# MAYOR AND COUNCIL

## MEETING NO. 32-20
## Monday, October 19, 2020 – 6:00 PM

## AGENDA

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

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

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

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

**Participating in Community Forum & Public Hearings:**

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

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

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

1. Send your **Name**, **Phone number**, **the Community Forum or Public Hearing Topic** and **Expected Method of Joining the Meeting (computer or phone)** to mayorandcouncil@rockvillemd.gov no later than **9:00 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 5:40 p.m. (approximately 20 minutes before the actual meeting start time).
4. Read for https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex
5. meeting tips and instructions on joining a Webex meeting (either by computer or phone).
6. If joining by computer, **Conduct a WebEx test**: https://www.webex.com/test-meeting.html prior to signing up to join the meeting to ensure your equipment will work as expected.
7. Participate (by phone or computer) in the optional Webex Orientation Question and Answer Session at 3 p.m. the day of the meeting, for an overview of the Webex tool, or to ask general process questions.

**Participating in Mayor and Council Drop-In (Mayor Newton and Councilmember Feinberg)**
Drop-In Sessions will be held by phone on Monday, November 9 from 5:30-5:45 p.m. **Please sign up by 2 p.m. on the meeting day using the form at: https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227**

6:00 PM **1. Convene**

**2. Pledge of Allegiance**

**3. Agenda Review**

6:05 PM **4. City Manager's Report**

6:15 PM **5. COVID-19 Update**

6:25 PM **6. Proclamation**

**A. Economic Development Week Proclamation (Mayor Newton)**

6:30 PM **7. Charter Review Commission Appointments and Announcement**

**A. Announcements of Appointments 2020 Charter Review Commission**

6:40 PM **8. Community Forum**

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

**9. Mayor and Council's Response to Community Forum**

7:00 PM **10. Public Hearing on Zoning Text Amendment TXT2020-00257, to Amend Article 10 of the Zoning Ordinance to Establish a New Section Titled "Design Guidelines" to Implement the Draft East Rockville Design Guidelines and Standards; Mayor and Council of Rockville, Applicants**

7:45 PM **11. Consent**

**A. Revisions to Face Covering Policy for COVID-19 Pandemic**

**B. Approval to Increase Baltimore County Contract #B-1101 Rider, On-Call Stormwater Management Services and Environmental Restoration Services, to Apex Companies, LLC in the Amount Not to Exceed $350,000**

**C. Award of a Special Procurement Contract for Construction Phase Engineering Services for the Rockville Intermodal Access: Baltimore Road CIP Project, to Rummel, Klepper, and Kahl, LLP, in the Amount Not to Exceed $144,102.35.**

**D. Award of Contract for R11 MC Office Renovation/PEG Studio Set Build**

**E. Award of IFB #01-19, Rockville Intermodal Access: Baltimore Road Improvements, to Locust Lane Farms, Inc. of Upper Marlboro, MD in the Amount Not to Exceed $5,809,224.12**

**F. City of Rockville, Maryland and Pinneberg, Germany Sister City Agreement**

7:50 PM **12. Discussion of Additional Testimony to the County Council on the Montgomery County Growth Policy** π ¦LJŘI·ŭŜ YŜY2 I·ŭŭI·ŏKŜŘ I·ŭ ŜyŘ 2T !ƎŜyŘI·

7:55 PM **13. Discussion on the 2020 Charter Review Commission Scope of Work**

8:55 PM **14. Undergrounding of MD 355**

9:25 PM **15. Washington Metropolitan Area Transit Authority (WMATA) Rockville Station Study Scope**

10:05 PM **16. FY20 Minority, Female, and Disabled-Owned Businesses (MFD) Program Update**

10:25 PM **17. Vacancy Report/Hiring Freeze Status**

10:35 PM **18. Review and Comment - Mayor and Council Action Report**

**A. Action Report**

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

**A. Future Agendas**

**20. Old/New Business**

10:50 PM **21. 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.

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Proclamation
Department: City Manager's Office
Responsible Staff: Linda Moran

## Subject

Economic Development Week Proclamation

## Recommendation

Staff recommends that the Mayor and Council read and present the proclamation to Susan Prince, Chair of the Rockville Economic Development Inc. Board of Directors

## Discussion

This proclamation declares October 19 – 23, 2020 as Economic Development Week in the City of Rockville. It is an annual opportunity to join other communities in recognizing the importance of investments and partnerships that further economic development across the State of Maryland.

Rockville Economic Development, Inc. (REDI) was formed in 1997 as a 501 (c) (3) by the City of Rockville to proactively support existing industry and attract new business to the city. REDI provides businesses with the necessary tools to get started in Rockville, and offers guidance and support to business ventures in the city.

Economic development is a critical component of a vibrant community such as Rockville. Through targeted activities and programs that work to improve the economic well-being and quality of life, economic development builds local wealth, diversifies the economy, creates and retains jobs, and expands the local tax base.

## Mayor and Council History

This is the first time that this item has come before the Mayor and Council.

## Attachments

Attachment 6.A.a: 2020 Economic Development Week (PDF)

Rob DiSpirito, City Manager 10/14/2020

# Proclamation

ROCKVILLE · MARYLAND

This proclamation recognizes the week of October 19-23, 2020, as Economic Development Week in the City of Rockville. Economic Development Week is an annual opportunity to join other communities in recognizing the importance of investments and partnerships that serve to advance economic development across the State of Maryland.

