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 for 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 heard, by phone on Monday, March 21 from 5:30-6:30 p.m., with Mayor Newton and Councilmember Feinberg. 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
1. Convene

2. Pledge of Allegiance

3. Agenda Review

4. COVID-19 Update

5. 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.

6. Presentation

A. Presentation by Montgomery County Regarding Their Plans for Properties Located Along Seven Locks Road Including a Proposed Bus Depot

7. Boards and Commissions Appointments and Reappointments

A. Boards and Commissions Appointments and Reappointments

8. Consent Agenda

A. Approving an Agreement with Montgomery County for the Provision of Mental Health Specialist Services for the Rockville City Police Department

B. Approval of Minutes

9. Presentation of the Fiscal Year 2023 Proposed Operating Budget and Capital
Improvements Program

9:15 PM 10. Introduction of a Resolution to Establish the Service Charge Rate for Municipal Refuse Collection and to Establish a Charge for Unreturned Refuse and Recycling Carts Pursuant to Section 20-6 of the Rockville City Code

9:20 PM 11. Introduction of a Resolution to Establish the Equivalent Residential Unit Rate to be Used in Calculating the Stormwater Management Utility Fee Pursuant to Chapter 19 Entitled "Sediment Control and Stormwater Management" of the Rockville City Code; and to Establish a Fee for Application for a Credit Against the Stormwater Management Utility Fee for Private Stormwater Management Facilities

9:25 PM 12. Introduction of an Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2023

9:30 PM 13. 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

9:50 PM 14. Old/New Business

10:15 PM 15. 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.
Subject
Presentation by Montgomery County Regarding Their Plans for Properties Located Along Seven Locks Road Including a Proposed Bus Depot

Recommendation
This item is a presentation; no action requested.

Background
Representatives from Montgomery County will provide a presentation on their proposed plans for County properties located on Seven Locks Road, including the County’s proposal for a bus depot.

Site Information
Located at 1307 Seven Locks Road, the subject property is triangular bounded by Seven Locks Road to the west, I-270 to the east, and Wootton Parkway to the south. The tract is zoned MXT (Mixed-Use Transition) and owned entirely by Montgomery County. The original building at the Montgomery County Detention Center (MCDC) was built in 1961, with the high rise/tower and other modular units constructed later.

MCDC is primarily responsible for the intake and law enforcement processing of adult male and female offenders arrested in Montgomery County and has a facility capacity to accommodate approximately 200 inmates. Over 13,000 offenders annually arrive at MCDC’s Central Processing Unit (CPU). The CPU conducts risk assessments, psychological and medical screenings, to determine the appropriate classification level of inmates. The facility also provides for the initial care, custody, and security of inmates for up to 72 hours prior to their transfer to the Montgomery County Correctional Facility (MCCF). At this County facility, bond hearings are conducted by the Maryland District Court Commissioners via closed circuit television. The Office of the Public Defender determines eligibility of offenders for legal representation.

County Plans
Montgomery County’s recommended FY 23 Capital Improvement Plan (CIP) lists several proposed projects that would affect the MCDC site. County Executive Mark Elrich’s budget
memo states, “My Recommended CIP also includes funding to redevelop the site of [MCDC] and the former 1st District Police Station to provide a new Restoration Center, a new Criminal Justice Center (CJC), and to house a new Montgomery County Public Schools bus depot to replace the depot currently located on Crabbs Branch Way.”

**Detention Center Partial Demolition and Renovation (1307 Seven Locks)** – This proposed County project provides for the planning, design, and renovation/modification of MCDC for use primarily as a short-term holding and central processing facility. The project provides for demolition of dilapidated out-of-operation structures including the high rise/tower, five vacant modular units, and the CIU pod, which is currently used by Health and Human Services (HHS). Prior to demolition, the existing utilities would be rerouted, and a new utility structure would be built. Renovations of other areas of the building are also proposed.

**Criminal Justice Complex (1451 Seven Locks)** - This proposed County project provides for the design and construction of a new Criminal Justice Complex (CJC) on the site of the former District One Police Station located at the north end of Seven Locks Road. The new facility would include a Central Processing/Detention component to support processing new arrestees and detaining remanded individuals and other related uses. The facility would be constructed in proximity to the proposed Restoration Center to maximize diversion and deflection opportunities.

**Restoration Center (1541 Seven Locks)** – The site planning would allow the remainder of this property following the proposed demolition project to house the Criminal Justice Complex. The master plan and construction of utility work and storm water management for the Restoration Center would include the infrastructure to support the subsequent construction.

**MCPS and Ride-On Bus Depot and Maintenance Relocation** – This proposed County project is part of the Smart Growth Initiative program and provides for a comprehensive feasibility study and planning for the relocation of the Montgomery County Public Schools (MCPS) Bus Depot from the County Service Park on Crabbs Branch Way. Previous plans to acquire several sites for MCPS bus parking facilities to accommodate displaced buses when the site is redeveloped have been put on hold until an agreement could be reached on a project plan. A search by the County for a replacement site for the MCPS bus depot and maintenance / fueling facility has identified the County-owned property housing the MCDC as an appropriate location. The County also indicates that it intends to park a quantity of County Ride-On Buses at this site. This project could not begin until the CJC replacing the MCDC and the Restoration Center projects on the site would be completed.

Sources:
https://www.montgomerycountymd.gov/COR/MCDC/index.html  
https://www2.montgomerycountymd.gov/mcgportalapps/Press_Detail.aspx?Item_ID=39859  
Current Applications in Process
In preparation of the County’s proposed project, several permit applications have been submitted by the County to the City for the MCDC site at 1307 Seven Locks Road for various items, such as the demolition of out-of-operation structures, interior demolition of remaining structures, interior renovations, and abandonment of water and sewer lines previously serving the demolished buildings. At its March meeting, the Historic District Commission will conduct an Evaluation of Significance for the buildings proposed by the County for demolition.

The City’s Role
These current applications by the County are minor in nature and therefore do not require a site plan review per City code; however, any plans for new buildings and new uses for the site (i.e., bus depot) will very much require a City site plan review, including a traffic study, followed by a Planning Commission review process. Montgomery County and other public sector development projects are subject to the Mandatory Referral process. According to State law (Section 3-205 of the Land Use Article), public agencies are required to submit public projects for review and approval by the associated Planning Commission. The Commission must find that the proposed location, character, and extent of the project is consistent with the Comprehensive Plan. The City’s practice has been to process such an application as a Level 2 Site Plan, subject to review by the Planning Commission for the required findings. Per State law, if the Commission does not act on the application within 60 days, the application is deemed to be approved. In addition, the Montgomery County Council, the body having jurisdiction over financing of the project, may overrule the decision of the Planning Commission by a vote of at least two-thirds of its membership.

Mayor and Council History
This is the first time that this specific item has been presented to the Mayor and Council.

Attachments
Attachment 6.A.a: Detention Center Aerial & General Uses (PDF)
Attachment 6.A.b: Detention Center Land Use Map (PDF)
Attachment 6.A.c: Detention Center Zoning Map (PDF)
Attachment 6.A.d: Montgomery County PowerPoint Presentation (PDF)
Project Name: Montgomery County Detention Center
Address: 1307 Seven Locks Road

Attachment 6.A.b: Detention Center Land Use Map

Presented by Montgomery County Regarding Plans for Properties in the City,

Land Use Policy Designations:
- O - Office
- C - Commercial
- CRM - Commercial and Residential Mix
- OCRM - Office, Commercial and Residential Mix
- CI - Civic and Public Institutional
- I - Private Institution
- P - Public Park
- OSP - Open Space Private
- SI - Service Industrial
- SRM - Service Industrial and Residential Mix
- Potential Future Park Asterisk

Map Key:
- 189
- 270
- 0 50 100 200 Feet
- WOOTTON PKWY
- WHITE PINE PL
- SEVEN LOCKS RD
- ENGLISH HWY CT
- CLIFFE HILL CT
- BIG TREE CT
- PASTURE BROOK CT
- PASTURE WAY
- SAMPLERS WAY
- FALLS RD
- WILLOWLEAF WAY

Packet Pg. 9
SEVEN LOCKS REDEVELOPMENT
RESTORATION CENTER, CRIMINAL JUSTICE COMPLEX AND TRANSIT O&M FACILITY
Restoration Center - Phase 1 (2027)

- 12,000 square foot building located on former 1st District Police Station site

- Crisis Now Model:
  - For people experiencing behavioral health crises
  - Provides alternative to using hospital emergency room or criminal justice system

- Operated by HHS and staffed by multidisciplinary team:
  - Nursing
  - Licensed mental health and addiction professionals
  - Peer Specialists
  - Resource Navigators

- CE Recommended Budget:
  - $18.7 million
Criminal Justice Complex – Phase 2 (2029)

- Co-located with Restoration Center
  - 75,000 square feet

- Replaces antiquated Detention Center
  - Central Processing
  - Public Defender & Court Commissioners
  - Clinical Assessment and Medical Services
  - Warrants and Custody Administration
  - Length of stay not to exceed 72 hours

- CE Recommended Budget:
  - $78.6 million
Transit O & M Facility – Phase 3 (beyond 2030)

- Zero Emission Transit O&M Facility
  - Electric or Hydrogen Fuel Cell Buses

- Serves MCPS and County Transit
  - Maintenance Facility and Parking for 200+ buses;
  - Includes plan to park MCPS buses at schools;

- CE Recommended Budget:
  - $86 million
Subject
Boards and Commissions Appointments and Reappointments

Recommendation
The Mayor and Council will appoint and reappoint the following members to Boards and Commissions:

**Cultural Arts Commission**
Karen Askin - Reappointment to serve a three-year term until February 1, 2025

**Historic District Commission**
Peter Fosselman - New appointment to serve a three-year term until February 1, 2025
Michael Goldfinger - New appointment to serve an unexpired three-year term until November 1, 2023

**Retirement Board**
John Walsh - New appointment to serve an unexpired three-year term until May 13, 2025

**Rockville Housing Enterprises**
Nathan Robbins - New appointment to serve a three-year term until January 1, 2025

**Senior Citizens Commission**
Carla McCaffrey - New appointment to serve a three-year term until February 1, 2025
Kevin Leary - New appointment to serve a three-year term until February 1, 2025
Subject
Approving an Agreement with Montgomery County for the Provision of Mental Health Specialist Services for the Rockville City Police Department

Recommendation
Staff recommends that the Mayor and Council authorize the City Manager to enter into a Memorandum of Agreement (MOA) with Montgomery County for the provision of Mental Health Specialist services for the Rockville City Police Department.

Discussion
Jurisdictions throughout the country are initiating programs aimed at reducing the arrest and incarceration of individuals with mental illness by linking this population with community-based treatment and support. Police agencies differ in their programs with some developing co-response teams that pair up officers with local healthcare providers to better address mental health-related calls. The programs have varied goals to include an effort to de-escalate and prevent injuries during a mental health crisis. The main goal of these programs is to ensure the safety of all, to respond effectively, and to improve access to services and support for people with mental illness and intellectual disabilities.

The City of Rockville and the Police Department began exploring the idea of developing and instituting a Mental Health Program using behavioral health specialists as a resource to utilize in calls for service involving persons with mental illness.

The Rockville City Police Department averaged 20,289 community member contacts in 2021, which includes calls for service, self-initiated calls, and traffic stops. There are instances in which these contacts involve mental health related incidents that may be better handled through referrals to mental health crisis clinicians, or in concert with them utilizing their expertise. The calls for service received by our agency over the past year include approximately 734 or 4.22% of verified police calls in 2021 for EEP, suicide, or ‘mental health’ related to mental health incidents, with emergency evaluations completed by officers. The mental health related incidents noted were calls cleared under six different clearance codes related to mental health and may not have captured every call related to these types of incidents.
The Department has General Order 5-25 Mental Illness currently in place that addresses vulnerable adults and interacting with the mentally ill. The current policy of the police department is to aid and provide referrals for vulnerable homeless adults utilizing a variety of agencies, to include the Montgomery County Crisis Center.

The City of Rockville wishes to promote promising and evidence-based practices such as the Crisis Intervention Team (“CIT”) response model and the opportunity to enhance the existing training of their officers to recognize the signs of behavior health crisis (BHC) or emotional crisis in people, manage difficult encounters, and partner with BHC experts, when appropriate, to successfully divert people to the necessary and most appropriate care.

Montgomery County, through the Department of Health and Human Services, and City of Rockville are committed to establishing a program that seeks to help the City of Rockville and their community stakeholders build positive partnerships, create a public safety agency culture that has additional tools and expertise available to navigate behavioral health crisis issues, and develop and implement a more comprehensive Crisis Intervention Team program for Rockville. Currently, Montgomery County and RCPD often provide services to the same people with behavioral health needs and/or vulnerable persons and, as such, it is believed this partnership will bring a better use of resources which results in better and more successful outcomes.

Both Montgomery County and the Rockville City Police Department will work collaboratively and cooperatively, to proactively develop behavioral health Intervention strategies; and respond to behavioral health incidents through the creation of a Community Crisis Intervention Team shared between the Rockville Police Department and the Montgomery County Department of Health and Human Services.

Through the course of an agreement, the Montgomery County Department of Health and Human Services will provide one merit employee licensed by the State of Maryland and maintained during employment as a Mental Health Specialist to the Rockville City Police Department, specifically the Field Services Bureau. The partnership will be of great assistance in dealing with repeat calls for service with mentally disturbed individuals and those calls where police cannot take enforcement action but only refer resources, such as: elderly/mentally impaired individual living in squalor who is not an imminent threat to themselves or others, but needs assistance, etc. In addition, the contracted position will take on providing health & wellness information/training/services for officers.

**Mayor and Council History**
The Mayor and Council discussed this contract position during the FY 2022 budget workshops. The contract position was approved when the FY 2022 budget was adopted in May 2021 and effective July 1, 2021.
**Fiscal Impact**

There is $122,860 included in the FY 2022 operating budget, Office of the Chief of Police, for this engagement. This funding is part of the base budget and will continue into FY 2023 and future years.

Montgomery County’s salary range for this position is $63,155 to $106,774.

**Next Steps**

Staff recommends the Mayor and Council authorize the City Manager to enter into a one-year agreement with Montgomery County to provide the Rockville City Police Department with a Mental Health Specialist.

**Attachments**

Attachment 8.A.a: Rockville City Police Department MOA (PDF)

Rob DiSpirito, City Manager 2/22/2022
MEMORANDUM OF AGREEMENT

between

Montgomery County, by and through its Department of Health and Human Services

and

City of Rockville
This Services Agreement (the Agreement) is entered into on January 28, 2022

BETWEEN:
Montgomery County, by and through its, Department of Health and Human Services (Provider); and
City of Rockville, Rockville City Police Department (RCPD), a local municipal public safety department, with its registered offices at (Customer).

Both parties are collectively referred to as the Parties and individually also as a Party.

1. INTRODUCTION

1.1 Public safety agencies are called to protect and serve the communities they work for. Perhaps the most difficult calls Police Officers (POs) must respond to are those that involve persons in a crisis or affected by behavioral health crisis (BHC). Since POs may be first to arrive on-scene and to initiate contact with the person(s) with BH issues, scenarios like this require partnerships among public safety, the corrections system, behavioral/mental health (MH) professionals, the courts, and community members as appropriate.

1.2 When POs arrest people in BHC but proper follow-up treatment and diversion are not administered, people may face a cycle of incarceration, release, and recidivism due to the lack of attention to their emotional crisis or mental state. Absent proper partnerships in place to divert people with BHC or emotional crises to treatment, or proper training for POs to recognize signs of mental/emotional distress in community members they encounter and fully understand and have access to the resources through partnerships to divert such persons, this pattern may not improve.

WHEREAS:

The City of Rockville wishes to promote promising and evidence-based practices such as the Crisis Intervention Team ("CIT") response model and the opportunity to enhance the existing training of their officers to recognize the signs of BHC or emotional crisis in people, manage difficult encounters, and partner with BHC experts when appropriate to successfully divert people to the necessary and most appropriate care.

Montgomery County Crisis Center serves as the local behavioral health authority, with strong ties to mental health providers and community organizations representing people with BHC and their families, has a long history of diverting people to needed mental health services, and identifying successful approaches to long-term change.

Montgomery County and City of Rockville are committed to establishing a program that seeks to help City of Rockville and their community stakeholders build positive partnerships, create a public safety agency culture that has additional tools and expertise available to navigate BHC issues, and develop and implement a more comprehensive CIT program for Rockville City Police Department adoption based on the specific needs of the agency. Currently the Provider and the RCPD often provide services to the same people with behavioral health needs and/or vulnerable persons and as such, it is believed this partnership will bring a better use of resources which results in better and more successful outcomes.
NOW THEREFORE, the Parties agree as follows:

2. PURPOSE

The Parties acknowledge that each Party has its various and respective roles and responsibilities with regard to people with behavioral health and/or vulnerable persons (as defined in this agreement) and will work collaboratively and cooperatively, to:

- proactively develop behavioral health Intervention strategies; and
- respond to behavioral health incidents.

2.1 This agreement will create a Community Crisis Intervention Team shared between Rockville Police Department and the Montgomery County Department of Health and Human Services. RCPD is procuring the services of a Mental Health Specialist.

2.2 The mission of the Community Crisis Intervention Team principally exists to promote communication and enhance the response of public and private agencies when summoned to intervene with individuals who are mentally ill, developmentally disabled or experiencing trauma in their lives.

3. AUTHORITY

3.1 The foundation of this agreement is established pursuant to the communication between the City of Rockville City Manager and the Montgomery County Office of the County Executive.

4. SCOPE OF THE AGREEMENT

4.1 This scope of this agreement covers the Rockville City Police Department, its Chief of Police, Deputy Chief of Police and any other command official with the RCPD in direct supervision of the service provider employee. This agreement applies to the Montgomery County Department of Health and Human Services. Chief of Behavioral Health and Crisis Services, Administrator of Crisis, Intake and Trauma Services, Manager of the Crisis Center and any other person with direct supervision of the clinician.

4.2 General Scope. Subject to the provisions of this Agreement, Provider hereby undertakes with Customer to conduct and complete behavioral health service provision as set forth in Annex 1 (the Statement of Work). All services provided by Service Provider to Customer, whether pursuant to a formal contract, a purchase order, a project description (failing a project description, such project description shall be deemed to be a Statement of Work) or upon ad hoc requests for support, shall be subject to this Agreement.

4.3 Provision of the Services. In providing the Services and performing its obligations under this Agreement, Provider shall ensure that its required employees make reasonable efforts and perform their duties and obligations with appropriate care, in a professional and ethical manner and in accordance with applicable guidelines. DHHS shall follow the same procedures in providing a DHHS Merit Therapist II to the customer in regard to staffing as they would during anytime a Merit employee is unavailable due to sickness/annual leave/extended absence.

4.4 Commencement of the Services. Service Provider shall not be required to commence performance of the Services before receipt of the agreed materials, data and other information. In case of a delay in delivery, Service Provider shall be entitled to postpone
Confidential Information means any information of a confidential or proprietary nature, whether of commercial, financial or technical nature, customer, supplier, product or otherwise, including information relating to specifications, software, process designs, process models, materials and ideas. Such information may be disclosed in any form, provided that it is disclosed reasonably in connection with this Agreement.

Crisis means situation (e.g., a traumatic change) that produces significant cognitive or emotional stress in those involved in it.

Crisis Intervention is an "umbrella term" used to describe a set of services designed to interrupt and/or ameliorate a crisis situation. Services may include: hotline/call center, Law Enforcement Crisis Intervention Teams (CIT), Mobile Crisis Teams (MCT’s), Safe Stations, Crisis Beds, Urgent Care, Respite, and Crisis Centers. A multitude of other resources that support a comprehensive system of care exist; including facility-based resources such as short-term residential facilities and peer respite programs that offer step down options for individuals following a crisis episode.

Crisis Intervention Team (CIT) describes a program that is a community partnership of law enforcement, mental health and addiction professionals, individuals who live with mental illness and/or addiction disorders, their families, and other advocates. It is an innovative first-responder model of police-based crisis intervention training to help persons with mental disorders and/or addictions access medical treatment rather than place them in the criminal justice system due to illness-related behaviors. It is also intended to promote officer safety and the safety of the individual in crisis. RCPD is procuring the services of a Mental Health Specialist.

Crisis Services is an 'umbrella term" used to describe services to stabilize and improve psychological symptoms of distress and to engage individuals in an appropriate course of treatment. The services are available to individuals in need of immediate attention for psychiatric or substance abuse symptoms, crisis services include an array of services that are designed to reach individuals in their communities through telephone “hotlines" or “warm lines," and mobile outreach; and to provide alternatives to costly hospitalizations—such as short-term crisis stabilization units and 23-observation beds. Like emergency medical services, crisis services are intended to be available to the entire community. Those receiving services may include individuals with a history of severe and persistent mental illness or a substance use disorder (SUD), or those who have never before used behavioral health services. They may be children, adults, or the elderly.

Key Employee means any director, officer or senior employee in a key capacity of a Party or an Affiliate of it and any of their employees in a key position in view of the performance of the Services, at any time until completion (and acceptance) of the Services.

Milestone means any deliverable or milestone as defined in the Statement of Work.

Work has the meaning ascribed to it in the relevant Statement of Work.
6. **INTERPRETATION.**

6.1 Except as otherwise defined, in this Agreement:

   (a) references to a communication **in writing** shall include e-mail and electronic messages accessible and printable by commonly used software applications;

6.2 **Schedules and priority.** The Annexes are an integral part of this Agreement and references to this Agreement include its Schedules and Annexes. In the event of any ambiguity or inconsistency between the provisions of a Schedule or an Annex and in the body of this Agreement, the latter shall prevail.

7. **TASKS, RESPONSIBILITIES AND OBLIGATIONS**

7.1 The Montgomery County Department of Health and Human Services will provide one merit employee licensed by the State of Maryland and maintained during employment as a DHHS Therapist II to the Rockville City Police Department. The covered services provided to the Customer from the Service Provider are specified in the Statement of Work (Appendix A).

