MAYOR AND COUNCIL

MEETING NO. 16-22
Monday, May 9, 2022 – 7:00 PM

AGENDA

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

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

Virtual Speakers

Virtual Speakers should follow the instructions in the Agenda Center at www.rockvillemd.gov/AgendaCenter as written on page 1 of the Agenda Packet.

In-Person Attendance

Community members attending in-person who wish to speak during Community Forum or a Public Hearing should sign up using the form at the entrance to the Mayor and Council Chamber. In-person speakers will be called upon in the order they are signed in and will speak following virtual speakers.

Viewing Mayor and Council Meetings

The Mayor and Council are conducting hybrid meetings. The meetings can be viewed on Rockville 11, Comcast, and Verizon cable channel 11, and 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 no later than 10:00 am on the date of the meeting.
- All written 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 pm (approximately 20 minutes before the actual meeting start time).

4. Read for [https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex](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](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 pm the day of the meeting, for an overview of the Webex tool, or to ask general process questions.

**Participating in Mayor and Council Drop-In**

The next scheduled Drop-In session will be held by phone on Monday, May 9 from 5:30-6:30 pm with Mayor Newton and Councilmember Pierzchala. Please sign up by 10 am on the day of the meeting using the form at: [https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227](https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227)

7:00 PM  1. **Convene**

2. **Pledge of Allegiance**

3. **Agenda Review**

7:05 PM  4. **Proclamation**

   A. **Proclamation Declaring May 2022, as Rockville Bicycle Awareness Month (CM Pierzchala)**

   B. **Proclamation Declaring May 2022, as Historic Preservation Month (CM Ashton)**

   C. **Proclamation Declaring May 8-15, 2022, as Taiwanese American Heritage Week (CM Feinberg)**
D. Proclamation Declaring May 15-22, 2022, as National Police Week (Mayor Newton)

E. Proclamation Recognizing May 16-20, 2022, as National Public Works Week (CM Myles)

F. Boards and Commissions Appointment

7:15 PM 5. Presentation

A. Presentation by Montgomery County Board of Education and Montgomery Public Schools Leadership

8:15 PM 6. 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 p.m. Call the City Clerk/Director of Council Operation's Office at 240-314-8280 to sign up to speak in advance, or email the City Clerk’s Office at cityclerk@rockvillemd.gov by no later than 10:00 a.m. on the day of the meeting.

8:35 PM 7. Introduction and Possible Adoption of an Ordinance to Amend Ordinance #05-22 to Appropriate Funds and Levy Taxes for Fiscal Year 2022 (Amendment #4)

8:55 PM 8. Adoption of an Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2023

9:05 PM 9. Adoption 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

9:10 PM 10. Adoption 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
9:15 PM  11. Introduction and Possible Adoption of an Ordinance to Amend Chapter 24 of the Rockville City Code, Entitled “Water, Sewers and Sewage Disposal”

9:20 PM  12. Adoption of a Resolution to Close Completed Capital Improvements Program Projects


9:40 PM  14. Neighborhood Shopping Centers – Exploring Ways to Support and Encourage Improving and Revitalizing

10:40 PM  15. Old/New Business

11:00 PM  16. 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
Proclamation Declaring May 2022 as Rockville Bicycle Awareness Month

Recommendation
Staff recommends that the Mayor and Council read and approve the proclamation.

Discussion
The City of Rockville is known for its commitment to promoting and encouraging bicycling for all residents of Rockville through education, infrastructure, and outreach. Rockville has a history as a leader in designing bicycle infrastructure, such as trails, bike lanes, and bicycle parking. Rockville has been a recognized Bicycle Friendly Community by the League of American Bicyclists and is expected to apply for a Bicycle Friendly Community designation again this year.

The City is committed to enhancing bicycle safety for both commuting and recreation, and for all types of bicyclists. Rockville residents should be able to meet most of their daily needs by bicycle, if they choose. Bicyclists of all ages and experience levels have convenient and comfortable access to public services and recreational, cultural, commercial, and employment destinations in the city.

The city has approximately 70 miles of bikeways and the updated Bikeway Master Plan proposes another 41 miles within the next ten years. Rockville continues to collaborate with the community to identify priority bicycle routes and to design and build new bicycle lanes in the city. The city’s bikeways connect to various bicycle facilities in Montgomery County, including the Rock Creek Trail to the east, the Bethesda Trolley Trail to the south, and other shared use paths that connect to neighboring roads.

Additionally, in partnership with Montgomery County, bike-sharing was introduced in Rockville in 2013 with the expansion of the Capital Bikeshare system into the Shady Grove/Life Sciences area with installation of 21 stations, 13 of them within the city limits. In April 2018, the first two bikeshare stations were installed in the Twinbrook area, at the Twinbrook Metro Station, and at the intersection of Congressional Lane and East Jefferson Street. These stations are part of a new network of eight bikeshare stations in the Twinbrook and White Flint (Pike District) area.

The City also continues to partner with Montgomery County to pilot a dockless bikeshare program, in which e-bikes can be shared and used throughout the city. Rockville recognizes that May is Bike Month and encourages users to seek out opportunities to ride and develop healthy habits to stay physically active. With the help of the Rockville Bike
Advisory Committee, a list of bicycling riding tips and information can be found at https://www.rockvillemd.gov/327/Rockville-Bike-Advisory-Committee.

Mayor and Council History
The Mayor and Council recognize Bicycle Awareness Month each year with a proclamation.

Next Steps
People are encouraged to ride bicycles for transportation and recreation in the City of Rockville. There are many opportunities to ride this in the month of May, as well as during the summer. The Rockville Bicycle Advisory Committee hosts regular rides throughout the summer that highlight the bicycling infrastructure in the city and surrounding area. People are also encouraged to recognize the importance of bicycle safety for themselves and others.

Attachments
Attachment 4.A.a: 2022 Bike Month Proclamation(PDF)

Rob DiSpirito, City Manager 5/3/2022
WHEREAS, the bicycle plays an important role in the lives of many Rockville residents by providing a means to travel to work, school, and parks, and a popular form of recreation; and

WHEREAS, increased bicycle usage will promote health and wellness in the City of Rockville and is an important part of encouraging all citizens to develop habits of physical activity to become or stay fit and reduce the risk of many chronic diseases and conditions; and

WHEREAS, increased bicycle usage can help reduce motor vehicle emissions and thereby reduce global warming impacts, provide mobility for those without access to a motor vehicle, and increase existing road and parking capacity when people choose bicycling for utilitarian trips, and

WHEREAS, the Rockville Public Works Department, along with the Recreation and Parks Department and Rockville Bicycle Advisory Committee, promote and encourage bicycling through effective programs and partnerships that target distinct populations of all ages and backgrounds.

NOW, THEREFORE, the Mayor and Council of Rockville do hereby proclaim May 2022, as Bicycle Awareness Month and urge all citizens of Rockville to seek opportunities to ride bicycles this month and throughout the year; to recognize the importance of bicycle safety; and to be more aware of our cyclists on our streets and roadways.
**Subject**
Proclamation Declaring May 2022, as Historic Preservation Month

**Recommendation**
Staff recommends Mayor and Council read and approve the proclamation.

**Discussion**
Every year in May, local preservation groups, state historical societies, and business and civic organizations across the country celebrate *Preservation Month* through events that promote historic places and heritage tourism, and that demonstrate the social and economic benefits of historic preservation.

Preservation Month began as National Preservation Week in 1973. In 2005, the National Trust extended the celebration to the entire month of May and declared it Preservation Month to provide an even greater opportunity to celebrate the diverse and unique heritage of our country’s cities and states.

**History**
The first National Preservation Week was celebrated on May 6-12, 1973. At the annual meeting on October 27, 1972, in Washington, D.C., Donald T. Sheehan, a member of the Trustees Advisory Committee on Membership & Public Relations, proposed the idea of the National Preservation Week as a “means of relating local and state preservation progress to the national effort for the mutual benefits of both.” The National Trust chose the second week of May because it coincided with the organization's annual award luncheon, then in its third year.

A Joint Congressional Resolution was introduced on February 15, 1973, by Sen. Henry M. Jackson (D-Wash.), chairman of the Senate Interior and Insular Affairs Committee to designate the week of May 6-12, 1973, as National Preservation Week. President Richard Nixon signed the resolution into law on May 5, 1973.

First Lady Patricia Nixon, who presented the National Trust awards during the third annual Awards Luncheon in the on May 8th, also read the Presidential proclamation:

“As the pace of change accelerates in the world around us, Americans more than ever need a lively awareness of our roots and origins in the past on which to base our sense of identity in the present and our directions for the future.”
Mayors and governors throughout the country have since added their proclamations to President Nixon's.

**The National Registry of Historic Places**

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized by the *National Historic Preservation Act of 1966*, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources.

**Mayor and Council History**

This is the second year that Mayor and Council have proclaimed May Historic Preservation Week.

**Attachments**

Attachment 4.B.a: Proclamation Declaring May 2022 as Historic Preservation Month (PDF)
WHEREAS, May is designated as Historic Preservation Month by the National Trust for Historic Preservation; This Place Matters is a national effort to celebrate the special places in our communities by visiting, exploring, celebrating, and telling stories about their significance and meaning in the present; and

WHEREAS, Historic Preservation Month 2022 reminds us in Rockville that This Place Matters, and that historical sites and cultural landmarks reflect our community’s character and heritage as an important piece of our City’s identity; and

WHEREAS, historic preservation helps strengthen and foster communities, rejuvenate neighborhoods, protect natural and cultural resources, and encourage local pride; and

WHEREAS, the City of Rockville has a unique and rich history, with historic roads and communities, over 30 locally designated historic sites and nine historic districts, many listings on the National Register, and a commitment to preserving and protecting these for the benefit of present and future residents; and

WHEREAS, the City has continued to maintain such significant sites as Beall-Dawson house, the Pump House, and Gienview Mansion, and recently acted to preserve more significant places and structures, including stabilization of the dairy barns at King Farm Farmstead Park; and

WHEREAS, the City of Rockville partners with the Maryland Historical Trust, the Historic District Commission, and Peerless Rockville to care for historic resources, and historic homeowners and celebrate and protect our special places.

NOW, THEREFORE, the Mayor and Council of Rockville, recognizing that the efforts of historic preservation enrich our present and enhance our future, do hereby proclaim May 2022 as Historic Preservation Month, and call upon the community of Rockville to enjoy historic homes, sites, and landscapes.

May 9, 2022
Subject
Proclamation Declaring May 8-15, 2022 as Taiwanese American Heritage Week

Recommendation
Staff recommends that the Mayor and Council read and approve the proclamation.

Discussion
Taiwanese American Heritage Week was conceived by the Formosan Association for Public Affairs (FAPA) in 1999 and was trademarked by FAPA in 2012. This year, Taiwanese American Heritage Week is celebrated between May 8 and May 15, 2022. The City of Rockville has enjoyed a robust Sister City relationship with Yilan City, Taiwan since July 17, 2019. From the commencement of relations between Rockville and Yilan City, there have been nearly a dozen cultural and educational exchanges, as well as local Rockville-Taiwan cultural events, allowing all of Rockville’s citizens to participate. These events include the Rockville Taiwan Bubble Tea Festival, which is one of the largest gatherings of its kind in the country.

As part of a January 29, 2022, televised broadcast by Taiwan SETNEWS during their “Borderless World” segment, more than one million Taiwanese citizens learned about Yilan City’s Sister City, Rockville, Maryland, U.S.A. The segment can be viewed at: https://youtu.be/gquPom7sW44.

Earlier this year, Rockville Sister Cities Corporation counterpart organization, the Yilan Sister Cities Corporation (YSCC), celebrated its two-year anniversary. Under the leadership of 李建成 (Dr. Chien-chen Lee), the YSCC, working closely with 江聰淵 (Mayor Tsung-yuan Chiang) and the Yilan City Government, have demonstrated the highest level of commitment in support of the Rockville-Yilan City Sister City relationship. Additionally, 江聰淵 (Tsung-yuan Chiang), Mayor of Yilan City, Taiwan and 李建成 (Dr. Chien-chen Lee) have graciously invited the Rockville Mayor and City Council to visit Yilan City, Taiwan, in 2022 for their reciprocal Governmental Exchange.

This Proclamation celebrates all Asian Americans, Taiwanese American Heritage, Taiwanese culture, and Rockville’s Sister City relationship with Yilan City, Taiwan.

Mayor and Council History
The Mayor and Council has issued this proclamation annually.

Public Notification and Engagement
Information about the Annual Rockville Taiwan Bubble Tea Festival in September 2022 can be found at http://www.rockvillesistercities.org/wp/event-calendar/
Attachments
Attachment 4.C.a: Proclamation Declaring May 8-15 2022, as Taiwanese American Heritage (PDF)

[Signature]
Rob DiSpirito, City Manager 5/4/2022
WHEREAS, the United States of America has been continually renewed and enriched by the many different people, who choose to come here and become our fellow residents;

WHEREAS, each brings a part of his or her heritage, which over time becomes part of our shared culture and the fabric of our society;

WHEREAS, generations of Asian Americans have helped to make the United States of America what it is today;

WHEREAS, there are more than 500,000 Taiwanese Americans in the United States of America, with a significant Taiwanese American population in Rockville, Maryland;

WHEREAS, Taiwanese Americans have made enormous contributions to the diversity and prosperity of American society, consistently contributing to the promotion of Democracy and self-determination here and in their homeland;

WHEREAS, Taiwanese Americans have succeeded as successful artists, Nobel Laureate scientists, researchers, teachers, human rights activists, and business leaders;

WHEREAS, Taiwanese Americans can be proud of their roots and their vital role in the continued growth of our nation;

WHEREAS, during the pandemic, the residents of Rockville’s Sister City, Yilan City, Taiwan, and the people of Taiwan donated substantial amounts of personal protective equipment to the residents of the City of Rockville;

WHEREAS, we, the City of Rockville, celebrate Taiwanese culture and recognize Rockville’s Sister City, Yilan City, Taiwan, with the Annual Rockville Taiwan Bubble Tea Festival (September 2022), which is one of the largest gatherings of its kind in the United States;

WHEREAS, this week recognizes the longstanding friendship between the United States and Taiwan;

WHEREAS, during this special week, along with fellow residents, Taiwanese Americans can embrace America’s diversity and celebrate the spirit of community that binds us together as one nation;

NOW, THEREFORE, the Mayor and City Council, do hereby proclaim May 8 through May 15, 2022, to be “Taiwanese American Heritage Week” in Rockville, Maryland, and encourage all residents to observe and enjoy this special week.

May 9, 2022
Subject
Proclamation Declaring May 15-22, 2022 as National Police Week

Recommendation
Proclamation Declaring the Week of May 15-21, 2022 as National Police Week in Rockville

Discussion
In 1962, President John F. Kennedy signed a proclamation which designated May 15th as Peace Officers Memorial Day and the week in which that date falls as Police Week. Currently, tens of thousands of law enforcement officers from around the world converge on Washington, D.C. during National Police Week to participate in a number of planned events which honor those that have paid the ultimate sacrifice. This provides a unique opportunity to meet others that share a common brotherhood.

National Police Week began as a memorial service in 1982 with a gathering in Senate Park of approximately 120 survivors and law enforcement. Decades later, National Police Week has grown to a series of activities which attract thousands of survivors and law enforcement officers to the nation’s Capital annually. Activities include the National Peace Officers’ Memorial Service (sponsored by the Grand Lodge of the Fraternal Order of Police), Candlelight Vigil (sponsored by the National Law Enforcement Officers Memorial Fund) and seminars (sponsored by Concerns of Police Survivors). These and other local National Police Week events are described below.

Thursday, May 12, 2022
Police Unity Tour
Arrival ceremony will begin at 2:00 p.m. at the National Law Enforcement Officers Memorial. Begun in 1997, the Police Unity Tour has raised nearly 16 million dollars for the National Law Enforcement Memorial Fund. Visit www.policeunitytour.com, call 973-443-0030, or e-mail info@unitytour.com for more information.

Friday, May 13, 2022
30th Annual Candlelight Vigil
The Candlelight Vigil will honor the officers who lost their lives in 2021. The names will be read by high-ranking government officials, and officials from local, state, and federal law
enforcement agencies, as well as other related individuals. The Vigil take place on the National Mall between 12th and 14th Streets, NW, and it will be livestreamed. The ceremony will begin at 8 p.m. and last around 2 hours. For additional information please call 202-737-3400 or visit nleomf.org.

