for Diversity, Equity, and Inclusion position was posted and can be found at the following link.

A package of Police Reform legislation at the State level passed in the 2021 General Assembly Session, which included the repeal of the Law Enforcement Officer’s Bill of Rights. The package of bills that passed are as follows: Accountability Act of 2021 – Body-Worn Cameras, Employee Programs, and Use of Force (passed); Senate Bill 178: Maryland Police Accountability Act of 2021 – Search Warrants and Inspection of Records Relating to Police Misconduct (Anton’s Law) (passed); Senate Bill 600: Maryland Police Accountability Act of 2021 – Surplus Military Equipment and Investigation of Deaths Caused by Police Officers (passed); and House Bill 670: Maryland Police Accountability Act of 2021 – Police Discipline and Law Enforcement Programs and Procedures (passed). The Governor vetoed three of the bills, but the vetoes were overridden prior to the last day of the Session and therefore all four initiatives will become law in July 2022. An overview of the legislation was provided to the Mayor and Council to in the final 2021 State Legislative Update prepared by Rockville’s State lobbyist.
<table>
<thead>
<tr>
<th>Date</th>
<th>Date</th>
<th>CMO</th>
<th>Email</th>
<th>Spanish Language Article in Rockville Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020-17</td>
<td>6/1/20</td>
<td>CMO</td>
<td>Email</td>
<td>Provide background information about the City’s former practice of translating to Spanish one of the articles of priority interest to the community into each edition of Rockville Reports.</td>
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<td><strong>Status:</strong> Staff shared the requested information by email on June 16, 2020. Outreach to multi-lingual communities and tracking will be a focus of the efforts of the new diversity position that is included in the FY22 approved budget. This will entail a broader review of the whole approach. The City posted the DEI position on the Rockville website on 9/25 and kicked off the recruitment process. Staff has been and will continue to look for opportunities to increase City communications in languages other than English.</td>
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<td><strong>Staff proposes changing the title to &quot;Create a translation policy and implementation plan.&quot;</strong> Mayor and Council, please provide direction. The City Manager’s Office will assign this important task to the new DEI position. Staff envisions the incumbent will conduct an analysis of the community and various engagement and communication efforts to determine a translation policy that will effectively enhance citywide outreach. In the meantime, staff is using a certified translation company to translate important items such as flooding reimbursement, Vision Zero, Redgate survey and HRC survey. The City’s website offers translatable content and Rockville Reports (print) has a panel on the front-page instructing readers (in Korean, Spanish, French and Simplified Chinese) to the online version for information that can be translated.</td>
</tr>
<tr>
<td>2020-18</td>
<td>6/8/20</td>
<td>Appointed Officials</td>
<td>Future Agenda</td>
<td>New Education Commission/Committee and new Youth Commission/Committee</td>
</tr>
<tr>
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<td>---------------------------------------------------------------------</td>
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<td>Discuss the possibility of establishing a new commission or committee on education and a new commission or committee on Youth.</td>
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<td><strong>Status:</strong> The Mayor and Council discussed this item on November 23, 2020 and provided direction to the appointed officials to evaluate the possible Commissions through the criteria provided in the BCTF tool, including a public hearing. The City Clerk/Director of Council Operations and the Acting City Attorney are reaching out to a professor at Montgomery College who volunteered to serve as staff support for the new Youth Commission. This item will come back to the Mayor and Council for direction. The City Clerk/Director of Council Operations met with Gregory Sember of Montgomery College regarding the Youth Commission. Mr. Sember will follow-up with staff on a proposed plan for the Youth Commission. A presentation on the proposed Youth Commission was provided on May 17, 2021. The Mayor and Council unanimously directed staff to return with revised language for a resolution to create a Youth Commission. The Mayor and Council approved a resolution to establish a Rockville Youth Commission on November 1, 2021. Discussion and Instructions for an Education Commission was held on November 22, 2021. The Mayor and Council provided comments and directed staff to hold a Public Hearing to seek community input on the charge, scope, and goals of the Commission. The Public Hearing is scheduled for January 24, 2022.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>020-20</th>
<th>10/26/20</th>
<th>PDS</th>
<th>Email</th>
<th>Business Outreach Webinar</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>Support and participate in a REDI/Chamber/City webinar for local businesses to educate them on options for extending outdoor dining and services in the fall and winter months. Information sharing would include city permits, tents, heaters and other methods to extend business activities. The first webinar was held on November 16, 2020. The second webinar was held on March 29, 2021. Staff is working with REDI and the Chamber to schedule a date and focus for the next webinar. The REDI Executive Director recommended that the best time to schedule the webinar is as the first step in the REDI Business Survey, which will be initiated in the fall of 2021. REDI has selected a consultant and kicked off the project in October. A first step was to hold a meeting with businesses to understand their needs. That meeting was held in November.</td>
</tr>
</tbody>
</table>

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A-28
### Vision Zero Quarterly Updates

An update memo was provided to the Mayor and Council on November 4, 2020. Staff provided an update on Vision Zero and the Bikeway and Pedestrian Master Plans at the February 1, 2020 Mayor and Council meeting. The next update will be provided by memo in May 2021. Public Works staff confirmed the Vision Zero Update was sent to RPAC, RBAC, and the Traffic and Transportation Commission. An update memorandum was sent via email to the Mayor and Council on May 28, 2021, and September 13, 2021. Public Works staff confirmed the Vision Zero Update was sent to RPAC, RBAC, and the Traffic and Transportation Commission. Staff provided a Vision Zero update to Mayor and Council on November 1, 2021. The next update will be provided in February 2022 by memo. **The next on agenda update will be provided on May 16, 2022.**