7.2 The Customer and Service Provider shall establish a Steering Committee to develop and agree to written policies and procedures.

7.3 Parties shall develop and agree to procedures and protocols which delineate public safety and behavioral health activities.

7.4 **Cooperation.** Customer shall afford to Service Provider all co-operation in all matters required for the performance of Service Provider’s obligations under the Agreement. Customer shall promptly and fully respond to all communications of Service Provider relating to the provision of the Services and liaise with Service Provider on matters relevant to the provision of the Services.

7.5 **Credentials.** Service provider will provide proof of verification of professional licensure and other information as needed to confirm that staff employed by service provider or its contractors and or subcontractors are certified to provide the Work.

7.6 **RCPD will be a part of the employee evaluation and hiring process for the DHHS Merit Therapist II position.**

8. **WORK CHANGES**

8.1 **Detailing of the Specifications.** Customer shall be entitled to further specify or detail the Specifications in writing, as it deems appropriate or desirable, provided that it does not affect the agreed service fees. Service Provider shall implement all such further specifications and detailing, except that if the specification or detailing results in a modification of work already completed by Service Provider in accordance with its internal planning, the costs of such modification shall be for the account of Customer.

8.2 **Changes proposed by Service Provider.** Service Provider may propose to modify the Specifications to Customer (a **Service Provider Change Request**). A Service Provider Change Request shall indicate as much as reasonably possible the consequences regarding form, fit, function and use, the implementation and any related cost effects.

8.3 **Changes proposed by Customer.** Customer may propose to modify the Service Provider Change Request. A Service Provider Change Request shall indicate as much
as reasonably possible the consequences regarding form, fit, function and use, the implementation and any related cost effects.

8.4 **Subsequent action.** After receipt of the Service Provider Change Request, Customer shall notify Service Provider as soon as practicable whether it approves the Change Request. Upon Customer’s approval, the Specifications shall be deemed to be amended according to the Service Provider Change Request, as the case may be.

8.5 **Dispute settlement.** If the Parties disagree (a) whether a further specification or detailing of the Specification constitutes a modification of the Specifications, or (b) about the consequences of a Customer Change Request, or a Service Provider Change Request, the Parties shall first attempt to achieve an amicable solution. Parties shall escalate the dispute, as appropriate, within each party’s chain of command.

9. **STEERING COMMITTEE**

9.1 **Establishment.** Parties shall establish a joint steering committee composed of representatives of each Party for conducting an overall supervision of each Party’s performance and the direction of the activities pursuant to this Agreement, as well as any matters that the Parties have delegated to such committee from time to time for their decision (the **Steering Committee**). Except to the extent the Parties agree otherwise, the terms for the Steering Committee shall be as provided in this Article 9.

9.2 **Organization.** Each Party shall appoint one representative and one alternate representative to serve on the Steering Committee. Each Party may change its representative or its alternate representative at any time by giving prior notice to the other Parties.

9.3 **Responsibilities.** The Steering Committee shall be responsible for:

(a) the overall supervision and evaluations of the activities pursuant to this Agreement;

(b) deciding or approving on important matters related to a modification of the scope of the Project;

(c) evaluation of each Party’s and each Party’s employees’ performance under this Agreement; and

(d) the facilitation of the completion of metrics and delivery of deliverables in accordance with this Agreement.

(e) Compliance

10. **ACCEPTANCE**

10.1 Complaints about the Metrics or Work shall be made in writing and must be received by Service Provider not later than five working days from the date of delivery in respect of any defect, non-conformity or shortage that would be apparent from a quick scan inspection, or 30 days after the date of delivery in respect of all other defects or non-conformities to the Specifications. Except to the extent required for testing purposes, the use or processing of the Work shall be deemed to be an unconditional acceptance of the Work and a waiver of all claims in respect of such Work. If no notice of defects or non-conformity to the Specifications has been received by Service Provider within the above period of time, the Metrics or Work shall be deemed to be accepted by Customer.
11. CONFIDENTIALITY

11.1 Parties will make certain that their activities are consistent with all applicable laws, regulations, and sound administrative practices and procedures.

11.2 HIPAA Compliance. Customer shall cooperate with Service Provider in complying with its obligations as a HIPAA covered entity, including, but not limited to, complying with its policies and procedures under the HIPAA Privacy Regulations, 45 CFR parts 160 and 164, Maryland State and local laws and regulations governing confidentiality.

(a) The Steering Committee will establish and agree on protocols to ensure that the privacy and security of protected health information is ensured.

11.3 Release of Information. No party shall release any confidential information regarding or resulting from this agreement to the public, government or outside stakeholders, except as required by law, including the Maryland Public Information Act (MPIA) without prior written approval of each party. This information includes, but is not limited to, press releases, promotional literature and research. The City of Rockville will be permitted to release the news of the creation of this program in Rockville to the community, as well as when appropriate, share positive news and highlights as to the effectiveness of this program for the betterment of our community and its members.

11.4 Court orders. In case Confidential Information is required to be disclosed by a party by virtue of a court order or statutory duty, the disclosing Party shall be allowed to do so, provided that it shall without delay inform the other Party in writing of receipt of such order or duty and enable the Party reasonably to seek protection against such order or duty.

12. PAYMENT

12.1 Service fees. The compensation for the Services in relation to the Statement of Work shall be as set forth in the Statement of Work.

13. NON-SOLICITATION

No Party shall, until two years after the date of this Agreement, directly or indirectly, solicit or endeavour to entice away, any of the other Party’s Key Employee with whom such Party (or an employee of such Party) has come into contact during the provision of the Services; provided, however, that a Party shall not be precluded or otherwise restricted from hiring or employing, or from having employment or hiring discussions with, any such person (a) who is not then employed by that other Party, (b) who contacts it without any solicitation by it, or (c) who responds to a general solicitation for employment placed by it or its agents in newspapers, journals, the internet, through recruiters or any media; and furthermore that any such generic solicitation shall not constitute a breach of this Agreement nor the Montgomery County Code of Ethics.

14. LIMITATIONS OF LIABILITY

14.1 The Service Provider and the Customer shall indemnify and hold each other harmless for the negligent acts or omissions of the indemnifying party’s employees, agents, or officials in performing its responsibilities under this agreement. Any indemnification given by the County is subject to the notice requirements and damages limitations stated in the Local Government Tort Claims Act, Md. Code Ann., Cts. & Jud. Proc. Sec. 5-301, et seq. (2002 Repl. Vol.) (the “LGTCAct”), Md. Code Ann. Art. 25A, Sec. 1A (2003 Repl.

14.2 **Indirect damages.** In no event shall either Party be liable in connection with this Agreement for incidental, indirect, special, consequential or punitive damages, including any damages based on loss of profits or lost revenues, or loss of information, production failure, impairment of other goods or otherwise, even if it has been advised of the possibility of such damages.

15. **NOTICES.**

15.1 Any notice or other communication required under this Agreement shall be in writing and sent to the address set forth in the signatures area of this Agreement, or to such other address as the Participants shall designate in writing from time to time. Notices or communications to or between the Participants shall be deemed to have been delivered:
(a) by email notification;
(b) by deposit in the U.S. mail when mailed by first class mail;
(c) if sent by established courier service; or (d) when received by a Participant, if personally delivered.

16. **FORCE MAJEURE**

16.1 **Notification of Force Majeure.** Notwithstanding any provision hereof to the contrary, in the event of a disruption, delay or inability to complete the requirements of this Agreement due to natural disasters, acts of terror or other similar events out of the control of a Participant, such Participant shall not be considered in breach of this Agreement.

17. **TERM AND TERMINATION**

17.1 **Term.** This Agreement shall be effective as of for a period of [one year]. A Party may terminate this Agreement with by giving the other Party a written notice of no less than [three months] before its expiry.

17.2 **Material breach.** A Party may terminate this Agreement at any time for a material or persistent breach by the other Party. Where such breach is capable of being remedied, a Party may only terminate if the breaching Party has not remedied such breach within [120 days] after giving a written notice of such breach.

17.3 **Immediate termination.** A Party may terminate this Agreement with immediate effect by written notice, if the other Party:

(a) shall be dissolved or liquidated, is declared bankrupt or otherwise the subject of suspension of payment or other insolvency proceedings, or if it must reasonably be expected to be unable to meet its obligations under this Agreement;
(b) fails to comply with the laws and regulations to which it is subject;
(c) [or any of its employees, agents or subcontractors, gives or offers to give (directly or indirectly) to any person any bribe, gift, gratuity, commission of other thing of value, as an inducement or reward (i) for doing or forbearing to do any action in relation to this Agreement, or (ii) for showing or forbearing to show favour or disfavour to any person in relation to this Agreement, in each case except for lawful inducements and rewards to Supplier’s employees or, by a subcontractor, such subcontractor’s employees; or]
(d) is subject to a change of control or if the management of the other Party is changed and such change is in the reasonable opinion of the terminating Party (potentially) detrimental to its business interests.

17.4 Existing obligations. Notwithstanding the expiry or termination of this Agreement, each Party shall procure the due and timely performance of all obligations assumed by it prior to such expiry or termination. Except in the event that this Agreement is terminated for breach of contract, no Party shall be required to make any payment for termination or expiration of this Agreement. Provisions which, by their very nature, are intended to continue notwithstanding an expiry or termination of this Agreement, shall continue in full force and effect.

18. MISCELLANEOUS

18.1 Amendments. No amendment of this Agreement shall be binding upon either Party, unless it is in writing and duly signed by both Parties.

18.2 Assignment. No Party may assign rights or obligations of this Agreement without the consent of the other Party, which consent shall not unreasonably be withheld or delayed; except that Service Provider may, without such consent, on written notice to the other Party, assign any of its rights or obligations under this Agreement to its Affiliates. Notwithstanding the previous sentence, each Party may assign this Agreement without the prior consent of the other Party, to a purchaser of all or substantially all of the assets or a business of such Party, provided that such assignment shall not be to a competitor of the other Party in the subject field of this Agreement.

18.3 Independent contractors. The Parties are independent contractors. No Party shall have any power or authority to assume on behalf of or in the name of the other Party any obligations or duties or to bind the other Party to any agreement, obligation or other commitment vis-à-vis any third party.

19. APPLICABLE LAW

19.1 Applicable law. This Agreement is governed by the laws of State of Maryland.

[[Signature Page on Following Page]]
MEMORANDUM OF AGREEMENT

Partnership Agreement

SIGNATURES

CITY OF ROCKVILLE

By: ____________________________
Printed Name: __________________
Title: __________________________
Date: __________________________

I hereby affirm that the above named person is an authorized official to sign contractual agreements for this Agency

By: ____________________________
Printed Name: __________________
Title: __________________________
Date: __________________________

MONTGOMERY COUNTY, MARYLAND

By: Earl Stoddard, Ph.D., MPH, CEM
Assistant Chief Administrative Officer
Date: Jan 28, 2022

Recommended

By: ____________________________
Raymond L. Crowel, Psy.D., Director
Department of Health and Human Services
Date: 1/26/22

Approved as to Form and Legality by the Office of the County Attorney

By: Lindsay Brecher 1.24.22
Lindsay Brecher
Associate County Attorney
Date: __________________________

Attachment 8.A.a: Rockville City Police Department MOA (4051 : Approving an Agreement for Mental Health Specialist Services)
Annex 1. **Statement of Work**

**PROJECT COMMUNITY CRISIS INTERVENTION TEAM**

1.1 Scope and background

A genuine community partnership, the mission of the Community Crisis Intervention Team is two-fold. Principally it exists to promote communication and enhance the response of public and private agencies when summoned to intervene with individuals who are mentally ill, developmentally disabled or experiencing trauma in their lives.

1.2 Objectives and deliverables

(a) Service Provider will provide to Customer a DHHS Merit Therapist II to provide BHC services as part of its CIT. The Therapist II provides comprehensive professional clinical assessment, referral/coordination, direct treatment (short or long term), case management, other case work, support advocacy, crisis intervention, crisis response and related professional services to persons presenting with emotional, behavioral, substance use and related types of problems/disorders.

(b) **DUTIES of Therapist:**

(i) Obtains information from persons presenting with indicators of mental illness, substance abuse, emotional distress and other problems, their family members (as appropriate) and other sources;

(ii) conducts a comprehensive clinical assessment and mental health diagnostic evaluation and makes referrals or recommends a treatment plan that is consistent with programs and resources;

(iii) provides therapeutic case management services, tracking client progress; prepares and maintains case files;

(iv) and prepares reports.

(v) Coordinates referrals and provides appropriate linkage for clients to community services; Works closely with representatives of other agencies (private and public) involved in cases to ensure clinical coordination of services and continuity of care among various treatment/provider agencies.

(vi) Attends case consultation staff meetings; makes recommendations regarding appropriate treatment interventions.

(vii) Participates in cross-functional service integration meetings and conferences concerning needs of, and treatment plans for individuals.

(viii) Recommends or determines eligibility for programmatic assistance consistent with guidelines.

(ix) Informs applicants and clients of parameters of various programs specific to their situations.

(x) Identifies and recommends appropriate resources to control or alleviate problems and develops, with the client, a plan of action for services and follow-up.

(xi) Counsels clients and family members to aid them in achieving better mental health functioning.

(xii) Provides crisis intervention.

(xiii) Provides or coordinates preventive, protective and supportive services to individuals or groups threatened by
conditions or circumstances detrimental to their well-being or that of the community.

(xiv) Advocates for clients regarding eligibility, services, etc

(xv) Prepares and maintains case records, uses automated recordkeeping systems and prepares reports to supervisors and, as pertinent to assignments, including reports for the courts.

(xvi) Uses a computer and modern office suite software (such as MS Office), enterprise software and specialized software for planning, scheduling, recordkeeping, communicating (email), word processing, manipulating data, preparing presentations, reporting time and attendance, researching (the Internet), and performing other functions.

(xvii) Coordinates with staff in social, mental health, health, education, public safety and other governmental units and agencies outside the unit/team of assignment and with staff in non-governmental organizations to meet the needs of clients.

(xviii) Attends, or leads, case consultation staff meetings; makes recommendations regarding treatment plans.

1.3 Project timing (including criteria for each phase)

(a) Starting date

(b) Define phases (incl. specific time schedule), as applicable:
   (i) Further definition of the project scope, and preliminary design
   (ii) Design approval (go, no-go)
   (iii) Establish qualification requirements (go, no-go)

(c) Dates of work interim reporting

(d) Planning: starting dates, dates of meetings and interim reporting dates

(e) Evaluation and results reporting

(i) Participates in, or leads, cross-functional, cross-unit service integration meetings and conferences concerning needs of, and treatment plans, for individuals.

(ii) Participates in, or leads, staff discussions of unit/team, departmental and programmatic policies and procedures.

(iii) May guide/lead lower level staff in clinical or non-clinical matters; may fill in for team supervisor on a recurring basis

(iv) May plan and present continuing education, professional development and other training.

(v) May assist in preparing and advocating for a program, or unit/team, budget.

(vi) May lead special projects to revise programs, policies and procedures or develop new programs, policies and procedures and help implement them.

(vii) May represent the department, program/service area or unit/team on boards or task forces, or serve as a special liaison with other agencies.

(viii) May prepare court papers and testify in court

(ix) As assigned, operates a motor vehicle
1.4 Payment

(a) The total cost of the services to the Customer for FY2022 for a fully benefited Merit Therapist II at maximum midpoint to the date services commence. For subsequent renewal terms, the renewal amendment shall specify the maximum cost of services for the renewal term.

(b) The projected expenses are attached, but are an estimate, and will change based on what salary the position is hired at.

(c) Overtime. Any overtime for the Merit Therapist II must be pre-approved by Customer in conformity with the Montgomery County Government personnel regulations.

(i) The staff may also get raises commensurate with the Montgomery County compensation agreements.

(d) The County will bill the Customer for 100% of the actual costs of the Therapist for each quarter within fifteen days of the end of each quarter. Payments made by the Customer to the County will be equal to three months of the actual costs and must be sent to the address indicated on the County invoice. Payments are due within thirty days of receipt of an invoice from the County. Billing by the County will begin on the effective hiring date of the therapist initially selected to fill this position.

(e) Federal Laws and Regulations - The Customer agrees to comply with all provisions of applicable Federal Laws and Regulations affecting and governing the funds covered by this Contract.

1.5 Out of pocket expenses. Customer shall reimburse all reasonable out-of-pocket expenses incurred by Service Provider in relation to the Services.

1.6 Extra work. Customer shall reimburse Service Provider for all costs incurred as a result of Customer’s instructions or lack of instructions or the inaccuracy of any materials, data and other information provided by Customer.

1.7 Payment term.

(a) Interest. If payment has not been made on the due date then, without prejudice to Service Provider’s other rights, the amounts then due and payable shall be increased by the higher of the statutory interest

(b) Taxes. If any payment pursuant to this Agreement is subject to any Taxes, Service Provider shall be entitled to charge such Taxes to Customer, which shall be paid by Customer in addition to the payments pursuant to this Article 11.
ANNEX 2

DEFINITIONS.

**Affiliate** means, in relation to a person, any company or other entity, whether or not a legal person, which directly or indirectly controls, is controlled by or is under joint control with that person. For this purpose, a person is deemed to control a company or entity if it (a) owns, directly or indirectly, more than 50 percent of the capital of the other company, or (b) in the absence of such ownership interest, substantially has the power to direct or cause the direction of the management and set the policies of such company or entity.

**Call Center** – Also referred to as “Hotlines”, Crisis and information call centers respond to a variety of immediate requests identified by the persons served and may include crisis response, information and referral, or response to other identified human service needs. Services that are provided 24 hours/7 days a week by persons on duty solely to answer hotline calls.

**Confidential Information** means any information of a confidential or proprietary nature, whether of commercial, financial or technical nature, customer, supplier, product or otherwise, including information relating to specifications, software, process designs, process models, materials and ideas. Such information may be disclosed in any form, provided that it is disclosed reasonably in connection with this Agreement.

**Crisis** means situation (e.g., a traumatic change) that produces significant cognitive or emotional stress in those involved in it. A turning point for better or worse in the course of an illness.

**Crisis Center** is an "umbrella term" for centers that are typically open 24/7, and serve as an entry point for individuals to access any number of varying crisis services that assist in de-escalating and stabilizing a behavioral health crisis. Anyone experiencing a behavioral health and/or substance-related crisis is eligible. Whether free standing or attached to a hospital, these centers serve as a potential entry point to long-term, ongoing service delivery and care. The primary functions include: screening and assessment, crisis intervention and management (including medication), brief treatment, and linkage to social services and other behavioral health services.

**Crisis Intervention** is an “umbrella term” used to describe a set of services designed to interrupt and/or ameliorate a crisis. Services may include: hotline/call center, Law Enforcement Crisis Intervention Teams (CIT), Mobile Crisis Teams (MCT’s), Safe Stations, Crisis Beds, Urgent Care, Respite, and Crisis Centers. A multitude of other resources that support a comprehensive system of care exist; including facility-based resources such as short-term residential facilities and peer respite programs that offer step down options for individuals following a crisis episode.

**Crisis Intervention Team** (CIT) describes a program that is a community partnership of law enforcement, mental health and addiction professionals, individuals who live with mental illness and/or addiction disorders, their families, and other advocates. It is an innovative first-responder model of police-based crisis intervention training to help persons with mental disorders and/or addictions access medical treatment rather than place them in the criminal justice system due to illness-related behaviors. It also promotes officer safety and the safety of the individual in crisis.
Crisis Response System is an “umbrella term” used to describe a set of services designed to interrupt and/or ameliorate a crisis. Services may include: hotline/call center, Law Enforcement Crisis Intervention Teams (CIT), Mobile Crisis Teams (MCT’s), Safe Stations, Crisis Beds, Urgent Care, Respite, and Crisis Centers. A multitude of other resources that support a comprehensive system of care exist; including facility-based resources such as short-term residential facilities and peer respite programs that offer step down options for individuals following a crisis episode.

Crisis Stabilization means a 23-hour crisis observation service that directly provides individuals in severe distress with up to 23 consecutive hours of supervised care to assist with de-escalating the severity of their crisis and/or need for urgent care. The primary objectives of this level of care are prompt assessments, stabilization, and/or a determination of the appropriate level of care (SAMHSA, 2014) with the goal of avoiding unnecessary hospitalizations for individuals whose crisis might be resolved within a short time and observation. The brief observation period/hospitalization of crisis stabilization has shown to be associated with tangible benefits for both the service users and providers.

Emergency Psychiatric Services means the clinical application of psychiatry in emergency settings. Conditions requiring psychiatric interventions may include attempted suicide, substance abuse, depression.

Hotline are defined as “a direct service delivered via telephone that provides a person who is experiencing distress with immediate support and/or facilitated referrals. This service provides a person with a confidential venue to seek immediate support with the goal of decreasing hopelessness; promotes problem-solving and coping skills; and identifies persons who are in need of facilitated referrals to medical, healthcare, and/or community support services” (SAMHSA, 2012).

Maryland Crisis Hotline (MCH) means the statewide network consisting of providers available 24-Hour, 7 day a week for callers of any age in need of crisis intervention, risk assessment for suicide, homicide or overdose prevention, support, guidance, information, linkage to community providers of behavioral health services and other forms of assistance.

Mobile Crisis Teams means community-based service that provides face-to-face professional and peer intervention, deployed in real time to the location of a person in crisis. The immediate goal is to de-escalate the person’s behavioral health crisis, but also assists with continuity of care by providing support that continues past the crisis period.

Residential Crisis Beds/Residential Crisis Services (Mental Health) describes a program designed to prevent or provide an alternative to a psychiatric inpatient admission, shorten the length of an inpatient stay, and/or reduce the pressure on general hospital emergency departments. (COMAR). Residential crisis services (RCS)” means intensive mental health and support services that are: (1) Provided to a child or an adult with mental illness who is experiencing or is at risk of a psychiatric crisis that would impair the individual's ability to function in the community; and (2) Designed to prevent a psychiatric inpatient admission, provide an alternative to psychiatric inpatient admission, shorten the length of inpatient stay, or reduce the pressure on general hospital emergency departments.