Saturday, May 14, 2022
Annual Steve Young National Honor Guard Competition and Pipe Band Competition
The Honor Guard and Pipeband Exhibition will be located at the U.S. Capitol Building Reflecting Pool, which is on the West Side of the Capitol near 3rd Street, SW. Teams will provide a one (1) day event consisting of three segments including Team Inspection, the Color Guard Posting of the Colors and the Exhibition Phase. The performance is to honor those being remembered during National Police Week at our Nation's Capital. These performances are a tribute to the fallen peace officers, their families and to those law enforcement officers across our nation that will stand vigilant in protecting our communities tonight and every night. For more information, please visit www.policeweekhonorguard.com. Time: 8 a.m. to approximately 4 p.m.

National Police Survivors Conference and C.O.P.S. Kids/Teens
Sponsored by Concerns of Police Survivors (C.O.P.S.) at the Hilton Alexandria Mark Center Hotel. Family and co-worker survivors have opportunities to receive support to understanding grief, prepare for trial, learn new coping skills, and build connections with others. School-aged children of fallen officers spend the day off-site at local and federal law enforcement academies taking part in activities specially tailored for their ages. Visit concernsofpolicesurvivors.org or call 573-346-4911 for more information.

Sunday, May 15, 2022
Annual National Peace Officers’ Memorial Service
Sponsored by the Grand Lodge Fraternal Order of Police and the Grand Lodge Fraternal Order of Police Auxiliary. The Memorial Service will be held on the West Front of the United States Capitol in Washington, D.C. The Service mainly honors the officers who recently made the ultimate sacrifice and pays tribute to all the fallen. More details will be provided when available. The Service begins at 12 noon and is expected to run approximately 3.5 hours. All law enforcement attending must wear their badge on their outer most garment. They must also have two (2) forms of government id, which must include their Department’s credential.

Mayor and Council History
This is the eighth consecutive recognition of National Police Week by the Mayor and Council.

Next Steps
Attend one or more of the many events planned to celebrate National Police Week 2022.

Attachments
WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers Memorial Day, and the week in which it falls as Police Week; and

WHEREAS, the members of the Rockville City Police Department play an essential role in safeguarding the rights and freedoms of the citizens of Rockville; and

WHEREAS, it is important that all citizens know and understand the problems, duties, and responsibilities of their Police Department, and that members of our Police Department recognize their duty to serve the people by safeguarding life and property, by protecting them against the violence of disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS, the City of Rockville Police Department has grown to be a modern and scientific law enforcement agency that unceasingly provides a vital public service, committed to ensuring the safety and protection of homes, businesses, schools, and the people who occupy them.

NOW, THEREFORE, the Mayor and Council of Rockville do hereby proclaim May 15-22 2022, as National Police Week and May 15, 2022, as Peace Officers Memorial Day in the City of Rockville and call up the citizens to commemorate this observance by thanking our police officers, past and present, who by their faithful and loyal devotion have established an enviable and enduring reputation for preserving the rights and security of all citizens.

May 09, 2022
Subject
Proclamation Recognizing May 16-20, 2022 as National Public Works Week

Recommendation
Staff recommends that the Mayor and Council read and approve the proclamation. Deputy Director of Public Works James Woods will accept the proclamation and acknowledge the following staff:

- Julio Garcia and Greg Stillman, Traffic Signal and Streetlight Technicians
- Sean Murphy, Principal Civil Engineer
- Andrew Luetkemeier, Principal Transportation Engineer, and Mike Hershelman, Principal Construction Inspector
- Steve Davis, Senior Environmental Compliance Inspector
- Taylor Bradley and Dan Stevens, Senior Construction Inspectors, and Matthew Smith, Water Treatment Plant Operator

Discussion
The designation of Public Works Week recognizes the important services provided by Public Works, which are integral to the quality of life for residents and businesses. The Public Works Week Proclamation celebrates the men and women in Rockville who provide and maintain the infrastructure and services collectively known as Public Works. Instituted as a public education campaign by the American Public Works Association in 1960, National Public Works Week calls attention to the importance of public works in community life. The services provided by Public Works employees ensure that Rockville remains a sustainable, attractive community which provides a high quality of life for its residents and a positive economic environment for its businesses. The Week seeks to enhance the prestige of the Public Works professionals who serve the public good every day with quiet dedication.

Recognizing the Public Works employees is particularly significant during COVID-19. While most Marylanders were sheltering in place, Rockville’s Public Works employees continued to provide critical services to maintain the health and safety of Rockville residents. Services such as recycling and refuse collection; providing traffic and street lighting; producing and delivering drinking water; and conveying wastewater for treatment and disposal are the cornerstone of
WHEREAS, Public Works services provided in our community are an integral part of our residents’ everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of Public Works systems and programs such as water, wastewater, stormwater management, environmental, streets, and recycling and refuse collection; and

WHEREAS, the health, safety, and comfort of this community greatly depend on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as the planning, designing, and construction thereof, is vitally dependent upon the efforts and skill of Public Works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff the City’s Public Works Department are materially influenced by the people’s attitude and understanding of the importance of the work they perform.

NOW, THEREFORE, the Mayor and Council of Rockville do hereby proclaim the week of May 16-20, 2022, as National Public Works Week in the City of Rockville, and call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing public works services, and to recognize the contributions which Public Works employees make every day to our health, safety, comfort and quality of life.

May 09, 2022
communities. Rockville’s dedicated Public Works employees will continue to provide these services.

Typically, the Department of Public Works hosts an Equipment Show during Public Works Week; however, due to COVID-19, the event was cancelled.

**Mayor and Council History**
This is the 15th consecutive year that the Mayor and Council have recognized National Public Works Week.

**Attachments**
Attachment 4.E.a: Proclamation Declaring National Public Works Week - May 16-20, 2022 (PDF)

[Signature]
Rob DiSpirito, City Manager 5/3/2022
Subject
Boards and Commissions Appointment

Recommendation
The Mayor and Council will appoint the following member as Chair to the Charter Review Commission.

Charter Review Commission

Kevin Owen - to serve as Chair until June 30, 2022
Subject
Presentation by Montgomery County Board of Education and Montgomery Public Schools Leadership

Recommendation
Receive a presentation and engage in a discussion with the Board of Education and Montgomery County Public Schools administration leadership.

Discussion
On May 9, 2022, Board of Education (BOE) and Montgomery County Public Schools (MCPS) leadership will make a virtual presentation to the Mayor and Council to update the City on the status of major MCPS capital improvements projects and issues of interest in schools that serve Rockville students and families.

The school system leaders that will attend the meeting are as follows:

- Board of Education – Karla Silvestre, Vice President, Judith Docca, District 1, Shebra Evans District 4, Lynne Harris, At-Large, Scott Joftus, District 3, Rebecca Smondrowski, District 2, and Hana O’Looney, Student Member. (BOE President Brenda Wolff, is unable to attend).
- Dr. Monifa McKnight, Superintendent, Montgomery County Public Schools.
- James D’Andrea – Chief of Staff to the Montgomery County Public Schools Superintendent.
- Dr. Eugenia Dawson, Chief of Finance and Operations.
- C. Douglas Hollis, Jr., Executive Director, Office of Finance and Operations.
- Seth Adams, Director of Facilities Management.
- Adrienne Karamihas, Director, Division of Capital Planning and Real Estate.

For many years, the Mayor and Council have been advocating before the Board of Education and the County for a variety of MCPS capital and other issues of importance in schools that serve Rockville students and families. The presentation will provide the opportunity for the Mayor and Council to receive updated information, engage in a discussion, and ask questions of school system leadership regarding issues of interest. This direct engagement with school system leadership will also provide the opportunity for the governing body to further advocate
for capital and other priorities pertaining to MCPS schools that serve Rockville students and families.

On April 26, 2022 a letter (and attachment of Mayor and Council testimony from the 11/4/21 BOE CIP hearing) from the Mayor and Council to the Board President and Superintendent was sent to provide the school system with a list of issues that are most pertinent to the Mayor and Council. The letter is included at Attachment A.

Issues requested by the Mayor and Council to be included in the school system presentation are as follows:

- Plans for renovations to the Twinbrook Elementary School.
- Status of Twinbrook Elementary School becoming a Linkages to Learning site, which would support mental health needs in the community.
- Bayard Rustin Elementary School capacity concerns and what can be done to alleviate overcrowding at the facility. The school was built for 640 students and has a current enrollment of 800.
- The Wootton Major Capital Project, and on-site ADA, parking and pedestrian safety concerns.
- The construction of the new Crown Farm High School.
- Build-out of the second-floor shell of the Carl Sandburg Learning Center, which has been collocated with the Maryvale Elementary School.
- Woodward High School reopening.
- Relocation of the MCPS Materials Management Facility from its current location. The City is eager to work with MCPS and the County on a solution that addresses the glaring inequity of this blighted property located in the historic African American Lincoln Park community.
- The Lincoln High School Project, which would renovate the facility to prevent further deterioration of this historic building.
- Potential relocation of the Rockville Volunteer Fire Department Station Three at 380 Hungerford Drive to an MCPS site.
- The MCPS Bus Depot and Maintenance Relocation, with as many as 200-250 busses, to the future Criminal Justice Complex, after that project is built at the current Montgomery County Detention Center site on 7 Locks Road.
This presentation aligns with the Mayor and Council’s longstanding priority to advocate for MCPS capital projects and programs that support Rockville students and families. Additionally, this agenda item is associated with the long-term vision and critical success factor outlined in the FY23 Proposed Budget for safe and livable neighborhoods (https://www.rockvillemd.gov/DocumentCenter/View/44320/FY-2023-Proposed-Budget). Further, this topic supports the goals and policies related to Montgomery County Public Schools included in the Community Facilities Element in the Rockville Comprehensive Plan (https://www.rockvillemd.gov/DocumentCenter/View/42814/City-of-Rockville-Comprehensive-Plan---Community-Facilities-Element---single-page-SQUARE).

**Mayor and Council History**

This is the second time that school system leadership will make a presentation to the governing body and engage in a discussion. October 8, 2017 was the first time that the BOE and MCPS leadership provided a presentation and participated in a discussion with the Mayor and Council.

**Next Steps**

Staff will follow-up on any direction provided by the Mayor and Council. Additionally, staff will update the Mayor and Council on any final MCPS CIP decisions that may impact Rockville priority projects that are included in the Adopted County FY23 Budget. The County Council is expected to adopt the budget in late May 2022.

**Attachments**

Attachment 5.A.a: Attachment A - School System Letter May 9, 2022 Presentation (PDF)
April 26, 2022

The Honorable Brenda Wolff, Board of Education President
Montgomery County Board of Education
850 Hungerford Drive
Rockville, MD 20850

Dr. Monifa McKnight, Interim Superintendent
Montgomery County Public Schools
850 Hungerford Drive
Rockville, MD 20850

Dear Board President Wolff and Dr. McKnight,

The Rockville Mayor and Council are looking forward to your May 9, 2022 presentation to update the City on the status of major MCPS capital projects and issues of interest in schools that serve Rockville students. We value our partnership with the Board of Education (BOE) and Montgomery County Public Schools (MCPS) and welcome further opportunities for collaboration.

As you are aware, there are several priorities that the Mayor and Council advocated to the Board of Education (please see attached testimony from the 11/4/21 BOE CIP hearing) and County Council as they deliberated the Executive’s Recommended FY 23 Capital Improvements Budget and the FY23-FY28 Capital Improvements Program. We are aware that final County Council budget decisions are anticipated to occur in late May 2022.

We request the following Montgomery County Public Schools items be included in the presentation:

- Plans for renovations to the Twinbrook Elementary School.
- Status of Twinbrook Elementary School becoming a Linkages to Learning site, which would support mental health needs in the community.
- Bayard Rustin Elementary School capacity concerns and what can be done to alleviate overcrowding at the facility. The school was built for 640 students and has a current enrollment of 800.
- The Wooton Major Capital Project and on-site ADA, parking and pedestrian safety concerns.
- The construction of the new Crown Farm High School.
- Build-out of the second-floor shell of the Carl Sandburg Learning Center, which has been collocated with the Maryvale Elementary School.
- Woodward High School reopening.
The Honorable Brenda Wolff, BOE President and Dr. Monifa McKnight, Interim MCPS Superintendent
April 26, 2022
Page Two

- Relocation of the MCPS Materials Management Facility from its current location. The City is eager to work with MCPS and the County on a solution that addresses the glaring inequity of this blighted property located in the historic African American Lincoln Park community.

- The Lincoln High School Project which would renovate the facility to prevent further deterioration of the historic building.

- Potential relocation of the Rockville Volunteer Fire Department Station Three at 380 Hungerford Drive to an MCPS site.

- The MCPS Bus Depot and Maintenance Relocation, with as many as 200-250 busses, to the future Criminal Justice Complex, after that project is built at the current Montgomery County Detention Center site.

We appreciate the opportunity to engage with you on May 9 and to actively work together in support of MCPS projects that optimally impact our residents.

Sincerely,

[Signatures]

Rockville Mayor and Council

cc: Montgomery County Board of Education
Testimony of the Rockville Mayor and Council
Board of Education Facilities and Boundaries Hearing
Acting Superintendent’s Recommended FY23 Capital Budget and the FY23-FY28 Capital Improvements Program
November 4, 2021

Good evening President Wolff and members of the Board. I am Rockville Mayor Bridget Donnell Newton, and I thank you for this opportunity to share Rockville’s testimony.

The Mayor and Council applaud the school system for the successful return of students to classroom instruction and for all of your efforts to navigate through the pandemic. Please know that on behalf of the Rockville City Council, we welcome the opportunity to work together to help address the needs of our community. Rockville students are burdened with overcrowded and aging facilities. Each of the five Clusters serving Rockville students: Richard Montgomery, Wootton, Rockville, Walter Johnson and Gaithersburg submitted summer 2021 CIP requests and we ask that you address them as soon as possible.

We ask that you move forward the Twinbrook Elementary School Major Capital Project in the CIP to completely rebuild the school. This is a matter of equity and inclusion. We urge the Board to include it and start a feasibility study. Constructed in 1952, the building is not ADA compliant, and lacks sufficient space for specialists to provide individualized support for students that is critical to closing the achievement gap. For several years, the school has been plagued with plumbing problems. Two bathrooms have been closed for over five weeks due to blockages that haven’t been resolved, and leaking toilets remain unrepaird. The pavement surrounding the school is significantly damaged. Windows in several classrooms are not able to be opened for fresh air or safety and some require 2-3 staff members to open. These conditions are unacceptable and need immediate resolution. Rockville implores you to prioritize Twinbrook students and their families, by building a modernized school that will help them to excel.

Richard Montgomery High School’s seat deficit is projected to spiral to 491 in the 2027-2028 school year. We ask that the build of Crown High School be completed by August 2026. We are pleased that the Crown High School design meetings with the community are underway, and support the FY23 recommended construction appropriation. We request an opportunity for our Mayor and Council to meet with MCPS to learn more about the development of Crown High School. Given the broad impact to clusters in the mid-County region, we request that you begin the new Cluster boundary study earlier in the process, so that the community has sufficient time to be actively engaged.
We are very concerned that the Recommended CIP maintains the Wootton High School Major Capital project completion date of 2027. This project must be prioritized and expedited. The community needs detailed information on the project components. The aging facility desperately needs to be renovated. The school has HVAC, roof leaks, and other structural problems. The project is urgently needed to address school safety concerns, including unseparated drop-off and pick up areas, and staff and student parking areas that are crowded and unsafe. MCPS has rejected multiple facility work orders, stating that the capital project will resolve the issues. The City of Rockville often hears from residents with concerns about the drop off in front of the school. Wootton is one of the few high school sites where buses, cars, and walkers use the same pathway to enter the building. They cite pedestrian safety concerns. Due to repeated delays, these issues have never been addressed. Please tell us what MCPS will do immediately to address these critical building deficiencies, especially the 380 ADA issues identified by the MCPS ADA assessment.

Rockville supports the build-out of the second-floor shell of the Carl Sandburg Learning Center. We urge that this funding be included in the Board’s CIP request. We are interested in partnering with you on a Maryvale Elementary School and Carl Sandburg Learning Center project that will further benefit the school community. Please engage with us, so that we can explore opportunities.

The Mayor and Council support the design work underway for the re-opening of Woodward High School in September 2025, which will alleviate extreme overcrowding in the Walter Johnson Cluster. We support Option 1 for the Woodward Phase II design, since it substantially preserves an undeveloped tract of County land near the current Woodward site, which is important to the neighboring community. It also provides core facilities for sports, play, and gathering spaces on par with other high schools.

The Mayor and Council also supports the FY 23 recommended construction appropriation for the Gaithersburg Elementary School #8, to open at the Kelley Park site in August 2022.