### Parental Leave Policy

The Mayor and Council will hold a discussion of a Rockville parental leave policy on January 24, 2022.
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Date</th>
<th>City Manager’s Office</th>
<th>Future Agenda</th>
<th>Good Neighbor Awards Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020-24</td>
<td>12/7/20</td>
<td></td>
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<td>A discussion on the process, criteria, and best practices related to the Good Neighbor awards was held on April 5, 2021. Staff has been directed to return to Mayor and Council with research from other communities/best practices and specific recommendations for the award process. A discussion on the process, criteria, and best practices related to the Good Neighbor awards was held on November 22, 2021. Staff has been directed to move forward with the following:</td>
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<td>1- Hold a joint celebration in the Spring of the City’s Volunteer Appreciation, the Good Neighbor Award and Boards and Commissions. 2- Use this celebration as an open house to showcase boards and commission openings. 3- Explore the possibility of planning and funding the State of the City in the future. 4- Use the five criteria for awards presented and change the name for the criteria honorary neighbor of the year. 5- Provide Parameters and guidance on the volunteer form. 6- Allow for an unlimited number of people to be nominated. 7- Acknowledge when an individual is nominated by multiple people. 8- Elected officials can’t make nominations. 9- Mayor and Council could consider making a special nomination.</td>
</tr>
<tr>
<td>2020-25</td>
<td>4/26/21</td>
<td>City Manager’s Office, REDI, and Planning and Development Services</td>
<td>Future Agenda</td>
<td>Citywide Marketing and Branding</td>
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<td>The Mayor and Council held a 4/5/21 discussion on this topic, during which there was a vote to pursue a branding exercise in FY22, subject to budget appropriation. The project would be to update the communitywide brand but also include a focus on Rockville’s commercial districts, to include Town Center. The next steps are for staff to return to the Mayor and Council with a draft scope of work for hiring a branding consultant. City staff and the REDI Executive Director have been meeting to discuss the strategy and next steps for the draft scope of work for the branding consultant. Staff and REDI will work with the Mayor and Council to incorporate feedback from the governing body into the draft RFP under development prior to its release. Based on recent input from the elected, the scope has been narrowed to exclude commercial district branding. Last fall staff shared with the Mayor and Council a draft scope of work for hiring a branding consultant. The RFP was advertised on November 16, 2021. The next step will require the Marketing and Branding RFP Evaluation Committee to review, receive presentation and score the responsive bids, recommending a professional consultant for award. These next steps are scheduled to complete this winter; a Notice to Proceed is expected in early March.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>2020-26</td>
<td>4/26/21</td>
<td>City Manager’s Office/Finance</td>
<td>E-Mail</td>
<td>Municipal Tax Duplication</td>
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<td>Track the progress of Municipal Tax Duplication (MTD) throughout the County Council’s consideration of the FY22 Operating Budget and advocate in support of the City’s and the MML Montgomery Chapter’s interests. After the County Council adopts the FY22 budget, work with the MML Montgomery Chapter, Chevy Chase Village, and Gaithersburg to advocate for the County to allow shared services and negotiate a payment for Police services.</td>
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<td>The Mayor and Council sent written comments for the April 7 County Council FY22 Budget hearing and a follow-up letter to the County Council on April 27 in advance of the April 30 GO Committee discussion regarding Municipal Tax Duplication (MTD). On April 30, the GO Committee voted unanimously to approve Chair Navarro’s recommendation to approve the County Executive’s proposed increase of $824,632 for FY22 MTD; recommend an additional $5 million in MTD funding (as requested by the MML Montgomery Chapter) as part of the County Council’s budget reconciliation process, with flexibility in three tranches ($2 million, $1.5 million, and $1.5 million); to work with the MML Montgomery Chapter to come to agreement on revised MTD formulas; and codify a formula for shared services (by October 2021) that would allow for the reimbursement of Police services in FY23. On May 12, by a unanimous straw vote, the County Council approved the GO Committee recommendation. Staff sent information to Mayor and Council on May 12 indicating that County Council staff confirmed category #2 budget reconciliation items (including MTD) will be considered sometime later this year and will not be included in the FY22 Budget that will come before the County Council for approval on May 27. County Council staff indicated that while a process for post budget adoption items has not been set, they will notify City staff when it is established. The County’s FY22 Adopted Budget adopted by the County Council on May 27, 2021 included unanimous support for the GO Committee’s recommendation. The Chapter President, Councilmember Ashton and representatives from the MML Montgomery Chapter Board have been meeting on a bi-weekly basis with the County’s Chief Administrative Officer in follow-up to the County Council direction to resolve outstanding Municipal Tax Duplication issues, including the reimbursement for Police shared services for Gaithersburg, Rockville, and Chevy Chase Village (discussion began on July 29 and is ongoing). The Montgomery County Chief Administrative Officer (CAO) shared the draft Municipal Tax Duplication legislation and a draft Police recommendations and associated Workload Analysis with MML Chapter leadership and requested feedback. Staff is reviewing the documents, meeting with the City Manager, and will share a recommended list of comments with the Mayor and Council that can be provided to the CAO. He anticipates</td>
</tr>
</tbody>
</table>
sharing an update with the County Council and County executive, and potentially raising for review and adoption this December. The City Manager sent a staff comments summary to the Mayor and Council on November 1. A consent item was added to the November 8 meeting for the Mayor and Council to review and approve a letter for their signature to the County’s Chief Administrative Officer, conveying the City’s comments on the draft municipal tax duplication legislation and the draft MCPD Police workload analysis and associated recommendations. At the November 8 meeting, the Mayor and Council reviewed and approved a letter from the governing body to the County’s Chief Administrative Officer, (CAO), conveying the City’s comments on the draft municipal tax duplication legislation and the draft MCPD Police workload analysis and associated recommendations. The letter was sent to the County CAO. Staff will monitor the County Council agendas for the Municipal Tax Duplication legislation and will notify the Mayor and Council if it is introduced. An MML Chapter meeting was held on November 17 with the County’s Director of Strategic Partnerships, who is taking over this issue, to discuss the Chapter’s comments on the draft legislation and draft police workload analysis. CM Ashton, MML Montgomery Chapter President sent the Chapter’s formal comments on the draft documents to the Chief Administrative Officer and the Director of Strategic Partnerships on November 23, 2021 and requested follow-up meetings to discuss the Chapter input and meeting the December deadline for the legislation to be introduced to the County Council. On December 7, 2021, the County introduced an FY22 Special Appropriation for Municipal Tax Duplication in the amount of $5 million. The Mayor and Council sent a letter of support for the measure. The public hearing is scheduled for January 11, 2022 at 1:30 pm. Staff prepared draft testimony for Mayor Newton to provide and a draft letter for the public hearing record for the FY22 Special Appropriation, which will be shared during the week of January 3. The Mayor and Council can choose to review and approve the drafts under Old/New Business at the January 10, 2022 meeting. CM Ashton and the MML Board have been working with County Executive staff to finalize revisions to the Municipal Tax Duplication legislation. According to County Executive staff, it should be introduced at the January 10, 2022 County Council meeting. Staff will closely monitor the County Council agendas and keep the Mayor and Council informed on any developments so that they can weigh in on the FY 22 Special Appropriation and the Municipal Tax Duplication legislation. Mayor Newton testified in support of the Special Appropriation and Councilmember Ashton, as the President of the MML Montgomery Chapter, testified in support at the public hearing on January 11, 2022. Bill 2-22 – Municipal Revenue Program – Amendments was introduced on
<table>
<thead>
<tr>
<th>2020-27</th>
<th>4/26/21</th>
<th>Human Resources</th>
<th>Future Agenda</th>
<th>Reduction in Force Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>This item has been relocated from the future items to be scheduled section. This item is scheduled for the January 24, 2022 meeting.</td>
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</table>