Respite Care describes the temporary care provided for an adult w/ serious and persistent mental illness or a child w/ serious emotional disturbance, that is provided on a short-term
basis in a community-based setting, and is designed to support an individual to remain in the individual's home by providing the individual with enhanced support or temporary alternative living situation; or assisting the individual’s home caregiver by temporarily freeing the caregiver from the responsibility of caring for the individual.

**Safe Stations** describe similar to walk-in centers, Safe Stations use Fire and Police stations as 24 hr access hubs for entry into the treatment system, with 24 hours a day, seven days a week access for interested individuals. As with walk-in centers, this can assist in diversion from emergency department admission, and police involvement/incarceration.

**Urgent Care** – This term describes the provision of intensive crisis services to individuals who otherwise would be brought to emergency departments, and provides up to 23 hours of immediate care and linkage to community-based solutions. There are a variety of ways to access services, and rapid, same-day access is available. Clinics with screening, assessment and brief intervention and prescribing capabilities that operate for walk-in visits with no appointment needed for immediate mental health and substance use support during day hours and limited weekend.

**23 Hour Crisis Bed** - 23-hour crisis observation or stabilization is a direct service that provides individuals in severe distress with up to 23 consecutive hours of supervised care to assist with deescalating the severity of their crisis and/or need for urgent care. The primary objectives of this level of care are prompt assessments, stabilization, and/or a determination of the appropriate level of care. The main outcome of 23-hour observation beds is the avoidance of unnecessary hospitalizations for persons whose crisis may resolve with time and observation (SAMHSA, 2012).
**Subject**
Approval of Minutes

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

January 10, 2022 (Meeting No. 01-22)

January 24, 2022 (Meeting No. 02-22)
Subject
Presentation of the Fiscal Year 2023 Proposed Operating Budget and Capital Improvements Program

Recommendation
Staff recommends that the Mayor and Council receive the presentation on the Proposed Fiscal Year 2023 Operating Budget and Capital Improvements Program.

Discussion
The FY 2023 Proposed Operating Budget and Capital Improvements Program reflects industry best practices by presenting all budget information in an easy-to-read, user-friendly format, with a focus on how the City is achieving the Mayor and Council’s priorities in the upcoming year. The FY 2023 Proposed Budget is available online at www.rockvillemd.gov/budget. Also on the website is a link to the Excel version of the budget, which details the budget in a line item format.

Operating Budget Overview
The FY 2023 operating budget totals $148.6 million for the City’s 11 operating funds. This represents an overall increase of 5.2 percent from the FY 2022 adopted budget. The FY 2023 proposed budget restores many of the reductions that were made in FY 2021 and FY 2022 due to the pandemic. The budget focuses on the strategic allocation of resources, including new staff resources and additional revenues from tax duplication and property tax.

City Staffing
The total number of full time equivalent (FTE) positions in the FY 2023 operating budget equals 638.5, an increase of 17.8 FTEs from the FY 2022 adopted level. The FY 2023 proposed budget includes an additional 13.2 regular FTEs over the FY 2022 adopted budget (of the 13.2 FTEs, 4.0 FTEs were previously frozen). The new regular positions for FY 2023 are as follows (position summary tables, including values of positions, are included in the Supplemental Information section of the budget document):

- 0.5 FTE Boards and Commissions Task Force and Volunteer Coordinator (Mayor and Council)
• 0.5 FTE ADA Coordinator (City Manager)
• 1.0 FTE Buyer (City Manager)
• 1.0 FTE Cultural Arts Coordinator (City Manager)
• 0.5 FTE Grants Manager (City Manager)
• 2.0 FTE Senior Planner (Comm. Planning and Development Services, previously frozen)
• 1.0 FTE Information Systems Security Engineer (Information Technology)
• 1.0 FTE Police Major (Police, previously frozen)
• 0.5 FTE Police Services Aide (Police)
• 1.0 FTE Sustainability Program Manager (Public Works)
• 1.0 FTE Assistant City Manager (City Manager) (This position was created via a reclassification of a vacant position in FY22, and is being re-evaluated during the FY23 budget process to become a Senior Project Manager)
• 1.0 FTE Maintenance Worker III (Operations & Maintenance Division of Public Works)
• 0.2 FTE Recreation and Parks Program Specialist (Teens) (Recreation and Parks)
• 1.0 FTE Senior Construction Projects Manager (Recreation and Parks, previously frozen)
• 1.0 FTE Special Events Coordinator (Recreation and Parks)

Total temporary FTEs increased by 4.6, mainly due to the restoration of programming that was reduced or eliminated during the pandemic. The FY 2023 proposed budget assumes that many recreation programs will return to normal in calendar 2022.

**FY 2023 Budget Priorities**
Each year the Mayor and Council identify specific budget priorities during the budget preparation process. For the FY 2023 budget process, the Mayor and Council completed an 18-question survey on their top budget priorities. This survey was designed by staff and covered areas such as new positions, new or enhanced programs, employee wages and benefits, outside and caregiver agency grants, use of reserves, capital projects, and use of debt. Staff compiled the survey results, and the Mayor and Council discussed the results during a public meeting in December 2021. In addition to that December meeting which informed the City’s Manager’s proposed budget, there will be several more discussions on priorities and adjustments to the budget during the Mayor and Council’s budget worksessions that are scheduled for March and April 2022.

The overall budget priorities that resulted from the Mayor and Council’s FY 2023 budget discussions include: implementation of the Comprehensive Plan; environmental sustainability and Climate Action Plan; Vision Zero; economic development; and financial sustainability and pandemic recovery. While there are many other items and priorities proposed in the FY 2023 budget, staff understood these to be major priority areas for FY 2023. Below is a summary by priority to illustrate how these priorities intersect with the operating and capital budgets.

- **Implementation of the Comprehensive Plan** – On August 2, 2021, the Mayor and Council adopted Rockville’s new Comprehensive Plan (“Plan”) as the final step in the multi-year Rockville 2040 process. This Plan contains the core philosophy that guides
development, conservation, and capital improvement projects to improve the quality of life in the Rockville community. During the Plan’s 20-year timeframe, decisions are made on land use issues and budget priorities, and these decisions are guided by their alignment with the Plan.

It is a recommendation of the Plan that the City develop a strategy to implement action items, with estimated time frames, key partners, and the resources necessary to accomplish them. According to the Plan, priority should be given to implementation items that require a zoning map amendment or adoption of new or revised regulations in the Zoning Ordinance. As a result of this recommendation, the FY 2023 proposed budget includes $300,000 in funding for a two year consultant engagement to assist with the Zoning Ordinance update.

Completing a Zoning Ordinance update will more effectively manage growth, preserve key environmental and historic areas, and promote the types of housing and jobs that the City seeks. This update is a major step that can implement many of the policies and actions recommended in the Plan and should bring about the greatest community benefits. Consultant support will be needed to carry out this multi-faceted project, which is expected to take 18 to 24 months from the time the selected consultant is hired. The process will include technical work and community engagement. The new Zoning Ordinance should be complementary to the Plan and implement it fully through innovative and well-considered zoning law.

In addition to the $300,000 in consultant funding, the FY 2023 proposed operating budget includes the addition of 2.0 FTE Senior Planners at a total cost of $211,060. These positions will be instrumental in the Zoning Ordinance update and the overall implementation of the Comprehensive Plan. These positions were frozen when they became vacant in FY 2021 at the start of the pandemic when Rockville’s resources decreased by over five percent. Since that time, the Department of Community Planning and Development Services (CPDS) has experienced additional vacancies and struggled with workload and productivity on major projects such as the Comprehensive Plan update, Town Center Revitalization, and GIS layer updates.

In addition to the funding proposed in the FY 2023 budget, financial resources will be needed to implement recommended capital projects related to near-term items. Staff is currently working to update its fiscal analysis tool for understanding the financial impact of development proposals and Comprehensive Plan implementation.

- **Environmental Sustainability and Climate Action Plan** – The Mayor and Council adopted Rockville’s first Climate Action Plan (CAP) on January 10, 2022. The plan charts an ambitious course for reducing greenhouse gas emissions from the community and municipal government operations by at least 50 percent below 2005 levels by 2030 and carbon neutrality by mid-century. The plan includes a list of 42 actions that are focused on equitably reducing greenhouse gas emissions, strengthening resiliency, and
developing a framework to oversee and monitor progress. Recognizing the disproportionate impacts that low-income and communities of color experience, the plan prioritizes equity by protecting vulnerable communities and improving access to environmental benefits.

Climate actions involve energy efficiency, renewable energy, electric vehicles and sustainable transportation, land use management, materials and waste management, resiliency, and public engagement and oversight. CAP implementation requires City investment in new technologies and projects, updated policies and ordinances, increased staff capacity, and the development or expansion of programs and services.

The CAP is designed to be flexible to allow the City to take advantage of new technology or funding opportunities as they arise. Although the City is taking the lead, community participation is critical, and implementation will involve partnerships and advocacy beyond Rockville’s borders. It will also draw on the recommendations in Rockville’s Comprehensive Plan and from widely-accepted best practices amongst governmental jurisdictions.

There are several elements in the FY 2023 proposed budget that support the CAP. Included in the Department of Public Works, Environmental Management Division, is a new 1.0 FTE Sustainability Program Manager ($115,760). This position will be responsible for implementing and managing various citywide initiatives recommended by the CAP, including the installation and management of electric vehicle infrastructure, installation and management of renewable energy systems, oversight of energy management and energy efficiency projects, and other actions to reduce the City’s municipal carbon emissions and improve the resiliency of public buildings and infrastructure. In addition to the funding for this position, the FY 2023 operating and CIP budgets include:

- $300,000 for a pilot flood mitigation grant program,
- $792,500 for Electric Vehicle Infrastructure (GA23),
- $1.0 million for LED Streetlight Conversion (TA22),
- $1.5 million for the Flood Resiliency Master Plan (SA23),
- $200,000 for the Storm Drain Analysis and Spot Repair: Potomac Woods (SB23), and

In addition to the funded elements in the FY 2023 proposed budget, the city is utilizing existing resources to make current operations more consistent with the CAP. For example, in addition to the two electric vehicles planned for lease in FY 2022, the City will lease an additional 13 electric sedan/light duty pickup trucks/SUVs in FY 2023. Staff will be carefully coordinating the arrival of new electric vehicles with the new charging infrastructure as planned for in the Electric Vehicle Infrastructure (GA23) CIP project as much as possible, given the current unpredictable electric vehicle market. Staff is also
looking for opportunities to make City facilities more energy efficient and will utilize rebates or grants whenever possible.

- **Vision Zero** – On July 6, 2020, the Mayor and Council adopted the Vision Zero Action Plan to move the City of Rockville toward zero traffic deaths by 2030. The Vision Zero Action Plan outlines 30 actions that will help to increase traffic safety for all people and eliminate traffic-related fatalities and serious injuries. The strategy recognizes that people will make mistakes, so the road system and related policies should be designed to ensure those inevitable mistakes do not result in severe injuries or fatalities. Vision Zero also recognizes non-motorists are more vulnerable in collisions, and that roadway designs and related policies must address the needs of these individuals.

To be successful, Vision Zero relies on a multidisciplinary approach, bringing together diverse stakeholders throughout the community, as well as cross-agency collaboration. Vision Zero acknowledges that many factors contribute to safe mobility, including roadway design, speeds, behaviors, technology, and policies, and sets clear objectives to achieve the shared goal of zero fatalities and severe injuries. Each quarter, the City’s dedicated Vision Zero Coordinator submits a status report to the Mayor and Council, which provides updates and progress for each of the 30 action items. The Vision Zero Coordinator resides in the Department of Public Works, but collaborates with other City departments, including Police, Recreation and Parks, Community Planning and Development Services, and the City Manager’s Office.

For the FY 2023 proposed capital budget, there are several projects with new appropriations that support the Vision Zero Action Plan in the Recreation and Parks Program Area and Transportation Program Area. These CIP projects include:

- $530,000 in Asphalt/Concrete Improvements: FY21-FY25 (RA21),
- $3.6 million in Asphalt Repair and Replacement: FY21-FY25 (TA21),
- $2.2 million in Concrete Repair and Replacement: FY21-FY25 (TC21),
- $1.0 million in LED Streetlight Conversion (TA22),
- $200,000 in Pedestrian and Bicycle Safety (TD21),
- $200,000 in Sidewalks (TE21), and
- $634,000 in Town Center Road Diet (TB22).

The total FY 2023 budget appropriation for these projects equals $8.4 million. Please note there are additional Vision Zero projects in the CIP with prior appropriations or future funding identified.

The Vision Zero effort has many stakeholders and City staff will continue to work closely with the Rockville Pedestrian Advocacy Committee (RPAC), the Rockville Bicycle Advisory Committee (RBAC), the Traffic and Transportation Commission, Montgomery County, Maryland State Highway Administration, and other valued partners to identify and address safety needs.
• **Economic Development** – The City of Rockville’s economic development activities are managed by Rockville Economic Development, Inc. (REDI). REDI is a public-private partnership that was formed to strengthen and broaden the City’s economic base through business entrepreneurship, expansion, retention, and recruitment programs. REDI’s services include site selection, fast track development, financing facilitation, networking and referrals, placemaking, and general business guidance. The City provides funding for REDI each year in the operating budget.

The FY 2023 proposed budget for REDI equals $1.6 million, a total increase of $182,870 or 13 percent over FY 2022. The increase in REDI’s grant helps to support operational cost increases, tourism promotion, and an increase to the business incentive program. This total also includes one-time funding of $90,000 for a commercial district creation project. For transparency in budgeting, REDI is a separate cost center in the Administration Division in the Office of the City Manager.

In 2021, REDI presented the “Rock East District” to the Mayor and Council for formal designation by the City. Rock East District is a placemaking project led by REDI to highlight the unique businesses, services, and recreation assets of East Gude Drive. Placemaking is a multi-faceted approach that utilizes local community’s assets and potential with the intention of creating spaces that promote the vitality of the people and businesses. The Rock East District is also a pilot project to promote local tourism and provide support and recognition to small businesses recovering from the pandemic.

In addition to REDI’s efforts, an ongoing initiative in the Department of Community Planning and Development Services (CPDS) is the coordination of Town Center revitalization efforts on behalf of the City. CPDS will continue to work with other departments, REDI, the Rockville Chamber of Commerce, residents, business owners, and the Mayor and Council to enhance the vitality and livability of Rockville’s downtown.

• **Financial Sustainability and Pandemic Recovery** – The FY 2023 budget is the third budget prepared in the pandemic environment. The pandemic has significantly impacted many of the City’s resources, including reductions in revenues from hotel tax, admissions and amusement tax, recreation charges for services, and parking fees and citations. In fact, overall General Fund revenues declined by more than 5 percent from pre-pandemic levels. Due to revenue reductions, over the past two years, Finance has worked closely with the City Manager and City departments to maintain operations while cutting back or deferring some less essential positions, operating, and CIP expenditures. Moving into FY 2023, the proposed budget restores most of what was eliminated or reduced during the pandemic, allowing the City to look for new opportunities for growth, service enhancements, and transformation. One restoration priority that is included in the proposed budget is funding for the implementation of the
Employee Compensation and Classification Study recommendations, consistent with the Mayor and Council’s direction.

In addition to the restoration of City revenues, the City received a $9.6 million allocation from the American Rescue Plan Act (ARPA) of 2021. The intent of ARPA is to aid state and local governments in the recovery from the budgetary, economic, and financial impacts of the COVID-19 pandemic. During FY 2022, the Mayor and Council held several meetings to discuss the City’s use of the ARPA funds, with the goal of leveraging the federal government’s resources, while meeting the needs of the Rockville community. Over the course of two budget amendments, the Mayor and Council appropriated $5.6 million of ARPA funds for the following:

- $1 million for delinquent water and sewer bill forgiveness,
- $1.4 million for commercial water meter replacements,
- $750,000 for Water Treatment Plant Upgrades,
- $530,000 for Water Treatment Plant Safety Improvements,
- $300,000 for Water Treatment Plant SCADA security improvements,
- $650,000 for King Farm Farmstead sewer infrastructure,
- $450,000 for King Farm Farmstead electrical infrastructure, and
- $533,345 for Gude Drive facility recycling transfer enclosure.

The remaining $4 million will be discussed and likely appropriated in calendar year 2022. In addition to the ARPA funds, the City ended FY 2021 with an overall net position of $307.1 million, an increase of 4.7 percent over the previous year. The City also maintained an unassigned fund balance in the General Fund well over the reserve target (audited balance was $22.9 million or 27 percent). These healthy balances were due in part to conservative spending and revenue estimates across City departments and programs. Due to the current balance above the policy target, in the October 2021 budget amendment, the Mayor and Council approved the use of $1.3 million in unassigned reserves for employee leave buyback and for additional support for the Maintenance and Emergency Operations Facility Improvements (GD19) CIP project.

Staff is hopeful that FY 2023 revenues mirror pre-pandemic activity and will continue to update the Mayor and Council on revenue and/or expenditure adjustments throughout the year. Staff will continue to look for strategically sound financial solutions that fund the Mayor and Council’s priorities by utilizing all City resources, including current revenues, unassigned fund balance above the reserve target, and the remaining ARPA funds.

**Capital Improvements Program (CIP)**

The FY 2023 proposed CIP budget includes new appropriations of $27.3 million to address the priorities of the Mayor and Council and residents of Rockville. This new funding, combined with prior year carryover funding of $58.2 million, supports a total of 46 capital projects in FY 2023.
There are eleven new projects presented in the FY 2023 through FY 2027 capital budget, which are listed here along with a basic description (note: not all new projects are funded or are scheduled for FY 2023). More information, including the total budget and timeline, can be found on the individual project sheets in the CIP Projects section of the budget document.

- **Civic Center Park ADA Sidewalk (RA23)** – This project funds the design and construction of an accessible sidewalk from Edmonston Drive to connect to the existing accessible sidewalk to the F. Scott Fitzgerald Theatre and Glenview Mansion. This project is funded in FY 2024 and FY 2025.

- **King Farm Farmstead - Electric Infrastructure (RB23)** – This project funds the design and construction of electric infrastructure services from Pepco to the buildings within the park. This does not include wiring inside the actual buildings. This project was added in mid-FY 2022 and was fully funded with ARPA funds.

- **King Farm Farmstead - Garage #2 and Tenant Buildings #6 and #7 (RC23)** – This project funds the design and construction to stabilize and rehabilitate the garage (#2) and tenant buildings (#6 and #7) at the King Farm Farmstead Park. This project will create a weathertight building shell, but the buildings will not be ready for occupancy, nor will they be fit out for any specific use. This project is unfunded in FY 2025 and FY 2026.

- **Pedestrian Bridge Replacement: Woottons Mill (RD23)** – This project funds the design and construction of a replacement of a steel truss pedestrian bridge at Woottons Mill Park, crossing a Watts Branch tributary. The bridge was identified for replacement through the City's Bridge Inspection Program completed by a third party engineering firm. This project is funded in FY 2026 and FY 2027.

- **RedGate Park Master Plan Implementation (RE23)** – This project funds design and construction of the infrastructure and amenities within the park based on the outcome of the master planning process. This project is unfunded presently since project scope and estimated costs are still being determined, but the project design can be funded in FY23 with unassigned fund balance above the reserve target, once scope and cost are finalized. Upon RedGate Park Master Planning report approval by the Mayor and Council, staff will prepare a funding recommendation for this project. Funding for implementation will depend on the Mayor and Council’s direction on the amenities, size, scope, and phasing of the project.

- **Scott-Veirs Drive Shared-Use Path (TA23)** – This project designs and constructs a 1.2-mile shared-use path along Scott Drive and Veirs Drive, between Glen Mill Road and Wootton Parkway, connecting the City of Rockville with the North Potomac area of Montgomery County. This project shows an unfunded amount of $250,000 for design in FY24 and $1 million for construction in FY26, pending the results of the FY22 feasibility study, which is currently underway.
• **Flood Resiliency Master Plan (SA23)** – This project funds the development of a Flood Resiliency Master Plan. The plan will evaluate current system capacity and flood impacts; identify flood hazard areas; forecast potential impacts; develop a stakeholder-informed project prioritization tool based on risk tolerance; develop feasibility level designs; and recommend high-priority projects. In conjunction with this project the operating budget includes a Flood Mitigation Assistance Pilot Program to provide direct payments to property owners, as well as outreach and education on floodproofing and flood insurance. This project is partially funded in FY 2023. The unfunded portion in FY 2026 represents a rough estimate for high-priority projects recommended by the plan. Actual funding needs for those projects will not be known until the plan is complete.

• **Storm Drain Analysis and Spot Repair: Potomac (SB23)** – This project inspects and analyzes storm drain infrastructure; designs and constructs storm drain improvements to alleviate possible capacity restrictions; repairs the Stratton Drive stormwater outfall; dredges the SWM Facility; and addresses a failed gabion endwall within Potomac Woods Park. Recent short-duration, high-intensity storms, such as the remnants of Hurricane Ida, resulted in private property damage within the Potomac Woods neighborhood and increased stream bank erosion within the park, demonstrating the need for this project. This project is funded in FY 2023 through FY 2026.

• **SCADA Cybersecurity (UA23)** – This project implements defense-in-depth cybersecurity network protection tools for the System Control and Data Acquisition (SCADA) system from internal and external threats. SCADA refers to a system that collects data from various sensors at the WTP, water, and wastewater systems, which is then sent to a central location to coordinate, manage, and control the systems. This project was added in mid-FY 2022 and was fully funded with ARPA funds.