We bring to your attention that the City of Rockville recently completed a zoning update that is consistent with our community’s vision for the Stonestreet Corridor, and opens new opportunities for MCPS to puruse the relocation of the outdated Materials Management Facility and parking lot with aging trailers currently located on North Stonestreet. We are eager to work with you to on a solution that addresses the inequity of this blighted property and gives MCPS a modern and efficient facility.

In closing, we recognize that soaring construction costs and other factors are placing pressures on the MCPS CIP. We are here to help you advocate for State and County school construction resources to fund the top-notch school facilities that our children deserve.
Subject
Introduction and Possible Adoption of an Ordinance to Amend Ordinance #05-22 to Appropri ate Funds and Levy Taxes for Fiscal Year 2022 (Amendment #4)

Recommendation
Staff recommends that the Mayor and Council introduce the attached ordinance to amend Ordinance #05-22 to appropriate funds and levy taxes for Fiscal Year 2022 (Budget Amendment #4).

If the Mayor and Council wish to proceed with adoption of the ordinance at the same meeting, the ordinance should first be introduced and then a motion should be made to waive the layover period. If the motion to waive the layover period is approved by an affirmative vote of four or more members of the Mayor and Council, a motion to adopt the ordinance may then proceed.

Discussion
The proposed ordinance, Attachment A, would amend the FY 2022 budget. This amendment recognizes the items that are described in this agenda report and detailed in Attachment B. Attachment C is an updated Financial Summaries page (page 61 of the FY 2022 adopted budget).

Personnel Adjustments
In addition to the items mentioned below, this amendment would add a 1.0 FTE Principal Buyer in the City Manager’s Office, 2.0 FTE Senior Planners in the Department of Community Planning and Development Services, and a 1.0 FTE Senior Construction Projects Manager in the Department of Recreation and Parks. These positions are included in the FY 2023 adopted budget. Authorizing these positions now would allow recruitment and hiring to begin immediately. If any position is filled during FY 2022, the resulting FY 2022 personnel costs would be funded with unspent personnel funds.

Operating Adjustments
The following adjustments will be made to the operating budget if this amendment is approved. These adjustments are also shown in Attachment B.
General Fund

- **Redlight Camera Program (reduction of $790,000 in revenue and $300,000 in expenditures):** Several of the City’s redlight cameras have experienced equipment malfunctions or have been offline due to construction project impacts during FY 2022. As a result, the number of citations has declined over the past year despite increases in travel in the region. This adjustment recognizes the estimated total decrease in revenue resulting from this decline in citations, taking the revenue estimate from $1,342,500 to $552,500. This revenue decrease is partially offset by a $300,000 reduction in operating costs for payments to the City’s redlight camera contractor, which are made on a per-citation basis.

- **Admissions and Amusement Tax Revenue ($300,000):** This revenue source has rebounded faster than anticipated during FY 2022, and staff estimates the City will receive at least $300,000 more than is currently budgeted for FY 2022, increasing the target from $700,000 to $1,000,000.

- **Public Works Permit and Fee Revenue ($160,000):** Based on fees collected to date and projected fees for planned projects this revenue source is anticipated to end the year approximately $160,000 higher than adopted, increasing from $663,540 to $823,540.

- **Leave Buyback Savings (reduction of $30,000):** A total of $340,000 was set aside in the General Fund to allow employees to “buy back” up to five days of annual leave in FY 2022. The actual cost of the FY 2022 leave buyback was approximately $310,000 in the General Fund, leaving a savings of $30,000.

- **ARPA Funding ($1.6 million):** The City of Rockville received a $9.6 million allocation through the federal American Rescue Plan Act (ARPA). The Mayor and Council previously allocated $5.6 million of the funds. This amendment allocates an additional $1.6 million as directed by the Mayor and Council for the following projects:
  - Maint. and Emergency Operations Facility Improvements (GD19): $900,000
  - Civic Center Park ADA Sidewalk Design (RA23): $100,000
  - Stonestreet Corridor Improvements (TA20): $550,000
  - **Total allocation on this amendment:** $1,550,000

The Mayor and Council also directed staff to fund the following items with ARPA funds: energy-efficient lighting for City Hall, Bank On Rockville, RHE water submeters, and a portion of a fall protection solution for the Swim & Fitness Center. These items, which total $487,950, will be appropriated through a budget amendment in early FY 2023. The remaining unallocated ARPA funding equals $2 million.

- **Tax Duplication Revenue ($2.5 million):** On March 1, 2022, the Montgomery County Council approved special appropriations for the FY 2022 municipal tax duplication contribution. This action will provide an additional $2.5 million in tax duplication revenue for FY 2022. This amendment recognizes this revenue, and allocates a portion of this funding ($2.1 million) to support the following projects as directed by the Mayor and Council:
  - Electric Vehicle Readiness Plan: $100,000
Sidewalks (TE21): $600,000
Pedestrian and Bicycle Safety (TD21): $200,000
Hurley Avenue Bridge Replacement (TE16): $870,000
Twinbrook Pedestrian/Bicycle Bridge (TC22): $350,000
Total allocation on this amendment: $2,120,000

The remaining $406,792 will be added to reserves and will be appropriated through a budget amendment in early FY 2023 for the following items, as directed by the Mayor and Council: replacement of police Tasers; continuity of operations and emergency planning; and a fall protection solution for the Swim & Fitness Center.

Special Activities Fund
- Maryland State Arts Council Grant ($22,127): This conservation grant funds work on “William Gibbs” by Charlotte Lees, located on Gibbs Street in Rockville Town Square through the Art in Public Places program.

Community Development Block Grant (CDBG) Fund
- Year 45 Grant Adjustment (reduction of $448): This administrative adjustment reduces the CDBG appropriation by the unspent portion of the Year 45 grant.
- Home Rehabilitation ($22,626): The CDBG Fund received proceeds from the sale of a home, which will be added to the City’s current CDBG grant funds for home rehabilitation. Of this total, $15,131 was received in FY 2021 and will be appropriated from the fund’s reserve balance in support of the Year 46 grant, and $7,495 was received in FY 2022 and will be appropriated in support of the Year 47 grant.

Capital Improvements Program (CIP) Adjustments
The following adjustments will be made to the CIP budget if this amendment is approved. These adjustments are also shown in Attachment B.

Capital Projects Fund
- Sidewalks, TE21 ($600,000): Supported by the FY 2022 supplemental tax duplication revenue, this funding will increase sidewalk construction in support of the City’s Vision Zero Action Plan.
- Pedestrian and Bicycle Safety, TD21 ($200,000): Supported by the FY 2022 supplemental tax duplication revenue, this funding will increase pedestrian and bicycle safety improvements in support of the City’s Vision Zero Action Plan.
- Hurley Avenue Bridge Replacement, TE16 ($870,000): Supported by the FY 2022 supplemental tax duplication revenue, this funding covers the City’s portion of the increase in cost to replace, as opposed to rehabilitate, the Hurley Avenue Bridge as recommended after the most recent bridge inspection.
- Twinbrook Pedestrian/Bicycle Bridge, TC22 ($350,000): Supported by the FY 2022 supplemental tax duplication revenue, this funding will allow for the completion of a feasibility study as well as 100 percent design of the bridge.
• Maintenance and Emergency Operations Facility Improvements, GD19 ($900,000): Supported by ARPA funds, this funding is needed based on increased cost estimates from the final design in order to proceed to construction.

• Civic Center Park ADA Sidewalk, RA23 ($100,000): Supported by ARPA funds, this funding supports the design of an accessible sidewalk from Edmonston Drive to the existing accessible sidewalk to the F. Scott Fitzgerald Theatre and Glenview Mansion.

• Stonestreet Corridor Improvements, TA20 ($550,000): Supported by ARPA funds, this amount covers a portion of the Phase I construction work including Park Rd. improvements and traffic signal reconstruction at the intersection of S. Stonestreet Ave. and Park Rd. The total cost estimate for Phase I is $1.5 million; staff will continue to pursue a federal grant for the remaining portion of Phase I.

Speed Camera Fund

• Town Center Road Diet, TB22 ($634,000): This funding, which has been previewed to the Mayor and Council in previous ARPA agenda items and on page 313 of the FY 2023 proposed budget document, covers scope and cost increases for this project, specifically to widen the sidewalk and relocate utilities on the south side of E. Middle Lane between S. Washington St. and Maryland Ave.

Mayor and Council History

This is the fourth budget amendment for FY 2022. The FY 2022 budget was adopted by the Mayor and Council on May 10, 2021, and has been amended three times since: On October 25, 2021, January 10, 2022, and March 7, 2022.

Fiscal Impact

The following operating fund(s) will be adjusted if this budget amendment is adopted.

TABLE 1

<table>
<thead>
<tr>
<th>Operating Fund</th>
<th>Amended Budget (3/7/2022)</th>
<th>5/9/2022 Amendment</th>
<th>Amended Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>$95,366,172</td>
<td>$3,746,792</td>
<td>$99,112,964</td>
</tr>
<tr>
<td>Water</td>
<td>14,120,150</td>
<td>-</td>
<td>14,120,150</td>
</tr>
<tr>
<td>Sewer</td>
<td>15,925,186</td>
<td>-</td>
<td>15,925,186</td>
</tr>
<tr>
<td>Refuse</td>
<td>8,164,300</td>
<td>-</td>
<td>8,164,300</td>
</tr>
<tr>
<td>Parking</td>
<td>2,882,970</td>
<td>-</td>
<td>2,882,970</td>
</tr>
<tr>
<td>Stormwater Mgmt.</td>
<td>6,057,650</td>
<td>-</td>
<td>6,057,650</td>
</tr>
<tr>
<td>RedGate Golf</td>
<td>102,360</td>
<td>-</td>
<td>102,360</td>
</tr>
<tr>
<td>Special Activities</td>
<td>1,852,268</td>
<td>22,127</td>
<td>1,874,395</td>
</tr>
<tr>
<td>CDBG</td>
<td>557,598</td>
<td>22,178</td>
<td>579,776</td>
</tr>
</tbody>
</table>
The following Capital Improvements Program (CIP) fund(s) will be adjusted if this budget amendment is adopted:

<table>
<thead>
<tr>
<th>CIP Fund</th>
<th>Amended Budget (3/7/2022)</th>
<th>5/9/2022 Amendment</th>
<th>Amended Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Projects</td>
<td>$42,673,511</td>
<td>$3,570,000</td>
<td>$46,243,511</td>
</tr>
<tr>
<td>Water</td>
<td>15,396,184</td>
<td>-</td>
<td>15,396,184</td>
</tr>
<tr>
<td>Sewer</td>
<td>5,905,523</td>
<td>-</td>
<td>5,905,523</td>
</tr>
<tr>
<td>Refuse</td>
<td>533,345</td>
<td>-</td>
<td>533,345</td>
</tr>
<tr>
<td>Parking</td>
<td>45,000</td>
<td>-</td>
<td>45,000</td>
</tr>
<tr>
<td>Stormwater Mgmt.</td>
<td>13,157,538</td>
<td>-</td>
<td>13,157,538</td>
</tr>
<tr>
<td>Speed Camera</td>
<td>1,136,119</td>
<td>634,000</td>
<td>1,770,119</td>
</tr>
<tr>
<td>Special Activities</td>
<td>2,434,338</td>
<td>-</td>
<td>2,434,338</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$81,281,558</strong></td>
<td><strong>$4,204,000</strong></td>
<td><strong>$85,485,558</strong></td>
</tr>
</tbody>
</table>

**Attachments**

Attachment 7.a: AttachA_BudgetOrdinance_May (PDF)
Attachment 7.b: AttachB_AmendmentDetail_May (PDF)
Attachment 7.c: AttachC_FinancialSummaries_May (PDF)
ORDINANCE NO. 05-22

ORDINANCE: To Amend Ordinance 05-22 To Appropriate Funds and Levy Taxes for Fiscal Year 2022.

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

SECTION I - ANNUAL OPERATING APPROPRIATIONS

There are hereby appropriated for the fiscal year beginning July 1, 2021, and ending June 30, 2022, 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>[$95,366,172] $99,112,964</td>
</tr>
<tr>
<td>Water Fund</td>
<td>$14,120,150</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>$15,925,186</td>
</tr>
<tr>
<td>Refuse Fund</td>
<td>$8,164,300</td>
</tr>
<tr>
<td>Parking Fund</td>
<td>$2,882,970</td>
</tr>
<tr>
<td>Stormwater Management Fund</td>
<td>$6,057,650</td>
</tr>
<tr>
<td>RedGate Golf Course Fund</td>
<td>$102,360</td>
</tr>
<tr>
<td>Special Activities Fund</td>
<td>$1,852,268 1,874,395</td>
</tr>
<tr>
<td>Community Development Block Grant</td>
<td>$557,598 579,776</td>
</tr>
<tr>
<td>Speed Camera Fund</td>
<td>$1,140,000</td>
</tr>
<tr>
<td>Debt Service Fund</td>
<td>$4,656,500</td>
</tr>
</tbody>
</table>

The "Amounts Appropriated" by this section totaling [$150,825,154] $154,616,251 shall be for the annual operating expenses of the departments and agencies of the City and shall be disbursed 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>$42,673,511</td>
</tr>
<tr>
<td>Water Fund</td>
<td>$15,396,184</td>
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<tr>
<td>Sewer Fund</td>
<td>$5,905,523</td>
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<td>Refuse Fund</td>
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<td>Parking Fund</td>
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<td>Stormwater Management Fund</td>
<td>$13,157,538</td>
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<td>Special Activities Fund</td>
<td>$2,434,338</td>
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<tr>
<td>Speed Camera Fund</td>
<td>$1,136,119</td>
</tr>
<tr>
<td></td>
<td>1,770,119</td>
</tr>
</tbody>
</table>

The "Amounts Appropriated" by this section totaling $81,281,558 shall be for improvement projects and shall be disbursed 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 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 CENTER PARKING DISTRICT LEVY

There is hereby levied against all assessable non-exempt real property within the Town Center 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 assessable 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 assessable 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.

NOTE: [Brackets] indicate 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 Operations
## FY 2022 Budget Amendment #4 - May 9, 2022

### OPERATING

<table>
<thead>
<tr>
<th>Revenues</th>
<th>Expenditures</th>
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<tr>
<td><strong>GENERAL</strong></td>
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<tr>
<td>Redlight camera citation revenue</td>
<td>Redlight camera contract payments</td>
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<td>(300,000)</td>
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<tr>
<td>Admissions &amp; amusement tax revenue</td>
<td>Leave buyback savings</td>
</tr>
<tr>
<td>300,000</td>
<td>(30,000)</td>
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<tr>
<td>Public works permits and fees</td>
<td>Electric Vehicle Readiness Plan</td>
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<td>160,000</td>
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<td>Transfer to the CIP</td>
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<td>1,550,000</td>
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<td>Tax duplication (FY22 Supplement)</td>
<td>Addition to reserves (tax duplication)</td>
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<tr>
<td>2,526,792</td>
<td>406,792</td>
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<tr>
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<tr>
<td>3,746,792</td>
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<tr>
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<td>Maryland State Arts Council Grant</td>
<td>Art conservation (grant-funded)</td>
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<tr>
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<td>22,127</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>TOTAL</strong></td>
</tr>
<tr>
<td>22,127</td>
<td>22,127</td>
</tr>
<tr>
<td><strong>CDBG</strong></td>
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</tr>
<tr>
<td>Unspent Portion of CDBG Yr 45 Grant</td>
<td>Unspent Portion of CDBG Yr 45 Grant</td>
</tr>
<tr>
<td>(448)</td>
<td>(448)</td>
</tr>
<tr>
<td>Use of Reserves</td>
<td>Rehabilitation (Year 46 Grant)</td>
</tr>
<tr>
<td>15,131</td>
<td>15,131</td>
</tr>
<tr>
<td>CDBG program revenue from sale of home</td>
<td>Rehabilitation (Year 47 Grant)</td>
</tr>
<tr>
<td>7,495</td>
<td>7,495</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>TOTAL</strong></td>
</tr>
<tr>
<td>22,178</td>
<td>22,178</td>
</tr>
<tr>
<td><strong>CAPITAL IMPROVEMENTS PROGRAM (CIP)</strong></td>
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</tr>
<tr>
<td><strong>CAPITAL</strong></td>
<td></td>
</tr>
<tr>
<td>Transfer from the General Fund (tax duplication)</td>
<td>Sidewalks (TE21)</td>
</tr>
<tr>
<td>2,020,000</td>
<td>600,000</td>
</tr>
<tr>
<td></td>
<td>Pedestrian and Bicycle Safety (TD21)</td>
</tr>
<tr>
<td></td>
<td>200,000</td>
</tr>
<tr>
<td></td>
<td>Hurley Avenue Bridge Replacement (TE16)</td>
</tr>
<tr>
<td></td>
<td>870,000</td>
</tr>
<tr>
<td></td>
<td>Twinbrook Pedestrian/Bicycle Bridge (TC22)</td>
</tr>
<tr>
<td></td>
<td>350,000</td>
</tr>
<tr>
<td>Transfer from the General Fund (ARPA)</td>
<td>MEO Facility Improvements (GD19)</td>
</tr>
<tr>
<td>1,550,000</td>
<td>900,000</td>
</tr>
<tr>
<td></td>
<td>Civic Center Park ADA Sidewalk (RA23)</td>
</tr>
<tr>
<td></td>
<td>100,000</td>
</tr>
<tr>
<td></td>
<td>Stonestreet Corridor Improvements (TA20)</td>
</tr>
<tr>
<td></td>
<td>550,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>TOTAL</strong></td>
</tr>
<tr>
<td>3,570,000</td>
<td>3,570,000</td>
</tr>
<tr>
<td><strong>SPEED</strong></td>
<td></td>
</tr>
<tr>
<td>Paygo</td>
<td>Town Center Road Diet (TB22)</td>
</tr>
<tr>
<td>634,000</td>
<td>634,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>TOTAL</strong></td>
</tr>
<tr>
<td>634,000</td>
<td>634,000</td>
</tr>
</tbody>
</table>
### City of Rockville, Maryland
#### FY 2022 Budget Amendment
May 9, 2022