WHEREAS, the economic growth and stability of the State affects all regions and jurisdictions of Maryland; and

WHEREAS, the City of Rockville is a vital component of Maryland's economic success; and

WHEREAS, Rockville Economic Development, Inc. (REDI), a non-profit organization formed in 1997 by the City of Rockville to proactively support existing industry and attract new businesses to the City of Rockville, is an active member of the Maryland Economic Development Association (MEDA), a non-profit organization that promotes economic development as an investment in Maryland and Marylanders; and

WHEREAS, MEDA members promote the economic well-being of Maryland by working to improve the state's business climate and the professionalism of those working in the field of economic development in the State; and

WHEREAS, REDI shall highlight a number of Rockville's successful business attraction, expansion and retention efforts during the week of October 19-23, 2020;

NOW, THEREFORE BE IT RESOLVED, that the Mayor & Council hereby proclaim the week of October 19-23, 2020, to be Economic Development Week in the City of Rockville, in recognition of the importance of economic development as it creates new opportunities and transforms lives.

Bridget Donnell Newton

Bridget Donnell Newton, Mayor

Monique Ashton, Councilmember

Beryl L. Feinberg

Beryl L. Feinberg, Councilmember

David Myles, Councilmember

Mark Pierzchala, Councilmember

**October 19, 2020**

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Appointments & Announcement of Vacancies
Department: City Clerk/Director of Council Operations Office
Responsible Staff: Sara Taylor-Ferrell

## Subject

Announcements of Appointments 2020 Charter Review Commission

## Recommendation

**Charter Review Appointments**

Fred Evans, Chair
Dr. Lois Neuman, Board of Supervisors of Elections
John Becker
David Gottesman
Harold Hodges
Jack Kelly
Krishna Kumar
Anita Powell
Judy Rudolph
Izola Shaw
Marissa Valeri
Robert Wright

## Discussion

Resolution No. 1A-20 was adopted on February 24, 2020, to establish a Charter Review Commission to review and make recommendations to the Mayor and Council on certain provisions related to elections contained in the Charter of the Rockville City Code.

## Mayor and Council History

The Mayor and Council discussed establishing a Charter Review Commission at the January 13, 2020 meeting.

## Attachments

Resolution 1A-20 To Establish 2020 Charter Review Commission (PDF)

Sara Taylor-Ferrell, City Clerk/Director of Council Operations 10/14/2020

Sara Taylor-Ferrell, City Clerk/Director of Council Operations 10/14/2020

Resolution No. 1A-20

RESOLUTION: To establish a Charter Review Commission to review and make recommendations to the Mayor and Council regarding the Charter of the City of Rockville

WHEREAS, the Mayor and Council is resolved to further perfect Rockville's form of government; and

WHEREAS, the Mayor and Council desires to establish a Charter Review Commission for the purpose of reviewing certain provisions of the City Charter and making recommendations to the Mayor and Council; and

WHEREAS, the Mayor and Council will be holding a public hearing to solicit input from the public regarding on what provisions of the City of Rockville Charter needs to be reviewed and updated; and

WHEREAS, once the public hearing is held, the Mayor and Council will adopt a resolution setting forth the provisions and/or topics upon which it wants the Charter Review Commission to review and make recommendations; and

WHEREAS, the Mayor and Council have agreed to establish the Charter Review Commission in accordance with the provisions set forth below.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE MARYLAND, as follows:

That a Charter Review Commission is hereby established as follows:

a. The Charter Review Commission shall be comprised of no more than eleven members, all of whom shall be residents of the City.

b. The City shall solicit applications for the Charter Review Commission from eligible members of the public according to the appointment procedures prescribed in the Mayor and Council's "Guidelines And Procedures For Citizen Boards and Commissions."

c. Each member of the Mayor and Council may choose one member to serve on the Charter Review Commission. The Mayor and Council shall select and approve five additional members.

d. The Chair of the Supervisors of Elections shall additionally serve as a non-voting *ex officio* representative to the Charter Review Commission.

e. The Mayor shall nominate, and the Council shall approve, an additional member to serve as the Chair of the Charter Review Commission.

f. Once established, the Charter Review Commission will review the City's Charter and provide recommendations to the Mayor and Council in accordance with the resolution setting forth the provisions and/or topics to be reviewed.

**********

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 February 24, 2020.

Sara Taylor Ferrell, City Clerk/Director of
Council Operations

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Public Hearing
Department: PDS - Comprehensive Planning
Responsible Staff: Andrea Gilles

## Subject

Public Hearing on Zoning Text Amendment TXT2020-00257, to Amend Article 10 of the Zoning Ordinance to Establish a New Section Titled "Design Guidelines" to Implement the Draft East Rockville Design Guidelines and Standards; Mayor and Council of Rockville, Applicants

## Recommendation

Hold a public hearing on Zoning Text Amendment TXT2020-00257 and the East Rockville Design Guidelines and Standards.

## Change in Law or Policy

The proposed Zoning Text Amendment TXT2020-00257 (Attachment A), will amend Article 10 – Single Dwelling Unit Residential Zones, of the City's Zoning Ordinance, to establish a new "Design Guidelines" section. Approval of the zoning text amendment will implement the East Rockville Design Guidelines and Standards (Attachment B). The new zoning provisions will be administered by the Department of Planning and Development Services (PDS), which will oversee compliance.

## Discussion

The proposed zoning text amendment (ZTA) to add a Design Guidelines section to Article 10 of the Zoning Ordinance will implement, and provide reference to, the East Rockville Design Guidelines and Standards document. If approved, compliance with the Design Guidelines and Standards will be required in order for a building permit to be issued for a single unit detached dwelling, or for an addition to an existing single unit detached dwelling in East Rockville. The document includes both standards (the "wills" and the "musts)" that require compliance; and guidelines, to which adherence is strongly encouraged.

The Planning Commission completed its review of the ZTA and the East Rockville Design Guidelines and Standards document on August 5, 2020. Attachment C is a memorandum from the Planning Commission that includes its recommendations for consideration by the Mayor and Council.

Staff recommends that, after holding the public hearing, the public record remain open until Monday, October 26, 2020 at 5:00 PM. After the close of the public hearing, the Mayor and

Council receive all the testimony as submitted. Staff will organize the key issues from the public testimony and the Planning Commission recommendations for review at an upcoming work session. At that time, the Mayor and Council will have the opportunity to discuss the testimony and vote to provide direction to staff on any desired adjustments to the draft proposal.