• **Water Treatment Plant Sludge Dewatering (UB23)** – This project designs and constructs replacement of the sludge dewatering equipment at the Water Treatment Plant. The current filter press dewaters sludge from the treatment process, separating the liquids that are re-treated and the solids that are disposed of off-site. Dewatering the sludge is more cost effective and environmentally sustainable than hauling liquids. The existing filter press and associated components are more than 25 years old and have reached the end of their useful life. This project is funded in FY 2023 through FY 2026.

• **Electric Vehicle Infrastructure (GA23)** – This project plans, procures, designs, permits, and installs a phased approach to electric vehicle (EV) charging infrastructure on City property and possibly rights-of-way adjacent to City facilities, to serve an electric vehicle City fleet, and potentially employees and the community. The project includes tools and equipment to maintain the electric vehicle fleet. Phase I is electrification of light duty fleet in FY 2023 per the fleet replacements. Phase II is electrification of heavy-duty fleet in FY 2025. In conjunction with this project, a community EV readiness study is proposed.
as a Planned Improvement Project for FY 2025. This project is funded in FY 2023 through FY 2026.

The CIP budget is funded by various sources, including paygo and proceeds from the issuance of general obligation bonds. For FY 2023, staff will issue new general obligation bonds to support some of the Water and Sewer Fund CIP projects. Additional Water, Sewer, Stormwater Management, and taxpayer supported bonds will be issued in future years. Each year staff re-evaluates the need for issuing bonds with the goal of reducing the reliance on borrowing and increasing the reliance on ongoing resources or paygo support from the General Fund and the enterprise funds. More information on the future bond issues can be found in the Financial Summaries section of the budget document.

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### Public Notification and Engagement

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The FY 2023 budget public record closes on April 15, 2022.

### Fiscal Impact

The FY 2023 proposed operating budget appropriation by category and fund can be found on page 59. The FY 2023 proposed CIP budget appropriation by fund, program area, and department can be found on page 270.

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Rob DiSpirito, City Manager 2/23/2022
Subject
Introduction of a Resolution to Establish the Service Charge Rate for Municipal Refuse Collection and to Establish a Charge for Unreturned Refuse and Recycling Carts Pursuant to Section 20-6 of the Rockville City Code

Recommendation
Introduction of a Resolution to Establish the Service Charge Rate for Municipal Refuse Collection and to Establish a Charge for Unreturned Refuse and Recycling Carts Pursuant to Section 20-6 of the Rockville City Code

Change in Law or Policy
Setting the refuse rate for FY 2023 requires the passage of the attached resolution. This resolution is scheduled to be adopted on May 9, 2022.

Discussion
The Refuse Fund accounts for the financial activity associated with the collection and disposal of residential recycling, refuse, and yard waste. The City currently operates a semi-automated once-per-week refuse pickup and a single-stream recycling program. For FY 2023, the rate is proposed to increase by 4.4 percent, or $20 per year, to $479 per residential household (note: the rates remained flat from FY 2018 through FY 2021). Customers pay for recycling and refuse services on their annual real property tax bill that comes from Montgomery County.

The Refuse Fund makes up 5.7 percent of the total operating budget, supports 37.2 regular FTEs, one capital project, and all operating costs of the program. The Fund supports the budgets for the Public Works Department and Non-Departmental. The Refuse Fund’s current debt will be retired in FY 2026. No additional bond issues are planned at this time.

There is $533,345 appropriated in the CIP for the installation of a new recycling transfer enclosure at the Gude Drive Maintenance Facility. This enclosure will allow City trucks to transfer recycling to trailers for haul-off. This enclosure moves the transfer work under cover, provides fire suppression, stops windblown material on the maintenance yard and surrounding properties, and expands recycling program efficiency. This project was originally supported by the Refuse Fund, but the Mayor and Council decided to allocate a portion of the American
Rescue Plan Act (ARPA) funds to this project in order to mitigate refuse and recycling rate increases. The scope of the project remains the same.

**Mayor and Council History**

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**Public Notification and Engagement**

There are three more public hearings related to the FY 2023 budget (March 7, March 21, and April 4). In addition to these public hearings, the public can submit written comments directly to the Mayor and Council via the City Clerk/Director of Council Operations.

The Rockville community is also encouraged to submit an online budget survey to communicate their budget priorities for FY 2023. This form is available in both English and Spanish and will be posted until April 15, 2022. The survey can be found at www.rockvillemd.gov/budget.

The FY 2023 budget public record closes on April 15, 2022.

**Fiscal Impact**

The proposed FY 2023 operating budget for the Refuse Fund equals $8,416,790 and the FY 2023 CIP budget equals $533,345. The proposed budget is based on a refuse rate of $479 per year.

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**Attachments**

Attachment 10.a: AttachA_Refuse_Feb2022 (PDF)
RESOLUTION: To Establish the Service Charge Rate - Municipal Refuse Collection and to establish a charge for unreturned refuse and recycling carts

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that in accordance with Section 20-6 of the "Rockville City Code", the following service charge rate for municipal refuse collection service is hereby established:

$479.00 per single-family residence per year

AND BE IT FURTHER RESOLVED, that said amount shall be levied and collected in all respects in the same manner as regular taxes are collected, and unpaid refuse bills shall be a lien on the property served;

AND BE IT FURTHER RESOLVED, that the aforementioned service charge rate, as established above, shall take effect on July 1, 2022;

AND BE IT FURTHER RESOLVED, that said service charge may not be reduced or suspended for reason of property vacancy or for any other reason;

AND BE IT FURTHER RESOLVED, that in accordance with regulations approved pursuant to Section 20-7 of the “Rockville City Code,” the following charges are hereby established for refuse and recycling carts that are not available for the City to pick up after a residence has been vacated:

- 32 gallon cart: $39.87
- 48 gallon cart: $42.87
- 64 gallon cart: $44.87
- 96 gallon cart: $50.20

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Mayor and Council of Rockville at its meeting of

______________________________
Sara Taylor-Ferrell, City Clerk/Director of Council Operations
**Subject**
Introduction of a Resolution to Establish the Equivalent Residential Unit Rate to be Used in Calculating the Stormwater Management Utility Fee Pursuant to Chapter 19 Entitled "Sediment Control and Stormwater Management" of the Rockville City Code; and to Establish a Fee for Application for a Credit Against the Stormwater Management Utility Fee for Private Stormwater Management Facilities

**Recommendation**
Staff recommends that the Mayor and Council introduce the Resolution to Establish the Equivalent Residential Unit Rate to be Used in Calculating the Stormwater Management Utility Fee Pursuant to Chapter 19 Entitled "Sediment Control and Stormwater Management" of the Rockville City Code; and to Establish a Fee for Application for a Credit Against the Stormwater Management Utility Fee for Private Stormwater Management Facilities.

**Change in Law or Policy**
Setting the stormwater management utility fee for FY 2023 requires the passage of the attached resolution. This resolution is scheduled to be adopted on May 9, 2022.

**Discussion**
The City's stormwater management utility fee, which was established by ordinance in FY 2008, funds Rockville's stormwater, storm drainage, and water quality programs. This ordinance enables the City to charge an annual fee per Equivalent Residential Unit ("ERU").

All residential and commercial properties in the city are proposed to pay $138 per ERU per year, which is a $6 increase over the FY 2022 rate. Customers pay the stormwater management fee on their annual real property tax bill that comes from the Montgomery County.

The SWM Fund makes up 4.3 percent of the total operating budget, and supports 22.9 regular FTEs, all operating costs of the program, and eight capital projects. The Fund supports the budgets for the Public Works Department and Non-Departmental. The Stormwater Management Fund's current debt will be retired in FY 2030. One additional bond issue is planned for FY 2024.
Future operating and capital budgets are consistent with the requirements of the National Pollution Discharge and Elimination System (NPDES) general permit for Phase II Municipal Separate Storm Sewer Systems (MS4) that was issued in 2018.

In addition to the fixed fee per ERU, the attached Resolution continues with the $150.00 for credit applications to reduce the annual Stormwater Management Utility Fee for private stormwater management facility owners. The credit is available to owners who structurally maintain and operate an approved stormwater management facility, such as a pond, sand filter, bioretention, or other designated facility. The application fee is based on the estimated amount of staff time necessary to review the credit application and verify all supporting documentation.

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### Public Notification and Engagement

There are three more public hearings related to the FY 2023 budget (March 7, March 21, and April 4). In addition to these public hearings, the public can submit written comments directly to the Mayor and Council via the City Clerk/Director of Council Operations.

The Rockville community is also encouraged to submit an online budget survey to communicate their budget priorities for FY 2023. This form is available in both English and Spanish and will be posted until April 15, 2022. The survey can be found at www.rockvillemd.gov/budget.

The FY 2023 budget public record closes on April 15, 2022.

### Fiscal Impact

The proposed FY 2023 operating budget for the Stormwater Management Fund equals $6,347,220 and the FY 2023 CIP budget equals $10,566,399. The proposed budget is based on an annual rate of $138 per year.

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**Attachments**

Attachment 11.a: AttachA_SWMUtilityFee_Feb2022 (PDF)

Rob DiSpirito, City Manager  2/23/2022
Resolution No. _________

RESOLUTION: To establish the Equivalent Residential Unit Rate to be used in calculating the Stormwater Management Utility Fee pursuant to Chapter 19 entitled “Sediment Control and Stormwater Management” of the Rockville City Code; and to establish a fee for Application for a credit against the Stormwater Management Utility fee for private stormwater management facilities

WHEREAS, on April 21, 2008, the Mayor and Council of Rockville adopted Ordinance No. 5-08, which amended Chapter 19 of the Rockville City Code entitled “Sediment Control and Stormwater Management” to provide, among other things, for the establishment of an annual Stormwater Management Utility Fee to support the City’s stormwater management, storm drainage, and related water quality programs; and

WHEREAS, Ordinance No. 5-08 provides, in Section 19-12 for the establishment, by resolution of the Mayor and Council, of the Equivalent Residential Unit Rate to be used for calculating the Stormwater Management Utility fee; and

WHEREAS, Ordinance No. 5-08 provides, in Section 19-88, for the adoption of Regulations establishing a system of credits against the Stormwater Management Utility Fee for private stormwater management facilities owned and maintained by the property owner; and

WHEREAS, pursuant to Ordinance No. 5-08, the Mayor and Council adopted Resolution No. 5-08 which approved regulations establishing such a system of credits and which provided for the establishment of a fee for applications for credits against the Stormwater Management Utility Fee; and,
WHEREAS, pursuant to Ordinance No. 5-08, the Mayor and Council adopted Resolution 6-09 which established the Equivalent Residential Unit Rate to be used in calculating the Stormwater Management Utility Fee pursuant to Chapter 19 entitled “Sediment Control and Stormwater Management” of the Rockville City Code; and established a fee for Application for a credit against the Stormwater Management Utility fee for private stormwater management facilities; and,

WHEREAS, by Resolution No. 4-17 adopted on May 1, 2017, Resolution No. 8-18 adopted May 14, 2018, Resolution No. 8-19 adopted May 6, 2019, and Resolution No. 6-21 adopted May 10, 2021, the Mayor and Council amended the Equivalent Residential Unit Rate to be used for calculating the Stormwater Management Utility Fee; and

WHEREAS, the Mayor and Council desires to amend the rate per Equivalent Residential Unit to be used for calculating the Stormwater Management Utility Fee.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that pursuant to Chapter 19 entitled “Sediment Control and Stormwater Management,” the regulations adopted pursuant thereto, the following rate and fee are hereby established:

1. The Equivalent Residential Unit Rate to be used for calculating the Stormwater Management Utility Fee is hereby established as follows:

| FY 2023 | $138.00 |

2. The fee for an application for a credit against the Stormwater Management Utility Fee for private stormwater management facilities owned and maintained by the property owner is hereby established at $150.00 for each application.
I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Mayor and Council of Rockville at its meeting of

__________________________
Sara Taylor-Ferrell, City Clerk/Director of Council Operations
Subject
Introduction of an Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2023

Recommendation
Staff recommends that the Mayor and Council introduce the Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2023.

Change in Law or Policy
Adoption of the operating and capital improvements program (CIP) budgets will require passage of the standard budget ordinance. This budget ordinance is scheduled to be adopted on May 9, 2022.

Discussion
The attached draft ordinance is provided for introduction purposes only. As in prior years, this ordinance will undergo changes prior to adoption in May. This ordinance includes proposed real and personal property tax rates, as well as appropriated amounts by fund for the FY 2023 operating budget and CIP.

General Fund Tax Rates and Tax Credits
The Mayor and Council establish the tax rates each year in order to finance General Fund activities. For FY 2023, the City’s real property tax rate is proposed to remain unchanged at $0.292 per $100 of assessed value (note: the City has not increased its real property tax rate since 1995). The personal property tax rate is proposed to remain unchanged at $0.805 for every $100 of assessed value. In FY 2023, total property taxes are estimated at $46 million, or almost half of the General Fund budget.

Parking District Tax Rate
In order to support the debt service costs of the three City-owned garages in Town Square, the Town Center Parking District was formed in 2007. The Parking District is a special taxing district that levies a real property tax on the commercial properties within the Town Square boundaries. The FY 2023 Parking District tax rate is proposed to remain flat at $0.33 per $100 of assessed value.
**Mayor and Council History**

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**Fiscal Impact**

The proposed real and personal property tax rates and the appropriated amounts by fund for the FY 2023 operating budget and CIP are included in the attached ordinance (Attachment A).

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</tr>
<tr>
<td>March 7, 2022</td>
<td>FY 2023 Budget Public Hearing</td>
</tr>
<tr>
<td>March 21, 2022</td>
<td>FY 2023 Budget Public Hearing and Worksession</td>
</tr>
<tr>
<td>April 4, 2022</td>
<td>FY 2023 Budget Public Hearing</td>
</tr>
<tr>
<td>April 15, 2022</td>
<td>Close of FY 2023 Public Record</td>
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<tr>
<td>April 18, 2022</td>
<td>FY 2023 Budget Worksession</td>
</tr>
<tr>
<td>April 25, 2022</td>
<td>Final Direction on FY 2023 Budget</td>
</tr>
<tr>
<td>May 9, 2022</td>
<td>FY 2023 Budget Adoption</td>
</tr>
</tbody>
</table>

**Attachments**

Attachment 12.a: AttachA_BudgetOrdinance_Feb2022 (PDF)
ORDINANCE NO._____  ORDINANCE:  To Appropriate Funds and Levy Taxes for Fiscal Year 2023.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND as follows:

SECTION 1 - ANNUAL OPERATING APPROPRIATIONS

There are hereby appropriated for the fiscal year beginning July 1, 2022, and ending June 30, 2023, out of the revenues accruing to the City for the purpose of operations, the several amounts hereinafter listed under the column designated "Amounts Appropriated":

<table>
<thead>
<tr>
<th>FUNDS</th>
<th>AMOUNTS APPROPRIATED</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$93,050,000</td>
</tr>
<tr>
<td>Water Fund</td>
<td>$14,309,800</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>$16,342,000</td>
</tr>
<tr>
<td>Refuse Fund</td>
<td>$8,416,790</td>
</tr>
<tr>
<td>Parking Fund</td>
<td>$2,403,470</td>
</tr>
<tr>
<td>Stormwater Management Fund</td>
<td>$6,347,220</td>
</tr>
<tr>
<td>RedGate Golf Course Fund</td>
<td>$101,480</td>
</tr>
<tr>
<td>Special Activities Fund</td>
<td>$1,421,110</td>
</tr>
<tr>
<td>Community Development Block Grant</td>
<td>$263,000</td>
</tr>
<tr>
<td>Speed Camera Fund</td>
<td>$1,501,000</td>
</tr>
<tr>
<td>Debt Service Fund</td>
<td>$4,471,500</td>
</tr>
<tr>
<td>Town Center Management District Fund</td>
<td>$0</td>
</tr>
</tbody>
</table>

The "Amounts Appropriated" by this section totaling $148,627,370 shall be for the annual operating expenses of the departments and agencies of the City and shall be disbursed pursuant to the City Charter and the City Code, under the supervision of the City Manager.
SECTION II - CAPITAL PROJECTS APPROPRIATIONS

There is hereby appropriated out of the revenues accruing to the City for the purpose of capital improvements, the several amounts hereinafter listed under the column designated "Amounts Appropriated":

<table>
<thead>
<tr>
<th>FUNDS</th>
<th>AMOUNTS APPROPRIATED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Projects Fund</td>
<td>$43,291,107</td>
</tr>
<tr>
<td>Water Fund</td>
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<tr>
<td>Sewer Fund</td>
<td>$9,115,183</td>
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<tr>
<td>Refuse Fund</td>
<td>$533,345</td>
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<tr>
<td>Parking Fund</td>
<td>$45,000</td>
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<tr>
<td>Stormwater Management Fund</td>
<td>$10,566,399</td>
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<tr>
<td>Special Activities Fund</td>
<td>$2,576,205</td>
</tr>
<tr>
<td>Speed Camera Fund</td>
<td>$1,858,412</td>
</tr>
<tr>
<td>Town Center Management District Fund</td>
<td>$0</td>
</tr>
</tbody>
</table>

The "Amounts Appropriated" by this section totaling $85,474,624 shall be for improvement projects and shall be disbursed pursuant to the City Charter and the City Code, under the supervision of the City Manager.

SECTION III - GENERAL LEVY

There is hereby levied against all assessable real property within the corporate limits of the City a tax at the rate of twenty-nine and two-tenths cents ($0.292) on each $100 of assessable value of said property. There is also hereby levied, against all assessable personal property within the corporate limits of the City, a tax at the rate of eighty and one-half cents ($0.805) on each $100 of assessable value of said property. These taxes are hereby levied in order, together...
ORDINANCE NO.____  Page 3

with other available revenues and funds of the City government, to provide funds for the "Amounts Appropriated" as set forth in the foregoing Section I. The tax levies herein provided in this section shall not apply to property in the City of Rockville to the extent that such property is not subject to taxes as provided in any valid and binding annexation agreement.

SECTION IV – TOWN SQUARE PARKING DISTRICT LEVY

There is hereby levied against all non-exempt real property within the Town Square Parking District a tax at the rate of thirty-three cents ($0.33) on each $100 of assessable value of said property. These taxes are hereby levied in order, together with other available revenues and funds of the City government, to provide funds for the “Parking Fund” as listed in the “Amounts Appropriated” in Section I.

SECTION V – TOWN SQUARE STREET AND AREA LIGHTING DISTRICT LEVY

There is hereby levied against all non-exempt real property within the Town Square Street and Area Lighting District a tax at the rate of zero cents ($0.00) on each $100 of assessable value of said property. These taxes are hereby levied in order, together with other available revenues and funds of the City government, to provide funds for the “Town Center Management District Fund” as listed in the “Amounts Appropriated” in Section I.

SECTION VI – TOWN SQUARE COMMERCIAL DISTRICT LEVY

There is hereby levied against all commercial real property within the Town
Square Commercial District a tax at the rate of zero cents ($0.00) on each $100 of assessable value of said property. These taxes are hereby levied in order, together with other available revenues and funds of the City government, to provide funds for the “Town Center Management District Fund” as listed in the “Amounts Appropriated” in Section I.

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

__________________________
Sara Taylor-Ferrell, City Clerk/Director of Council Operations
Subject
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

Recommendation
Staff recommend the Mayor & Council approve the proposed Zoning Text Amendment (TXT2020-00256) as amended and adopt the attached proposed Zoning Ordinance, consistent with recommendations from the Environment Commission and Planning Commission.

Recent Updates
Planning Commission Recommendation - December 8, 2021
The Planning Commission reviewed and discussed the revised staff recommendation at its meeting on December 8, 2021. Staff’s revised recommendation establishes one tree per 2,000 square feet of residential lot area for all unit types which, among other things, provides equity among different types of residential units. The Commission appreciated staff including many of their prior recommendations into the revised draft and clarifying the tree requirements for new development from both the Forest and Tree Preservation Ordinance and the Zoning Ordinance. After discussion, the Commission voted to approve a motion to support the revised staff recommendation.

Mayor and Council Discussion & Instruction – December 20, 2021
The Mayor and Council met on December 20, 2021, for discussion and instruction on the proposed text amendment recommended for approval by the Planning Commission on December 8, 2021. The Mayor and Council instructed staff to present TXT2020-00256 to the Rockville Environment Commission for discussion and recommendation.

Rockville Environment Commission
The proposed text amendment (Attachment B) was presented at the January 6, 2022, Environment Commission meeting. After a thorough discussion, the Commission elected to recommend an increase to the proposed native species requirement from 50% to 100%. This would apply to trees planted to meet the lot requirement in addition to supplemental shrub plantings required on each lot. The Commission voted to recommend that the Mayor and
Council approve the proposed text amendment with this change (incorporated in the attached draft ordinance).

**Mayor and Council – February 28, 2022**
The proposed text amendment returns to the Mayor and Council with a recommendation of approval from the Environment Commission with the change noted above. Staff has prepared a revised text amendment attached as a draft ordinance, incorporating the recommendations from the Environment Commission for Mayor and Council discussion/instruction, and possible adoption.

**Discussion**
The proposed Zoning Text Amendment is a result of an internal review of recent development applications that contain townhouse units, as well as a lack of clarity related to existing requirements for tree planting on residential lots. The current Zoning Ordinance requirement in Section 25.21.21, Tree Planting, requires that the subdivider plant a minimum of one tree in the front yard and two trees in the rear yard of every residential lot. The code section does not distinguish among types of residential lots. Thus, this section has been applied to single unit detached, semi-detached, as well as attached (townhouse) lots as part of the subdivision approval process. In short, there is currently not an established and equitable trees-per-lot planting requirement for these types of units.

In practice, new lots containing single unit detached dwellings can easily accommodate this requirement. Since most townhouse lots are not large enough to support three trees and the space required for them to thrive, this standard cannot be met. In addition, most townhouse lots do not have enough space for large trees to mature without interfering with the residence itself, adjacent street trees, or required infrastructure, potentially leading to severe pruning of limbs and in some cases, removal. As an alternative, developments containing townhouse lots have historically requested and been granted waivers of this planting requirement at the time of subdivision.