<table>
<thead>
<tr>
<th>Governmental Funds</th>
<th>Enterprise Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General</strong></td>
<td><strong>Special</strong></td>
</tr>
<tr>
<td>Revenue</td>
<td></td>
</tr>
<tr>
<td>Property Taxes</td>
<td>44,890,000</td>
</tr>
<tr>
<td>Other Gov't.</td>
<td>33,652,726</td>
</tr>
<tr>
<td>Fines/Forfeiture</td>
<td>563,000</td>
</tr>
<tr>
<td>Use Money/Prop.</td>
<td>1,459,060</td>
</tr>
<tr>
<td>Charges for Serv.</td>
<td>7,016,720</td>
</tr>
<tr>
<td>Licenses/Permits</td>
<td>3,452,130</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>5,150,300</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>96,183,936</td>
</tr>
<tr>
<td>Transfers In</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Resources</strong></td>
<td>96,183,936</td>
</tr>
<tr>
<td>Use of Reserves</td>
<td>2,929,028</td>
</tr>
<tr>
<td><strong>Total ($)</strong></td>
<td>99,112,964</td>
</tr>
</tbody>
</table>

| Expenses | | | | | | | | | | | | | |
| Personnel | 53,824,638 | - | - | 126,420 | - | - | 3,988,000 | 2,045,380 | 3,278,000 | 308,690 | 2,750,300 | - | 66,321,458 |
| Operating | 17,090,045 | 1,219,713 | 579,776 | 682,190 | 40,000 | 2,434,250 | 4,077,236 | 2,228,249 | 274,820 | 1,093,934 | - | 29,720,213 |
| Capital Outlay | 2,595,984 | 403,221 | - | - | - | 420,661 | 325,991 | 971,621 | - | 116,291 | - | 4,833,769 |
| Administrative | - | - | - | 174,000 | - | - | 1,375,000 | 639,000 | 1,137,000 | 88,000 | 770,000 | - | 4,183,000 |
| Other | 2,580,050 | 251,461 | - | - | - | 3,609,700 | 5,334,950 | 531,900 | 173,530 | 1,174,260 | 100,600 | 13,756,451 |
| **Total Oper. Exp.** | 76,090,717 | 1,874,395 | 579,776 | 982,610 | 40,000 | 11,827,611 | 12,422,557 | 8,146,800 | 845,040 | 5,904,785 | 100,600 | 118,814,891 |
| Principal | - | - | - | - | - | 3,722,500 | - | - | - | - | - | 3,722,500 |
| Interest | - | - | - | - | - | 960,000 | 1,205,000 | 17,500 | 759,100 | 12,060 | 1,760 | 3,849,420 |
| CIP Transfer | 12,870,000 | - | - | - | - | - | - | - | - | - | - | 12,870,000 |
| Transfers Out | 9,745,455 | - | - | - | - | - | 333,190 | - | - | - | - | 10,078,645 |
| **Total Use** | 98,706,172 | 1,874,395 | 579,776 | 982,610 | 4,656,500 | 12,787,611 | 13,960,747 | 8,164,300 | 1,604,140 | 5,916,845 | 102,360 | 149,335,456 |
| Add. to Reserves | 406,792 | - | 157,390 | - | - | 1,332,539 | 1,964,439 | - | 1,278,830 | 140,805 | - | 5,280,795 |
| **Total ($)** | 99,112,964 | 1,874,395 | 579,776 | 1,140,000 | 4,656,500 | 14,120,150 | 15,925,186 | 8,164,300 | 2,882,970 | 6,057,650 | 102,360 | 154,616,251 |
Subject
Adoption of an Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2023

Recommendation
Staff recommends that the Mayor and Council adopt the attached Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2023 through the following actions: 1) motion to amend the ordinance as modified in Attachment A, seconded, and passed; and 2) motion to adopt the amended ordinance, seconded, and passed.

Change in Law or Policy (remove this section if not needed)
Adoption of the Operating and Capital Improvements Program (CIP) budgets will require passage of the standard budget ordinance. This budget ordinance was introduced by the Mayor and Council on February 28, 2022.

Discussion
In accordance with the City Charter, the Mayor and Council adopt the budget at the fund level. The attached ordinance (Attachment A) sets the FY 2023 property tax rates, FY 2023 operating budget, and FY 2023 Capital Improvements Program (CIP) budget for each fund. The tax rates and budget figures presented in the ordinance are consistent with the Mayor and Council's direction throughout the FY 2023 budget process.

Final Budget Adjustments
During the FY 2023 budget work sessions held in March and April, staff reported that General Fund revenue and expenditure changes would provide additional capacity in the FY 2022 proposed budget of approximately $380,000. As a result of the $380,000 in available budget capacity, the Mayor and Council directed staff to include the following expenditure items in the FY 2023 adopted operating budget:

- 1.0 FTE Senior Center Program Specialist position,
- upgrade the Grants Manager position from 0.5 FTE to 1.0 FTE,
- funds for the creation of an expanded language stipend program,
- funds for a pilot composting program,
- funds for the creation of a dog exercise area,
• additional financial support for the City’s caregiver agencies, and
• additional funding for gasoline and oil expenditures.

Personnel changes include Mayor and Council approval of the freezing of one position in the Information Technology department and the addition of three steps to the police pay scale.

The FY 2023 budget development process provided the Mayor and Council with an opportunity to consider the use of special funding sources to provide appropriations for capital projects and other one-time needs. One-time operating expenses using General Fund reserves totaling $1,126,620 have been identified as a commitment of fund balance on the FY 2023 budget ordinance and include:

• funds to provide a 1% retiree cost of living adjustment,
• funds for fall protection solutions for the Swim & Fitness center,
• funds for the replacement of police tasers,
• funds for the replacement of a wooden fire escape at the Mansion,
• funds for continuity of operations and emergency planning, and
• funds for a human services needs assessment.

**FY 2023 Property Tax Rates**
The attached ordinance sets the tax rates for the City of Rockville. These tax rates are levied against different groups, and in some cases, different areas throughout the city. Real property taxes are levied against all properties, both residential and commercial, in the City of Rockville.

Personal property taxes are levied against all commercial properties in the City of Rockville. Personal property generally includes furniture, fixtures, office and industrial equipment, machinery, tools, supplies, inventory, and other property not classified as real property.

The Parking District tax is a real property tax that is levied against all commercial properties located within the Town Square boundaries.

There is no change in any of the City of Rockville’s tax rates for FY 2023. The chart below shows the property tax rates by category for FY 2022 and FY 2023. The rates are shown per $100 of assessed valuation as determined by the State of Maryland Department of Assessments and Taxation.

<table>
<thead>
<tr>
<th>Tax Category</th>
<th>FY 2022 Rate</th>
<th>FY 2023 Rate</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Property</td>
<td>$0.292 per $100</td>
<td>$0.292 per $100</td>
<td>No Change</td>
</tr>
<tr>
<td>Personal Property</td>
<td>$0.805 per $100</td>
<td>$0.805 per $100</td>
<td>No Change</td>
</tr>
<tr>
<td>Parking District</td>
<td>$0.330 per $100</td>
<td>$0.330 per $100</td>
<td>No Change</td>
</tr>
</tbody>
</table>
FY 2023 Operating Budget
The total FY 2023 all funds operating budget of $148.8 million increased by $7.6 million, or 5.4 percent, from the FY 2022 adopted budget. The operating budget includes a significant increase in tax duplication revenues and includes funding for positions, programs, and initiatives that align with Mayor and Council priority areas. The General Fund budget increased by $6.8 million or 7.9 percent. The following chart shows the total operating appropriations by fund for FY 2022 and FY 2023:

<table>
<thead>
<tr>
<th>Operating Fund</th>
<th>FY 2022 Adopted</th>
<th>FY 2023 Adopted</th>
<th>Dollar Change</th>
<th>Percent Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$86,480,000</td>
<td>$93,320,400</td>
<td>$6,840,400</td>
<td>7.91%</td>
</tr>
<tr>
<td>Water Fund</td>
<td>$14,120,150</td>
<td>$14,259,800</td>
<td>$139,650</td>
<td>0.99%</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>$15,886,630</td>
<td>$16,292,000</td>
<td>$405,370</td>
<td>2.55%</td>
</tr>
<tr>
<td>Refuse Fund</td>
<td>$7,999,780</td>
<td>$8,450,510</td>
<td>$450,730</td>
<td>5.63%</td>
</tr>
<tr>
<td>Parking Fund</td>
<td>$2,882,970</td>
<td>$2,403,470</td>
<td>($479,500)</td>
<td>-16.63%</td>
</tr>
<tr>
<td>Stormwater Mgt Fund</td>
<td>$6,057,650</td>
<td>$6,352,650</td>
<td>$295,000</td>
<td>4.87%</td>
</tr>
<tr>
<td>RedGate Golf Fund</td>
<td>$102,360</td>
<td>$101,480</td>
<td>($880)</td>
<td>-0.86%</td>
</tr>
<tr>
<td>Special Activities Fund</td>
<td>$1,648,790</td>
<td>$1,421,110</td>
<td>($227,680)</td>
<td>-13.81%</td>
</tr>
<tr>
<td>CDBG Fund</td>
<td>$263,000</td>
<td>$263,000</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Speed Camera Fund</td>
<td>$1,140,000</td>
<td>$1,501,000</td>
<td>$361,000</td>
<td>31.67%</td>
</tr>
<tr>
<td>Debt Service Fund</td>
<td>$4,656,500</td>
<td>$4,471,500</td>
<td>($185,000)</td>
<td>-3.97%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$141,237,830</strong></td>
<td><strong>$148,836,920</strong></td>
<td><strong>$7,599,090</strong></td>
<td><strong>5.38%</strong></td>
</tr>
</tbody>
</table>

FY 2023 CIP Budget
The total FY 2023 CIP budget of $87.2 million increased by $11.2 million, or 14.8 percent, from the adopted FY 2022 budget. The CIP budget generally fluctuates from year-to-year, depending on the number and type of projects that are funded. The FY 2023 budget includes a $7 million transfer from the General Fund. The chart below shows the total CIP appropriations by fund for FY 2022 and FY 2023:

<table>
<thead>
<tr>
<th>Capital Fund</th>
<th>FY 2022 Adopted</th>
<th>FY 2023 Adopted</th>
<th>Dollar Change</th>
<th>Percent Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Projects Fund</td>
<td>$40,083,506</td>
<td>$45,472,530</td>
<td>$5,389,024</td>
<td>13.44%</td>
</tr>
<tr>
<td>Water Fund</td>
<td>$12,833,184</td>
<td>$16,837,475</td>
<td>$4,004,291</td>
<td>31.20%</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>$5,810,523</td>
<td>$8,354,136</td>
<td>$2,543,613</td>
<td>43.78%</td>
</tr>
<tr>
<td>Refuse Fund</td>
<td>$533,345</td>
<td>$533,345</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Parking Fund</td>
<td>$45,000</td>
<td>$45,000</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Stormwater Mgt Fund</td>
<td>$13,070,744</td>
<td>$11,560,385</td>
<td>($1,510,359)</td>
<td>-11.56%</td>
</tr>
<tr>
<td>Capital Fund</td>
<td>FY 2022 Adopted</td>
<td>FY 2023 Adopted</td>
<td>Dollar Change</td>
<td>Percent Change</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------------</td>
<td>-----------------</td>
<td>---------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Special Activities Fund</td>
<td>$2,734,338</td>
<td>$2,576,205</td>
<td>($158,133)</td>
<td>-5.78%</td>
</tr>
<tr>
<td>Speed Camera Fund</td>
<td>$836,119</td>
<td>$1,803,517</td>
<td>$967,398</td>
<td>115.70%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$75,946,759</strong></td>
<td><strong>$87,182,593</strong></td>
<td><strong>$11,235,834</strong></td>
<td><strong>14.79%</strong></td>
</tr>
</tbody>
</table>

**Mayor and Council History**

<table>
<thead>
<tr>
<th>Date</th>
<th>Action Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 25, 2021</td>
<td>FY 2023 Budget Public Hearing #1</td>
</tr>
<tr>
<td>October 25, 2021</td>
<td>FY 2023 Budget Calendar and Surveys</td>
</tr>
<tr>
<td>December 13, 2021</td>
<td>FY 2023 Budget Priorities and Survey Results</td>
</tr>
<tr>
<td>February 28, 2022</td>
<td>Presentation of FY 2023 Proposed Operating Budget and CIP; Introduction of all related FY 2023 Ordinances and Resolutions</td>
</tr>
<tr>
<td>March 7, 2022</td>
<td>FY 2023 Budget Public Hearing #2</td>
</tr>
<tr>
<td>March 21, 2022</td>
<td>FY 2023 Budget Public Hearing #3</td>
</tr>
<tr>
<td>March 21, 2022</td>
<td>FY 2023 Budget Worksession</td>
</tr>
<tr>
<td>April 4, 2022</td>
<td>FY 2023 Budget Public Hearing #4</td>
</tr>
<tr>
<td>April 15, 2022</td>
<td>Close of FY 2023 Budget Public Record</td>
</tr>
<tr>
<td>April 18, 2022</td>
<td>FY 2023 Budget Worksession</td>
</tr>
<tr>
<td>April 25, 2022</td>
<td>FY 2023 Budget Worksession</td>
</tr>
<tr>
<td>May 2, 2022</td>
<td>FY 2023 Budget Worksession</td>
</tr>
</tbody>
</table>

**Public Notification and Engagement**

The City held four budget public hearings between October 2021 and April 2022. The final budget public hearing related to the FY 2023 budget was held on April 4, 2022. In addition to the public hearings, the public was able to submit written comments directly to the Mayor and Council via the City Clerk/Director of Council Operations up through April 15, 2022, when the budget public record closed.

In addition, the Rockville community participated in the online community priorities survey for the FY 2023 budget. This survey was available in both English and Spanish and closed on April 15, 2022, with 405 responses.

**Fiscal Impact**
The 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).

**Next Steps**

Staff will communicate the City’s tax rates to Montgomery County for inclusion on the Levy Year 2022 tax bills.


**Attachments**

Attachment 8.a: AttachA_BudgetOrdinance_May2022 (PDF)

Rob DiSpirito, City Manager 5/4/2022
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 I - 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] $148,836,920 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>
<td>[$17,488,973]</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>[$9,115,183]</td>
</tr>
<tr>
<td>Refuse Fund</td>
<td>$533,345</td>
</tr>
<tr>
<td>Parking Fund</td>
<td>$45,000</td>
</tr>
<tr>
<td>Stormwater Management Fund</td>
<td>[$10,566,399]</td>
</tr>
<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] $87,182,593 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
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
ORDINANCE NO.____

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.

SECTION VII – RESERVES

There is hereby committed $1,126,620 in General Fund unassigned fund balance to support the following operating budget items: $573,620 for the provision of a 1% cost of living adjustment for retirees, $44,500 for fall protection solutions for the Swim and Fitness Center, $155,500 for replacement police tasers, $90,000 for replacement of a wooden fire escape at the Glenview Mansion, $180,000 for consultant funding for continuity of operations and emergency planning, and $83,000 for a human services needs assessment.

NOTE: [Brackets] indicate material deleted after introduction. Underlining indicates material added after introduction.