January 11. At the public hearing on February 1, Mayor Newton will testify in support on behalf of Rockville, and Councilmember Ashton will represent the MML Montgomery Chapter. After the hearing, the bill will be considered by the Government and Fiscal Policy Committee (date TBD).
Subject
Future Agendas

Recommendation

Attachments
Attachment 14.A.a: Mock Worksession Agenda 1.31.22 (DOC)
Attachment 14.A.b: Future Agendas as of 1.24.22 (PDF)
Agenda item times are estimates only. Items may be considered at times other than those indicated.

Any person who requires assistance in order to attend a city meeting should call the ADA Coordinator at 240-314-8108.

Rockville City Hall is closed due to slowing down the spread of the coronavirus COVID-19 and continue practicing safe social distancing.

Viewing Mayor and Council Meetings
To support social distancing, the Mayor and Council are conducting meetings virtually. The virtual meetings can be viewed on Rockville 11, channel 11 on county cable, livestreamed at www.rockvillemd.gov/rockville11, and available a day after each meeting at www.rockvillemd.gov/videoondemand.

Participating in Community Forum & Public Hearings:

If you wish to submit comments in writing for Community Forum or Public Hearings:

- Please email the comments to mayorandcouncil@rockvillemd.gov by no later than 10:00 a.m. on the date of the meeting.
- All comments will be acknowledged by the Mayor and Council at the meeting and added to the agenda for public viewing on the website.

If you wish to participate virtually in Community Forum or Public Hearings during the live Mayor and Council meeting:

1. Send your Name, Phone number, the Community Forum or Public Hearing Topic and Expected Method of Joining the Meeting (computer or phone) to mayorandcouncil@rockvillemd.gov no later than 10:00 am on the day of the meeting.
2. On the day of the meeting, you will receive a confirmation email with further details, and two Webex invitations: 1) Optional Webex Orientation Question and Answer Session and 2) Mayor & Council Meeting Invitation.
3. Plan to join the meeting no later than 6:40 p.m. (approximately 20 minutes before the actual meeting start time).
4. Read for https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex meeting tips and instructions on joining a Webex meeting (either by computer or phone).
5. If joining by computer, Conduct a WebEx test: https://www.webex.com/test-meeting.html prior to signing up to join the meeting to ensure your equipment will work as expected.
6. Participate (by phone or computer) in the optional Webex Orientation Question and Answer Session at 4 p.m. the day of the meeting, for an overview of the Webex tool, or to ask general process questions.

Participating in Mayor and Council Drop-In

The next scheduled Drop-In session will be held, by phone, on Monday, February 7 from 5:30-6:30 p.m. with Mayor Newton and Councilmember Ashton. Please sign up by 10 a.m. on the meeting day using the form at: https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227
7:00 PM  1.  Convene

2.  Pledge of Allegiance

7:05 PM  3.  Consent

   A.  Adoption of Resolution to Establish Maximum Rate of Rent Increase, as Required Under Chapter 18 Section 18-194 of the Rockville City Code Entitled “Voluntary Rent Guidelines and Notice Requirements of Rent Increases.”

7:10 PM  4.  Work Session - Topic 1

   A.  Volunteer Program and Application Process Update

7:40 PM  5.  Work Session - Topic 2

   A.  Discussion on Paid Parental Leave Policy

8:10 PM  6.  Work Session - Topic 3

   A.  Discussion on Work-Related Injury Benefits

8:40 PM  7.  Work Session - Topic 4

   A.  Discussion on Reduction in Force and Furlough Policy

9:10 PM  8.  Work Session - Topic 5

   A.  Discussion on Proposed Premium Pay Options

9:40 PM  9.  Work Session - Topic 6
A. Near-Term Implementation Plan of the New Comprehensive Plan

10:30 PM 10. Adjournment

The Mayor and Council Rules and Procedures and Operating Guidelines establish procedures and practices for Mayor and Council meetings, including public hearing procedures. They are available at: http://www.rockvillemd.gov/mcguidelines.
### Future Agendas
#### As of 01/24/2022