Waiver requirements of the subdivision regulations (Article 21 of the Zoning Ordinance) are granted if the Planning Commission finds that undue hardship will result from strict compliance with the requirement, such that the public health, safety, aesthetics, and general welfare will be protected, and the waiver will not be contrary to the intent and purpose of the Plan and the Zoning Ordinance. One of the main hardships is the requirement of townhome developments to plant three trees per lot, given the lack of planting area and the inability of these trees to thrive in the long run. Staff has developed and recommends alternatives that establish a trees-per-lot requirement for attached housing and that create an equitable and reasonable standard. This new standard would not require a waiver that can be difficult to justify under the required criteria.

**Zoning Ordinance – Promoting Equity Across Housing Types**
Effective zoning requirements attempt to create equity for associated parties across various housing types. Staff finds that by having a one-size-fits-all standard (see image below) that doesn’t recognize and accommodate key differences between various lot types, certain types of housing are more greatly impacted. Housing units such as duplexes, multiplexes, townhomes, and courtyard buildings are examples of “missing middle” housing which can be impacted. These types of housing units are typically on small lots with limited area for planting trees. Increasing our stock of missing middle housing in Rockville would allow for more families of different income levels to have additional opportunities for stable and conveniently located housing. Staff believes it is important to look at zoning regulations that may lead to discouraging these types of housing. The requirement of three trees per lot for townhomes, duplexes, and similar types of housing is an example. By amending the current lot tree requirement to take into consideration various lot types and applying a consistent standard, the City will further promote equitable outcomes for various types of housing.

The graphic below was created using the average size of townhouse lots in the city through the last 10 years (1,385 sq. ft.), in contrast to the minimum detached lot size (6,000 sq. ft.) in the densest zoning district (R-60). As depicted in the graphic, on average, four (4) townhouse lots fit within a single unit detached lot in the R-60 zoning district. Therefore, applying the same standard to all lots results in a greater impact to townhouse lots. Planting twelve (12) trees in a 6,000-sf space is not practical and is not currently required on a single family detached lot. Staff believes we should encourage other types of housing by establishing a reasonable and equitable standard for attached housing and eliminate a costly and potentially unnecessary waiver process that is typically always approved.
History of Tree Requirements on Residential Lots in the City of Rockville
The requirement for tree planting on residential lots has been in the Zoning Ordinance since at least 1980. At the time, the intent of the requirement was to provide tree canopy within newly developed residential neighborhoods, which were in addition to the requirements for street tree planting (one tree per 40 feet of lot frontage). This requirement was a significant driver for tree canopy at the time.

The requirements of the Forest and Tree Preservation Ordinance (FTPO) became effective upon adoption in 1992, which significantly added to the forestry requirements of residential subdivisions, and other new developments, by requiring features such as forest conservation, significant tree replacement, and minimum tree cover. In short, the FTPO requirements adequately address the City’s goal to increase its 50% tree canopy area, and ultimately requires a significant number of trees to be planted throughout the project above what is required for each residential lot. On redevelopment and infill sites, limited space exists for planting more trees above those needed to meet FTPO requirements.

Other Jurisdictions
Staff surveyed other local jurisdictions for a similar requirement for townhouse lots, including Montgomery, Howard, Anne Arundel, Frederick and Prince George’s counties, the cities of Annapolis, Frederick, Gaithersburg, and Laurel in Maryland, as well as Arlington, Fairfax and Prince William counties and the City of Alexandria in Virginia.

Some of these jurisdictions have no minimum tree planting requirement of any type for newly subdivided residential lots, including Montgomery County, Frederick County, Gaithersburg, and Annapolis. Jurisdictions with a tree-per-lot requirement include that standard in an adopted landscape manual, rather than within the Zoning Ordinance. Those standards for tree planting in townhouse developments are as follows:

- **Howard County** requires one shade tree per townhouse unit, but allows the trees to be located on residential lots or on open space lots or other on-site locations. Small deciduous or evergreen trees may be substituted for shade trees at a 2:1 ratio for up to 50% of the shade trees required. Requirements for the City of Laurel mirror these.
- **Prince George’s County** requires 1.5 shade trees per dwelling and 1 ornamental or evergreen tree per dwelling. Trees may be located on the residential lots or on common open space lots.
- **Anne Arundel County** requires 2 shade trees per dwelling but allows the trees to be planted on individual lots or on common area. Small deciduous or evergreen trees may be substituted for shade trees at a ratio of 2:1 for up to 1/3 of the shade trees.
- **The City of Frederick** requires that one tree be planted on a lot for each 3,000 square feet of lot area, or parts of lots more than 1,000 square feet.
Staff notes that those local jurisdictions with zoning standards for tree planting in townhouse developments (many do not have requirements) include a range of requirements from 1 to 2 trees per townhouse lot, with flexibility to locate some of the trees in common areas.

**Mayor and Council History**
The Mayor and Council authorized the filing of the proposed text amendment on January 13, 2020, as described above. A public hearing was held on December 7, 2020. The Mayor and Council held a hearing for Discussion & Instruction on December 20, 2021, for the proposed text amendment. The Mayor and Council instructed staff to present the proposed text amendment to the Rockville Environment Commission to provide a recommendation. For a detailed history of drafted versions of this text amendment in addition to Mayor & Council and pertinent Commission discussion, please reference the Staff Report from the Discussion & Instruction agenda item on December 20, 2021 (See link).

https://www.rockvillemd.gov/AgendaCenter/ViewFile/Agenda/_12202021-6441

**Public Notification and Engagement**
Text amendment applications are sent to all neighborhood associations for review and comment prior to public meetings.

**Boards and Commissions Review**
Planning Commission discussed on February 26, April 8, and June 24 of 2020. The Planning Commission provided a recommended text amendment to the Mayor and Council in a memo dated November 10, 2020.

The Planning Commission discussed a revised text amendment provided by staff on December 8, 2021. The Planning Commission voted 4-1 to recommend the revised text amendment for approval to the Mayor & Council.

The Environment Commission discussed the proposed text amendment at the January 6, 2022, meeting. The Commission voted to recommend the text amendment for approval to the Mayor & Council with a 6-1 majority. With that recommendation, the Commission opted to amend the proposed native species requirement from 50% to 100% for all required lot trees, in addition to supplemental shrub plantings proposed on lots.

For a detailed history of drafted versions of this text amendment in addition to Mayor & Council and pertinent Commission discussion, reference the Staff Report from the Discussion & Instruction agenda item on December 20, 2021 (See link).

https://www.rockvillemd.gov/AgendaCenter/ViewFile/Agenda/_12202021-6441

**Next Steps**
Staff has prepared a final draft Zoning Ordinance (Attachment A) for the Mayor & Council’s review and possible adoption.
Attachments
Attachment 13.a: Draft 25.21.21 Ordinance (DOCX)

Rob DiSpirito, City Manager 2/22/2022
ORDINANCE NO._______

ORDINANCE: To amend City Code Chapter 25, titled “Zoning Ordinance,” Section 25.21.21, titled “Tree Planting,” to modify the requirements governing the number, type, and location of trees and shrubs planted on lots created through subdivision.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND as follows:

SECTION I – That Chapter 25 of the Rockville City Code entitled “Zoning Ordinance” be amended as follows:

Chapter 25
ZONING ORDINANCE

***
ARTICLE 21. – PLATS AND SUBDIVISION REGULATIONS

***

Sec. 25.21.21 – Tree Planting.

a. The subdivider shall plant at least one (1) street tree per forty (40) feet of lot frontage within the public right-of-way or if approved by the Approving Authority, adjacent to the public right-of-way. The species, location, and method of planting shall to be approved by the City Forester or designated staff.

b. The subdivider shall plant a minimum of one (1) tree in the front yard and two (2) trees in the rear yard of every residential lot as approved by the City Forester.

b. The subdivider shall provide a minimum of one (1) tree on each residential lot per 2,000 square feet or fraction thereof, not to exceed a minimum of three (3) trees. Existing trees on a lot, if properly preserved, shall count towards this requirement. The Approving
Authority may approve a lot with fewer than the minimum required number of trees if it finds that:

1. the lot does not contain sufficient unencumbered area to provide a planting area consistent with best industry practices established by the International Society of Arboriculture for each required tree;
2. for each required tree that is not provided on the lot, two replacement trees are provided on a common area or other lot within the proposed subdivision; and
3. reduction of the required trees on the lot and provision of the replacement trees will provide equal or greater aesthetic value to the subdivision and are compatible with the character of the surrounding neighborhood.

c. The species, location, and method of planting of trees required by subsection 25.21.21.b shall be consistent with a landscaping detail submitted by the subdivider and approved by the Urban Forester or designated staff. The landscaping detail must demonstrate the following:

1. Each lot shall provide a minimum planting area for each required tree consistent with best industry practices established by the International Society of Arboriculture.
2. The planting area shall not be encumbered by utilities or easements.
3. Trees shall be planted in locations and configurations following proper planting practices. When feasible, trees should be located within the public viewshe.
4. Each lot shall be supplemented with shrub plantings, to be approved by the Urban Forester or designated staff.
5. All new plantings shall be native species.
6. For lots within an existing residential neighborhood, or lots that are adjacent to or confronting properties with existing dwellings, trees should be planted in locations and configurations compatible with the location and configuration of existing trees within the residential neighborhood or adjacent or confronting properties, as applicable.
d. Tree planting must be done in accordance with the provisions of Chapter 10.5 of the City Code, “Forest and tree preservation.” Trees planted pursuant to this section are in addition to trees planted in fulfillment of the requirements in Chapter 10.5 or as otherwise required by the Zoning Ordinance.

SECTION II – This ordinance shall become effective immediately upon adoption.

****************************************

NOTE: Strikethrough indicates material deleted.

Underlining indicates material added.

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 ____________________.

____________________________________

Sara Taylor-Ferrell
City Clerk/Director of Council Operation
<table>
<thead>
<tr>
<th></th>
<th>Name</th>
<th>Address/Phone</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Speaker by Phone and</td>
<td>1 Rock Falls Ct. Rockville, MD 20855</td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
</tr>
<tr>
<td></td>
<td>Written Comments Hannah</td>
<td>301-785-0522 (C)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fisher</td>
<td>301-424-6641 (H)</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Speaker by Computer and</td>
<td>3 Kettle Pond Court Rockville, MD 20854 <a href="mailto:vishkin@umd.edu">vishkin@umd.edu</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
</tr>
<tr>
<td></td>
<td>Written Comments Uzi</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Vishkin</td>
<td></td>
<td></td>
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<tr>
<td>3.</td>
<td>Speaker by Computer and</td>
<td>2613 Oakeshield Drive Rockville, MD 20854</td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<tr>
<td></td>
<td>Written Comments Dr.</td>
<td>Dr,<a href="mailto:arcia@msn.com">arcia@msn.com</a></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Marcia Kerchner</td>
<td></td>
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<td>4.</td>
<td>Speaker by Computer and</td>
<td>Potomac Springs 908-616-6111 <a href="mailto:susan.arbuck@gmail.com">susan.arbuck@gmail.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<tr>
<td></td>
<td>Written Comments Dr.</td>
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<tr>
<td></td>
<td>Susan Arbuck</td>
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<tr>
<td>5.</td>
<td>Speaker by Computer and</td>
<td>1980 Lancashire Dr. Rockville, MD 20854</td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<tr>
<td></td>
<td>Written Comments Krystal</td>
<td><a href="mailto:change@t.change.org">change@t.change.org</a> 202-320-5695</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Putman-Garcia</td>
<td></td>
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</tr>
<tr>
<td>6.</td>
<td>Speaker by Phone</td>
<td>270-625-5751 <a href="mailto:elizabethdearing@gmail.com">elizabethdearing@gmail.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
</tr>
<tr>
<td></td>
<td>Elizabeth Dearing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Speaker by Computer</td>
<td>908 White Pine Place Rockville, MD 20854</td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
</tr>
<tr>
<td></td>
<td>Leon Feuerstein Falls</td>
<td><a href="mailto:dfeuers@yahoo.com">dfeuers@yahoo.com</a></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ridge (HOA Board Member)</td>
<td></td>
<td></td>
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<td>8.</td>
<td>Speaker by Computer</td>
<td>908 White Pine Place Rockville, MD 20854</td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<tr>
<td></td>
<td>Heather Feuerstein</td>
<td><a href="mailto:dfeuers@yahoo.com">dfeuers@yahoo.com</a></td>
<td></td>
</tr>
<tr>
<td></td>
<td>15yrs old, RMHS Freshman</td>
<td></td>
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<tr>
<td></td>
<td>&amp; Freshman SGA Board</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Member</td>
<td></td>
<td></td>
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<tr>
<td>9.</td>
<td>Speaker by Computer</td>
<td><a href="mailto:president@kingfarm.org">president@kingfarm.org</a> 202-631-8952</td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
</tr>
<tr>
<td></td>
<td>Barry Jackson</td>
<td></td>
<td></td>
</tr>
<tr>
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<td>Address/Phone</td>
<td>Topic</td>
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<tr>
<td>10.</td>
<td><strong>Speaker by Computer and Written Comments</strong> &lt;br&gt;Nancy Breen, Chair &lt;br&gt;Rockville Bicycle Advisory Committee</td>
<td>713 Ivy League Lane &lt;br&gt;Rockville, MD 20850 &lt;br&gt;301-520-7112 &lt;br&gt;<em><a href="mailto:Nancy.breen@yahoo.com">Nancy.breen@yahoo.com</a></em></td>
<td>NO- Montgomery County Seven Locks Road, Proposed Bus Depot; the accessway to the proposed bus depot location; bikeway</td>
</tr>
<tr>
<td>11.</td>
<td><strong>Speaker by Computer and Written Comments</strong> &lt;br&gt;Monica Zeitlin</td>
<td>3 Sky Ridge Ct. &lt;br&gt;Rockville, MD 20854 &lt;br&gt;<a href="mailto:monlauzz@aol.com">monlauzz@aol.com</a></td>
<td>NO- Montgomery County Seven Locks Road, Proposed Bus Depot; the accessway to the proposed bus depot location; bikeway</td>
</tr>
<tr>
<td>12.</td>
<td><strong>Speaker by Computer and Written Comments</strong> &lt;br&gt;Martin Garcia</td>
<td><em><a href="mailto:garcia.martin@gmail.com">garcia.martin@gmail.com</a></em> &lt;br&gt;240-620-9882</td>
<td>NO- Montgomery County Seven Locks Road, Proposed Bus Depot; the accessway to the proposed bus depot location; bikeway</td>
</tr>
<tr>
<td>13.</td>
<td><strong>Speaker by Computer and Written Comments</strong> &lt;br&gt;Parva Fattahi, Esq. &lt;br&gt;Fattahi Immigration Law, LLC &lt;br&gt;Adams Law Center</td>
<td>27 Wood Lane &lt;br&gt;Rockville, Maryland 20850 &lt;br&gt;Tel.: 240-614-7638 &lt;br&gt;<a href="mailto:parva@fattahi-law.com">parva@fattahi-law.com</a></td>
<td>Rescinding Mask Mandate</td>
</tr>
<tr>
<td>14.</td>
<td><strong>Speaker by Computer and Written Comments</strong> &lt;br&gt;Stephanie Fulop</td>
<td>1138 Halesworth Dr. &lt;br&gt;Rockville, MD 20854 &lt;br&gt;443.239.9594 &lt;br&gt;<em><a href="mailto:stephaniefulop@gmail.com">stephaniefulop@gmail.com</a></em></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
</tr>
<tr>
<td>15.</td>
<td><strong>Speaker by Computer and Written Comments</strong> &lt;br&gt;Doris Raffel</td>
<td>1133 Halesworth Dr. &lt;br&gt;Rockville, MD 20854 &lt;br&gt;<a href="mailto:raffelesq@yahoo.com">raffelesq@yahoo.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>16.</td>
<td><strong>Written Comments</strong> &lt;br&gt;Dr. Bruce Lazerow</td>
<td><em><a href="mailto:DrBlazerow@msn.com">DrBlazerow@msn.com</a></em></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>17.</td>
<td><strong>Written Comments</strong> &lt;br&gt;Brian Hung</td>
<td>1407 Bradley Ave., &lt;br&gt;Rockville, MD 20851 &lt;br&gt;<a href="mailto:bthung7@gmail.com">bthung7@gmail.com</a></td>
<td>Community Safety</td>
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<tr>
<td>18.</td>
<td><strong>Written Comments</strong> &lt;br&gt;Mike Stein</td>
<td>13004 Atlantic Avenue &lt;br&gt;Rockville, MD 20851 &lt;br&gt;240-447-2327</td>
<td>Community Safety</td>
</tr>
<tr>
<td>19.</td>
<td><strong>Written Comments</strong> &lt;br&gt;Ingrid Alpern</td>
<td>2520 Oakenshield Dr &lt;br&gt;Rockville, MD 20854 &lt;br&gt;<a href="mailto:iyalpern@aol.com">iyalpern@aol.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>20.</td>
<td><strong>Written Comments</strong> &lt;br&gt;Dwight Alpern</td>
<td>2520 Oakenshield Dr &lt;br&gt;Rockville, MD 20854 &lt;br&gt;<a href="mailto:alperndwight@aol.com">alperndwight@aol.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>No.</td>
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<td>21.</td>
<td>Written Comments, Meyer Katzper</td>
<td>2 Locks Pond Ct Potomac, MD 20854 Potomac Springs (301) 340 6856</td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<tr>
<td>22.</td>
<td>Written Comments, Martin H. Goldrosen</td>
<td>Potomac Springs 15 Scotch Mist Court Rockville, MD 20854</td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<tr>
<td>23.</td>
<td>Written Comments, Samantha Meekly</td>
<td><a href="mailto:samanthamwallack@gmail.com">samanthamwallack@gmail.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<tr>
<td>24.</td>
<td>Written Comments, Giora Segev</td>
<td>8 Kettle Pond Ct. Rockville, MD 20854 <a href="mailto:giorajobs@yahoo.com">giorajobs@yahoo.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>25.</td>
<td>Written Comments, Yvette Segev</td>
<td>8 Kettle Pond Ct. Rockville, MD 20854 <a href="mailto:yvesegev@gmail.com">yvesegev@gmail.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<tr>
<td>26.</td>
<td>Written Comments, Dan Prywes</td>
<td>2512 Oakenshield Drive Rockville MD 20854 dp <a href="mailto:prywes@verizon.net">prywes@verizon.net</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>27.</td>
<td>Written Comments, Isaac Abraham</td>
<td>7810 Ivymount Terrace, Potomac, Maryland <a href="mailto:iabraham11@verizon.net">iabraham11@verizon.net</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>28.</td>
<td>Written Comments, Susan Abraham</td>
<td>7810 Ivymount Terrace, Potomac, Maryland <a href="mailto:sabraham2@verizon.net">sabraham2@verizon.net</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>29.</td>
<td>Written Comments, Amy Linder</td>
<td>1393 Stratton Dr. Potomac, MD 20854 <a href="mailto:amycampen@hotmail.com">amycampen@hotmail.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>30.</td>
<td>Written Comments, Alexa Fraser</td>
<td>503 Mannakee St. Rockville MD 20850 <a href="mailto:ahf@lobst.com">ahf@lobst.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot/Carver Lot</td>
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<td>31.</td>
<td>Written Comments, Kathy and Joe DiGilio</td>
<td>k <a href="mailto:digilio@aol.com">digilio@aol.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>32.</td>
<td>Written Comments, Ayham Bakhos</td>
<td><a href="mailto:a.bakhos@hotmail.com">a.bakhos@hotmail.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>33.</td>
<td>Written Comments, Laura Anderson Wright, Esq.</td>
<td><a href="mailto:dk_wright@yahoo.com">dk_wright@yahoo.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<tr>
<td>34.</td>
<td>Written Comments, Dan Fulop</td>
<td>1138 Halesworth Drive Potomac, MD 20854 <a href="mailto:danfulop@gmail.com">danfulop@gmail.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>Name</td>
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<td>Neil Roy, MD</td>
<td><a href="mailto:neil.k.roy@gmail.com">neil.k.roy@gmail.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>Dr. Robert Kerchner</td>
<td>2613 Oakenshield Drive Potomac, MD 20854 <a href="mailto:rmk85@cornell.edu">rmk85@cornell.edu</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>Rahul Balchandani</td>
<td>1114 Halesworth Dr Potomac, MD 20854 <a href="mailto:rahul578@hotmail.com">rahul578@hotmail.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>Hardeep Singh Goraya</td>
<td>1112 Halesworth Dr Potomac, MD 20854 <a href="mailto:r-719@outlook.com">r-719@outlook.com</a></td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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<td>Marc Raffel</td>
<td>1133 Halesworth Dr. Rockville, MD 20854</td>
<td>NO – Montgomery County Seven Locks Road, Proposed Bus Depot</td>
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County Executive Elrich, County Council Members, Mayor Newton and City Council Members:

The county government's proposal to relocate the school bus depot and maintenance to the current Rockville site of the County Detention Center is of major concern to area residents. The undersigned voters – and taxpayers – view this possible development as significantly detrimental and likely to negatively affect the area’s largely residential character, quality of life and property values.

Seven Locks Road and Wooton Parkway, as well as nearby Falls Road, are vitally important arteries leading to hundreds of single-family homes. Fallsbrook, Fallsmead, Falls Ridge and Horizon Hill are just a few of the many developments adjacent to these streets. Rockshire townhome residents and those living in apartments and condominiums in Park Potomac also would be adversely affected by the addition of an industrial facility to our community.

The following content seeks to provide at least some of the details and reasons underlying residents’ opposition to the county’s proposal.