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
Adoption 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 adopt 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 adoption of the attached resolution. This resolution was introduced by the Mayor and Council on February 28, 2022. The resolution was amended between introduction and adoption for clarity and conciseness; however, the rates remain unchanged from the introduction.

The Mayor and Council will need 1) a motion to amend the resolution as modified in Attachment A, seconded, and passed; and 2) a motion to adopt the amended resolution, seconded, and passed.

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 set 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 Montgomery County.
The SWM Fund makes up approximately 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.

### Mayor and Council History

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<thead>
<tr>
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<td>FY 2023 Budget Worksession</td>
</tr>
<tr>
<td>May 2, 2022</td>
<td>FY 2023 Budget Worksession</td>
</tr>
</tbody>
</table>

### Public Notification and Engagement

There were four public hearings related to the FY 2023 budget. In addition to the public hearings, the public could communicate their budget priorities for FY 2023 via direct emails to the Mayor and Council and by completing an online community priorities survey.
The FY 2023 budget public record closed on April 15, 2022.

**Fiscal Impact**
The adopted FY 2023 operating budget for the Stormwater Management Fund equals $6,352,650 and the FY 2023 CIP budget equals $11,560,385. The adopted budget is based on a stormwater management fee of $138 per ERU per year.

**Next Steps**

**Attachments**
Attachment 9.a: AttachA_SWMUtilityFee_May2022  (PDF)
Attachment 9.b: AttachB_SWMUtilityFeeRedline_May2022  (PDF)

[Signature]
Rob DiSpirito, City Manager  5/3/2022
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, City Code Section 19-5(a)(3) requires the Mayor and Council to establish, by resolution, the equivalent residential unit rate to be used for calculating the Stormwater Management Utility Fee to support the City’s stormwater management, storm drainage, and related water quality programs; and

WHEREAS, City Code Section 19-118 provides 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 City Code Section 19-5(a)(4), the Mayor and Council 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, 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 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
Resolution No. ________ -2-

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
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 City Code Section 19-12-5(a)(3) requires the Mayor and Council to establish the Equivalent Residential Unit Rate to be used for calculating the 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 City Code Section 19-88118 provides 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 City Code Section 19-5(a)(4), 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 Residential Unit Rate-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 Residential Unit Rate-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 Residential Unit-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 Residential Unit-unit Rate-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
Adoption 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
Staff recommends that the Mayor and Council adopt the 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 adoption of the attached resolution. This resolution was introduced by the Mayor and Council on February 28, 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 set to increase by 4.4 percent, or $20 per year, to $479 per residential household. Customers pay for recycling and refuse services on their annual real property tax bill that comes from Montgomery County.

The Refuse Fund makes up approximately 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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<thead>
<tr>
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<td>May 2, 2022</td>
<td>FY 2023 Budget Worksession</td>
</tr>
</tbody>
</table>

### Public Notification and Engagement

There were four public hearings related to the FY 2023 budget. In addition to the public hearings, the public could communicate their budget priorities for FY 2023 via direct emails to the Mayor and Council and by completing an online community priorities survey.

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

### Fiscal Impact

The adopted FY 2023 operating budget for the Refuse Fund equals $8,450,510 and the FY 2023 CIP budget equals $533,345. The adopted budget is based on a refuse rate of $479 per year.

### Next Steps


### Attachments

Attachment 10.a: AttachA_Refuse_May2022 (PDF)
Resolution No.____

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:

<table>
<thead>
<tr>
<th>Cart Capacity</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>32 gallon cart</td>
<td>$39.87</td>
</tr>
<tr>
<td>48 gallon cart</td>
<td>$42.87</td>
</tr>
<tr>
<td>64 gallon cart</td>
<td>$44.87</td>
</tr>
<tr>
<td>96 gallon cart</td>
<td>$50.20</td>
</tr>
</tbody>
</table>

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

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 and Possible Adoption of an Ordinance to Amend Chapter 24 of the Rockville City Code, Entitled “Water, Sewers and Sewage Disposal”

Recommendation
Staff recommends that the Mayor and Council introduce the attached ordinance to amend Chapter 24 of the Rockville City Code, entitled “Water, Sewers and Sewage Disposal,” by amending Article III, entitled “Rates and Charges,” to provide clarifications and establish a phase-in of established water and sewer charges for fiscal year 2023 through 2024.

If the Mayor and Council wish to proceed with adoption of the ordinance at the same meeting, the ordinance should first be introduced and then a motion should be made to waive the layover period. If the motion to waive the layover period is approved by an affirmative vote of four or more members of the Mayor and Council, a motion to adopt the ordinance may then proceed.

Change in Law or Policy
Establishing a phase-in of rates for FY 2023 and FY 2024 requires the passage of the attached ordinance. Staff recommends that the Mayor and Council introduce, waive the layover period, and adopt the ordinance.

Discussion
On November 15, 2021, the Mayor and Council adopted a new water and sewer rate structure and new rates for the second half of FY 2022, FY 2023, and FY 2024. The rate structure reflects the results of a study that evaluated the cost of water and sewer service by property classification and produces a more equitable distribution of costs. The property classifications include single-family, multi-family, and non-residential. The proposed FY 2023 Water and Sewer Fund budgets are supported by the adopted rates and rate structure, and help bring the funds into compliance with the City’s financial policies.

The longstanding practice for City utility rates has been to implement the rates with an effective date that is applied to all utility bills, based on the billing date. On March 21, 2022,
during the FY 2022 Supplemental Tax Duplication and FY 2023 Budget Worksession, the Mayor and Council evaluated options to provide a more equitable implementation of new rates to City utility customers. Based on the direction received, the amended ordinance includes language corresponding to the rate phase-in approach.

Under this method, the new rates would be phased-in differently to reflect the timing differences between the utility usage of customers on a quarterly and monthly cycle. This method would apply the previous rates for quarterly customers for bills where the majority of the usage is in the previous fiscal year. In practice, this would result in the new rates going into effect fully on October utility bills for quarterly customers, and on August utility bills for monthly customers, providing a more direct correlation between the new rate and the usage period for the two cycles.

The amended ordinance establishes a rate phase-in for the water and sewer charges for fiscal years 2023 and 2024. The amended ordinance also clarifies the fixed nature of the ready to serve charges and specifies that these charges will be applied to all properties on the City’s system unless the property is demolished.

**Mayor and Council History**

On November 15, 2021, the Mayor and Council adopted a new water and sewer rate structure and new rates for the second half of FY 2022, FY 2023, and FY 2024. On March 21, 2022, during the FY 2022 Supplemental Tax Duplication and FY 2023 Budget Worksession, the Mayor and Council directed staff to implement the rate phase-in approach for planned water and sewer rate increases.

**Public Notification and Engagement**

Ahead of the November 15, 2021 adoption of the new water and sewer rate structure, a public hearing was held on November 1, 2021. This public hearing was advertised in the Washington Post on October 14, and October 21, 2021. It was posted to the City of Rockville’s website, the City of Rockville Nextdoor account, and the cable channel 11 bulletin board. It was also sent to community Homeowners and Civic Associations.

There were four public hearings related to the FY 2023 budget. In addition to the public hearings, the public could communicate their budget priorities for FY 2023 via direct emails to the Mayor and Council and by completing an online community priorities survey.

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

**Fiscal Impact**

The adopted FY 2023 operating budget for the Water Fund equals $14,259,800 and for the Sewer Fund equals $16,292,000. The adjustments to the rate application method will create
marginal timing differences from the original revenue projections. Staff estimates that this will reduce FY 2023 Water Fund and Sewer Fund revenues by approximately $50,000 in each fund, and still allow both funds to progress towards meeting established policy targets.

Next Steps
The FY 2023 adopted budget will begin July 1, 2022, and continue through June 30, 2023. The FY 2023 budget book will be posted to http://www.rockvillemd.gov/budget in July 2022. Water and Sewer rates are included in the supplemental information section of the budget book.

Attachments
Attachment 11.a:  AttachA_OrdCh24WaterSewerPhaseIn_May2022  (PDF)

Rob DiSpirito, City Manager  5/4/2022
Ordinance No. ____

ORDINANCE: To amend Chapter 24 of the Rockville City Code, entitled “Water, Sewers and Sewage Disposal,” by amending Article III, entitled “Rates and Charges,” to provide clarifications and establish a phase-in of established water and sewer charges for fiscal year 2023 through fiscal year 2024

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

SECTION I - That Chapter 24 of the Rockville City Code, entitled “Water, Sewers and Sewage Disposal,” be amended as follows:

CHAPTER 24
WATER, SEWERS AND SEWAGE DISPOSAL

** * * *

ARTICLE IV. - RATES AND CHARGES

Sec. 24-51. – Water consumption charge.

* * *

(b) The established charges shall go into effect on January 1, 2022 for FY 2022 and July 1 of the fiscal year for which they have been established for FY 2023 and FY 2024. The new established charges will apply to the entire billing cycle and are not prorated. The established charges will be phased in for customers for FY 2023 (July 1, 2022) and FY 2024 (July 1, 2023), with new rates applying to utility bills issued in August and October for monthly and quarterly customers, respectively.

(c) There shall be due from each user of the water system, a monthly ready to serve charge. The ready to serve charge is a fixed fee that contributes to the fixed charges incurred by the City in providing water services and maintaining a water treatment plant. This service charge may not be reduced or suspended for any reason except for the demolition of the property. The ready to serve charge may be collected monthly or quarterly. The amount of the charge shall be based on water meter size and is hereby established for fiscal years 2022 through 2024, as set forth in the following chart. The established charges will be phased in for customers for FY 2023 (July 1, 2022) and FY 2024 (July 1, 2023), with new rates applying to utility bills issued in August and October for monthly and quarterly customers, respectively.
Sec. 24-52. – Sewer usage charge.

(a) There shall be due to the City from each user of its sewerage system and/or disposal plant for each property served by its system, the sum as set forth in the following charts for fiscal years 2022 through 2024 for each one thousand (1,000) gallons of water used by such property during the preceding three (3) months or at such other times as the City Manager shall determine in order to bill timely in accordance with State Law. The established charges will be phased in for customers for FY 2023 (July 1, 2022) and FY 2024 (July 1, 2023), with new rates applying to utility bills issued in August and October for monthly and quarterly customers, respectively.

***

(b) No person using water obtained otherwise than from the water system of the City shall empty such water into the sewerage system of the City unless the water shall be measured through a meter owned or installed and owned by the City at the expense of such user, and quarterly thereafter shall be due to the City from each such user of its sewer system and/or disposal plant for each property so served by its system the sum as set forth in the following charts for fiscal years 2022 through 2024 for each one thousand (1,000) gallons of water used on such property during the preceding three (3) months or at such other times as the City Manager shall determine in order to bill timely in accordance with State Law. The established charges will be phased in for customers for FY 2023 (July 1, 2022) and FY 2024 (July 1, 2023), with new rates applying to utility bills issued in August and October for monthly and quarterly customers, respectively.

***

(d) There shall be due from each user of the sewer system, a monthly ready to serve charge. The ready to serve charge is a fixed fee that contributes to the fixed charges incurred by the City in providing sewer services and maintaining a sewerage system. This service charge may not be reduced or suspended for any reason except for the demolition of the property. The ready to serve charge may be collected monthly or quarterly. The amount of the charge shall be based on water meter size and is hereby established for fiscal years 2022 through 2024, as set forth in the following charts: The established charges will be phased in for customers for FY 2023 (July 1, 2022) and FY 2024 (July 1, 2023), with new rates applying to utility bills issued in August and October for monthly and quarterly customers, respectively.

***

SECTION II – This ordinance shall become effective on July 1, 2022.
Note: **Strikethrough** indicates material deleted.
**Underlining** indicates material added.
Asterisks *** indicate material unchanged by this ordinance.

***

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at its meeting of ________________.

______________________________
Sara Taylor-Ferrell

City Clerk/Director of Council Operations
Subject
Adoption of a Resolution to Close Completed Capital Improvements Program Projects

Recommendation
Staff recommends that the Mayor and Council adopt the resolution to close completed Capital Improvements Program (CIP) project accounts.

Discussion
In accordance with the City’s adopted Financial Management Policies, each year the Mayor and Council must formally authorize staff to close completed CIP projects. This authorization is given through adoption of a resolution (Attachment A).

Attachment B provides a brief summary of the ten projects to be closed in Fiscal Year (FY) 2022, including the project name, number, program area, brief description, original and current project budget, and unspent funds as of April 27, 2022. These projects are funded from the Capital Projects, Water, Special Activities, and Speed Camera funds. Of these ten projects, five had unobligated appropriations greater than $5,000 as of April 27, 2022, and four of these five are expected to have funding greater than $5,000 available at project close-out. At the end of FY 2022, any unspent appropriations from the closed projects will be returned to the fund from which the appropriations were made, unless the project was funded from an outside source.

The amount of the unspent funds may be reduced due to final payments in FY 2022.

Mayor and Council History
The Mayor and Council adopt a resolution to close completed CIP projects once per fiscal year.

Fiscal Impact
As of June 30, 2022, any unspent appropriations from the closed projects will be returned to the fund from which the appropriations were made, unless the project was funded from an outside source.
Next Steps
Finance staff will close the CIP project accounts as of June 30, 2022.

Attachments
Attachment 12.a: AttachA_FY22_CIP_ClosureResolution (PDF)
Attachment 12.b: AttachB_FY22_CIP_ClosureList (PDF)

Rob DiSpirito, City Manager 5/3/2022
Resolution No. __

RESOLUTION: To Close Completed Capital Improvements Program Project Accounts

WHEREAS, in accordance with the City’s financial management policies, balances in capital project accounts should be closed periodically and unexpended appropriations should be returned to the fund from which the allocations were made; and

WHEREAS, it is the desire of the Mayor and Council to close certain capital improvement project accounts that have been completed;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND that the Chief Financial Officer be hereby authorized to close the following capital improvement projects as of June 30, 2022:

<table>
<thead>
<tr>
<th>Project Title</th>
<th>Project Number</th>
<th>Fund(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electronic Plan Submission and Review Software</td>
<td>GA19</td>
<td>420</td>
</tr>
<tr>
<td>Enterprise Resource Planning System</td>
<td>2B01</td>
<td>420</td>
</tr>
<tr>
<td>Financial System Upgrade</td>
<td>GC21</td>
<td>420</td>
</tr>
<tr>
<td>Pedestrian and Bicycle Safety: FY16-FY20</td>
<td>4B71</td>
<td>350, 380, 420</td>
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<tr>
<td>Pedestrian Bridge - WMATA Rockville Station</td>
<td>TA19</td>
<td>380</td>
</tr>
<tr>
<td>Sidewalks: FY16-FY20</td>
<td>TF16</td>
<td>350, 420</td>
</tr>
<tr>
<td>Skate Park</td>
<td>RJ16</td>
<td>420</td>
</tr>
<tr>
<td>Traffic Signal Upgrades</td>
<td>TG21</td>
<td>420</td>
</tr>
<tr>
<td>Water Treatment Plant Filter Media Replacement</td>
<td>UB18</td>
<td>210</td>
</tr>
<tr>
<td>Water Treatment Plant Raw Water Infrastructure Protection</td>
<td>UA19</td>
<td>210</td>
</tr>
</tbody>
</table>

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

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the Mayor and Council at its meeting of

Sara Taylor-Ferrell, City Clerk/Director of Council Operations
## Detail of Closed CIP Projects for FY 2022