**Issues Addressed in the Design Guidelines and Standards**
The draft Design Guidelines and Standards document is organized into eleven issues. These issues were developed in response to development and design concerns raised by East Rockville residents throughout the engagement process, which took place between October 2018 and October 2019, and were refined based on feedback.

To follow is a brief description, including general intent, of each of the issues included in the proposed Design Guidelines and Standards. More detail, including graphic examples, can be found in the document itself (Attachment B). Also provided below are key points of discussion for some of the issues that, during the engagement process, generated greater debate due either to their complexity or to the unique approach proposed to address the issues.

Prior to authorizing this project, the Mayor and Council provided staff with several questions that it wanted staff to address with the Planning Commission during its review process. Those items are also included as part of the Key Points of Discussion component for the relevant issue.

**<u>Building Orientation (Issue 1)</u>**
Building orientation refers to the way a building is positioned on its lot and how it relates to neighboring buildings and to the street. Buildings and front entryways that are oriented toward the street establish a welcoming atmosphere along the block and contribute to a walkable environment by leading people directly to and from the public sidewalk or street.

***Key Points of Discussion***

- **Front Entrances**: Normally, the proposed standard would simply require that the front entrance of the building face the street. It was pointed out by some residents that in certain parts of the neighborhood, homes were built with their entrance toward the side. There was concern that, in the case of an addition, the renovations could be extensive enough to trigger compliance with the design guidelines and standards on both the new and original portions of the house, thereby requiring a change in the location of the front entrance. Residents felt that this requirement could make certain improvements cost prohibitive and wanted to honor the traditional design of the original homes. Staff worked with the consultants and developed language that allowed an exception for front entrances, in the case of an addition, “if the design is based on architectural precedent and the entry placement conforms to the historic or original design of the home” (draft document, page 3).

**<u>Building Placement (Issue 2)</u>**
Maintaining an established building setback pattern is a way of preserving neighborhood character. Setbacks may vary slightly, due to topography changes or for the purpose of

conserving a natural feature; but, in general, a consistent front yard appearance should be maintained.

**Lot Coverage (Issue 3)**

Lot coverage is the percentage of lot area covered by buildings. The building footprints of new homes have increased, in some cases dramatically, over the past couple of decades. It has become more common to maximize the building envelope, resulting in greater lot coverage and buildings that are out-of-scale with the homes of their neighbors. This deviation not only impacts design and character but may also affect stormwater management. Larger houses are often accompanied by more paved surfaces, including driveways and walkways, which can exacerbate stormwater issues. Establishing a maximum building footprint and limiting impervious surfaces are efforts to mitigate the impacts of building mass and scale, as well as impacts on the stormwater management system.

***Key Points of Discussion***

- **Limits to Building Footprint**: Lot coverage was discussed and debated at every neighborhood meeting for this project. Lot coverage refers to the amount of surface area that buildings (primary home, garage, shed, etc.) cover. Initially, the recommendation was to lower the percentage of the lot that could be covered by buildings from the 35% that is currently allowed in the zone to 25%. However, concerns were raised about potential impacts on the smaller lots, as well as how this approach may limit the option to build an Accessory Dwelling Unit (ADU) in the future. The refined proposal was to maintain the existing lot coverage maximum percentage (35%) but limit the footprint of the primary building to 1,500 square feet, as in the Lincoln Park Neighborhood Conservation District (NCD). For reference, a traditional 6,000 square foot lot in the R-60 zone currently would allow a footprint of 2,100 square feet if the 35% lot coverage limit was maximized. This provision would limit that footprint to 1,500 square feet for new homes but leave open the possibility of other accessory structures being built.

- **Limits to Building Footprint, One-Story Additions**: Residents pointed out at the last neighborhood meeting that this new requirement could potentially penalize homeowners who wanted to add on to, but retain, their single-story homes. In response, staff included the standard, which is also part of the Lincoln Park NCD, that if an existing one-story house is retained, an addition may bring total lot coverage up to 35% of the smallest lot size available (6,000 square feet in the R-60 zone) or up to 2,100 square feet (draft document, page 5).

- **Limits to Building Footprint, Large Lots**: At their briefing in February, the Mayor and Council raised another question about whether a footprint larger than 1,500 square feet should be allowed for primary buildings on the larger lots in the neighborhood. In East Rockville, many of the larger lots are very long and narrow, meaning that increasing the square footage allowance could result in very long and narrow houses. Additionally, in general, more square footage equates to more parking and

more impervious cover, two issues of concern for residents who want to preserve a walkable environment in this transit proximate area.

However, staff understands that there is room for flexibility given the varying lot sizes in East Rockville. The current proposal is based on the R-60 zoning category, which requires a 6,000 square foot minimum lot size. The majority of the neighborhood is zoned R-60, except for a few blocks zoned R-75 in the Burgundy Knolls area to the northeast, between First Street and East Gude Drive. A 7,500 square foot minimum lot size is required in the R-75 zone. Given these two zoning classifications, staff recommends that for lots up to 7,499 square feet, the current draft language would apply, and the footprint for the primary building would be limited to 1,500 square feet (25% of 6,000 square feet). For lots 7,500 square feet and larger, the footprint of the primary building would be limited to 1,875 (25% of 7,500 square feet). The same would apply for instances in which a property owner wanted to add on to, but retain, their single-story home. If an existing one-story house is retained on a lot that is 7,500 square feet or larger, an addition may bring total lot coverage up to 35% of the smallest lot size available (7,500 square feet in the R-75 zone or up to 2,625 square feet. If this approach is recommended, the language would need to be updated accordingly for the properties under 7,500 square feet.