1. **Existing roads are overcrowded.** The above listed thoroughfares will not support additional traffic. Especially during rush "hour," the current infrastructure "backs up." Whenever an accident occurs on nearby I-270 – especially during busy commuting times – these neighborhood arteries become nearly impassable. Even without highway accidents, many vehicles exit the jammed interstate at Route 28/West Montgomery Avenue and instead use the parallel route, Wooton Parkway. That pattern results in additional congestion around the intersection with Falls Road. The streets at issue were not designed to handle so many vehicles. Falls Road and Seven Locks Road have only one lane in each direction for much of their respective lengths – even though they are the only north-south routes between Rockville and Potomac. West of Falls Road, Wooton Parkway reverts to a single lane in each direction.

2. **Many school busses already use these roads.** Wooton High School, alone, has 25 busses servicing its students. Frost Middle School is located just behind the high school. Fallsmead and Lakewood Elementary schools also are on or slightly off Wooton Parkway. Ritchie Park Elementary
School is off Falls Road near Wooton Parkway. All these schools have busses for their more distant students.

Ivymount School, a private facility on Seven Locks Road near Montrose Road, serves special needs students from surrounding jurisdictions throughout Maryland and Virginia. School busses and vans from the District of Columbia, Arlington, Alexandria and Loudon, Carroll, Montgomery, Prince George’s, and Frederick counties line up twice daily along the side of Seven Locks Road to deliver and retrieve their passengers. (This list may not be complete, being based on recent visual observation.)

3. Other sources of traffic. In addition to vehicles using the streets at issue to traverse the county from other areas, local drivers need to access nearby institutions, offices, and businesses. The following narrative is not meant to be exhaustive, merely illustrative. Medical offices exist both on Seven Locks Road near Wooton Parkway and in nearby Park Potomac. High-rise office buildings on Wooton Parkway also generate traffic. A Lifetime Fitness facility, attracting exercisers, is adjacent to Fortune Terrace, just off Seven Locks Road. The latter features retail and service businesses, including a Walgreens, and restaurants. Park Potomac contains a busy Harris Teeter supermarket with a stream of delivery trucks. The complex also has several restaurants.

The area at issue hosts a variety of religious institutions, many of which have preschools, elementary schools, and other programs. They include: Lutheran Church of the Cross and St. Raphael’s Catholic Church and School on Falls Road; on Seven Locks Road – the Muslim Community School, St. James School, Seven Locks Baptist School, Young Israel of Potomac, Beth Sholom Congregation and Talmud Torah, and Chabad of Potomac.

4. The area at issue is primarily residential – with natural features. In addition to the housing developments referenced in the introductory paragraphs, the nearby affected roads are flanked by parks, playgrounds, ponds, the Rockville Millennium Trail, and a creek that empties into the Potomac River. These attractive outdoor features are among the most valuable aspects of living in the area. They host a surprising amount of wildlife, including foxes, deer, mallard ducks, Canadian geese, red-winged blackbirds, turtles, frogs, woodpeckers, herons, rabbits, fish and other interesting birds and animals. Residents want to encourage the presence of the untamed denizens who preceded us. We do not want to see them hit by busses and driven off by excessive noise.

5. Noise pollution. Under county regulation, noise is limited to 67 dBA during daytime hours and 62 dBA at night. (dBA is an A-weighted decibel. A-weighting is an electronic approximation of sound.) County regulation defines daytime as 7 a.m. – 9 p.m. and night hours to be 9 p.m. – 7 a.m. An online source said city traffic noise generates 80 decibels, a diesel truck, 84 decibels, a garbage truck, 100 decibels. It further states that prolonged exposure to any noise above 90 decibels can cause gradual hearing loss. Based on these measurements, residents living near a daily flood of school busses and the associated maintenance facility can expect unpleasant – and possibly illegal – noise levels, making outdoor activities less attractive. Moreover, this type of endeavor is likely to violate the county’s time-linked noise regulations. Most busses first pick up high school students, followed by middle schoolers and, lastly, elementary school attendees. As an example, the Wooton High School bus route schedule shows that pick-ups start shortly after 6 a.m. and are completed before 7:45 a.m. Therefore, the numerous drivers assigned to high school routes must arrive at the depot and start their vehicles before 6 a.m. – before the county’s defined 7 a.m. daytime hours. In other words, residents living near the bus depot are likely to be awakened early – even before dawn, in the winter months. This is not only unpleasant – but illegal.
6. **Additional residential development coming soon.** Developers EYA and Finmarc Management will be razing an empty warehouse next to Lifetime Fitness in Fortune Terrace/Potomac Woods and building 408 residential units: 195 townhomes or condominiums and 213 senior living units. (An established percentage will be affordably priced units.) The plans have been partially approved. Although adding density, this future development is consistent with what already exists at nearby Park Potomac.

7. **Safety considerations.** Besides the noise pollution possibility described above (in 5) and the increased likelihood of traffic accidents, the bus depot poses the most obvious threat to pedestrians, runners and cyclists attempting to navigate crosswalks and traffic lights, to access shopping, restaurants, medical appointments, parks, playgrounds, and the Rockville Millennium Trail. With possibly 400 or more additional senior citizens residing in the area – many without cars – the numerous busses present serious problems, including possible injuries and even deaths. The three Orthodox synagogues (listed in 3, above) have many members who walk to their facilities on religious holidays that often fall on weekdays. This constituency, which includes the elderly and young children, also is at risk.

In conclusion, the bus depot presents no advantages to this community. To be responsive to area residents, the county government needs to search for viable alternatives. In such a large county, surely a less residential and less populated – or more industrial – site must be available. When much of the population moved to western Rockville, the Detention Center already was in place. However, no one expected the site to become industrial in nature. Such a change is unfair to local taxpayers. No one bargained for this unwanted and intrusive addition. If anything, it would be desirable to make the site more like the rest of the area – parkland – especially considering the increasing population density. (There may be a new townhome complex built nearly across from Wooton High School and next to Rockshire.) We continue to need more green spaces.

Throughout this democratic process, which values public opinion, the undersigned appreciate the opportunity to express our views. We hope that our elected officials will give this position paper – and other similar documents – the weight they deserve. Our homes, neighborhoods, safety, health, and quality of life are at stake. Little is more important than these factors which help to make living here so worthwhile.

Thank you for your anticipated prompt consideration of the above material and favorable action thereon.

Sincerely,

Fallsbend – Rockville 20854

Michael Carrier

1115 Bettstrail Way
Roger and Judith Cohen
1128 Bettstrail Way

Susan Eisen
21 Rock Falls Ct.

Alan and Hannah Fisher
1 Rock Falls Ct.

Howard Gershen
rockfalls@netzero.net

Colleen M. Kennedy
Thomas J. Kelly, Jr.
1127 Bettstrail Way

Amit and Seema Panchal
1103 Bettstrail Way

Robinson Pino
1125 Bettstrail Way

Allen and Zelda Schiffenbauer
aschiffenbauer@gmail.com
February 26, 2022

Re: Objection to the MCPS Bus Depot and Maintenance Relocation Project and the Montgomery County Detention Center Partial Demolition and Renovation Plan

FROM: Dr. Uzi Vishkin, 3 Kettle Pond Court, Rockville, MD 20854, 301-838-7625. vishkin@umd.edu

TO: mayorcouncil@rockvillemd.gov

Dear Mayor and City Council members,

I wanted to express my strong opposition to the County Government plans for the properties located along the north end of Seven Locks Road including the MCPS Bus Depot immediately following Community.

- First, no community engagement was done. Given how we were completely ignored by the County Government, this is an urgent call to the City of Rockville to intervene. The County Government clearly does not care about how its plans affect the community and its quality of life.
- This was not an honest mistake by the County Government. Two previous proposals to relocate the bus depot to the MCPS Carver Center parking lot and the WINX property, both in the City of Rockville, were aborted for the same reasons that should, logically and fairly, abort the current proposal: adjacent to residential communities and vociferously objected to by neighbors. The County Government tries to get its plans approved behind our back.
- This would affect our quality of life in many ways. I will name just a few:
  - Heavy traffic and traffic noise starting well before 6am, on Seven Locks Rd. and on Wootton Pkwy.
  - Pedestrian safety as well safety of traffic from and to Twin Oaks Drive. Hundreds of buses roaming downhill on Seven Locks, south of Wootton Parkway are accidents waiting to happen. To get a sense of the risk, compare the risk of a single daily bus ride down that hill with 160 bus rides, over some time period. If the probability that the single bus ride will not be involved in any accident is 99% then (a simple computation shows that) the probability of no such accident drop to merely 20%, a near certainty of at least one and high likelihood of many more bus-related accidents. It is already challenging to get out of Twin Oaks Drive by car and with buses coming downhill and the need to give them extra space due their longer braking distance, the situation will become much worse. Even now, I avoid relying on the walk-signal for crossing Seven Locks at the intersection of Fortune Terrace until I make sure that the traffic coming downhill on both lanes of Seven Locks has come to a full stop.
  - Traffic congestion and its implied noise and air pollution. Even with the slightest problem on I-270, Seven locks becomes a traffic jam. While this may not show in traffic studies that tend to assume that accidents and lane closures never happen, this traffic clogging happens with remarkable regularity. With the many housing developments under construction or approved for construction, the addition to current traffic intersection capacity is already a traffic nightmare.
  - Locating the rehabilitation center so close to our communities will drastically affect our sense of personal safety. Add to this the Bus Depot plans, and you will significantly
reduce our homes’ values, in addition to hurting our quality of life. It is a bit ironic that, after charging us taxes based on the current value of our homes, the county is planning to reduce that value.

I hope that I explained why the County Government’s plans adversely affect our quality of life and must be stopped now before it is too late.
Dear Mayor Newton and Council Members:

The purpose of this letter is to express my objection and opposition to developing the land located at the end of Seven Locks Road for the Montgomery County Public Schools Bus Depot.

My neighborhood (Potomac Springs) is down Seven Locks Road from the proposed MCPS Bus Depot. If the project is permitted to proceed it would have an unreasonable detrimental impact on the area, our homes, and way of life.

The harmful results would include:
- increased noise pollution,
- significant increase of air pollution,
- traffic congestion and delays, especially since there is a plan to build 99 townhomes, 100 units condominiums, and a 7-story residential senior living residence by Fortune Terrace and all the new traffic from that development will be feeding into Fortune Terrace and Seven Locks Road,
- increased pedestrian hazards,
- safety concerns, and
- diminished property values.

Another option is to decentralize maintenance and store the buses overnight at high schools, or to sell the land to a commercial developer for the construction of townhouses, as it is a residential neighborhood. We would like the community to be engaged and involved in planning the future use of this site to better fit the character of the neighborhood.

I am a tax paying resident and voter seeking your support against this Proposal and request that you actively oppose any and all Proposals seeking to rehabilitate the MCDC and police station property into a MCPS Bus Depot.

I am asking you and the members of the council to reject the above captioned Proposal because it is damaging to our neighborhood.

Thank you for your consideration.

Sincerely,
Dr. Marcia Kerchner
2613 Oakenshield Drive
Rockville, MD 20854
To the Mayor and Rockville Council

Rockville has already done years of important work directly relevant to Montgomery County’s proposal for MCPS Bus Depot and Maintenance Relocation. I quote from the Rockville 2040 Development Plan from the section on Land Use for the proposed site, Area 13:

“Maintain the residential character of the planning area”
“Focus on improving factors that enhance quality of life”
“Study potential approaches to relieving congestion on Wootton Pkwy, west of 270…”

The proposed project is in direct conflict with each of these goals.

Rush hour traffic already makes it difficult to make a left turn onto Seven Locks from my neighborhood, one block from Wootton Pkway, and from many other streets along Seven Locks Rd. When weather is bad or there is a traffic accident on the 270, traffic exits onto Seven Locks from Falls Road and Wootton Pkway, and from Montrose, causing long backups.

School buses and bus drivers’ cars would be departing and returning to the proposed facility at these same busy times. An unstated number of county transit buses would be parked there, along with a maintenance facility for other County transit vehicles. How many vehicles would make how many trips how often? Clearly too many to be supported by the surrounding road network.

Our residential area continues to undergo significant residential and commercial development at Park Potomac. One additional approved project at the corner of Fortune Terrace and Seven Locks will add 408 additional residences. We don’t yet know the impact of that new development. I observed that the traffic study done for that project was during the pandemic when traffic was much decreased.

Any traffic study now, and on a day when weather and traffic on the 270 are not problematic, will not reflect what neighbors for miles along Seven Locks and other area roads, already deal with too often.

And please remember that only 3 blocks from Wooten Pkwy, on the other side of Montrose, Seven Locks is only one lane. Several blocks further, there is a school crossing area, where for safety reasons, no car can pass a car waiting to make a left turn.

Placing a facility the size and nature of the one proposed in this residential area with these streets will have adverse effects on traffic, pedestrian and road safety, likely also on health issues due to noise and pollution.

Two previous proposals to relocate the bus depot, both in Rockville, were aborted for similar reasons. They were adjacent to residential communities whose residents objected. And as already stated, the proposed project is in conflict with Rockville’s clearly stated objective for this land use area 13.

For all these reasons, no further study should be necessary.
My neighbors would be pleased to be involved in discussions about how the County land might be used to help meet Rockville’s 2040 objectives and how to address County needs.

Therefore, I ask that the Mayor and Council send a letter to the County Executive and the County Council expressing its objection to both proposals (MCPS Bus Depot and Maintenance Relocation AND the Montgomery County Detention Center Partial Demolition and Renovation).

Thank you for all of your work on our behalf.

Susan Arbuck MD
15 Scotch Mist Court
Potomac Springs neighborhood
To Whom It May Concern,

I write on behalf of hundreds of Rockville residents who furiously and strongly oppose Montgomery County's plan to create a bus depot at Seven Locks & Wooton Parkway.

I would like to speak at Monday's (2/28) Rockville Mayor and Council's Meeting to voice my concerns. The proposed MCPS Bus Depot will have unreasonable and detrimental impacts on the area, including more than 500 surrounding homes in the area. Particular harmful results include diminished property values, increased noise pollution, significant increase of air pollution, traffic congestion and delays, increased pedestrian hazards, and additional safety concerns. Bus arrivals and departures will create a significant amount of noise pollution to a very residential area. Of particular note is the increased traffic that this will add to the already highly congested Julius West area during mornings and afternoons.

I personally started a Change.org petition, which has gathered more than 100 signatures in less than 24 hours.
https://www.change.org/nobusdepot.

Best,
Krystal Putman-Garcia
Honorable Mayor and Council,

“Presentation by Montgomery County Regarding Their Plans for Properties Located Along Seven Locks Road Including a Proposed Bus Depot,” is item #6 on the February 28, 2022, Mayor and Council meeting agenda.

Relative to the first point, the accessway has a traffic light. The current timing of the traffic light at Wooton and Seven Locks is acceptable and conducive to the safety of users of the CMHT.

Second, and notably, the property contains a bikeway shown on the Rockville Bike Map (highlighted in yellow in the map below). Thus, it will be important for the county to ensure any new development includes protected bicycle facilities. The roadway running from Wooton to Falls Road currently is not a through street for motorized vehicles. However, a bicycle path extends from the end of the roadway to Falls Road (marked in purple on the Bike Map below). This offers cyclists an important shortcut from Wooton to Falls Road. The Rockville Bicycle Map includes this shortcut, and the county should maintain it for safe cycling.

The bikeway on the property slated for redevelopment is highlighted in yellow on the map below.
Respectfully,

Nancy
Nancy Breen, Chair
Rockville Bicycle Advisory Committee
To Whom it May Concern:

I would like to speak at Monday's (2/28) Rockville Mayor and Council's Meeting to voice my concerns.

I grew up and Rockville and am so proud to be living here as an adult, with my own family, but...

The proposed MCPS Bus Depot will have unreasonable and detrimental impacts on the area, including more than 500 surrounding homes in the area. Particular harmful results include diminished property values, increased noise pollution, significant increase of air pollution, traffic congestion and delays, increased pedestrian hazards, and additional safety concerns. Bus arrivals and departures will create a significant amount of noise pollution to a very residential area. Of particular note is the increased traffic that this will add to the already highly congested Julius West area during mornings and afternoons.

Thanks,

Monica Zeitlin
To Whom It May Concern,

I write to strongly oppose Montgomery County’s plan to create a bus depot at Seven Locks & Wooton Parkway.

I would like to speak at Monday’s (2/28) Rockville Mayor and Council’s Meeting to voice my concerns. I’d also like my comments (written and spoken) put in the official record about this proposal. The proposed MCPS Bus Depot will have unreasonable and detrimental impacts on the area, including more than 500 surrounding homes in the area. Particular harmful results include diminished property values, increased noise pollution, significant increase of air pollution, traffic congestion and delays, increased pedestrian hazards, and additional safety concerns. Bus arrivals and departures will create a significant amount of noise pollution to a very residential area. Of particular note is the increased traffic that this will add to the already highly congested Julius West area during mornings and afternoons.

Many thanks,
Martin Garcia
240-620-9882
Dear Rockville Mayor and Council members,

I would like to know when the City of Rockville will rescind the indoor mask mandate in its buildings and facilities. I am hoping that this mandate is lifted sooner than later.

Montgomery County has lifted its mask mandate as of February 21, 2022.

Maryland State Board of Education has also rescinded the emergency mask mandate for schools in Maryland and on Friday, February 25, 2022, the Maryland Joint Committee on Administrative, Executive, and Legislative Review (AELR) affirmed this decision.

CDC has substantially changed its indoor mask mandate as of Friday February 25th, and for areas with low level of community spread, they don’t recommend masking anymore. For such areas, they only recommend vaccination, as well as getting tested if symptomatic. Montgomery has one of the lowest community levels in the nation. You can consult this CDC link for further information: https://www.cdc.gov/coronavirus/2019-ncov/your-health/covid-by-county.html

Thank you for your time. I will be joining the meeting via computer.

Sincerely,

Parva Fattahi, Esq.
Fattahi Immigration Law, LLC
Adams Law Center
27 Wood Lane
Rockville, Maryland 20850
Tel.: 240-614-7638
Fax: 240-465-0090
www.fattahi-law.com

The information contained in this electronic message and any attached documents may be privileged, confidential, and protected from disclosure. If you are not the intended recipient, please destroy it and notify us immediately.
To Whom It May Concern,

I write on behalf of Rockville Residents who strongly oppose Montgomery County’s plan to create a bus depot at Seven Locks & Wootton Parkway.

I will do my best to attend the meeting, but with little kids, I cannot guarantee. That being said, I would like to go on the record as opposing this plan. The proposed MCPS Bus Depot will have unreasonable and detrimental impacts on the area, including more than 500 surrounding homes in the area. Particular harmful results include diminished property values, increased noise pollution, significant increase of air pollution, traffic congestion and delays, increased pedestrian hazards, and additional safety concerns. Bus arrivals and departures will create a significant amount of noise pollution to a very residential area. Of particular note is the increased traffic that this will add to the already highly congested Julius West area during mornings and afternoons.

I personally signed this Change.org petition: https://www.change.org/nobusdepot.

Kindly,
Stephanie Fulop
To Whom it May Concern:

I would like to speak at Monday's (2/28) Rockville Mayor and Council's Meeting to voice my concerns.

I grew up and live in Rockville and am so proud to be living here as an adult, with my own family, but...

The proposed MCPS Bus Depot will have unreasonable and detrimental impacts on the area, including more than 500 surrounding homes in the area. Particular harmful results include diminished property values, increased noise pollution, significant increase of air pollution, traffic congestion and delays, increased pedestrian hazards, and additional safety concerns. Bus arrivals and departures will create a significant amount of noise pollution to a very residential area. Of particular note is the increased traffic that this will add to the already highly congested Julius West area during mornings and afternoons.

Thanks,
Monica Zeitlin
February 27, 2022

To Mayor Newton and all Rockville Council Members,

I write to express my vehement objection and opposition to the County's plan to develop the land located at the end of Seven Locks Road for a Montgomery County Public Schools Bus Depot and other non-residential uses.

The proposed MCPS Bus Depot will have serious, undesirable, unreasonable and detrimental impact on the area, including more than 500+ adjacent residences. Particularly harmful consequences include diminished property values, increased noise pollution, significant increase of air pollution, traffic congestion and delays, increased pedestrian hazards, and additional safety concerns. Bus arrivals and departures will create significant noise pollution to a residential area. Of particular note is the increased traffic that this proposed development will add to the already highly congested Julius West area both in the mornings and the afternoons.

The area surrounding the proposed development has already endured multiple recent significant developments, some of which is still ongoing. Unfortunately, the detrimental effects of the City's and County's past approval of large-scale developments, are permanently locked in place. It is time to call
a halt to these developments that spoil existing neighborhoods, create traffic nightmares, cause environmental pollution hazards and noise pollution, etc. To build a bus depot in an area that already suffers from ever-increasing noise, traffic, and pollution from I270 and other roads is simply irresponsible. Voters will not take well to the forced imposition of 40 acres of non-residential use in the heart of family-oriented Rockville neighborhoods.

I am requesting that you unequivocally oppose all proposals seeking to rehabilitate the MCDC and police station property into a MCPS Bus Depot and other non-residential uses. I am a tax paying resident and voter seeking your support to defeat this proposal.

I ask you, the Mayor and Council, to reject the bus depot proposal. It is damaging to multiple Rockville neighborhoods, including my own neighborhood of nearly 40 years, Orchard Ridge.

Thank you for your consideration.

Sincerely,
Doris R. Raffel
Bus Depot off Seven Locks. This concept is bad news for our neighborhood. A bus depot creates undesired traffic every day of the week on an already overly-congested Seven Locks Road... Excessive traffic will cause the roads to deteriorate faster than normal. Further, the presence of the Bus Depot will clearly cause a diminution of our property values. This hurts you and us.

We hope you will reconsider a bus depot in our neighborhood, and not put one here ever. This valuable land can be put to better use.

Thank you for listening...Dr. Bruce L. Lazerow (Paying My Property Taxes at 2612 Oakenshield Drive; Potomac, Md. 20854)
Judy Penny

From: Brian Hung <bthung7@gmail.com>
Sent: Monday, February 21, 2022 12:34 PM
To: mayorcouncil
Subject: Homicide

Dear Mayor and City Council,

There was a homicide literally almost in front of my house on the evening of 17 February 2022.