<table>
<thead>
<tr>
<th>Project Title</th>
<th>Program Area</th>
<th>Brief Description</th>
<th>First Appeared</th>
<th>Original Budget</th>
<th>Current Budget</th>
<th>Encumbered and Spent</th>
<th>Unobligated 4/27/221</th>
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</thead>
<tbody>
<tr>
<td><strong>Capital Projects Fund (420)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electronic Plan Submission and Review Software (GA19)</td>
<td>General Gov't.</td>
<td>Purchase and configuration of web-based plan submission and review software.</td>
<td>2019</td>
<td>347,600</td>
<td>503,600</td>
<td>93,302</td>
<td>410,298</td>
</tr>
<tr>
<td>Enterprise Resource Planning System (2B01)</td>
<td>General Gov't.</td>
<td>Analysis, purchase, and implementation of a comprehensive ERP system.</td>
<td>2012</td>
<td>1,500,000</td>
<td>1,301,705</td>
<td>801,705</td>
<td>500,000</td>
</tr>
<tr>
<td>Financial System Upgrade (GC21)</td>
<td>General Gov't.</td>
<td>Upgrade of the city's current financial system as an interim solution to migration to a new core ERP system.</td>
<td>2021</td>
<td>500,000</td>
<td>500,000</td>
<td>-</td>
<td>500,000</td>
</tr>
<tr>
<td>Pedestrian and Bicycle Safety: FY16-FY20 (4B71)</td>
<td>Transp.</td>
<td>Construction/installation of new pedestrian and bicycle traffic control devices and facilities.</td>
<td>2004</td>
<td>749,000</td>
<td>2,244,847</td>
<td>2,244,847</td>
<td>-</td>
</tr>
<tr>
<td>Sidewalks: FY16-FY20 (TF16)</td>
<td>Transp.</td>
<td>Construction of safe and accessible pedestrian facilities.</td>
<td>2016</td>
<td>275,000</td>
<td>135,834</td>
<td>135,834</td>
<td>-</td>
</tr>
<tr>
<td>Skate Park (RJ16)</td>
<td>Rec &amp; Parks</td>
<td>Construction of a concrete skate park on the eastern parking lot of the Swim and Fitness Center outdoor pool.</td>
<td>2016</td>
<td>190,500</td>
<td>1,833,740</td>
<td>1,796,339</td>
<td>37,401</td>
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<tr>
<td><strong>Water Fund (210)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Water Treatment Plant Filter Media Replacement (UB18)</td>
<td>Utilities</td>
<td>Replacement of filter media for two of the four filters in the filtration system at the Water Treatment Plant.</td>
<td>2018</td>
<td>300,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Water Treatment Plant Raw Water Infrastructure Protection (UA19)</td>
<td>Utilities</td>
<td>Environmental improvements at the Water Treatment Plant including stream spot repairs and stabilization of an exposed duct bank.</td>
<td>2019</td>
<td>360,000</td>
<td>360,000</td>
<td>358,782</td>
<td>1,218</td>
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<tr>
<td><strong>Total Capital Projects Fund (420)</strong></td>
<td></td>
<td></td>
<td></td>
<td>$4,027,100</td>
<td>$6,764,726</td>
<td>$5,315,336</td>
<td>$1,449,390</td>
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<tr>
<td><strong>Special Activities Fund (350)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalks: FY16-FY20 (TF16)</td>
<td>Transp.</td>
<td>Construction of safe and accessible pedestrian facilities.</td>
<td>2016</td>
<td>725,000</td>
<td>1,707,720</td>
<td>1,707,720</td>
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<tr>
<td><strong>Total Special Activities Fund (350)</strong></td>
<td></td>
<td></td>
<td></td>
<td>$725,000</td>
<td>$2,116,854</td>
<td>$2,116,854</td>
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<tr>
<td><strong>Speed Camera Fund (380)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pedestrian and Bicycle Safety: FY16-FY20 (4B71)</td>
<td>Transp.</td>
<td>Construction/installation of new pedestrian and bicycle traffic control devices and facilities.</td>
<td>2004</td>
<td>-</td>
<td>785,144</td>
<td>785,144</td>
<td>-</td>
</tr>
<tr>
<td>Pedestrian Bridge - WMATA Rockville Station (TA19)</td>
<td>Transp.</td>
<td>City's portion of construction repairs to the WMATA-owned pedestrian bridge over Rockville Pike connecting to the Rockville Metro Station.</td>
<td>2019</td>
<td>245,000</td>
<td>505,000</td>
<td>-</td>
<td>505,000</td>
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<tr>
<td><strong>Total Speed Camera Fund (380)</strong></td>
<td></td>
<td></td>
<td></td>
<td>$245,000</td>
<td>$1,290,144</td>
<td>$785,144</td>
<td>$505,000</td>
</tr>
<tr>
<td><strong>Total ALL FUNDS</strong></td>
<td></td>
<td></td>
<td></td>
<td>$5,657,100</td>
<td>$10,531,724</td>
<td>$8,576,116</td>
<td>$1,955,608</td>
</tr>
</tbody>
</table>

1. May be reduced due to final payments in FY 2022.
2. These projects are estimated to have savings that will be returned to the supporting fund and have been factored in to the five year CIP cash flow.
3. These projects are considered routine capital maintenance projects and are budgeted in five year increments.
4. Construction for this project, which was managed by WMATA, is complete; however, the City is still awaiting invoicing from WMATA. Staff do not anticipate funds remaining at project close-out.
Subject
Art in Public Architecture: Rockville Skate Park Art Project

Recommendation
Staff recommends that the Mayor and Council discuss and approve the Art in Public Architecture: Rockville Skate Park Art Project.

Discussion
Through the Art in Public Architecture (AIPA) program, the City aims to create a connection that resonates and creates intrigue with users of its facilities. The Cultural Arts Commission, artist nomination committee, and staff firmly believe the proposed artwork for the Rockville Skate Park accomplishes the connection that we seek. Please see the artist statement below.

As skateboarders, we are always on a quest to find that elusive spot, or land that next trick. Nothing is as satisfying as the sense of accomplishment and growth among friends. We chose these forms to represent the athleticism and elusiveness of skateboarding. Upon first glance, these figures seem like clouds in the sky. Over time, and after observation from varying vantage points, the secret is revealed. As an informal and creative form of expression, these works portray iconic, and historic moments in skateboarding history, celebrating the value our culture attaches to such events. These memorable events are obscured in a way that any skater can see themselves in the work.

The City of Rockville began the art selection process in December 2021.

The Artist Nomination Committee consisted of:

Rockville Skate Park User                                   Jonathan Marino
Cultural Arts Commissioner                                  Melissa Law
Cultural Arts Commissioner                                  Connor Lee
Recreation and Park Advisory Board member                  Jonathan Weiss

On January 19, 2022, the Committee reviewed and discussed the applications that included samples of previous public art projects, resumes, letters of reference, and artist statements.
Three finalists were selected after the review and discussion to create a site-specific art proposal. The finalists attended a site visit and received pertinent information about the site, including drawings and photographs.

On March 15, 2022, the finalists presented their site-specific proposals representing the suggested theme of reflected items associated with skateboarding, use of interactive skateboard elements, and movement (by virtue of a kinetic component) to the Artist Nomination Committee. After the presentation, the Committee interviewed the finalists about their proposals. The Committee reviewed and discussed each presentation. The Artist Nomination Committee unanimously recommended that Christian Benefiel and Ryan McRibbin of Seven Three One Studios be awarded the $14,500 commission for their proposed steel and powder-coated painted sculpture.

On April 12, 2022, the Cultural Art Commission reviewed and discussed the recommendation from the Artist Nomination Committee. The Cultural Arts Commission was excited about the proposed work of art.

The City's art staff solicited public input on the proposed AIPA Skate Park Art via displays at the Rockville Skate Park, Rockville Swim and Fitness Center, and through an online survey. In addition to receiving comments on the proposed work of art, staff was able to educate the public on the AIPA ordinance and how public art funding is included with City construction projects. Initial comments included:

- “The art is beautiful, and I love it.”
- “The art idea is awesome! Kudos to the City/artists for making these and promoting the artform. Wish you the best!”
- “Use Red and Orange.”
- “Please make sure all images have the skateboarder wearing a helmet.”

The Cultural Art Commission recommends that the Mayor and Council award the $14,500 art commission for their proposed steel and powder-coated painted sculpture.

**Mayor and Council History**

The Mayor and Council approved the Fiscal Year 2022 Operating Budget that included the funding for this Art in Public Architecture project in May 2021.

The City of Rockville's Mayor and Council have been supportive of the Arts in Public Architecture (AIPA) program since 1978, when they adopted the "Incorporation of Works of Art in Public Architecture" Ordinance. The ordinance requires that designated City construction projects include funds for works of art equal to at least one (1) percent of the project's budgeted construction costs. This program has produced fifty-two works of art throughout the City, reflecting Rockville’s commitment to the arts.
Public Notification and Engagement

An article about the Rockville Skate Park Art Project appeared in the “Rockville Reports” December 2021 edition and was posted on the City of Rockville’s website in December 2021.

Boards and Commissions Review

The Recreation and Park Advisory Board (RPAB) was updated monthly during the process and was represented on the selection committee.

The Cultural Arts Commission was represented on the selection committee and is presenting the artwork to the Mayor and Council.

Procurement

The acquisition of a work of art for public display is exempt from competitive procurement in accordance with the Rockville City Code; Chapter 17, Purchasing; Sec. 17-87. - Exemptions.; (12) Acquisition of works of art for public display.

Fiscal Impact

The funding for this project ($14,500) is allocated in Art in Public Architecture account (350-900-7601-0208), which is in the Special Activities Fund. The AIPA account is a restricted account dedicated to the acquisition of works of art associated with the City’s Capital Improvements Program.

Next Steps

If approved, staff will work with the City Attorney Department to begin the contract negotiations with the artist and the Procurement Department to issue a Purchase Order.

Attachments

Attachment 13.a: Rockville Skatepark Art Proposal (PDF)
Rockville Skatepark
355 Martins Ln, Rockville, MD 20850
Site specific and welcoming

Need To Shred

731 Studios
Christian Benefiel + Ryan McKibbin
Colorful Skateboarding Imagry
Single Color Option
Each image is composed of cloud-like abstracted shapes.

At first glance these forms may not be recognized.

With time, the imagery comes alive.
The sculptures appear differently up close and far away.
Our connection method is simple and effective. Tamper resistant, permanent connection is also available.
Finish, Effect and Color

Laser cut steel is a cost-effective method that is resistant to the elements.

By leveraging our firm's capabilities with CAD and savvy fabrication methods, we can deliver more for less.

Powder coating is more UV resistant than other methods so the color will last longer, while offering a good amount of color options.
## Budget

<table>
<thead>
<tr>
<th>Item</th>
<th>Number</th>
<th>Unit Cost</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Materials: Steel</td>
<td>5</td>
<td>500</td>
<td>2,500.00</td>
</tr>
<tr>
<td>Laser Cut Service</td>
<td>5</td>
<td>500</td>
<td>2,500.00</td>
</tr>
<tr>
<td>Powder Coating</td>
<td>5</td>
<td>400</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Fasteners/Hardware</td>
<td>1</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Design Fees/Project Management</td>
<td>1</td>
<td>1,100.00</td>
<td>1,100.00</td>
</tr>
<tr>
<td>Engineering</td>
<td>1</td>
<td>2,500.00</td>
<td>2,500.00</td>
</tr>
<tr>
<td>Fabrication and finishing work</td>
<td>30</td>
<td>50</td>
<td>1,500.00</td>
</tr>
<tr>
<td>Delivery and installation</td>
<td>1</td>
<td>1,500.00</td>
<td>1,500.00</td>
</tr>
<tr>
<td>Insurance</td>
<td>1</td>
<td>400</td>
<td>400</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td></td>
<td></td>
<td><strong>14,500.00</strong></td>
</tr>
</tbody>
</table>
Fabrication and Planning

Seven Three One Studios produces high quality accurate CAD drawings that facilitate the planning of complex work. We are experienced in a variety of digital fabrication techniques and leverage our hands on experience in our design work. In addition to maintaining a variety of CNC processes in house, we work with local fabrication, rigging and engineering firms to realize our works. We have years of experience working with architects and can understand and clearly communicate using drawings.

Our experience with similar projects puts us in a confident position to speak with either GC or independent entities associated with the realization of the project. We are also able to offer suggestions or modifications to the design if necessary due to budget.

Time and Space, 2021, Benjamin Banneker Highschool
Steel, Stainless Steel, Aluminum, Sail Fabric, CNC cut wood, Mixed Media

Left: Screenshot of CAD model
Center: Rendering in context using Architect’s 3D Model
Right: Installed work
Selected Previous Works

Light and shadow are an integral theme in many of our architectural and functional installations, as well as in our own studio works. Nature and calling attention to physical phenomena are also common themes in our work.

Top Left, Top Right and Bottom Left: Swell, 2016
Bottom Right: Rivulet, 2018

Light and shadow are used with wood or steel armatures to re-create the ocean as well as the diffused light found under clear water.
Selected Previous Works

Faultlines 2019
Birch, Walnut, Cherry, Oak, Pine
35’ x 4’ x 1’

Breach 2009
Pine
12’ x 18’ x 2”

Reception Desk 2009
Birch, Walnut, Fir, Tempered Glass
9’ x 5’ x 2’

Current Event 2015
Wood, Steel, Epoxy
13’ x 13’ x 1’

Solar Decathlon Exterior 2013
Team Capitol DC

The Universe Is Mostly Unused Space 2021
Plywood, Various Hardwoods
9’ diameter
About Us

Seven Three One Studios takes its name from the Dewey Decimal class system for processes, forms, subjects of sculpture. We are a design fabrication team based out of Washington DC/Baltimore Metropolitan Area with a combined 30 years experience in Sculpture, Architectural and Industrial Design and Fabrication processes. Our work trends toward the representation of mathematical patterns, physical phenomena, and forms inherent in natural and sociological structures.
Subject
Neighborhood Shopping Centers – Exploring Ways to Support and Encourage Improving and Revitalizing

Recommendation
Staff recommends that the Mayor and Council hold a discussion on the topic and provide any direction to staff that they may wish.

Change in Law or Policy
Amendments to the City’s zoning ordinance may be needed to allow for changes and flexibility in parking, signage, density, and other items to improve the viability and success of shopping centers.

Discussion
The Mayor and Council have requested this item to discuss ways to support and encourage improving and revitalizing for neighborhood shopping centers in Rockville. While Mayor and Council members have noted that there are successful shopping areas located in the city and there is optimism due to signs of recovery from the pandemic, some members have expressed concern for the:

- Long-term viability of smaller shopping centers surrounded by neighborhoods, such as Maryvale, Woodley Gardens and Burgundy Park;
- Future vitality of the shopping areas, such as those located at Veirs Mill Road and Twinbrook Parkway, College Plaza, and other smaller retail areas along MD 355; and
- Shortage of new housing that is critical to support retail.

In developing this report, staff has met with Cindy Rivarde and Richelle Wilson from REDI (Rockville Economic Development, Inc.) to gain information and recommendations. The structure of the report is as follows:
- Summary of existing conditions and trends;
- An overview of shopping centers in Rockville;
- Relevant policies and recommended actions from the Rockville Comprehensive Plan; and
Recommended Actions for Consideration.

Summary of Existing Conditions and Trends
Rockville has long served as a retail destination for the Washington D.C. region due to having strong and diverse shopping options. Rockville’s retail inventory contains well over 3 million square feet. The primary types of shopping centers are in the categories of strip/convenience, neighborhood, community, regional and lifestyle; and contain many different types of users, who are typically tenants of property owners. The users can be retail, restaurants, and others providing services in health care, banking, entertainment and more. Rockville’s retail market experienced a similar fate to many local jurisdictions with closings causing an uptick in vacancy rates. As of March 2022, the vacancy rate in the city stood at 8.4%. Rockville’s metrics were not an outlier compared to surrounding locations like Bethesda, Gaithersburg and Silver Spring. Gaithersburg’s vacancy rate was slightly below Rockville’s at 8.3%, while Bethesda/Chevy Chase saw 7.8% and Silver Spring saw 6.3%. Nationally, in-store retail was facing challenges from online retail and changing formats even before the COVID-19 pandemic, and the pandemic exacerbated many of those issues and presented new ones.

Table 1 – Key Retail Stats

<table>
<thead>
<tr>
<th></th>
<th>Inventory (Million Square Feet)</th>
<th>Vacancy Rate</th>
<th>Rental Rates (PSF)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rockville</td>
<td>3.9</td>
<td>8.4%</td>
<td>$33</td>
</tr>
<tr>
<td>Silver Spring</td>
<td>6.8</td>
<td>6.3%</td>
<td>$33</td>
</tr>
<tr>
<td>Gaithersburg</td>
<td>7.8</td>
<td>8.3%</td>
<td>$31</td>
</tr>
<tr>
<td>Bethesda/Chevy Chase</td>
<td>4.3</td>
<td>7.8%</td>
<td>$44</td>
</tr>
</tbody>
</table>

Source: CoStar (4-26-2022)
The elevated vacancies did not discourage investors from purchasing retail assets in the city. In 2021, Rockville’s retail property sales amassed $82 million, the highest the City has ever seen. The only sales activity to come close to this was in 2012 ($48 million) and 2014 ($39 million). One of the most notable of these retail sales was for the mixed-use project Twinbrook Quarter. This 18-acre parcel project is owned by B.F Saul, the top buyer in 2021. This company’s acquisitions in 2021 accounted for 82% of all the investment sales in 2021.

This retail property sales activity outpaced previous years, but it also exceeded sales activities in nearby cities like Bethesda, Gaithersburg, and Silver Spring. As a result of the recent sales, the construction pipeline within the city has expanded.