<table>
<thead>
<tr>
<th>Category</th>
<th>Estimated Agenda Time Needed (in minutes)</th>
<th>Title</th>
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</thead>
<tbody>
<tr>
<td><strong>Meeting : 2/07/22 07:00 PM (5 items)</strong></td>
<td></td>
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<tr>
<td>Worksession</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proclamation</td>
<td>5</td>
<td>Proclamation for National Black History Month</td>
</tr>
<tr>
<td>Proclamation</td>
<td>5</td>
<td>Proclamation Declaring February as National African American History Month</td>
</tr>
<tr>
<td>Discussion</td>
<td>60</td>
<td>RedGate Park- Concept Plan Alternatives</td>
</tr>
<tr>
<td>Discussion and Instructions</td>
<td>45</td>
<td>Discussion and Direction on Initiating Annexation Process for Key Properties</td>
</tr>
<tr>
<td>Discussion and Instructions</td>
<td>90</td>
<td>Near-Term Implementation Plan of the New Comprehensive Plan - Part 2</td>
</tr>
<tr>
<td><strong>Total Meeting Time (In Hours)</strong></td>
<td>3 HRS 25 MINS</td>
<td></td>
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<tr>
<td><strong>Meeting : 2/28/22 07:00 PM (10 items)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proclamation</td>
<td>5</td>
<td>Proclamation for American Heart Month</td>
</tr>
<tr>
<td>Presentation</td>
<td>20</td>
<td>Presentation of the Fiscal Year 2023 Proposed Operating Budget and Capital Improvements Program</td>
</tr>
<tr>
<td>Introduction</td>
<td>5</td>
<td>Introduction of an Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2023</td>
</tr>
<tr>
<td>Introduction</td>
<td>5</td>
<td>Introduction of a Resolution to Establish the Rate for Refuse Collection for Fiscal Year 2023</td>
</tr>
<tr>
<td>Introduction</td>
<td>5</td>
<td>Introduction of a Resolution to Establish the SWM ERU for Fiscal Year 2023</td>
</tr>
<tr>
<td>Presentation</td>
<td>30</td>
<td>Recognition of Major Donors and Partners of the City of Rockville Holiday Drive 2021</td>
</tr>
<tr>
<td>Discussion</td>
<td>45</td>
<td>Neighborhood Shopping Centers - Mechanisms to Encourage Revitalization</td>
</tr>
<tr>
<td>Presentation</td>
<td>20</td>
<td>Presentation of Board of Appeals Annual Report</td>
</tr>
<tr>
<td>Introduction and Possible Adoption</td>
<td>20</td>
<td>Introduction and Possible Adoption of Ordinance to Grant Zoning Text Amendment TXT2020-00256, to Amend Section 25.21.21 of the Zoning Ordinance to Modify the Tree Planting Requirements for New Residential Lots Containing Townhouses, Duplexes and Other Attached Units (FAST Initiative); Mayor and Council of Rockville, Applicant</td>
</tr>
<tr>
<td>Presentation and Discussion</td>
<td>40</td>
<td>Presentation and Discussion on Tropical Storm Ida and Rockville Flood Resiliency Program Planning</td>
</tr>
<tr>
<td><strong>Total Meeting Time (In Hours)</strong></td>
<td>3 HRS 15 MINS</td>
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<tr>
<td><strong>Meeting : 3/07/22 07:00 PM (8 items)</strong></td>
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<tr>
<td>Proclamation</td>
<td>5</td>
<td>Proclamation for Womens History Month 2022</td>
</tr>
<tr>
<td>Public Hearing</td>
<td>45</td>
<td>FY 2023 Budget Public Hearing</td>
</tr>
<tr>
<td>Introduction and Possible Adoption</td>
<td>20</td>
<td>Introduction and Possible Adoption of an Ordinance to Amend Ordinance #09-21 to Appropriate Funds and Levy Taxes for Fiscal Year 2022 - FY 2022 Budget Amendment (Amendment #3)</td>
</tr>
<tr>
<td>Presentation</td>
<td>30</td>
<td>HRC/HSAC Community Survey</td>
</tr>
<tr>
<td>Presentation</td>
<td>20</td>
<td>HSAC Accomplishments 2021 and Goals 2022</td>
</tr>
<tr>
<td>Category</td>
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<td>Title</td>
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<tr>
<td>Discussion, Instructions and Possible Adoption</td>
<td>30</td>
<td>Discussion, Instructions, and Possible Adoption of an Ordinance to Amend Chapter 13.5 of the Rockville City Code Entitled &quot;Moderately Priced Housing&quot; So as To: Apply the In-Lieu Fee Formula Currently Only Applicable to Lifecare Facilities for Contributions to the Moderately Priced Housing Fund in Lieu of Providing MPDUs to Senior or Special Needs Housing with Services Uses</td>
</tr>
<tr>
<td>Presentation</td>
<td>20</td>
<td>Twinbrook Commons Project Plan Amendment Briefing PJT2022-00014</td>
</tr>
<tr>
<td>Presentation</td>
<td>30</td>
<td>Montgomery County Presentation on MD 355 BRT</td>
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**Total Meeting Time (In Hours)**: 3 HRS 20 MINS

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**Meeting : 3/21/22 07:00 PM (3 items)**

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<th>Category</th>
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<tbody>
<tr>
<td>Work Session</td>
<td>90</td>
<td>FY 2023 Mayor and Council Budget Worksession</td>
</tr>
<tr>
<td>Public Hearing</td>
<td>45</td>
<td>FY 2023 Budget Public Hearing</td>
</tr>
<tr>
<td>Work Session</td>
<td>60</td>
<td>Discussion on ARPA Funds</td>
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**Total Meeting Time (In Hours)**: 3 HRS 15 MINS

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**Meeting : 4/04/22 07:00 PM (3 items)**

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<th>Category</th>
<th>Estimated Agenda Time Needed (in minutes)</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Hearing</td>
<td>30</td>
<td>FY 2023 Budget Public Hearing</td>
</tr>
<tr>
<td>Presentation</td>
<td>20</td>
<td>HRC Annual Report Presentation</td>
</tr>
<tr>
<td>Discussion, Instructions and Possible Adoption</td>
<td>30</td>
<td>Resolution to Approve the Brightview Senior Housing Alternative Housing Agreement</td>
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**Total Meeting Time (In Hours)**: 1 HRS 20 MINS

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**Meeting : 4/18/22 07:00 PM (3 item)**

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<th>Category</th>
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<tr>
<td>Work Session</td>
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<td>FY 2023 Mayor and Council Budget Worksession</td>
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<tr>
<td>Discussion and Instructions</td>
<td>30</td>
<td>Discussion and Instructions to Staff on Zoning Text Amendment TXT2019-00255 - to Allow for Accessory Dwelling Units in Accessory Buildings on Properties with Single Unit Detached Dwellings; Mayor and Council of Rockville, Applicants</td>
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<td>Discussion and Instructions</td>
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<td>Discussion and Instructions to Staff on Zoning Text Amendment TXT2019-00254 - Regarding Requirements for Accessory Buildings and Structures in Residential Zones; Mayor and Council of Rockville, Applicants</td>
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**Total Meeting Time (In Hours)**: 3 HRS 00 MINS