- **Limits to Impervious Cover**: Also included within this topic are standards for impervious surface cover in the front and rear yards. The Design Guidelines and Standards propose to limit the driveway width between the street and the front of the house to 12 feet, unless pervious materials are used. If pervious materials are used, the width may increase to 20 feet. A limit on backyard impervious cover is also included, which would be a new standard in the zoning code. The proposed standard would limit backyard impervious cover to 50%.

**Parking, Garages & Pavement (Issue 4)**

Garages should not be the prominent feature of the front elevation (or front view) of the home or of the street frontage. Streetscapes that are dominated by garages and driveways give prominence to vehicles rather than reflecting a walkable, inviting neighborhood.

***Key Points of Discussion***

- **Garages:** The draft proposal is to require that all garages sit a minimum of 5 feet behind the front of the home. For garages wider than 12 feet, they must be situated a minimum of 20 feet behind the front of the home (draft document, page 6). These requirements are intended to minimize the prominence of vehicle storage and promote a more pedestrian-oriented environment. Traditionally, the homes in East Rockville were built with a single-lane driveway, paved ruts, or in many cases, no driveway at all.

**Additions (Issue 5)**

Additions should complement the design and proportions of the original structure. They should be concentrated toward the rear or the side of the existing structure whenever possible. The overall height, massing, and proportions should relate well to adjacent structures, as well as to the larger neighborhood context. Additions with a proposed second story along a block of predominantly one-story homes should demonstrate sensitivity regarding the overall scale and proportion, as well as window placement and privacy of the new portion of the structure.

***Key Points of Discussion***

- **Proportions and Massing**: Some of the additions that have been built in East Rockville project an appearance of being separate structures from the original home. In certain sections of the neighborhood, in which original homes were built with a floor area of less than 1,000 square feet, additions can easily become larger than the original structure. Different concepts were explored to reduce the perceived bulk of an addition and improve upon the relationship between the original and new portions of the home. The proposed language emphasizes additions that are secondary in massing to the original structure, are located to the side or rear of the home, utilize compatible roof lines and ridges, and incorporate consistent materials, window placement and proportions (draft document, pages 7-8).

**Building Massing & Scale (Issue 6)**

The size of a typical detached residential home is larger today than it was in the first half of the 20th century, when many of the homes in East Rockville were built. Finding a balance between creative design, changing preferences in housing size and styles, and an established neighborhood identity is one of the primary challenges for design guidelines in older communities. The massing and scale of new construction can have the greatest impact on neighborhood character. Larger construction should be context-sensitive to the existing smaller-scaled development pattern. Roof lines, massing variation, window placement, and porches, among other treatments, can have a significant impact on the perceived mass of a building.

**Building Height (Issue 7)**

A building's scale is established largely by its height. Relatively consistent building heights establish a certain rhythm to a street. If a building is much taller than its surrounding neighbors, it can seem out of place and break the existing rhythm. In older neighborhoods, it is not uncommon for one-story buildings to be replaced with taller, two-story homes. A building can be larger than adjacent structures and still be harmonious with the neighborhood. Currently, the City's zoning code measures height to the mid-point of the roof. Measuring to the peak provides greater predictability of final maximum building height.

***Key Points of Discussion***

- **How Building Height is Measured**: The maximum building height in the existing zone is 35 feet, measured to the mid-point of the roof. Some of the new homes have

been built to this standard, plus a few extra feet to the peak. These homes can be significantly different than the adjacent homes, especially in areas where a single-story development pattern is predominant. The proposed standard would require that building height be measured to the peak, instead of the mid-point, effectively lowering the allowable height of the overall structure while leaving in place the numeric limit. In addition, the maximum number of stories permitted would be two and a half, rather than the three stories that are possible under the current code (draft document, page 10). One exception, where the proposal is to lower the numeric limit for the height maximum, is for flat roofs. As proposed, the maximum height would be 30 feet for flat roofs. Originally, during the community process, the recommendation was to prohibit flat roofs; however, some residents did not want to limit the potential for creative design, so the standard was refined accordingly.

**Roof Pitch (Issue 8)**

Pitch is the slope or angle of a roof. The form of a roof can contribute significantly to the mass and proportion of a building. Utilizing a lowered pitch or fewer ridges and valleys is another way of reducing the bulk of a structure.

**Building Articulation (Issue 9)**

Articulating a building facade means to provide a variation to its surface, such as framed windows, adding a porch, or off-setting a portion of the elevation. Articulation gives texture to exterior walls, and simple treatments can provide architectural interest and break up the bulk of large structures.

**Building Materials (Issue 10)**

Material types and where they transition impact the appearance of a building. A change in materials, for example, between the first and second stories, can help break up the perceived bulk of a structure. Materials should be used in a consistent, though not necessarily uniform, manner, including between the principal building and accessory structures.

***Key Points of Discussion***

- **Guidelines or Standards**: Whether to regulate materials was discussed several times with different residents. The pros and cons were debated at more than one community meeting and each time the consensus was to treat the recommendations in this section as guidance and not as mandatory standards.

**Porches & Stoops (Issue 11)**

Porches and stoops add more than just character and interest to a house. They also facilitate community interactions and put more "eyes on the street," as they provide a place for sitting and conversation. Practically, they may also provide shelter from the elements, when they are covered; and depending on size, they can also provide additional living space.

***Key Points of Discussion***

- **Balancing Design Requirements with Cost Implications:** Many homes in East Rockville have porches and/or stoops, and it was important to participants to ensure that new homes incorporate them as well. Originally, it was recommended that all new homes have a porch or a covered stoop. After further discussion with residents, particularly about the added cost of such a requirement, the proposed standard was expanded to include as permitted the simpler, and generally less-costly, uncovered porches and stoops as well.

**Other Issues**

The following items do not relate specifically to one issue but are topics that were raised throughout the process and have been addressed as part of the overall document.