As I was getting ready to go to bed just before midnight on 17 February 2022, I saw red and white flashing lights through a window and heard engine noises from my bedroom. I went downstairs and peeked through the window of my front door and saw a police car, ambulance and other public safety vehicles parked in front of my and neighbor’s houses with their lights flashing. I saw emergency medical technicians carrying a person on a stretcher into the ambulance. After it departed, I saw police officers searching the street surface with their flash lights.

The next morning, there were several TV news station vehicles parked in front of my house. I asked the occupant of one of the vehicles and learned that the person was shot multiple times and later died in a hospital.

I purchased my house in 2018 thinking it was a safe neighborhood, but lately it seems like my part of the City and neighborhood is seeing an increase in crime. Through the Nextdoor social networking service, I am seeing more reports on people stealing valuables in unlocked vehicles, removing wheels and tires and catalytic converters from vehicles, hearing gunshots, etc. I could not have imagined that a homicide would occur almost in front of my house.

I am concerned about my safety in my neighborhood and the potential effect of the homicide and crime on the value of my property.

I am wondering what the City government is doing to investigate why and how this homicide happened. What is the City government’s plan for identifying the causes for the apparent increase in crime and ways to address this?

Sincerely,

Brian Hung

1407 Bradley Ave., Rockville.
Dear Mayor and Council,

We hope all is well. As you all know, someone was murdered in Twinbrook last week. We are still exploring setting up a meeting with the community to share information and hear concerns. To that end, we are wondering if you have heard directly from anyone in Twinbrook about the homicide and any recent crime? We are also wondering who would be available to represent the Mayor and Council at the meeting? We believe the community would appreciate hearing from elected officials on this matter. Thank you.

Kind regards,

Mike Stein, President
Twinbrook Community Association
Dear Mayor Newton and City of Rockville Council:

I am a Rockville resident at 2520 Oakenshield Dr in Potomac Springs and am very concerned about a proposed bus facility at Wootton Parkway and Seven Locks Rd.

1. There is already a significant amount of traffic at the Wootton Parkway–Seven Locks Rd intersection. With vehicles turning onto and from Seven Locks Rd, residents of Potomac Springs already have some difficulty in driving in and out of the neighborhood. Twin Oaks, at Seven Locks Rd, is the only entrance/exit for our 109-house neighborhood and has no traffic light.

2. The congestion in this area will become much worse when construction is completed of a new community (195 townhouses and 621 apartments/units) at Fortune Terrace, near the existing small-commercial area and close to the Wootton Parkway–Seven Locks Rd intersection.

3. The proposed bus facility would add much more traffic from 200-plus buses and employees’ cars. With this further increased traffic, there would be even more difficulty in exiting/entering our 109-house neighborhood during significant periods of time on weekday mornings and afternoons.

In short, given current traffic and already planned development in the area, a significant bus facility should NOT be added, further congesting this area. The Shady Grove bus facility already in place should be adapted to meet future bus needs, rather than being developed for new mixed use.

4. Questions:

a. Will a traffic light be added right at Twin Oaks and Seven Locks?

b. What is the logic of running down -- with more congestion and noise -- the existing residential/small-commercial areas around Wootton Parkway–Seven Locks Rd in order to build a new mixed-use area at the existing Shady Grove bus facility?

Thank you for your consideration of my email.

Ingrid Alpern
2520 Oakenshield Dr
Rockville, MD 20854

-----Original Message-----
From: alperndwright@aol.com
To: lyalpern@aol.com <lyalpern@aol.com>
Sent: Sun, Feb 27, 2022 1:35 pm
Subject: Re: Wootton Pkwy-7 Locks bus facility

-----Original Message-----
From: ingrid Alpern <yalpern@aol.com>
To: alperndwright@aol.com <alperndwright@aol.com>
Sent: Sat, Feb 26, 2022 6:19 pm
Subject: Re: Wootton Pkwy-7 Locks bus facility
Dear Council:

I am a Rockville resident at 2520 Oakenshield Dr in Potomac Springs and am very concerned about a proposed bus facility at Wootton Parkway and 7 Locks Rd.

1. There is already a significant amount of traffic at the Wootton Parkway-7 Locks Rd intersection. With vehicles turning onto and from 7 Locks Rd, residents of Potomac Springs already have some difficulty in driving in and out of the neighborhood. Twin Oaks, at 7 Locks Rd, is the only entrance/exit for our 109-house neighborhood and has no traffic light.

2. The congestion in this area will become much worse when construction is completed of a new community (195 townhouses and 821 apartments/units) at Fortune Terrace, near the existing small-commercial area and close to the Wootton Parkway-7 Locks Rd intersection.

3. The proposed bus facility would add much more traffic from 200-plus buses and employees' cars. With this further increased traffic, there would be even more difficulty in exiting/entering our 109-house neighborhood during significant periods of time on weekday mornings and afternoons.

In short, given current traffic and already planned development in the area, a significant bus facility should NOT be added, further congesting this area. The Shady Grove bus facility already in place should be adapted to meet future bus needs, rather than being developed for new mixed use.

4. Questions:

a. Will a traffic light be added right at Twin Oaks and 7 Locks?

b. What is the logic of running down -- with more congestion and noise -- the existing residential/small-commercial areas around Wootton Parkway-7 Locks Rd in order to build a new mixed-use area at the existing Shady Grove bus facility?

Thanks.

Dwight Alpern
2520 Oakenshield Dr
Rockville, MD 20854

-----Original Message-----
From: alpermdwight@aol.com
To: iyalpern@aol.com <iyalpern@aol.com>
Sent: Sat, Feb 26, 2022 3:20 pm
Subject: Wooton Pkwy-7 Locks bus facility

Dear Council:

I am a Rockville resident at 2520 Oakenshield Dr (in Potomac Springs) and am very concerned about a proposed bus facility at Wootton Parkway and 7 Locks Rd.

1. There is already a significant amount of traffic at the Wootton Parkway-7 Locks Rd intersection. With vehicles turning onto and from 7 Locks Rd, it is difficult for residents of Potomac Springs to get in and out of the neighborhood (using Twin Oaks, the only entrance/exit from 7 Locks Rd). There is no traffic light there.

2. The congestion in this area will get much worse when construction is completed of a new community (195 townhouses and 821 apartments/units) at Fortune Terrace, near the existing small-commercial area and close to the Wootton Parkway-7 Locks Rd intersection. The proposed bus facility will add much more traffic from 200-plus buses and employees' cars.

In short, given current traffic and already planned development in the area, a significant bus facility should NOT be added, further congesting this area. The Shady Grove bus facility already in place should be adapted to meet future bus needs, rather than being developed for new mixed use.
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developed for new mixed use.

3. Questions:

a. Will a traffic light be added at Twin Oaks and 7 Locks?

b. What is the logic of running down -- with more congestion and noise -- the existing
residential/small-commercial areas around Wootton Parkway-7 Locks Rd in order to build
a new mixed use area at the existing Shady Grove bus facility?

Thanks.

Dwight Alpern
2520 Oakenshield Dr
Rockville, MD 20854
Dear Mayor Newton and City of Rockville Council:

I am a Rockville resident at 2520 Oakenshield Dr in Potomac Springs and am very concerned about a proposed bus facility at Wootton Parkway and Seven Locks Rd.

1. There is already a significant amount of traffic at the Wootton Parkway-Seven Locks Rd intersection. With vehicles turning onto and from Seven Locks Rd, residents of Potomac Springs already have some difficulty in driving in and out of the neighborhood. Twin Oaks, at Seven Locks Rd, is the only entrance/exit for our 109-house neighborhood and has no traffic light.

2. The congestion in this area will become much worse when construction is completed of a new community (195 townhouses and 621 apartments/units) at Fortune Terrace, near the existing small-commercial area and close to the Wootton Parkway-Seven Locks Rd intersection.

3. The proposed bus facility would add much more traffic from 200-plus buses and employees' cars. With this further increased traffic, there would be even more difficulty in exiting/entering our 109-house neighborhood during significant periods of time on weekday mornings and afternoons.

In short, given current traffic and already planned development in the area, a significant bus facility should NOT be added, further congesting this area. The Shady Grove bus facility already in place should be adapted to meet future bus needs, rather than being developed for new mixed use.

4. Questions:

a. Will a traffic light be added right at Twin Oaks and Seven Locks?

b. What is the logic of running down -- with more congestion and noise -- the existing residential/small-commercial areas around Wootton Parkway-Seven Locks Rd in order to build a new mixed-use area at the existing Shady Grove bus facility?

Thanks for all your efforts to improve Rockville!

Dwight Alpern
2520 Oakenshield Dr
Rockville, MD 20854
I have been a resident of Potomac Springs, for over 44 years. I frequently shop at stores in Seven Locks Plaza, which is across from where I live, and I will soon be driving my young grandson to summer camp on Seven Locks Road. Therefore, I was dismayed about the two recent proposals: 1) To rebuild the current detention center at the end of Seven Locks Road as well as adding a rehabilitation center in the same facility, and 2) To use the rest of the land as a Montgomery County Public Schools Bus and Maintenance Depot.

The area has changed considerably since I originally moved here. There are many residential neighborhoods, from which people drive, walk or bike to places such as Park Potomac, the park near our community, or houses of worship. Rebuilding a Detention and adding a Rehabilitation facility nearby would certainly affect the safety of the residents in all of the nearby neighborhoods. For example, people seeking rehabilitation, such as drug addicts, would certainly have easy access to these neighborhoods, which would unquestionably make living there much riskier.

Having a large bus depot of likely between 200 and 250 buses at the end of Seven Locks Road is certainly a potential traffic hazard. The buses would be on the road daily, except for weekends, twice a day during rush hour as well as mid-day and would affect all the nearby neighborhoods negatively. Perhaps a better place would be the location on Westlake Drive, across from the ice-skating rink, where there currently are school buses.

Meyer Katzper
(301) 340 6856
Dear Rockville Mayor and Council Members

The purpose of this letter is to express my objection and opposition to developing the land located at the end of Seven Locks for the Montgomery County Public Schools Bus Depot.

Our Potomac Springs neighborhood is next to the proposed MCPS Bus Depot. If the project is permitted to proceed it would have an unreasonable detrimental impact on the area, our homes and way of life.

The harmful results would include:
- traffic congestion and delays
- increased pedestrian hazards
- safety concerns
- increased noise pollution
- increased air pollution
- diminished property values

Rockville’s 2040 development plan for this Land Use Area 13 includes: “Maintain the residential character of the planning area”
“Focus on improving factors that enhance quality of life
“Study potential approaches to relieving congestion on Wootton Pkwy, west of 270…”
The proposed MCPS County project appears inconsistent with Rockville’s 2040 Plan.

I am requesting that you actively oppose any and all Proposals seeking to rehabilitate the MCDC and police station property into a MCPS Bus Depot. I am a tax paying resident and voter seeking your support against this Proposal.
Dear Mayor and Council Members:

I live near Seven Locks and Wootton Parkway and am writing to state my objection to the County Executive's proposal for the relocation and construction of the MCPS Depot and Maintenance Relocation to Seven Locks Road.

This is a residential area with high walkability and adjacent to neighborhood parks and shops; safety is already being compromised by existing traffic patterns.

I am an MCPS parent and support efficient and safe transportation for our students; however, the infrastructure to enable this should not compromise the quality of life for residential communities. The placement of the bus depot in this location would negatively impact air pollution, traffic and noise, and safety while biking and walking.

Sincerely,
Samantha Meklir
From: Gary Segev <giorajobs@yahoo.com>
Sent: Sunday, February 27, 2022 11:56 AM
To: mayorcouncil
Subject: Objection to the MCPS Bus Depot and Maintenance Relocation Project

Dear Mayor and City Council members,

I hereby express my strong opposition to the County Government plans for the properties located along the north end pf Seven Locks Road including the MCPS Bus Depot immediately following Community.

• First, no community engagement was done. Given how we were completely ignored by the County Government, this is an urgent call to the City of Rockville to intervene. The County Government clearly does not care about how its plans affect the community and its quality of life.

• This was not an honest mistake by the County Government. Two previous proposals to relocate the bus depot to the MCPS Carver Center parking lot and the WINX property, both in the City of Rockville, were aborted for the same reasons that should, logically and fairly, abort the current proposal: adjacent to residential communities and vociferously objected to by neighbors. The County Government tries to get its plans approved behind our back.

• This would affect our quality of life in many ways. I will name just a few:

  o Heavy traffic and traffic noise starting well before 6am, on Seven Locks Rd. and on Wootton Pkwy.

  o Pedestrian safety as well safety of traffic from and to Twin Oaks Drive. Hundreds of buses roaming downhill on Seven Locks, south of Wootton Parkway are accidents waiting to happen. To get a sense of the risk, compare the risk of a single daily bus ride down that hill with 160 bus rides, over some time period. If the probability that the single bus ride will not be involved in any accident is 99% then (a simple computation shows that) the probability of no such accident drop to merely 20%, a near certainty of at least one and high likelihood of many more bus-related accidents. It is already challenging to get out of Twin Oaks Drive by car and with buses coming downhill and the need to give them extra space due their longer braking distance, the situation will become much worse. Even now, I avoid relying on the walk-signal for crossing Seven Locks at the intersection of Fortune Terrace until I make sure that the traffic coming downhill on both lanes of Seven Locks has come to a full stop.

  o Traffic congestion and its implied noise and air pollution. Even with the slightest problem on I-270, Seven locks becomes a traffic jam. While this may not show in traffic studies that tend to assume that accidents and lane closures never happen, this traffic clogging happens with remarkable regularity. With the many housing developments under construction or approved for construction, the addition to current traffic intersection capacity is already a traffic nightmare.

  o Locating the rehabilitation center so close to our communities will drastically affect our sense of personal safety. Add to this the Bus Depot plans, and you will significantly reduce our
homes' values, in addition to hurting our quality of life. It is a bit ironic that, after charging us
taxes based on the current value of our homes, the county is planning to reduce that value.

I hope that I explained why the County Government's plans adversely affect our quality of life and
must be stopped now before it is too late.

Respectfully,

Giora Segev

8 Kettle Pond Ct.

Rockville, MD 20854
Dear Mayor and City Council members,

I wanted to express my strong opposition to the County Government plans for the properties located along the north end of Seven Locks Road including the MCPS Bus Depot immediately following Community.

- First, no community engagement was done. Given how we were completely ignored by the County Government, this is an urgent call to the City of Rockville to intervene. The County Government clearly does not care about how its plans affect the community and its quality of life.

- This was not an honest mistake by the County Government. Two previous proposals to relocate the bus depot to the MCPS Carver Center parking lot and the WINX property, both in the City of Rockville, were aborted for the same reasons that should, logically and fairly, abort the current proposal: adjacent to residential communities and vociferously objected to by neighbors. The County Government tries to get its plans approved behind our back.

- This would affect our quality of life in many ways. I will name just a few:

  - Heavy traffic and traffic noise starting well before 6am, on Seven Locks Rd. and on Wootton Pkwy.
  - Pedestrian safety as well safety of traffic from and to Twin Oaks Drive. Hundreds of buses roaming downhill on Seven Locks, south of Wootton Parkway are accidents waiting to happen. To get a sense of the risk, compare the risk of a single daily bus ride down that hill with 160 bus rides, over some time period. If the probability that the single bus ride will not be involved in any accident is 99% then (a simple computation shows that) the probability of no such accident drop to merely 20%, a near certainty of at least one and high likelihood of many more bus-related accidents. It is already challenging to get out of Twin Oaks Drive by car and with buses coming downhill and the need to give them extra space due their longer braking distance, the situation will become much worse. Even now, I avoid relying on the walk-signal for crossing Seven Locks at the intersection of Fortune Terrace until I make sure that the traffic coming downhill on both lanes of Seven Locks has come to a full stop.

  - Traffic congestion and its implied noise and air pollution. Even with the slightest problem on I-270, Seven locks becomes a traffic jam. While this may not show in traffic studies that tend to assume that accidents and lane closures never happen, this traffic clogging happens with remarkable regularity. With the many housing developments under construction or approved for construction, the addition to current traffic intersection capacity is already a traffic nightmare.

  - Locating the rehabilitation center so close to our communities will drastically affect our sense of personal safety. Add to this the Bus Depot plans, and you will significantly reduce our homes’ values, in addition to hurting our quality of life. It is a bit ironic that, after charging us taxes based on the current value of our homes, the county is planning to reduce that value.
I hope that I explained why the County Government’s plans adversely affect our quality of life and must be stopped now before it is too late.

Respectfully,

Yvette Segev
8 Kettle Pond Ct.
Rockville, MD 20854

Virus-free. www.avast.com
Please oppose the County's plan to put a bus depot at the northern end of Seven Locks Road.

It will have detrimental effects on the local residential communities, on top of that caused by new and approved developments in the area.

Can't the County find a use for the property that would help the nearby communities rather than hurt them?

Dan Prywes
2512 Oakenshield Drive
Rockville MD 20854

Sent from my iPhone
To: Mayor Council, Council Member Katz, and Montgomery Council members:

I am reading the following information from our Community Organizers below regarding the Montgomery County Plans to Develop MCPS Bus Terminal and County Transit Facility at 7 Locks Road and Wootton Parkway in Rockville, Maryland. I am submitting my family's strong objection to the planned site! It is especially urgent now since the "Rockville Council meets with County representatives virtually this Monday Feb 28". We are living in a democratic country and state and letting us know about your meeting tomorrow is intentionally to hide this matter from us.

Today is SUNDAY!! And as a one who lives 500 feet from Seven Locks Road in the last 38 years with a family of five, you indeed spoiled my Sunday today and perhaps possibly my life in the next 10-20 years of my retirement from the US Department of Defense!!

Shame on you to even bring this new INDUSTRIAL COMPLEX plan bus-depot and a restoration-center even to the review-table tomorrow!

Please add my strong objection to the plan to turn our loving residential community in the last 60 years into an industrial zone. Here are some reasons why it is really a bad and destructive plan, especially on the thousands of homes around Seven Locks Road. Please add my reasons to my loving neighbors who wrote about their objections to the planned development... And please DO NOT DESTROY THE LIFE WE HAVE HAD IN THE LAST 60 YEARS!!

Main reasons for our objection to this new plan of a bus lot and service facilities:

On top of the current traffic gridlocks on one-lane Seven Locks Road, when car drivers avoid the drive on I-270 to detour to this one lane road, we also expect more cars on Seven Locks. This is since the MC planning sealed and started building a new residential community in Seven Locks strip mall (called officially now Cabin-John Village). Basically, MC plan, if implemented, will engulf us with cars and hundreds of additional school buses from three close-by locations, while the County has already a large school bus lot on West Lake Terrace near Cabin-John Village and Montgomery Mall. Just think about the implications of this plan if it is carried out. The traffic horrors now will be the nightmare of tomorrow since it will be on a small area between Tuckerman Lane and Seven Locks intersection. It is about a mile drive and on
it you will find schools, synagogues, churches, medical centers, big gym, two strip-malls, and in the center is a major connection to I-270, to Rockville Pike, to Wootton Parkway and Falls Road. ...JUST BE REASONABLE!!

Isaac Abraham

7810 Ivymount Terrace, Potomac, Maryland

From our Community Organizers:

1. Project Background

Montgomery County has proposed redeveloping the roughly 40-acre site of the Detention Center facility in Rockville to include a bus depot and a ”restoration center.” The school bus terminal located in Shady Grove (16651 Crabbs Branch Way) will be relocated here. The new school bus terminal will house 200-250 school buses, a parking lot for the school bus drivers, a bus repair facility for both the school buses and other county buses (e.g., ride on buses), a bus wash station and fuel pumps to run the buses. It is the County’s intention to convert their bus fleet to electric buses over the long term though it is not clear that this is budgeted. The County has not outgrown their current facility in Shady Grove but wants to redevelop that site as a mixed used area for homes or businesses. The project is described in a Bethesda magazine article (https://bethesdamagazine.com/bethesda-beat/government/county-proposes-bus-depot-restoration-center-at-correctional-facility-site-in-rockville/).

The egress and return of 200-250 buses and personal cars of bus drivers from the proposed new facility would be onto Wootton Parkway and Seven Locks Road. This egress route directly impacts Potomac Springs (169 homes) Orchard Ridge (69 homes), Falls Ridge (147 homes), Falls Bend (55 homes), and Park Potomac and homes and houses of worship on the other side of Montrose on Seven Locks. This enumeration does not consider the new community being built at Fortune Terrace, adjacent to Lifetime Fitness (408 residential units: 195 townhomes or condominiums and 213 senior living units) and its additional traffic.

The County owns the land and does not need the City of Rockville’s approval for the project if the project conforms to the City of Rockville’s land use ordinance (development standards). In our view, it does not appear to conform to Vision 2040 objectives for this land use area 13. (Available on the google site you can join-link below)

The County proposed to move the bus depot to two other sites in Rockville (Carver Educational Services Center at 355 and Manakee, and Lincoln Park, at 1000 Westmore Ave). The residents of these two communities were able to convince the County to consider other sites instead. This was accomplished by aggressive email writing campaigns to the City of Rockville Council and the Montgomery County Council as well as to individual representatives of both Councils by a very large proportion of residents in these two communities. Their emails focused on the deleterious effects of a school bus terminal in their communities.
My name was forgotten—
SusanAbraham
7810 Ivymount Terr
Potomac Md 20854

Sent from the all new AOL app for iOS

On Sunday, February 27, 2022, 6:39 PM, Susan Abraham <sabraham2@verizon.net> wrote:

Greetings,

I wish to register my condemnation for this Seven Locks development plan on all counts—including
1. Negative impact on the residential character by the development. This includes impact of the quality
   of life and property values.
2. The impact of industrializing our neighborhood.
3. Seven Locks is a threat to one’s life. Try crossing it or making left turns in the morning and between 3
   and 6 pm!
4. Increased likelihood of traffic accidents.
5. Additional residential development is its way. And Cabin John Village will add more to the total.