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**Meeting : 4/25/22 07:00 PM (3 items)**

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<td>60</td>
<td>FY 2023 Final Budget Direction</td>
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<tr>
<td>Additional Information</td>
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<td>Employee Homeownership Assistance Survey</td>
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<td>Discussion</td>
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<td>Part-One Review and Revision of the Personnel Policy and Procedures Manual (PPM)</td>
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**Total Meeting Time (In Hours)**: 2 HRS 20 MINS
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<td>Recognition</td>
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<td>TERRIFIC Bike Award Program Presentation</td>
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<td>Discussion</td>
<td>60</td>
<td>Part-Two Review and Revision of the Personnel Policy and Procedures Manual (PPM)</td>
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<td><strong>Total Meeting Time (In Hours)</strong></td>
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<td>Presentation</td>
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<td>TENTATIVE - Montgomery County Public Schools Presentation</td>
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<td>Adoption</td>
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<td>Adoption of an Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2023</td>
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<td>Adoption</td>
<td>5</td>
<td>Adoption of a Resolution to Establish the Rate for Refuse Collection for Fiscal Year 2023</td>
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<td>Adoption of a Resolution to Establish the SWM ERU for Fiscal Year 2023</td>
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<td>Adoption of a Resolution to Close Completed Capital Improvements Program Projects</td>
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<td>Introduction and Possible Adoption</td>
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<td>Introduction and Possible Adoption of an Ordinance to Amend Ordinance #09-21 to Appropriate Funds and Levy Taxes for Fiscal Year 2022 - FY 2022 Budget Amendment (Amendment #3)</td>
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<td>Discussion</td>
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<td>Town Center Initiative - Update on Community Engagement and Other Components</td>
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<td>Presentation</td>
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<td>Vision Zero Update</td>
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| 1. | **Speaker and Written Comments**  
   Deborah Landau | 308 Crabb Ave.  
   Rockville, MD 20850  
   240-888-2041  
   president.erca@gmail.com | Agenda Item 12: Parkland Dedication Requirements |
| 2. | **Written Comments**  
   Carol Hanaford | 5718 Wainwright Ave.  
   Rockville, MD 20851  
   carol@claymaven.com | YES Parkland should be required with New Development |
| 3. | **Written Comments**  
   Anne Goodman, PhD | 9807 Veirs Dr., Apt. 120  
   Rockville, MD 20850  
   communitywildlifehabitat@gmail.com | YES Parkland should be required with New Development |
| 4. | **Written Comments**  
   Caryl McNeillly | 5705 Stillwell Road  
   Rockville MD 20851  
   cjmc47@outlook.com | YES Parkland should be required with New Development |
| 5. | **Written Comments**  
   Dr. Robert Williamson | 5705 Stillwell Road, Rockville MD, 20851  
   skipcaryl2@aol.com | Agenda item 12: YES Parkland should be required with New Development Importance |
| 6. | **Written Comments**  
   Lynn Parsons  
   Parkside Condominium Resident | 10520 Montrose Ave  
   Bethesda, MD 20814  
   lynn.parsons@outlook.com | Agenda item 12: YES Parkland should be required with New Development Importance |
From: President ERCA <president.erca@gmail.com>
Sent: Monday, January 24, 2022 7:38 AM
To: mayorcouncil
Subject: Re: Parkland discussion at 1.24.22 meeting - ERCA comments

I would like to speak on this at tonight's meeting.

Thank you,

Deborah Landau
240-886-2041

Deborah Landau, President of East Rockville Civic Association
"Lift up your eyes and look beyond the sod" -Mary Trumbo

On Mon, Jan 24, 2022 at 7:28 AM President ERCA <president.erca@gmail.com> wrote:

Dear Mayor and Council,

As president of the East Rockville Civic Association, I wish to share that East Rockville is in full support of the City of Rockville's consideration of requiring developers to set aside funds to create parkland with new development. As you know, many jurisdictions in our area have had this requirement in place for years, even decades, and the result has been inviting, easily-accessed greenspace and desirable communities. We are excited at the prospect of having Rockville follow suit.

In many ways this move is more important now than ever; during the early days of COVID, when the only places we could safely visit were natural areas, we realized the importance of having open parkland to retreat to. But we’re not all fortunate enough to live near a park (or own a car to get us there). So, having as many public green spaces as possible is necessary, so that people of all ages and incomes can take advantage of them.

Unfortunately, much of what we see happening in Rockville today is greenspaces being replaced with development. Thus, requiring developers to retain some amount of greenspace is imperative, and for so many reasons: our health (mental and physical), for habitat (we all know how much good we’d get out of creating a network of pollinator gardens), and for the climate (greenspaces absorb carbon and heat, while concrete and pavement create it).

However, as the City considers how to define Parkland, it’s imperative the focus be on greenspace, not concrete. What our City needs more than ever are natural refuges, not lighted spaces that are the equivalent of an outdoor mall.

Additionally, we feel strongly that fee in lieu funds should not expire. Setting expiration dates that result in funds being returned to developers creates mistrust. These funds should be placed in an endowment, which can be used to secure land at a later date, or to maintain and beautify existing parks. As I suggested at the
December 2021 listening session, if appropriate greenspace is not available, then perhaps conservation easements could be placed on privately-owned properties. There are many large open spaces owned by private residents and businesses; if these should sell, these areas are at high risk of being subdivided and paved over. A conservation easement would ensure they remain green forever.

Thank you for the opportunity to share our position on this matter,

*Deborah Landau, President of East Rockville Civic Association*

*Lift up your eyes and look beyond the sod* -Mary Trumbo
I believe that I made comments in the affirmative a few weeks ago. I have also seen some excellent comments by others.

I would make just two observations at this time.