1. **Alternative Compliance**: Staff recognizes that there may be unique circumstances that make meeting one or more of the proposed requirements infeasible. Further, there may be alternative design solutions that may not specifically meet a standard but still meet the overall intent of the Design Guidelines and Standards. As such, an "Alternative Compliance" option is included in the draft document and may be granted by the Chief of Zoning, or another applicable Approving Authority as defined in the Zoning Ordinance, if "the proposed alternative design maintains the intent and spirit of the guidelines and standards and provides an equal or better design solution in terms of livability for residents and impacts on neighboring properties. Alternative Compliance may be particularly appropriate to address site-specific constraints, including irregular lot shapes and dramatic grade changes. Site-specific opportunities include, for example, the desire to preserve a mature tree and in doing so, building footprint or setbacks may need adjusting" (draft document, page 2).

   ***Key Points of Discussion***

   - **Additional Parameters and Limits**: At each of their initial briefings on the subject matter, both the Mayor and Council and the Planning Commission raised a variety of questions about Alternative Compliance, including whether it allowed for too much flexibility.[1] Given that East Rockville is an older neighborhood with varying development patterns and lot arrangements, staff recommends retaining an option for Alternative Compliance but offers the following modifications for consideration:

     - Limit Alternative Compliance to apply only to specific mandatory design standards. For example, permit Alternative Compliance for standards regarding Additions and Building Height, but not Building Orientation.

[1] It is important to note that Alternative Compliance is intended to permit flexibility in the application of the mandatory standards in the design guidelines (the "musts" as opposed to the "shoulds"). Because discretionary standards (the "shoulds") are not mandatory, deviations from discretionary standards do not require a formal Alternative Compliance finding. Discretionary standards are included in the design standards to provide guidance or examples to staff and applicants.

Deviations from mandatory standards not eligible for Alternative Compliance would require a zoning variance.
- Establish more specific findings or criteria for approving Alternative Compliance.
- Expressly require a property owner to prepare a statement demonstrating how their alternative is meeting the intent and spirit of the design guidelines and standards.

2. **Mature Tree Preservation**
Members of the East Rockville Civic Association (ERCA) have made the preservation of the neighborhood's tree canopy a priority. Currently, tree preservation may only be addressed in the Design Guidelines and Standards as a rationale for a request for Alternative Compliance. However, staff recommends that the Design Guidelines and Standards include additional protection of existing trees through such provisions as the following, which could be added to Building Placement (Issue 2).

   - The rear setback line will be maintained as the limit of disturbance to protect existing trees within the setback area on the lot or adjacent lots. If the rear of the lot adjoins an alley, the Chief of Zoning may consider Alternative Compliance in another location on the lot, including designating the front yard setback area as the limit of disturbance.

## Mayor and Council History

On February 24, 2020, PDS staff and the project design consultants led by architect Michael Watkins, provided a briefing on the Design Guidelines and Standards to the Mayor and Council. The Mayor and Council continued the discussion at their meeting on June 8, ultimately authorizing, by unanimous vote, the proposed zoning text amendment. Through its initial review, the Mayor and Council raised four key issues that they wanted the Planning Commission to consider during its review of the proposal. The key issues the Mayor and Council raised are:

- Potential for varying the building footprint square footage limit, currently proposed at 1,500 square feet, for larger lots.
- Providing information about how owners or new buyers of homes in East Rockville will know about the Design Guidelines and Standards.
- Clarity about additions to smaller homes that retain the original one-story footprint.
- Clarity about how lot coverage and square footage limits are applied to driveways, parking pads, and garages, both attached and detached.

The Planning Commission discussed these issues, along with others, as part of their review process. Their recommendations and other comments are included in Attachment C.

## Options Considered

Since the East Rockville Neighborhood Plan was adopted in 2004, several options have been considered, including an Historic District and a Neighborhood Conservation District (NCD). Neither option received enough support to proceed as a neighborhood-wide project. There was concern about regulating architectural style within an Historic District, as well as the onerous requirements needed for residents to initiate the NCD process.

## Public Notification and Engagement

Along with a design consultant, PDS staff worked with East Rockville residents over the course of a year to identify and prioritize issues related to new housing development and exploring different design solutions to address the issues. Six neighborhood meetings were held between October 2018 and October 2019. Staff also attended several ERCA meetings to provide updates on the process.

For each of the neighborhood meetings, staff worked with ERCA to circulate meeting invites through their email listserv, as well as on their website. Staff also compiled an email list of everyone who signed into meetings and sent updates to that list. A webpage was created for the project, and all meeting materials, including the draft document and the issues survey, were posted online. In addition, comments could be submitted through the project webpage, directly to staff. In advance of two of the neighborhood meetings, the first workshop with the consultants and the final draft review meeting, postcards were sent to all detached residential property owners within the East Rockville boundary. The following is a list of meeting dates and topics:

- Meeting 1: October 9, 2018 at the Pump House. Information session and survey.
- Meeting 2: October 25, 2018 at City Hall. Workshop with consultants.
- Meeting 3: January 24, 2019 at the Pump House. Review and discuss first draft.
- Meeting 4: March 12, 2019 at the Pump House. Review and discuss second draft.
- Meeting 5: June 3, 2019 at the Pump House. Review and discuss third draft.
- Meeting 6: October 14, 2019 at Glenview Mansion. Final draft review and discussion.

Staff has continued to provide updates by email to the contact list and to the Civic Association throughout the Planning Commission and Mayor and Council process.