The city is in a highly competitive retail market environment, with newer developments to the south such as Pike and Rose, and to the north in Gaithersburg, such as the Washingtonian Center at Rio and Crown Farm, and other shopping centers competing for retail, restaurant, and entertainment options.

Changing trends in e-commerce have also impacted the city’s commercial sector about how people shop and how goods are sold, creating increasing challenges to ‘bricks and mortar’ shops in the city. It is uncertain at this time whether and how the pandemic-related changes in shopping behavior and the commercial environment will continue to affect the city’s commercial sector and shopping districts. Still, Rockville has much to benefit from the current phase of retailing that emphasizes shopping experiences through placemaking and mixed-use development that places customers just an elevator ride, short walk, or bike-ride away from new restaurants or shops. Rockville’s major corridors (e.g., MD 355, Shady Grove Road, Veirs...
Mill Road) remain viable locations for commercial businesses. A projected increase in the city’s population may also help offset losses in Rockville’s customer base because of any changing behavioral or market trends (p. 44 of the Comprehensive Plan).

The following links point to studies from other jurisdictions in this region for retail analysis. However, all studies were conducted prior to the pandemic, and may not be as relevant in identifying future opportunities and trends for shopping centers.

- Montgomery County Retail Study
- Frederick-Retail-Report---Final (cityoffrederickmd.gov)

Considering that the retail industry is going through a transformation, the topic is often discussed by member jurisdictions at the Metropolitan Washington Council of Government (COF) planning directors and cooperative forecasting meetings that City staff attends. The following are some findings on emerging trends in retail as shared by the members:

- The brick-and-mortar stores are evolving, as physical stores are transforming in many instances post-pandemic into a multi-purpose space, such as fulfillment centers and entertainment venues. Shopping centers are increasingly doubling as distribution centers for online purchases.
- Another trend expected to accelerate is that web-only companies will be opening brick-and-mortar stores.
- Providing incentives for housing types in new development/redevelopment projects creates more retail demand and provides much needed housing in the area. Successful retail depends on residential population.
- Pedestrian-friendly streets, parks and thoughtfully designed public spaces for recreation, entertainment and amenities are becoming more prevalent.
- Non-traditional uses, such as educational centers, are becoming more common in shopping centers. Professional, educational, health, civic and cultural uses add customers.
- Studies show that millennials, also known as Generation Y (those who were born roughly between 1980 and 2000), tend to place a high value on experiences, and favor companies that prize social responsibility and environmental sustainability.
- Placemaking, or creating a place where people want to be, and not just shop, is more appealing to consumers.
- Landlords are increasingly integrating technology into shopping centers to facilitate e-commerce and entertainment options, to serve both the tenants and the consumers.
- Adding an extra layer of security, whether it is to follow pandemic requirements or crime management, is critical to success.
- During the COVID 19 pandemic, there was a high demand for “pick-up” and “drive-through” restaurants. It remains to be seen if this pattern for less dining room space and more drive throughs continues.

**Overview of Shopping Centers**

The Comprehensive Plan describes neighborhood shopping centers and smaller commercial centers as those that directly serve the shopping needs of their immediate areas (p. 181).
However, since the Mayor and Council have asked for general information on all shopping centers, this report will discuss the city’s overall retail infrastructure that provides needed goods and services and plays a vital role in drawing customers into the area. Attachment A includes a map providing general locations for the shopping areas that are discussed below:

- Shopping areas along MD 355 within city limits
- Rockville Town Center
- King Farm, Upper Rock and Falls Grove
- Research Row
- College Plaza
- Twinbrook Shopping Centers on Veirs Mill Road and Burgundy Park
- Seven Locks Plaza
- Rockshire Village Center (currently vacant)
- Woodley Gardens
- Smaller free-standing strip centers on Gude Dr. and in East Rockville

**Shopping Areas along MD 355 within city limits:** The MD 355 corridor in Rockville, is identified by various names such as Rockville Pike, Frederick Road, and Hungerford Drive. The Rockville Pike portion of MD 355 has been identified as the approximately 1.98-mile roadway bounded on the north by Richard Montgomery Drive, and on the south by the city’s corporate limits, near Bou Avenue. This Corridor is the city’s most regionally well-known shopping area in the MD 355 corridor and remains one of the most active commercial areas, drawing customers from within and outside city limits. In addition to daily needs, the Pike is a place to buy durable goods, including furniture and automobiles. The types of retail in the Rockville Pike Corridor include fast and casual dining, gas stations, auto repair and dealerships, banks, and specialty stores. The shopping centers in the Rockville Pike corridor include Congressional Plaza, Congressional North, Congressional Village, Woodmont Center, Sunshine Square, Talbot Center, Wintergreen Plaza, Ritchie Center, and others, with a total combined retail area of approximately 1.6 million sq. ft. The corridor also includes grocery stores like Safeway, Aldi, Food Lion, and The Fresh Market, as well as specialty stores like Best Buy, Barnes and Noble Booksellers, and Roadrunner Sports.

A new development is underway at the intersection of Halpine Road and Rockville Pike, where developer B. F. Saul Company has consolidated smaller retail parcels into an 18-acre site for a mixed-use project. The entire development, which is at the intersection of Rockville Pike and Halpine Road, is approved for 1,865 multifamily housing, 431,440 sq. ft. of office space, 472,950 sq. ft. of retail space and 9,000 sq. ft. for an entertainment venue. The development is expected to occur in phases - the first phase is currently under construction and includes a 92,000 sq. ft. grocery store (Wegmans), and up to 460 multifamily units.

In addition to the shopping areas discussed above, a portion of the MD 355 corridor within the city limits include small freestanding commercial uses and strip centers totaling approximately...
800,000 sq. ft. These strip centers include the Rockville City Center, Flagship Shopping Center, Saah Plaza, car dealerships, drug stores, general merchandise and furniture stores, food establishments, and personal services (such as banks, dry cleaners, urgent care centers and others). These areas provide a variety of restaurants, specialty retail, essential services, and commercial activities drawing customers from within and outside the city limits. The corridor provides high visibility for vehicular traffic on MD 355 and thus is a desirable location for retail. Older commercial spaces along the corridor provide affordable space for smaller retail or small businesses, resulting in a tremendous amount of ethnic diversity in restaurants, grocery stores and other retailers.

**Rockville Town Center:** Rockville Town Center includes Rockville Town Square, Rockville City Center with the adjacent Giant grocery store, freestanding retail, and other retail areas along North Washington Street and East Montgomery Avenue, offering approximately 500,000 sq. ft. of retail, restaurant, and entertainment options.

Town Square, a 12.5-acre mixed-use public/private catalyst project, is an integral part of Rockville Town Center, and includes approximately 185,000 sq. ft. of retail space.

To the south of Town Square, Duball LLC completed development of a mixed-use project with two multifamily and hotel buildings, which also include 23,100 sq. ft. of ground floor retail in one building and 22,200 sq. ft. of ground floor retail space in the other building. (Note: The Duball properties in Town Center have recently been purchased by Comstock Holdings, Inc.) Across the street, at 199 East Montgomery Avenue, 94,234 Sq. ft. of retail is located with Regal Cinemas as the anchor, and a variety of restaurants and other services.

The blocks immediately to the north of Town Square contain a Walgreens drug store and a two-story building with office and retail space, with several restaurants that are anchored by the Bank of America. Adjacent to the property in The Metropolitan multifamily building, is approximately 7,000 sq. ft. of general retail space with a restaurant, community open space available for public use, and 300 sq. ft. of outdoor open space. The retail component introduces a new dining trend, offering a diversity of Asian-fusion food merchants in a cafeteria-style setting.

Freestanding retail on the west side of North Washington Street, between West Montgomery Avenue and Martins Lane, includes older developments such as the 33,456 sq. ft. Courthouse Center (built in 1970) and the 6,700 sq. ft. Bell’s Corner (built in 1963) located at 90-98 W. Montgomery Avenue. The Comprehensive Pan notes on p. 258 that these properties have not seen much development activity for the past twenty years, and that there is potential for growth in the area, especially in residential or office uses, to bring greater vitality and value to Town Center.

To improve vitality in Town Center and understand the factors that promoted closure of businesses in the area, the City contracted in July of 2020 with the Urban Land Institute (ULI) to bring a Technical Assistance Panel to study Town Center. Some of the recommendations from
the Panel included developing a unified vision and branding for Town Center, improving access, designing streets to emphasize pedestrians and local traffic, improving parking access, connecting open spaces for improved network, and others.

The ULI Panel suggested that, based on the market area that it is most likely to serve, Rockville Town Center can be perceived more as a neighborhood center than as a regional center. According to the Panel, with an average of about 23 sq. ft. of retail per capita, and with over 500,000 sq. ft. of retail containing about 17,000 to 20,000 people in the retail catchment area, Town-Center is over-retailed in the current scenario. (ULI Technical Assistance Panel Report p. 14-15).

The City remains invested in the success of Rockville Town Center, and the Mayor and Council continue to implement efforts with several long and short-term actions to enhance the existing environment.

**King Farm, Upper Rock and Fallsgrove:** King Farm and Fallsgrove both include ‘village center’ shopping areas anchored by major grocers.

King Farm Village Center is the primary retail center for the neighborhood in which it sits, with 120,000 sq. ft. of commercial space, including a Safeway grocery store. Residents from the King Farm community had noted to City staff during the listening sessions for the Rockville 2040 Plan, and on other occasions, that the lack of visibility of the Center from MD 355 is a major concern for attracting customers.

To the northwest of King Farm, along Shady Grove Road and the city’s northern corporate limits, is Upper Rock, a mixed-use planned development with residential apartments, retail shops, and structured parking complementing existing offices. Upper Rock includes 34,700 sq. ft. of retail/commercial development with a grocery store (Mom’s Organic), a CVS pharmacy and restaurants, and an outdoor plaza with green spaces.

Fallsgrove Village Center, a very robust and a successful retail center, is located along Shady Grove Road and includes 125,940 sq. ft. of retail with a Safeway grocery store as an anchor and other retailers including restaurants. Although Fallsgrove Village Center has been very successful in retaining tenants, patrons have expressed concern during the Rockville 2040 listening sessions about limited vehicular access points, poor vehicle circulation and insufficient parking capacity.

**Research Row:** Research Row parcels include an office building, a Best Western Hotel, a self-storage facility, and retail at the corner of West Montgomery Avenue and Research Boulevard. A new 190,000-square-foot development was completed in 2019 with retail, restaurants, and a fitness center across four buildings providing new dining and services for the area, adding new vitality to the location. Research Row has good visibility from interstate I-270 and is very accessible from Exit 6B from the highway.
College Plaza: College Plaza is an approximately 110,000 sq. ft. shopping center located at the corner of West Gude Drive and Frederick Road. Major anchors of this shopping center include an Asian grocery store (New York Mart), The Tile Shop and Advance Auto parts.

Rockville’s Comprehensive Plan supports improving pedestrian and bicycle access between Montgomery College and College Plaza, and connecting the entire area better with Town Center. Key policies from the Comprehensive Plan include significantly improving sidewalks and bicycle facilities on MD-355, and creating a potential new pedestrian path and bikeway connecting the properties owned by the College, Montgomery County Public School (MCPS) and the City of Rockville, to each other and to areas north and south. It also calls for establishing a walking path that is not along MD-355, between the Montgomery College campus and the College Plaza site.

The Comprehensive Plan also supports a long-term redevelopment of the College Plaza that results in a more cohesive, walkable, urban-scale pattern with a mix of housing, educational, and commercial uses.

<table>
<thead>
<tr>
<th>PA#</th>
<th>Planning Area Name</th>
<th>Plan Item</th>
<th>Item #</th>
<th>Item Description</th>
<th>Mechanism</th>
<th>Timeframe</th>
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</thead>
<tbody>
<tr>
<td>7</td>
<td>Montgomery College Area</td>
<td>Focus Area</td>
<td>A2</td>
<td>College Plaza Shopping Center and West Gude Office Park - A zoning change from the current MXCD (Mixed-Use Corridor District) is not recommended, though potential creation of a future bus rapid transit station at the intersection of MD-355 and E/W Gude Drive may warrant consideration of the MXTD (Mixed-Use Transit District) zone in the future.</td>
<td>Comprehensive Zoning Update</td>
<td>Near-term (1-3 years)</td>
</tr>
<tr>
<td>7</td>
<td>Montgomery College Area</td>
<td>City Project</td>
<td>P3</td>
<td>Improve pedestrian and bicycle access between Montgomery College, College Plaza Shopping Center, and Rockville Town Center, including significantly improving sidewalks and bicycle facilities on MD-355 and creating a potential new pedestrian path and bikeway connecting the properties owned by the College, MCPS and the City of Rockville, to each other and to areas north and south. (See also Actions Goal 2 and Action 8.5 of the Transportation Element)</td>
<td>City Initiative, Study or Program</td>
<td>Near-term (1-3 years)</td>
</tr>
</tbody>
</table>
### Twinbrook Shopping Centers on Veirs Mill Road and Burgundy Park Shopping Center:

**Twinbrook Center and Twinbrook Marketplace:** A collection of retail establishments exist along Veirs Mill Road near its intersection with Twinbrook Parkway. A public library and United States Post Office are also located within this focus area. The Comprehensive Plan recommends on p. 342 that “Redevelopment of property in this area should contribute toward a pedestrian-oriented, urban-scale streetscape. New developments should orient primary building facades and front doors toward a street or public open space to frame the edges of streets, parks, and open spaces, and to foster activated pedestrian areas. Building frontages should include ground-floor uses that attract customers or regular visitors, enhanced pedestrian areas and amenities, attractive landscaping, and bicycle infrastructure.”

Another shopping center located in the Twinbrook and Twinbrook Forest Planning area is the Burgundy Park Shopping Center, dating from the 1960s, and which is the home of several longtime tenants and local businesses. The Land Use Policy Map of the Comprehensive Plan designated CRM (Commercial Residential Mix) to this area to allow for redevelopment of the shopping center into a mixed-use, neighborhood-scale infill development, with residential units above updated commercial spaces.

### Twinbrook and Twinbrook Forest Planning Area

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<th>PA#</th>
<th>Planning Area Name</th>
<th>Plan Item</th>
<th>Item #</th>
<th>Item Description</th>
<th>Mechanism</th>
<th>Timeframe</th>
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<tbody>
<tr>
<td>8</td>
<td>Twinbrook and Twinbrook Forest</td>
<td>Focus Area</td>
<td>A6</td>
<td>Burgundy Park Shopping Center - Rezone the property from MXC (Mixed-Use Commercial) to MXNC (Mixed-Use Neighborhood Commercial).</td>
<td>Comprehensive Zoning Update</td>
<td>Near-term (1-3 years)</td>
</tr>
<tr>
<td>8</td>
<td>Twinbrook and Twinbrook Forest</td>
<td>City Project</td>
<td>P5</td>
<td>If the Twinbrook Shopping Center redevelops, the extension of Atlantic Avenue, through the shopping center to McAuliffe Drive, should be studied to determine if the extension will improve traffic circulation for the surrounding community. The study should address traffic</td>
<td>City Initiative, Study or Program</td>
<td>To Be Determined</td>
</tr>
<tr>
<td>PA #</td>
<td>Planning Area Name</td>
<td>Plan Item</td>
<td>Item #</td>
<td>Item Description</td>
<td>Mechanism</td>
<td>Timeframe</td>
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<td>calming and pedestrian and bicycle access and safety by utilizing the existing signalized intersection.</td>
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</table>

**Seven Locks Plaza:** This freestanding neighborhood center with 50,721 sq. ft. of retail is anchored by a Walgreen’s pharmacy and includes restaurants, a coffee shop, and other retailers. The Comprehensive Plan recommends on p. 372 to provide better connections between existing and future neighborhoods and the shopping area. Although not within the city limits, Park Potomac shopping center is adjacent to Potomac Woods, and is anchored by a Harris Teeter grocery store and is adjacent to an assortment of restaurants and other services.

**Rockshire:** Rockshire Village Center was a small indoor retail mall of approximately 52,000 square feet. It opened in 1978 and remained viable for several decades. The grocery store anchor (Giant Food) closed in 2012, as did the other retailers over the next few years. A retail market study produced by the property owner made the case that retail of any significant scale was no longer viable at that location, due to the new nearby competition from shopping centers such as Park Potomac, Fallsgrove, Traville Village Center and Travillah Square. Also, its low-visibility location on Wootton Parkway, a mile or more from major intersections, is also not ideal since retail tenants make site selection decisions based on passing traffic counts and visibility, among other factors.