Many of us feel overwhelmed by the problems associated with climate change and doubt that we can do anything significant to make a difference. But without trying, we are only making the situation worse. Each one of us has something we can do, no matter how small. Engaging developers is a concrete step the City can take. They are affected by climate change as much as the rest of us are.

Second, we adults must send a strong statement to our youth that we are serious about helping them to create a world that is healthy and safe and beautiful. We must get involved in a concrete way; we cannot simply mouth platitudes and then walk away. This is one concrete step we can take.

Carol Hannaford
Dear Mayor Newton and Councilmembers,

This is a complex subject with many parts. I have expressed my support for parkland acquisition in the past, and I reiterate it here. Although I will not comment on the details of the proposals before you today, I recommend that, if fee-in-lieu is adopted as part of the plan, that there be no statute of limitations on spending the money. The money should be available to the Recreation and Parks Department for park establishment and park and forest maintenance without time limits.

Whatever approach is adopted by the Mayor and Council, I further recommend public input on the adopted policy be solicited prior to actually drafting an ordinance on the subject.

Thank you for your consideration.

Sincerely,

Anne Goodman, PhD
9807 Veirs Dr., Apt. 120
Rockville, MD 20850
You have a rare opportunity to shape the nature and Nature of Rockville for future generations. Rockville has a long history of being a desirable place to live as a Tree City USA with a green canopy and more green spaces than many other suburbs, and the importance of those amenities was confirmed in the 2016 Community Survey. Unfortunately Rockville has fallen behind and the city’s goals are not currently met to provide parkland within a 10-minute walk from any residence and for 18 acres per 1,000 residents. Yet the need for parks and natural areas is greater than ever as demonstrated by the high number of people flocking to them since the start of the Covid pandemic.

I urge you to REQUIRE EVERY NEW DEVELOPMENT TO INCLUDE PARKLAND, or – if and only if parkland is not immediately available – to pay parks impact/in lieu of fees. As you know, other jurisdictions have taken the lead in this area and Rockville risks falling behind as a desirable place to live and work.

Furthermore, any impact and in lieu of funds should be retained by the City indefinitely for the express purpose of acquiring parkland, or at least maintaining existing parkland. Eventually returning funds to developers would defeat the whole purpose of the in lieu of payment and is an end run around setting aside green space.

Thank you for your attention, and I would like to confirm the comments I submitted on 12/8/2021 regarding the importance of high-quality and accessible green spaces to meeting Rockville’s pedestrian- and bicycle-friendly goals, and climate- and storm-mitigation efforts.

Respectfully,
Caryl McNeilly
5705 Stillwell Road, Rockville MD 20851
Honorable Mayor and Council Members,

My wife and I moved here after considering other suburbs in part because of more green space and access to parkland compared to other suburbs. But Rockville has lost some of that advantage in recent years as the amount and accessibility of parkland has not kept pace with the growth of the city. So I hope you will take this opportunity to make Rockville an attractive destination for families and workers for years to come.

The need for parks and natural areas is greater than ever before as demonstrated by the large numbers of people flocking to them throughout the Covid pandemic. I therefore urge you to REQUIRE EVERY NEW DEVELOPMENT TO INCLUDE PARKLAND. In cases where that is not possible, developers should be required to pay parks in lieu of fees or impact fees. Other jurisdictions have recognized this need and have taken the lead; Rockville risks falling further behind.

Any impact and in lieu of funds collected should be retained by the City indefinitely to acquire or maintain parkland. Returning funds to developers after some number of years sounds like a developer’s proposal intended to circumvent any responsibility for green space.

I hereby associate myself with the specific comments I submitted on 12/8/2021 regarding the importance of green spaces and of ensuring that they are of high quality and accessible.

Sincerely,
Dr. Robert Williamson
5705 Stillwell Road, Rockville MD, 20851
Dear Mayor and Council of Rockville

For the first 20 plus years of my life I was a city of Rockville resident. I spent most of my childhood in the Parks and natural spaces in my neighborhood. That certainly shaped my appreciation for wildlife and the interconnectedness if people and nature. It alarms me to see how much of the landscape has converted to hardscape in my lifetime (now 62).

I now live nearby in Bethesda Maryland and I continue to spend considerable time in the park as a Montgomery County Weed Warrior and am actively involved in preservation of the enviroment as an employee of the World Wildlife Fund and as an activist in local efforts to reverse impacts of climate change, habitat destruction and pollution of air, land and water. I urge you to provide those critical spaces for the preservation if nature which we are ALL a part of. Consider the health and well being of the youth in Rockville who have little say and who will be inheriting this wonderful City.

Thank you for your consideration,
Lynn Parsons
Parkside Condominium Resident
Get Outlook for Android
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<th></th>
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<tr>
<td>1</td>
<td>Speaker by Computer, Jerome Price</td>
<td>198 Halpine Rd. Rockville, MD 20853</td>
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<td></td>
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<td><a href="mailto:Jerome_A_Price@mcpsmd.org">Jerome_A_Price@mcpsmd.org</a></td>
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<td>2</td>
<td>Speaker by Computer, Barry Jackson, President King Farm Assembly</td>
<td>508 Longhorn Crescent Rockville, MD 20850</td>
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<td>202-631-8952 <a href="mailto:president@kingfarm.org">president@kingfarm.org</a></td>
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<tr>
<td>3</td>
<td>Speaker by Computer, Steven VanGrack</td>
<td>110 North Washington Street Suite 300-6</td>
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<td></td>
<td></td>
<td>Rockville, MD 20850</td>
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<td>301-548-6734 steven.stevenvangracklaw.com</td>
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<td>Speaker by Computer, Wendy Whitaker</td>
<td>524 Bradford Dr. Rockville, MD 20850</td>
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<td>317-340-7360 <a href="mailto:indywen@gmail.com">indywen@gmail.com</a></td>
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<td>Speaker by Computer, Marissa Valeri</td>
<td>13302 Midway Ave. Rockville, MD 2085s</td>
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<td></td>
<td>301-906-6550 <a href="mailto:marissa.rockville@gmail.com">marissa.rockville@gmail.com</a></td>
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<td>6</td>
<td>Speaker by Computer and Written Comments, Vincent Russo</td>
<td>1019 De Beck Dr. Rockville, MD 20851</td>
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<td></td>
<td></td>
<td>301-980-3169 <a href="mailto:vdrusso1@gmail.com">vdrusso1@gmail.com</a></td>
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<td>Speaker by Computer and Written Comments, Jennifer Strohm, President, Bayard Rustin Elementary School PTA, 2021-2022</td>
<td>102 S. Van Buren St. Rockville, MD 20850</td>
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<td><a href="mailto:president@brespta.org">president@brespta.org</a></td>
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<td>Written Comments, Amy Ackerberg-Hastings Richard Montgomery Cluster Coordinator</td>
<td>5908 Halsey Rd. Rockville, MD 20851</td>
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<td><a href="mailto:RMCC-3@mccpta.org">RMCC-3@mccpta.org</a></td>
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<td>Written Comments, Ken Sonner</td>
<td>710 Smallwood Road Rockville, MD 20850</td>
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<td>301/943-5632 <a href="mailto:kensonner@msn.com">kensonner@msn.com</a></td>
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<td>10.</td>
<td>Danielle R. Snowflack, Ph.D.</td>
<td>EDVOTEK®</td>
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<td>1121 5th Street NW</td>
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<td><a href="mailto:danielles@edvotek.com">danielles@edvotek.com</a></td>
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January 24, 2022