## Boards and Commissions Review

On May 27, 2020, PDS staff and the project design consultants provided a briefing on the Design Guidelines and Standards to the Planning Commission. After the Mayor and Council authorized the zoning text amendment on June 8, the Planning Commission discussed at length the draft ZTA at its meeting on July 22nd. At that meeting, the Planning Commission provided staff with several recommendations to incorporate into a memorandum (Attachment C), which it approved on August 5 for transmittal to the Mayor and Council. The memorandum includes comments for further consideration by the Mayor and Council that include the following topics:

- Clarifying the name of the new proposed Section 25.10.14, Design Guidelines, in the zoning ordinance.
- Inserting additional parameters toward meeting Alternative Compliance.
- Referencing Alternative Compliance in the new Design Guidelines section of the zoning ordinance.
- Differentiating the building footprint limit for larger lots.
- Including additional intent and purpose language about porches.
- Updating certain graphics to better represent the guidelines and/or the neighborhood.
- Updating terminology to address abbreviations and consistency.
- Adding language to specifically address mature tree preservation.

Attachment C includes further details and discussion about each of the topics outlined above. Staff will include these recommendations for discussion, along with public testimony, at a work session to be scheduled after the public hearing.

## Next Steps

After the public hearing, staff will compile and summarize all the comments and testimony received, including from the public and the Planning Commission, to address at the upcoming work session. Staff recommends that the Mayor and Council:

- Close the public record on Monday, October 26 at 5:00 PM.
- Hold a work session on November 16 to discuss the testimony, make any desired revisions, and possibly adopt the zoning text amendment.
- If additional discussion is desired, schedule another meeting to address pending topics, finalize any changes, and adopt the zoning text amendment.

## Attachments

Attachment 10.a: Zoning Text Amendment TXT2020-00257 East Rockville Design Guidelines (PDF)
Attachment 10.b: Draft East Rockville Design Guidelines and Standards Document (PDF)
Attachment 10.c: Planning Commission Memo (PDF)

Rob DiSpirito, City Manager 10/13/2020

ATTACHMENT TO APPLICATION
TO THE CITY OF ROCKVILLE FOR A
TEXT AMENDMENT TO THE ZONING ORDINANCE

Applicant: Mayor and Council of Rockville

The applicant proposes to amend the zoning ordinance adopted on December 15, 2008, and with an effective date of March 16, 2009, by inserting and replacing the following text (underlining indicates text to be added; ~~strikethroughs~~ indicate text to be deleted; * * * indicates text not affected by the proposed amendment). Further amendments may be made following citizen input, Planning Commission review and Mayor and Council review.

Amend Article "Single Dwelling Unit Residential Zones", as follows:

* * *

**Section 25.10.14 – Design Guidelines**

No building permit may be issued for a structure in a single dwelling unit residential zone unless the structure conforms to any applicable design guidelines approved by the Mayor and Council consistent with an adopted Plan.

Adopted design guideline plans referenced herein by their title and date of adoption are:

a) East Rockville Design Guidelines and Standards, [Date of Adoption].

October 25, 2018

| | Very Important 2 points | Somewhat Important 1 point | Not Important 0 points | Total | |
|---|---|---|---|---|---|
| **Building Orientation** (ex: where the house has its front) | 8 | 6 | 0 | 14 | Urban |
| **Building Placement** /how far from or close to the street) | 8 | 4 | 0 | 12 | |
| **Lot Coverage** tage of the lot covered by buildings) | 12 | 4 | 0 | 16 | Lot |
| **Front Yard Paving** from driveways, porches, walkways) | 10 | 4 | 0 | 14 | |
| **nd Garage Placement/Location** | 2 | 7 | 0 | 9 | |
| **Building Mass and Scale** | 22 | 0 | 0 | 22 | Mass |
| **Building Height** | 18 | 1 | 0 | 19 | |
| **Building Articulation** ng materials, varying roof lines, etc.) | 14 | 4 | 0 | 18 | |
| **Home Additions** | 8 | 6 | 0 | 14 | |
| **Porches and Stoops** w homes have them? certain styles?) | 4 | 6 | 0 | 10 | |
| **Roof Styles** (architectural design) | 2 | 4 | 0 | 6 | |
| **Window and Door Types/Styles** (architectural desgin) | 4 | 3 | 0 | 7 | Architecture |
| **Building Material Types** | 0 | 6 | 0 | 6 | |

# East Rockville Design Guidelines and Standards

Rockville, Maryland

GSA Consulting, Inc. *and* LSG Landscape Architecture *and* Michael Watkins Architect, LLC *for* City of Rockville *and* East Rockville Civic Association

## NEIGHBORHOOD MEETINGS

**1A. Information Session and Survey (Oct 9, 2018)**

**1B. Community Engagement Workshop (Oct 25, 2018)**
- Goals, Preferences, Priorities, Survey

**1C. Community Engagement Meeting (Jan 24, 2019)**
- Review and Discuss First Draft

**1D. Community Engagement Meeting (Mar 12, 2019)**
- Review and Discuss Second Draft

**1E. Community Engagement Meeting (Jun 3, 2019)**
- Review and Discuss Third Draft

**1F. Final Neighborhood Meeting (Oct 14, 2019)**
- Review and Discuss Revised Draft

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Parking, Garages & Pavement (Issue 4) .....6
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Building Massing & Scale (Issue 6).....9
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Building Articulation (Issue 9) .....12
Building Materials (Issue 10) .....13
Porches & Stoops (Issue 11) .....14

## NEXT STEPS

**3. Adoption Process**

**4. Final Revisions and Deliverables**

## INTRODUCTION

East Rockville is a well-established, predominantly single-family neighborhood located within walking distance of the Rockville Metro Station. Most of the housing stock was built in the 1940s and early 1950s during the development boom that occurred after World War II, however, historic homes dating from the late 1800s, some of the first in Rockville, still stand today.

The most recent neighborhood plan for East Rockville was adopted in 2004 and included an objective to establish East Rockville as a Neighborhood Conservation Area to maintain its unique character and enhance both its physical and environmental features. Since 2004, several options for implementing this objective have been discussed including a Neighborhood Conservation District (NCD) and Historic Designation; however, neither option received enough support to proceed as a neighborhood-wide project. There was concern about regulating architectural style with a Historic District as well as the onerous requirements needed for residents to initiate the NCD process.