At Rockville 2040 meetings, and at community meetings held in 2019 regarding the future of this site, residents expressed a preference for retaining at least some retail uses and/or a community amenity, and opposition to new development that would be exclusively residential.

A developer is considering options for redevelopment that would be majority residential but contain some commercial use.

**Woodley Gardens:** The Woodley Gardens Shopping Center is an approximately 30,000-sq.-ft. freestanding shopping center located on Nelson Street, adjacent to I-270, thus providing high visibility from the highway. It provides a variety of restaurants and retail services, with some popular establishments such as the Hard Times Café and Carmen’s ice-cream shop, which attract and serve users well beyond the immediate neighborhoods. A key issue identified during the Rockville 2040 Plan effort were the “Concerns of the community over the long-term economic viability of Woodley Gardens Shopping Center.” (p. 315). The Comprehensive Plan supports the continued operation of the Shopping Center (p. 316).
### Relevant Policies and Recommended Actions from the Comprehensive Plan

The Comprehensive Plan includes various goals, policies, and actions to improve the vitality of shopping centers. The following table includes key policies, actions, and current implementation status related to shopping centers.

<table>
<thead>
<tr>
<th>Element</th>
<th>Policy #</th>
<th>Action #</th>
<th>Item Description</th>
<th>Mechanism</th>
<th>Status</th>
</tr>
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</table>

### Free-standing strip centers on E. Gude Drive

Shopping centers along E. Gude Drive within the city limits include small strip centers such as the Green Center (13,400 sq. ft.) and the Gude Plaza (85,677 sq. ft.), featuring retail that provides a variety of food options and services such as banking, insurance and auto repair.

The retail area along the East Gude corridor that includes properties both in the city and the county was recently branded as Rock East District. This initiative from REDI rebranded the area as a makers district that ties the breweries, distillery, restaurant, trails, sports, businesses, retail, auto repair, and home improvement business together with the logo and tagline “Experiences Made Here”.

### East Rockville

Maryvale strip shopping center located at the corner of North Horners and Lincoln Street, includes a mix of restaurants, a small market and a laundromat, providing the neighborhood with options for walkable, neighborhood-serving commercial businesses. The Comprehensive Plan recommends on p. 274 that if the property redevelops, a mix of moderately dense residential development, with ground-floor commercial, would be appropriate.

Maryvale Mart, located at 500 North Horners Lane, is a non-conforming use. The Lincoln Park Neighborhood Plan, as adopted in 2007, recommends on p. 23 that the use eventually cease operations to minimize conflicts with the neighborhood.

A 4,200-sq. ft. commercial property located at 614 South Stonestreet Avenue in the East Rockville neighborhood was formerly a convenience mart and a Chinese restaurant, and is currently a business for sales of hot tubs and saunas.
<table>
<thead>
<tr>
<th>Land Use</th>
<th>8</th>
<th>8</th>
<th>Promote Rockville Town Center as a transit-oriented employment, shopping, residential, and entertainment destination.</th>
<th>City Policy</th>
<th>Ongoing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use</td>
<td>10</td>
<td>10</td>
<td>Enhance Rockville Pike’s market position as a premier shopping area, supported by residential uses and plan for additional growth near the Twinbrook Metro Station.</td>
<td>City Policy</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Land Use</td>
<td>12</td>
<td>12</td>
<td>Develop plans for Rockville’s older neighborhood shopping centers that address issues of pedestrian access, storefront aesthetics, land use mix, and urban design.</td>
<td>City Initiative, Study or Program</td>
<td>Near-term (1-3 years)</td>
</tr>
<tr>
<td>Land Use</td>
<td>12</td>
<td>12.2</td>
<td>Consider inclusion of higher-density housing as part of shopping center revitalization and redevelopment planning, as a financial incentive and support for future businesses.</td>
<td>City Policy</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Land Use</td>
<td>17</td>
<td>17</td>
<td>Support retail uses along Rockville’s commercial corridors and other shopping areas.</td>
<td>City Policy</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Land Use</td>
<td>17</td>
<td>17.2</td>
<td>Allow off-site signage, where deemed useful and beneficial, to direct customers to Rockville’s shopping areas that are not visible from major arterials.</td>
<td>City Standard or Regulation</td>
<td>Near-term (1-3 years)</td>
</tr>
<tr>
<td>Land Use</td>
<td>18</td>
<td>18.2</td>
<td>Establish Rockville Town Center as a civic and cultural destination, including shopping, dining, arts and cultural amenities, and a live entertainment venue.</td>
<td>City Policy</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Transportation</td>
<td>13</td>
<td>13.5</td>
<td>Continue to monitor changing travel patterns and behaviors to anticipate emerging trends in teleworking/telecommuting, shopping, and recreation.</td>
<td>City Initiative, Study or Program</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Economic Development</td>
<td>5</td>
<td>5.1</td>
<td>Partner with REDI to expand support for commercial business development and recruitment, with a focus on supporting Rockville Town Center and neighborhood shopping areas.</td>
<td>City Initiative, Study or Program</td>
<td>Near-term (1-3 years)</td>
</tr>
<tr>
<td>Economic Development</td>
<td>7</td>
<td>7</td>
<td>Support neighborhood and local shopping centers where there is market opportunity.</td>
<td>City Policy</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>
**Economic Development** 7  7.3  Plan for residential density as part of shopping center revitalization to support commercial businesses by building in a customer base and allowing for site-specific mixed-use projects. Shopping center revitalization should not be at the expense of displacing small businesses, unless efforts include aiding the return to the same shopping center or in another area within the city.  City Initiative, Study or Program  Ongoing

| Economic Development | 9 | 9 | Maintain Rockville Pike’s market position as a regional shopping destination, supported by residential uses. | City Policy | Ongoing |

**Recommendations for Consideration**

As identified in this report, the recently-adopted Comprehensive Plan sets forth numerous actions that directly or indirectly related to shopping centers. Staff’s initial recommendation includes confirming the Short-Term Recommendations (Completion within 1 to 3 years) that are listed in this report.

In addition to the City’s ongoing efforts, in partnership with Visit Montgomery, REDI has developed an [Explore Rockville website](#) that highlights things to do and see in the city. The website includes a business directory where Rockville retailers, restaurateurs and service providers can list their business. This is a resource that helps small businesses reach a greater audience and customer base, especially as it leverages the [Visit Montgomery](#) SEO (search engine optimization). REDI is developing the ability to sort by commercial neighborhoods and to help consumers identify minority-owned and operated businesses. REDI and Visit Montgomery will launch and market this new resource to raise awareness for residents, visitors and businesses. In addition, in FY2023, campaigns to highlight the international dining scene in Rockville will be developed, which will further assist Rockville businesses.

The City also established a Small Business Impact Fund in 2019 to support local businesses in certain commercial areas. The program is administered by REDI.

The following specific actions are recommended for the Mayor and Council’s consideration:

1. **Comprehensive Zoning Ordinance Rewrite** - A key implementation step of the Comprehensive Plan is to update the Zoning Ordinance to reflect and be consistent with the Land Use policies of the Comprehensive Plan. The Mayor and Council have included
funding ($300,000) in the Recommended FY23 Budget to hire a consultant to work with City staff on the Zoning Ordinance Rewrite in the FY23 budget. As noted above in the matrices, a number of the recommended actions related to shopping centers and retail areas can be achieved through this project. Additional FAST-related items to improve development and permitting processes would be included with the Ordinance Rewrite, which should assist shopping center and retail owners.

2. **Shopping Center Stakeholders Workshop** - Staff recommends, in partnership with REDI, to conduct a stakeholder workshop with the property managers of the City’s shopping centers, to better understand local retail activity, regulatory concerns, and their recommendation on what the City can do to support shopping centers and their tenants. Some of these recommendations could be addressed through the Zoning Ordinance Rewrite.

3. **Create a Business Action Team** (name could be different) – This action team would be comprised of Community Planning and Development Services and Public Works staff, along with a representative from REDI and/or the Rockville Chamber. The purpose of this team would be to meet with potential businesses, or current businesses that want to expand, to work cohesively together with the focus on promoting the city and helping business owners through the process to completion. Other jurisdictions that have these programs prove to be successful with increasing private investment and retaining businesses.

4. **New Business Welcome Package** – This package could include a resource document with links and materials to provide information on the benefits that the City offers to the business community. Since REDI is in the process of creating more digital marketing, the City should consider a digital welcome packet to be sent out to new businesses, once finalized.

5. **Develop a Legacy Business Program** – The results of the pandemic have placed stress on long-standing barbers, bakeries, restaurants, and other business that have stood the test of time and have created and sustained a sense of place for generations. The American Planning Association conducted a session where unique Legacy Business Programs were created. Below is an excerpt from the session description:

   Communities have started exploring legacy business programs, which range from simple documentation to marketing campaigns to technical assistance programs to grants and incentives. Legacy business programs are also part of a movement to address the “diversity deficit” in the preservation field. Practitioners increasingly call for new ways to document and promote intangible culture (rather than merely architecture) and utilize new media to spread “living history;” foster inclusion and “social sustainability;” broaden the constituency for historic preservation; and ensure that vernacular and underrepresented heritage is not lost. These programs have been successful in San
Francisco, San Antonio, TX and Cambridge, MA. Each have different approaches to identifying, documenting and promoting legacy businesses in their communities.

Staff welcomes direction on these initial recommendations and seek other recommendations from the Mayor and Council.

**Mayor and Council History**

Although the topic of Neighborhood Shopping Centers has not been specifically discussed previously, the Mayor and Council received updates on economic conditions at Town Center and other city locations regularly in the past. During the review of the Comprehensive Plan, the topic was discussed city-wide and in detail within the planning areas. The Mayor and Council received regular updates on what actions were taken by various city departments to support local businesses during the COVID-19 pandemic. At their meeting on January 4, 2021, the Council also discussed various policy mechanisms that involve the creation of special districts to promote economic success, of which retail is an important component.

**Next Steps**

Following the direction from the Mayor and Council, staff will develop a work program and timeframe for completing these items with the Comprehensive Plan implementation items.

**Attachments**

Key Shopping Center Locations in the City  (PDF)

Attachment 14.a: Key Shopping Center Locations in the City  (PDF)
<table>
<thead>
<tr>
<th>Name</th>
<th>Address/Phone/Email</th>
<th>Topic</th>
<th>Speaking on Behalf of</th>
</tr>
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<tbody>
<tr>
<td>Speaker by Computer</td>
<td>872 New Mark Esplanade</td>
<td>Montgomery County Public School Overcrowding</td>
<td>BRES PTA Advocacy Committee Chair</td>
</tr>
<tr>
<td>Ansalan Stewart</td>
<td>Rockville, MD 20850</td>
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</tr>
<tr>
<td>BRES PTA Advocacy Committee Chair</td>
<td>240-491-7792</td>
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<tr>
<td>Committee Chair</td>
<td><a href="mailto:ansalan.stewart@gmail.com">ansalan.stewart@gmail.com</a></td>
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<tr>
<td><strong>Written Comments</strong></td>
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<td>Potomac Valley Sidewalk Project</td>
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<tr>
<td>Pat Reber</td>
<td>705 New Mark Esplanade</td>
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<td>Rockville, MD 20850</td>
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<td>240 447 5343</td>
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<tr>
<td><strong>Written Comments</strong></td>
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<td>Agenda Item No. 5</td>
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<tr>
<td>Tanya McBride, MS, MBA, PMP</td>
<td>1009 Julian Pl</td>
<td>MCPS – Overcrowding at Bayard Rustin Elementary School</td>
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<td>Rockville, MD 20852</td>
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</tbody>
</table>
I am unable to attend Mayor and Council this Monday evening and ask that my following message be shared during Community Forum.

My name is Pat Reber. I live at 705 New Mark Esplanade, and am a past recipient of the city’s Good Neighbor Award.

I am concerned about an apparent rush to install a new sidewalk along Potomac Valley Road right up against the backyards of four neighbors. This is happening without adequate notice to the residents.

The affected New Mark Commons residents were given only two days notice before learning about the project and the informational briefing held on April 28. Jennifer Wang, Senior Transportation Engineer who is responsible for this project, was herself distributing the notices in the afternoon of April 26. She was on foot and asked me for help in reaching the affected homes. She told me the notices were to have been mailed out two weeks before but it hadn’t been done.

Isn’t it usual for the city to give at least two weeks notice to affected neighbors before the initial informational meeting about a project? Why didn’t the city delay the April 28 meeting until this could happen?

You will be hearing more from my neighbors and the New Mark Commons Board of Directors this evening. Meanwhile, I invite you to come out and look for yourselves. Twenty trees have already been marked for destruction, removing any vestige of privacy the four residents along the stretch have had. The sidewalk will butt up directly against their property lines, putting their master bedrooms, kitchens, decks and backyards at the bottom of the steep slope from the sidewalk directly in the line of vision of pedestrians. The removal of all the trees will also cause erosion onto their properties.

I hope Mayor and Council will take a second look at this project before allowing it to rush forward. We have been told the trees will be removed within the next two weeks. And there is already an adequate sidewalk on the opposite side of the street that allows safe passage.

Thank you for listening,

Pat Reber
705 New Mark Esplanade
240 447 5343
From: Tanya McBride <tanya.z.mcbride@gmail.com>
Sent: Sunday, May 8, 2022 11:10 PM
To: boe@mcpsmd.org; Brenda_Wolf@mcpsmd.org; Karla_Silvestre@mcpsmd.org; Judy_Docca@mcpsmd.org; Shebra_L_Evans@mcpsmd.org; Lynne_Harris@mcpsmd.org; Rebecca_K_Smondrowski@mcpsmd.org; Hana_O'Looney@mcpsmd.org; mayorcouncil <mayorcouncil@rockvillemd.gov>; Councilmember.Albornoz@montgomerycounty.md.gov; Councilmember.Friedson@montgomerycounty.md.gov; Councilmember.Glass@montgomerycounty.md.gov; Councilmember.Hucker@montgomerycounty.md.gov; Councilmember.Jawando@montgomerycounty.md.gov; Councilmember.Katz@montgomerycounty.md.gov; Councilmember.Navarro@montgomerycounty.md.gov; Councilmember.Rice@montgomerycounty.md.gov; Councilmember.Riemer@montgomerycounty.md.gov
Subject: Please help address overcrowding at Bayard Rustin Elementary School in Rockville MD

Hello Rockville City and Montgomery County government leadership:

I am a concerned parent of a 3rd grader and a Kindergartner at Bayard Rustin Elementary School (BRES) in Rockville. I'm writing to you to ask for decisive and immediate action to address overcrowding at our school.

The school has already had to add an additional 3rd grade class and an additional Kindergarten class in the middle of the school year, causing disruptions to students and teachers. Students and teachers are being forced to find new spaces in the building to re-purpose and try to use as instructional space. Some groups are doing their focused reading sessions in the hallways. Both of my children have been impacted as the grades with the largest classroom sizes are in their grades (3rd and Kindergarten). They come home each week and mention the names of the new students that have joined their classroom. The classrooms are bustling at the seams, and the school is only a few years old.

Enrollment at BRES, which opened just 4 years ago, is already over-capacity, has greatly outpaced projections and is now above 800 students; the school was built to hold 740 students max capacity. With new students joining almost every day at the school this school year and hundreds of new houses being built within school boundaries, this problem will only get worse unless you act. BRES leadership has implemented stop-gap measures to expand capacity within the building this year, but these measures will be insufficient to address increasing enrollment.

Our two closest in-cluster elementary schools, Beall and College Gardens, are now at or below 80% capacity, indicating that there is room to rebalance the student population within the cluster. We therefore also ask that you and the rest of the MCPS Board of Education (BOE) evaluate and enact changes beyond in-school measures to address this issue, including the following immediate and longer-term possibilities.

Immediate actions:

- Discontinue sending any new students from the International Organization (IO) to BRES; instead, assign them to another nearby school in the cluster that is under-enrolled
- Relocate the PEP program to a school within the cluster that is under-enrolled
- Temporarily install relocatable classrooms over the summer of 2022 at BRES to avoid disruption of classroom instruction
Longer-term actions:

Reassign planned, but un-built housing developments to other schools within the cluster

Perform a focused boundary analysis to redistribute students within our cluster

These actions—which were defined by a BRES PTA advocacy group on overcrowding, approved by the BRES PTA board, and shared with the school principal and PTA membership—are workable solutions that MCPS can and should consider now, before overcrowding negatively impacts our school community and vibrant culture.

We ask for your expertise in considering and implementing any of the above changes to maintain staff talent, limit disruption, and ensure an inclusive and equitable environment. Thank you for your attention and action on this critical issue.

Sincerely,

Tanya Z. McBride, MS, MBA, PMP

tanya.a.mcbride@gmail.com