TO: Rockville Mayor and Council
FROM: Vincent Russo
RE: Comments for Public Hearing on Education Commission 1/24/2022

Dear Mayor Newton and Councilmembers,

Rockville does not need an Education Commission as envisioned in the notice for this hearing and when it previously came before Mayor and Council on November 21, 2021 and November 23, 2020. An Education Commission focused on advocacy would duplicate the functions of our Parent-Teacher Associations (PTAs), Student Government Associations (SGAs), and even the city’s newly created Youth Commission. Furthermore, a new commission would add to the burden on a city staff that already struggles to support existing boards and commissions.

The scope of the Education Commission must not emphasize engagement with MCPS Board of Education (BOE). Our school-based PTAs and SGAs already capably perform this role. Nor has Rockville suffered from ineffective advocacy before the BOE. Indeed, in the last 15 years we have:

- opened a rebuilt Richard Montgomery HS;
- constructed a new elementary school and won a built-out shell;
- added significant capacity and state-of-the-art soccer fields at Julius West MS;
- modernized Maryvale ES and College Gardens ES;
- achieved facility improvements at Twinbrook ES; and
- secured a commitment to build a new Crown HS that will relieve overutilization in nearby schools, including RM.

While there is always more to do, Rockville’s schools are well-resourced and perform on par with the rest of the county.

I am especially wary of an Education Commission involving itself in school boundary changes, often a contentious process for which MCPS has mechanisms to gather community input. Schools within the city boundaries do not serve exclusively Rockville residents, nor do Rockville residents exclusively attend schools located in the city. Thus, a City of Rockville point-of-view, however discerned, may differ from the advocacy positions of our school-based PTAs. What steps can Mayor and Council take to ensure the city does not advocate for positions at odds with PTAs at schools located in Rockville?

Issues surrounding land use and disposition, adequate public facilities, vehicle traffic, and pedestrian safety that arise from MCPS facilities are best handled by existing boards and commissions that have purview over those subjects, e.g., Planning, Traffic and Transportation, Pedestrian Advocacy Committee, etc. These are not educational issues, per se, and therefore do not justify the creation of an Education Commission.

Mayor and Council should also be mindful of the potential burden an Education Commission would impose on our most effective school advocates. Not only would they remain focused on MCPS and the BOE, but they would also be compelled to engage with Rockville’s Education Commission which has no
control over education policy, operations, or capital spending. Rockville residents interested in affecting outcomes are better served by aiming their energy and advocacy toward the Board of Education and the county.

On November 1, 2021, the Mayor and Council created a Youth Commission whose duties include:
- Increase community engagement and communications with youth, family, and school systems.
- Seek input from youth on City of Rockville issues and their impact on students.
- Advise on how the City can support school events, initiatives and advocacy needs.

If the Education Commission moves forward as proposed, Mayor and Council must reconcile the overlapping scope with the Youth Commission before either of them gets up and running.

The Boards and Commission Task Force found that staff support for commissions is already stretched thin. Nevertheless, since the BCTF issued its report, the city subsequently created the Community Police Advisory Board, the Youth Commission, and now proposes an Education Commission—all without adding capacity to support these volunteer bodies.

I ask that Mayor and Council reconsider the mandate of the proposed Education Commission and steer away from emphasizing advocacy and engagement with MCPS and the Board of Education. Instead, the city could follow the model of the Gaithersburg’s Education Enrichment Committee and focus on activities like:
- advising on city programs that support schools and learning;
- celebrating teacher and student achievements at Rockville schools;
- organizing appreciation events for school principals and parent leaders;
- recognizing community members and local businesses that support schools;
- promoting city-based service learning opportunities for middle- and high-school students;
- building relationships between Rockville businesses, faith-based institutions, and nonprofit organizations to benefit our schools (e.g., supply drives, clothing donations, fundraisers, etc.);
- overseeing the “Mayor for a Day” contest and MLK Day of Service events.

Before proceeding with creating yet another commission, Mayor and Council should revisit the scope of the Youth Commission and carefully consider whether separate commissions for youth and education are necessary. Above all, our school-based PTAs must remain the primary voice for Rockville schools.

Vincent Russo
Current MCPS parent, Julius West and Richard Montgomery
Rockville, MD 20851
Good day,

I am writing in favor of the City establishing an Advisory Commission for Public Education as it would help create a stronger, formal link to ensure we continue to have strong schools in Rockville. In addition to helping ensure we have future capacity in our schools to support growth, this Commission could consider helping provide a stronger link between social services for our school families, possibly funding special programs, and addressing challenges brought on by COVID-19.

We are lucky to have some council members who have made education a priority, however we currently have no formal, structured way for the City to engage on education issues. Since Rockville residents report strong schools as being a top reason they move here, it makes sense that we would have this link.