Over the past decade, the neighborhood has experienced development pressure for different housing types, and an increasing number of original homes have been torn down and replaced with much larger structures. During the initial engagement meetings for the Rockville 2040 Comprehensive Plan, residents expressed concern about how the scale and proportion of new residential development was impacting this mature neighborhood, both from the perspective of design and environmental sustainability.

In late 2017, members of the East Rockville Civic Association (ERCA) approached Planning and Development Services (PDS) staff to discuss options to ensure that new homes contribute positively to the character of their unique neighborhood. PDS staff suggested creating Design Guidelines and Standards through a neighborhood engagement process, and the ERCA members were supportive of that approach. Due to the regulatory and design expertise needed for such a project, the city decided to hire a design consultant to assist staff with the project. A contract was awarded in June 2018 to a design team, led by Michael Watkins Architect, LLC (the consultant), based in Gaithersburg, Maryland. The first of six neighborhood meetings for the Design Guidelines and Standards was held on October 9, 2018 at the Pump House.

Attachment 10.b: Draft East Rockville Design Guidelines and Standards, Document (3240 : East Rockville Design Guidelines and Standards,

## PURPOSE

The purpose of the East Rockville Residential Design Guidelines and Standards is to establish a clear set of expectations for new detached home construction and additions to existing homes in East Rockville. New development should contribute positively to the built and natural environments and integrate well into the traditional neighborhood context. The document provides a predictable review framework for residents, design professionals, contractors, city staff, and elected officials when considering or reviewing a new home or addition to an existing home.

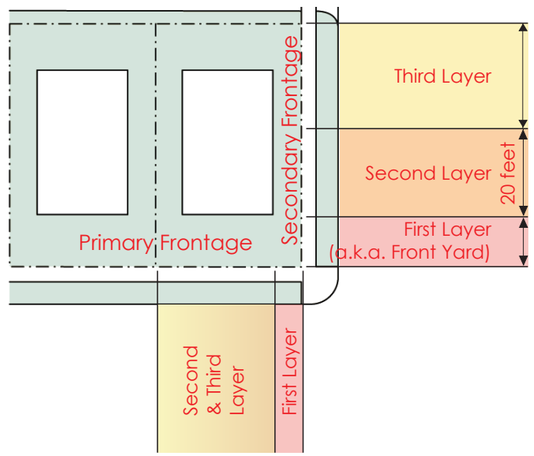
The Design Guidelines and Standards also provide an opportunity to further broaden neighborhood goals including:

- Sustaining and strengthening the unique identity and sense of place that exists among residents in the neighborhood.
- Promoting complementary and context-sensitive development b etween new and existing structures, while also allowing creative design.
- Promoting site design that preserves the natural features in the neighborhood and minimizes impacts on healthy tree canopy and existing stormwater management.
- Maintaining a walkable and pedestrian-friendly environment.

## APPLICABILITY

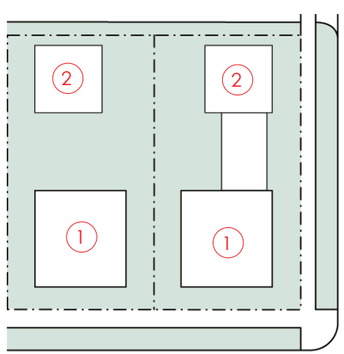
- These design guidelines and standards apply to all new residential detached construction whether an entirely new building or an addition(s) to an existing building. They are a supplement to all applicable City codes, ordinances and adopted plans.
- Any new development within an historic district, or any addition to a structure that has been designated as an historic structure, is subject to approval by the Historic District Commission.
- Provisions of this document are activated by "must" and "will" when required; "should" when advisory but highly recommended.
- Alternative compliance to these design guidelines and standards may be approved by the Chief of Zoning or other applicable Approving Authority as defined in the Zoning Ordinance if: the proposed alternative design maintains the intent and spirit of the guidelines and standards and provides an equal or better design solution in terms of livability for residents and impacts on neighboring properties. Alternative compliance may be particularly appropriate to address site-specific constraints, including irregular lot shapes and dramatic grade changes. Site specific opportunities include, for example, the desire to preserve a mature tree and in doing so, building footprint or setbacks may need adjusting.

## DEFINITIONS: LAYERS




**Layer (First, Second and Third).** A range of depth of a lot within which certain elements are permitted.

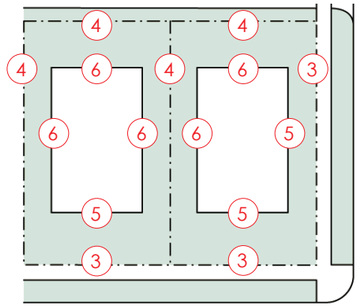
## DEFINITIONS: BUILDING DISPOSITION




**Building.**
A structure having one or more stories and a roof, designed primarily for the shelter, support, or enclosure of persons, animals, or property of any kind.

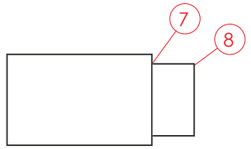
1. **Principal Building.** The main building on a lot, usually located toward the Frontage.
2. **Accessory Building.** A building subordinate to, and located on the same lot with a main/principal building, the use of which is clearly incidental to that of the main/principal building or to the use of the land, and which is not attached by any part of a common wall or common roof to the main building.

## DEFINITIONS: FRONTAGE & LOT LINES, FAÇADES & ELEVATIONS

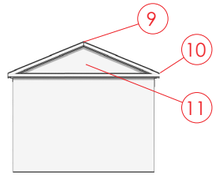



3. **Frontage.** The area between a building Façade and the vehicular lanes, inclusive of its built and planted components. On a corner lot, the primary Frontage is the Frontage which faces the more primary street (typically the street with the narrower Frontage).
4. **Lot Line.** The boundary that legally and geometrically demarcates a Lot.
5. **Façade.** An exterior wall of a building facing a Frontage Line.
6. **Elevation.** An exterior wall of a building not a facing a Frontage Line.