Sent from the all new AOL app for iOS
Dear Mayor Council,

I'd like to have my comments put in the official record about the bus depot proposal being discussed tomorrow evening.

I live in Potomac Woods and oppose the bus depot being considered at the current detention center location off of Seven Locks. Traffic is increasingly bad with businesses going back to in person work and with the onset of the merge onto 270 signals. The depot should be considered in locations that have better more direct access to 270 without jamming up local traffic, particularly where there are several nearby schools that have slowed traffic already during busy commute times.

Families in these communities should be provided with information as to how this proposal will be beneficial before it moves forward. Thank you for hearing our concerns before proceeding.

Amy Linder
Sent from my iPhone
MCPS is once again looking for a school bus depot site, if the link here is to be believed.


Several years ago we united against an effort to move some of the buses to the Carver parking lot at the corner of Mannakee St and 355. It is now time to be vigilant again.

What did the council/Mayor do to prevent this before and what do we have to do again?

Alexa Fraser
503 Mannakee St.

Rockville MD 20850
To Mayor and Council,

We are very much in disagreement with the relocation of the MCPS bus depot and renovation of the Detention Center. We feel this would cause numerous problems for our community. We have lived in Orchard Ridge since it was built in 1984 and have seen the surrounding area grow, now housing numerous families with young children. More neighborhoods continue to be built in the surrounding area and will house even more incoming residents. There are many outdoor healthy activities within our neighborhoods such as biking, walking, and jogging. To have a large number of buses traveling thru this area would now cause tremendous traffic congestion and be dangerous to the many people crossing Wooten Parkway, 7-Locks Road, Falls Road, and many others. Noise pollution and air pollution would greatly affect the quality of life for our residents, both old and young. Our roads are already congested and this increase in buses would be very detrimental. We have seen many accidents already at these intersections and a stream of buses would only increase the danger. We feel pedestrian safely would become a serious problem. There is no place in this close community environment to be clogged with such an increase in noise and pollution. This would present a grave situation for our community. This is a residential community, not an industrial place for large numbers of buses and maintenance.

We ask that the Mayor and Council profoundly object to the Bus Depot and Maintenance Relocation and Montgomery County Detention Center Partial Demolition and Renovation and please inform the County Executive and County Council to object to these proposals and end this now. Communities filled with people are not a place to relocate a large number of buses to pollute our air, increase noise, and cause injury and poor health conditions.

Thank you for your attention to this matter.

Kathy and Joe DiGilio
To Whom It May Concern,

I write on behalf of Rockville Residents who strongly oppose Montgomery County’s plan to create a bus depot at Seven Locks & Wootton Parkway.

I will do my best to attend the meeting, but with little kids, I cannot guarantee. That being said, I would like to go on the official record as opposing this plan. The proposed MCPS Bus Depot will have unreasonable and detrimental impacts on the area, including more than 500 surrounding homes in the area. Particular harmful results include diminished property values, increased noise pollution, significant increase of air pollution, traffic congestion and delays, increased pedestrian hazards, and additional safety concerns. Bus arrivals and departures will create a significant amount of noise pollution to a very residential area. Of particular note is the increased traffic that this will add to the already highly congested Julius West area during mornings and afternoons.

I have also personally signed this Change.org petition, which has over 250 signatures in less than 48 hours: https://www.change.org/nobusdepot.

Kindly,
Ayham Bakhos
Good morning,

I write on behalf of Rockville Residents who strongly oppose Montgomery County's plan to create a bus depot at Seven Locks & Wootton Parkway. Please add my comments to the official record.

I will do my best to attend the meeting, but with little kids, I cannot guarantee. That being said, I would like to go on the official record as opposing this plan. The proposed MCPS Bus Depot will have unreasonable and detrimental impacts on the area, including more than 500 surrounding homes in the area. Particular harmful results include diminished property values, increased noise pollution, significant increase of air pollution, traffic congestion and delays, increased pedestrian hazards, and additional safety concerns. Bus arrivals and departures will create a significant amount of noise pollution to a very residential area. Of particular note is the increased traffic that this will add to the already highly congested Julius West area during mornings and afternoons.

This is magnified by the fact that major residential development is happening two blocks away off of Fortune Terrace.

Thank you for your serious consideration.

Sincerely,
Laura Anderson Wright, Esq.
Good morning,

The purpose of this letter is to express my objection and opposition to developing the land located at the end of Seven Locks for the Montgomery County Public Schools Bus Depot.

The proposed MCPS Bus Depot will have unreasonable and detrimental impacts on the area, including more than 500+ surrounding homes in the area. Particular harmful results include diminished property values, increased noise pollution, significant increase of air pollution, traffic congestion and delays, increased pedestrian hazards, and additional safety concerns. Bus arrivals and departures will create a significant amount of noise pollution to a very residential area. Of particular note is the increased traffic that this will add to the already highly congested Julius West area during mornings and afternoons.

I am requesting that you actively oppose any and all Proposals seeking to rehabilitate the MCDC and police station property into a MCPS Bus Depot. I am a tax paying resident and voter seeking your support against this Proposal.

I am asking you and the members of the council to reject the above captioned Proposal because it is damaging to our neighborhood.

Thank you for your consideration.

Sincerely,
Dan Fulop
1138 Halesworth Drive
Potomac, MD 20854
301-706-0268
danfulop@gmail.com

Thank you again!
To Whom It May Concern,

I write on behalf of Rockville Residents who strongly oppose Montgomery County’s plan to create a bus depot at Seven Locks & Wootton Parkway.

I will do my best to attend the meeting, but am unfortunately working (I am an ER doctor working in the community).

That being said, I would like to go on the official record as opposing this plan. The proposed MCPS Bus Depot will have unreasonable and detrimental impacts on the area, including more than 500 surrounding homes in the area. Particular harmful results include diminished property values, increased noise pollution, significant increase of air pollution, traffic congestion and delays, increased pedestrian hazards, and additional safety concerns. Bus arrivals and departures will create a significant amount of noise pollution to a very residential area. Of particular note is the increased traffic that this will add to the already highly congested Julius West area during mornings and afternoons.

I have also personally signed this Change.org petition, which has over 250 signatures in less than 48 hours: https://www.change.org/nobusdepot.

Sincerely,
Neil Roy, MD
Dear Mayor Newton and Council Members:

The purpose of this letter is to express my objection and opposition to developing the land located at the end of Seven Locks Road for the Montgomery County Public Schools Bus Depot.

My neighborhood (Potomac Springs) is down Seven Locks Road from the proposed MCPS Bus Depot. If the project is permitted to proceed it would have an unreasonable detrimental impact on the area, our homes, and way of life.

The harmful results would include:
- increased noise pollution,
- significant increase of air pollution,
- traffic congestion and delays, especially since there is a plan to build 99 townhomes, 100 units condominiums, and a 7-story residential senior living residence by Fortune Terrace and all the new traffic from that development will be feeding into Fortune Terrace and Seven Locks Road,
- increased pedestrian hazards,
- safety concerns, and
- diminished property values.

Another option is to decentralize maintenance and store the buses overnight at high schools, or to sell the land to a commercial developer for the construction of townhouses, as it is a residential neighborhood. We would like the community to be engaged and involved in planning the future use of this site to better fit the character of the neighborhood.

I am a tax paying resident and voter seeking your support against this Proposal and request that you actively oppose any and all Proposals seeking to rehabilitate the MCDC and police station property into a MCPS Bus Depot.

I am asking you and the members of the council to reject the above captioned Proposal because it is damaging to our neighborhood.

Thank you for your consideration.

Sincerely,
Dr. Robert Kerchner
2613 Oakenshield Drive
Hi There,

I'm a Rockville resident and sending this email to oppose Montgomery County's plan to create a bus depot at Seven Locks & Wootton Parkway. *Please let this email serve as official record of my sentiment that I oppose this plan.*

The proposed MCPS Bus Depot will have undesired impact in my area. It may diminish our property value, cause noise, increase air pollution, and cause more traffic congestion as well as pedestrian hazards. This is a highly residential area. An increase in traffic in this area will also further negatively impact the Julius West area in mornings and afternoons, which is already quite congested. To recap, I strongly oppose this plan.

Sincerely,
Rahul Balchandani
To Whom It May Concern,

I write on behalf of Rockville Residents who strongly oppose Montgomery County's plan to create a bus depot at Seven Locks & Wootton Parkway.

I will do my best to attend the meeting, but with young family might not be always possible. That being said, I would like to go on the official record as opposing this plan. The proposed MCPS Bus Depot will have unreasonable and detrimental impacts on the area, including more than 500 surrounding homes in the area. Particular harmful results include diminished property values, increased noise pollution, significant increase of air pollution, traffic congestion and delays, increased pedestrian hazards, and additional safety concerns. Bus arrivals and departures will create a significant amount of noise pollution to a very residential area. Of particular note is the increased traffic that this will add to the already highly congested Julius West area during mornings and afternoons.

I have also personally signed this Change.org petition, which has over 250 signatures in less than 48 hours: https://www.change.org/nobusdepot.

Kindly,
Hardeep Singh Goraya
From: Marc Raffel <mraff1133@aol.com>
Sent: Monday, February 28, 2022 9:43 AM
To: cityclerk
Subject: Bus Depot

Dear Sir or Madame,

Please register my opposition to the proposed MCPS bus depot relocation.

Thank you for your consideration.

Sincerely,

Marc Raffel
1133 Halesworth Dr.
Rockville, MD 20854
MCPS Bus Depot and Maintenance Relocation (P360903)

**EXPENDITURE SCHEDULE ($000s)**

<table>
<thead>
<tr>
<th>Cost Elements</th>
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<th>Thru FY20</th>
<th>Rem FY20</th>
<th>Total FY 21</th>
<th>FY 22</th>
<th>FY 23</th>
<th>FY 24</th>
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<th>FY 26</th>
<th>Beyond 6 Years</th>
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**FUNDING SCHEDULE ($000s)**

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<th>Rem FY20</th>
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**APPROPRIATION AND EXPENDITURE DATA ($000s)**

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<th>Description</th>
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**PROJECT DESCRIPTION**

This project is part of the Smart Growth Initiative program and provides for a comprehensive feasibility study and planning for the relocation of the Montgomery County Public Schools Bus Depot from the County Service Park on Crabbs Branch Way. Previous plans to acquire several sites for MCPS bus parking facilities to accommodate displaced buses when the site is redeveloped have been put on hold until an agreement can be reached on a project plan. It also includes staff supervision, consultant costs, demolition of existing improvements, and environmental clean up of the east side of Crabbs Branch Way.

**LOCATION**

East side of Crabbs Branch Way north of Shady Grove.
ESTIMATED SCHEDULE

Environmental clean up of the Maryland-National Capital Park and Planning Commission facilities occurred in FY17, and demolition was completed in FY19. A search for a replacement site for the MCPS bus depot and maintenance facility is underway.

PROJECT JUSTIFICATION

In order to implement the County's Shady Grove Sector Plan which would capitalize on the existing investment in mass transit by creating a transit-oriented development community, the County Service Park must be relocated. Relocation of the facilities at the County Service Park will enable the County to realize both the transit-oriented development intended for the area and address unmet needs. The County is faced with aging facilities that require extensive investment of funds to meet our needs. With the age of some of the facilities, the extent of the required investment must be weighed against the long-term ability of the facilities to satisfy current and future County needs. Plans and studies for this project include: M-NCPPC Shady Grove Sector Plan, approved by the Montgomery County Council, January 2006, adopted by the M-NCPPC, March 15, 2006; Montgomery County Property Use Study Updated Briefing to County Council , April 29, 2008 (based on Staubach Reports); Montgomery County Smart Growth Initiative Update to County Council , September 23, 2008.

OTHER

The project provides for the planning phase, clean-up, and demolition activities for the MCPS bus depot and maintenance facility. Final construction costs for a replacement MCPS bus depot and maintenance facility will be determined during the design development phase when a site is identified.

DISCLOSURES

A pedestrian impact analysis will be performed during design or is in progress.

COORDINATION

Department of General Services, Department of Transportation, Montgomery County Public Schools, Maryland-National Capital Park and Planning Commission, Department of Permitting Services, Department of Finance, Department of Technology Services, Office of Management and Budget, and Washington Suburban Sanitary Commission.
Montgomery County Detention Center Partial Demolition and Renovation (P422102)

Category: Public Safety
SubCategory: Correction and Rehabilitation
Planning Area: Rockville

Date Last Modified: 06/15/20
Administering Agency: General Services
Status: Planning Stage

EXPENDITURE SCHEDULE ($000s)

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<th>Rem FY20</th>
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<th>FY 22</th>
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FUNDING SCHEDULE ($000s)

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<th>Beyond 6 Years</th>
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<td><strong>2,280</strong></td>
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OPERATING BUDGET IMPACT ($000s)

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APPROPRIATION AND EXPENDITURE DATA ($000s)

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PROJECT DESCRIPTION

This project provides for the planning, design, and renovation/modification of the Montgomery County Detention Center (MCDC) for use primarily as a short-term holding and central processing facility. The original building was built in 1961 with the High Rise/Tower and other modular units constructed thereafter. The project provides for demolition of dilapidated out of operation structures including demolition of the High Rise/Tower, five vacant modular units and the CIU pod which is currently used by HHS. Prior to demolition,
the existing utilities will be rerouted, and a new utility structure will be built. HHS will be relocated from the CIU pod to a temporary location in the occupied building while renovation of their final location is completed. Renovation of other select areas of the building is included. The work will be done in phases due to the complexity of the project and the need to keep the main building operational throughout the project.

**LOCATION**

1307 Seven Locks Road, Rockville, Maryland 20854.

**ESTIMATED SCHEDULE**

Construction is expected to begin in early 2021.

**PROJECT JUSTIFICATION**

Council Resolution 13-356, passed by the Montgomery County Council in 1995, approved a two-jail system which includes the Montgomery County Correctional Facility (MCCF) located in Boyds and the Montgomery County Detention Center (MCDC) in Rockville. The current MCDC was the designated location for the intake and release of all inmates. Functions included the Central Processing Unit (CPU); the Maryland County District Court Commissioners; evaluation for pre-trial services, medical and mental health assessments; centralized records and storage; and DOCR training. The facility also provides beds for housing inmates during intake process. After many years of service, the building is no longer in good repair and does not meet all the current State and County requirements. To meet the requirements of the Council Resolution, MCDC needs to be replaced or renovated sufficiently in order to operate fully until a future new Criminal Justice Center can be constructed in its place. To provide an immediate response to these issues the project proposes a limited renovation of the buildings remaining after demolition of unused structures. As part of the renovation, and in order to continue to provide these services, specific changes will be implemented to meet current State and County requirements. In addition, a general refresh of spaces is needed to provide a conducive workspace for the staff for the immediate future. Demolition of five vacant modular structures and the partially occupied CIU pod will save maintenance and energy costs. Annual maintenance costs for this facility routinely reach and sometimes exceed $100,000.

**DISCLOSURES**

A pedestrian impact analysis will be performed during design or is in progress.

**COORDINATION**

Department of Correction and Rehabilitation, Department of General Services, Department of Health and Human Services, Department of Technology Services, Department of Police, Montgomery County Fire and Rescue Service, Sheriff's Office, District Court of Maryland, State of Maryland, City of Rockville, Washington Gas, and PEPCO
MCPS Bus Depot and Maintenance Relocation
(P360903)

EXPENDITURE SCHEDULE ($000s)

<table>
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<th>Cost Elements</th>
<th>Total</th>
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<th>Est FY22</th>
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FUNDING SCHEDULE ($000s)

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<td><strong>TOTAL FUNDING SOURCES</strong></td>
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APPROPRIATION AND EXPENDITURE DATA ($000s)

| Appropriation FY 23 Request        | -      |          |          |                |       |       |       |       |       |       |                |
| Appropriation FY 24 Request        | -      |          |          |                |       |       |       |       |       |       |                |
| Cumulative Appropriation           | 3,000  |          |          |                |       |       |       |       |       |       |                |
| Expenditure / Encumbrances         | 1,746  |          |          |                |       |       |       |       |       |       |                |
| Unencumbered Balance               | 1,254  |          |          |                |       |       |       |       |       |       |                |

PROJECT DESCRIPTION

This project is part of the Smart Growth Initiative program and provides for a comprehensive feasibility study and planning for the relocation of the Montgomery County Public Schools Bus Depot from the County Service Park on Crabbs Branch Way. Previous plans to acquire several sites for MCPS bus parking facilities to accommodate displaced buses when the site is redeveloped have been put on hold until an agreement can be reached on a project plan. It also includes staff supervision, consultant costs, demolition of existing improvements, and environmental clean up of the east side of Crabbs Branch Way.
LOCATION

East side of Crabbs Branch Way north of Shady Grove.

ESTIMATED SCHEDULE

Environmental clean up of the Maryland-National Capital Park and Planning Commission facilities occurred in FY17, and demolition was completed in FY19. A search for a replacement site for the MCPS bus depot and maintenance facility has identified the County-owned property housing the current Montgomery County Detention Center (MCDC) and the former 1st District Police Station as an appropriate location. This project cannot begin until the Criminal Justice Center replacing the MCDC and the Restoration Center projects on the site are completed.

COST CHANGE

Funding in the Beyond 6 years is a placeholder for the construction of a new bus depot.

PROJECT JUSTIFICATION

In order to implement the County’s Shady Grove Sector Plan which would capitalize on the existing investment in mass transit by creating a transit-oriented development community, the County Service Park must be relocated. Relocation of the facilities at the County Service Park will enable the County to realize both the transit-oriented development intended for the area and address unmet needs. The County is faced with aging facilities that require extensive investment of funds to meet our needs. With the age of some of the facilities, the extent of the required investment must be weighed against the long-term ability of the facilities to satisfy current and future County needs. Plans and studies for this project include: M-NCPPC Shady Grove Sector Plan, approved by the Montgomery County Council, January 2006, adopted by the M-NCPPC, March 15, 2006; Montgomery County Property Use Study Updated Briefing to County Council, April 29, 2008 (based on Staubach Reports); Montgomery County Smart Growth Initiative Update to County Council, September 23, 2008.

OTHER

The project provides for the planning phase, clean-up, and demolition activities for the MCPS bus depot and maintenance facility. Final construction costs for a replacement MCPS bus depot and maintenance facility will be determined during the design development phase.

DISCLOSURES

A pedestrian impact analysis will be performed during design or is in progress.

COORDINATION

Department of General Services, Department of Transportation, Montgomery County Public Schools, Maryland-National Capital Park and Planning Commission, Department of Permitting Services, Department of Finance, Department of Technology and Enterprise Business Solutions, Office of Management and Budget, and Washington Suburban Sanitary Commission.
Montgomery County Detention Center Partial Demolition and Renovation (P422102)

**EXPENDITURE SCHEDULE ($000s)**

<table>
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<tr>
<th>Cost Elements</th>
<th>Total</th>
<th>Thru FY21</th>
<th>Est FY22</th>
<th>Total 6 Years</th>
<th>FY 23</th>
<th>FY 24</th>
<th>FY 25</th>
<th>FY 26</th>
<th>FY 27</th>
<th>FY 28</th>
<th>Beyond 6 Years</th>
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**FUNDING SCHEDULE ($000s)**

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<th>FY 26</th>
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<th>Beyond 6 Years</th>
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**OPERATING BUDGET IMPACT ($000s)**

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**APPROPRIATION AND EXPENDITURE DATA ($000s)**

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**PROJECT DESCRIPTION**

This project provides for the planning, design, and renovation/modification of the Montgomery County Detention Center (MCDC) for use primarily as a short-term holding and central processing facility. The original building was built in 1961 with the High Rise/Tower and other modular units constructed thereafter. The project provides for demolition of dilapidated out of operation structures including...
demolition of the High Rise/Tower, five vacant modular units and the CIU pod which is currently used by HHS. Prior to demolition, the existing utilities will be rerouted, and a new utility structure will be built. HHS will be relocated from the CIU pod to a temporary location in the occupied building while renovation of their final location is completed. Renovation of other select areas of the building is included. The work will be done in phases due to the complexity of the project and the need to keep the main building operational throughout the project.

LOCATION

1307 Seven Locks Road, Rockville, Maryland 20854

ESTIMATED SCHEDULE

Construction started in mid-2021 and is scheduled for completion in Fall 2022. Funding has moved into the six-year period due to modest project delays.

PROJECT JUSTIFICATION

Council Resolution 13-356, passed by the Montgomery County Council in 1995, approved a two-jail system which includes the Montgomery County Correctional Facility (MCCF) located in Boyds and the Montgomery County Detention Center (MCDC) in Rockville. The current MCDC was the designated location for the intake and release of all inmates. Functions included the Central Processing Unit (CPU); the Maryland County District Court Commissioners; evaluation for pre-trial services, medical and mental health assessments; centralized records and storage; and DOCR training. The facility also provides beds for housing inmates during intake process. After many years of service, the building is no longer in good repair and does not meet all the current State and County requirements. To meet the requirements of the Council Resolution, MCDC needs to be replaced or renovated sufficiently in order to operate fully until a future new Criminal Justice Center can be constructed in its place. To provide an immediate response to these issues the project proposes a limited renovation of the buildings remaining after demolition of unused structures. As part of the renovation, and in order to continue to provide these services, specific changes will be implemented to meet current State and County requirements. In addition, a general refresh of spaces is needed to provide a conducive workspace for the staff for the immediate future. Demolition of five vacant modular structures and the partially occupied CIU pod will save maintenance and energy costs. Annual maintenance costs for this facility routinely reach and sometimes exceed $100,000.

COORDINATION

Department of Correction and Rehabilitation, Department of General Services, Department of Health and Human Services, Technology and Enterprise Business Solutions, Department of Police, Montgomery County Fire and Rescue Service, Sheriff's Office, District Court of Maryland, State of Maryland, City of Rockville, Washington Gas, and PEPCO