Bayard Rustin Elementary School, which opened in just 2018, is already over capacity due to poor planning. In fact, the boundary study conducted in 2017, was off by 23% in projecting the number of students we would have this year! As a result, our teachers have lost resource space and our students in kindergarten and third grade are learning in packed classrooms during a pandemic. And now MCPS is planning to install portable classrooms next year, in just the fifth year the school is open.

Not to mention every school in Rockville that has been impacted by mental health and economic challenges, lack of bus drivers and teachers, and other very serious issues brought on by COVID-19 and the recent Omicron surge.

We simply need to do better for our students, families and educators, especially given this COVID-19 environment that has now plunged our school system into a state of crisis with two of our Rockville schools (Beall and Twinbrook) on virtual learning.

The City of Rockville, and everyone in Montgomery County, has a part to play in solving our many educational challenges and one step in the right direction is establishing this commission.

Also, I do not see the Commission as duplicative in any way of our PTA work. This would be another group of citizen volunteers advocating on behalf of our families and students and helping to create a deeper connection between the City and County. We need as many voices as possible speaking up for our families and children in Rockville.

--

Jennifer Strohm
President, Bayard Rustin Elementary School PTA, 2021-2022
Dear Mayor and Council,

Thank you for the opportunity to submit comments in advance of your next discussion of this proposal. I have tried to put together a few thoughts from my perspective as a former Twinbrook ES parent, member of the Bayard Rustin Boundary Study Advisory Committee (2017), Julius West MS parent, and MCCPTA cluster coordinator for Richard Montgomery HS and its six feeder schools. The PT(S)A leaders from the cluster have not had an opportunity to come together and study the issues involved in forming an Education Commission, so the opinions I state here are my own and not reflective of the cluster as a whole.

In general, the intent to provide additional educational opportunities for Rockville youth through government and community service is laudable. A commission focused specifically on the issues that most directly impact students has potential to be particularly appealing to students. I can see the proposed commission providing a valuable additional voice on issues that uniformly affect one or more groups of students, such as the ongoing challenges posed by the loss of parking at Rockshire Village for Wooton HS. Adults and students could work together on the commission to research the historical and legal background and provide advice to, for example, the City and/or Wooton’s student government. The commission may also be able to partner with schools or organizations—the Black and Brown Coalition, perhaps?—to present public forums on educational activities and topics of wide interest to the public, such as diversity, equity, and inclusion.

However, the commission needs to be structured well so that it does not duplicate the efforts of existing entities, including school and county-wide student government and the PT(S)As. In addition to providing extra eyeballs on educational issues, how would the commission support or extend the work of those bodies? Additionally, a poorly-defined commission could potentially interfere with the work of the PT(S)As or create conflict between communities, since many educational matters involve competing interests and so advocacy related to those matters is complex. I am thinking here mostly of the upcoming Crown HS boundary study. As was the case with the Bayard Rustin ES boundary study, the MCCPTA cluster coordinators at that time will not take positions on specific boundary lines, since different families and communities will have different needs and views on the schools they could attend. Similarly, an Education Commission would need to be careful to maintain neutrality and serve a mediating role as needed, including between communities and MCPS. I can actually envision the commission as providing a very valuable service in disseminating information about boundary study policies and procedures. In what I think/hope will be a once-in-a-generation complicated and emotional process, the area will need all of the thoughtful, sensible, and stable input it can get.

As you can probably tell from all of this hedging language, I do not have a strong personal opinion on whether the City should or should not resurrect the Education Commission. My main point is that such a commission must be clearly defined so that all City residents understand its purpose. Will it be designed to be open-ended, or will it focus on a specific area or topic and work toward the end of accomplishing a goal and becoming unnecessary, as appears to be the case with the previous commission (ca 1982–1992)? I saw in the packet concerns about being able to secure sufficient participation when existing commissions are short-staffed, and I agree that those concerns need to be weighed carefully. The educational aims of the commission may be best addressed by working to increase youth participation in existing commissions.

Thank you for your time and best wishes for your deliberations, Amy Ackerberg-Hastings Richard Montgomery Cluster Coordinator RMCC-3@mccpta.org
Dear Mayor and Council -

I fully support the City of Rockville establishing an Education Commission. This would be a much-needed line of communication with MCPS and provide support for the local private schools, pre-K academies and other educational programs offered in the City.

Additionally - there are opportunities to collaborate with Montgomery College and the Commission could support communication and planning with MC.

I am happy to elaborate and provide detailed suggestions and recent experiences with MCPS, several Pre-K centers and Christ Episcopal School.

Thank you and Happy New Year.

Sincerely,
Ken Sonner
710 Smallwood Road
Rockville, MD 20850

Kenneth A. Sonner
kensonner@msn.com
301/943-5632
Dear Mayor and Council Members,

My name is Dr. Danielle Snowflack, and I am a scientist, educator, and parent. I am writing in enthusiastic support for the formation of an advisory committee on public education in Rockville. While I know that the city does not have authority over the schools themselves, I feel that the Mayor and Council would prove to be strong allies for parents as we advocate for quality education to the Montgomery County Board of Education. Furthermore, an advisory committee can provide insight and analysis into the city plans for new developments through the lens of our school system, advising the Mayor and Council on the impacts of this construction on our schools.

My family and I live in the Hungerford subdivision in the City of Rockville, within walking distance to both Richard Montgomery high school and the Bayard Rustin Elementary School (BRES), where my older son is in Kindergarten. BRES is a brand-new elementary school, having opened in fall of 2018 to alleviate overcrowding in the Richard Montgomery cluster elementary schools. However, we now find substantial issues with overcrowding in our own school. Since last June, we have welcomed over 100 new students for a total of 768 as of Nov. 29. This is now 28 students (over 1 full class) over the school capacity of 740. As a result, many of the classes have become overcrowded, adversely affecting the student’s educational experience. While some of this is driven by sales of existing homes, we have also found that apartment buildings (new and old) and new construction are driving the increase in enrollment. There are some creative solutions that we can undertake to welcome the growing population into the school, but we also need to be mindful when approving new developments within boundaries.

Thank you for your time,
Danielle R. Snowflack, Ph.D.

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