## DEFINITIONS: BUILDING COMPOSITION

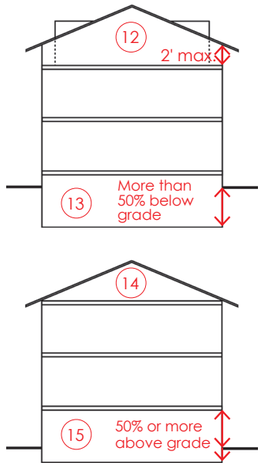



7. **Inside Corner**
8. **Outside Corner**




9. **Ridge**
10. **Eave**
11. **Gable end**

## DEFINITIONS: BUILDING HEIGHT




12. **Half-story.** A story under a gable, hip, or gambrel roof, the wall plates of which on the least two (2) opposite exterior walls are not more than 2 feet above the floor of such story.
13. **Cellar.** That portion of a building below the first-floor joists at least half of whose clear ceiling height is below the level of the adjacent ground (compare with Basement).
14. **Attic.** The interior part of a building contained within a pitched roof structure.
15. **Basement.** That portion of a building below the first-floor joists, at least half of whose clear ceiling height is above the level of the adjacent finished grade (compare with Cellar).

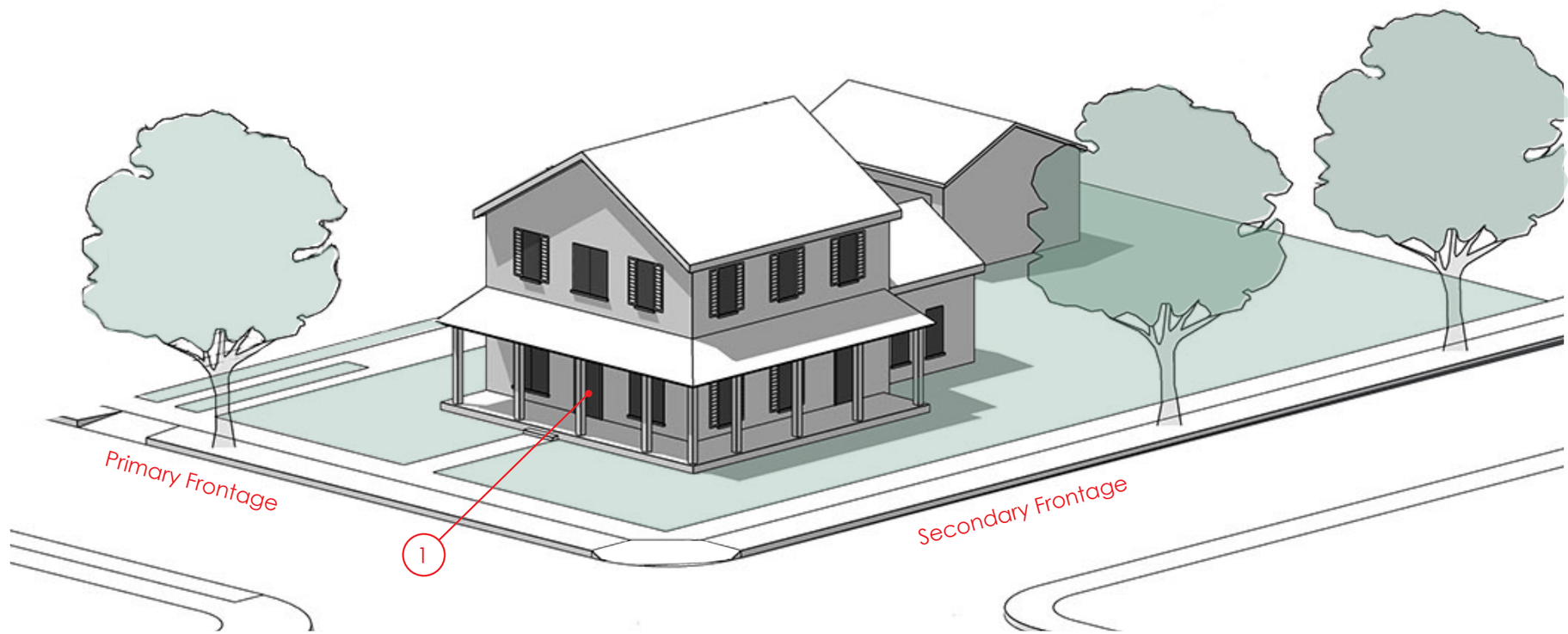
Attachment 10.b: Draft East Rockville Design Guidelines and Standards Document (3240 : East Rockville Design Guidelines and Standards,

## BUILDING ORIENTATION (ISSUE 1)

Building orientation refers to the way a building is positioned on its lot and how it relates to neighboring buildings and to the street. Buildings and front entryways that are oriented toward the street establish a welcoming atmosphere along the block and contribute to a walkable environment.

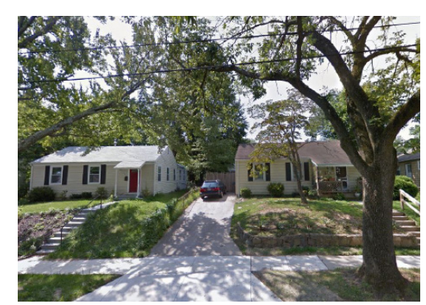
1. The front entrance of the primary building must face the primary frontage. In the case of an addition or renovation to an existing house, an exception may be made if the design is based on architectural precedent and the entry placement conforms to the historic or original design of the home.

2. On corner lots, both façades must be similarly designed and detailed and have similar opening proportion, placement, pattern and alignment. Although not required, the use of consistent materials on both facades is strongly preferred.



Corner lot, both sides articulated.

Front doors, porches engaging the street.


Front walkways connecting to sidewalk.

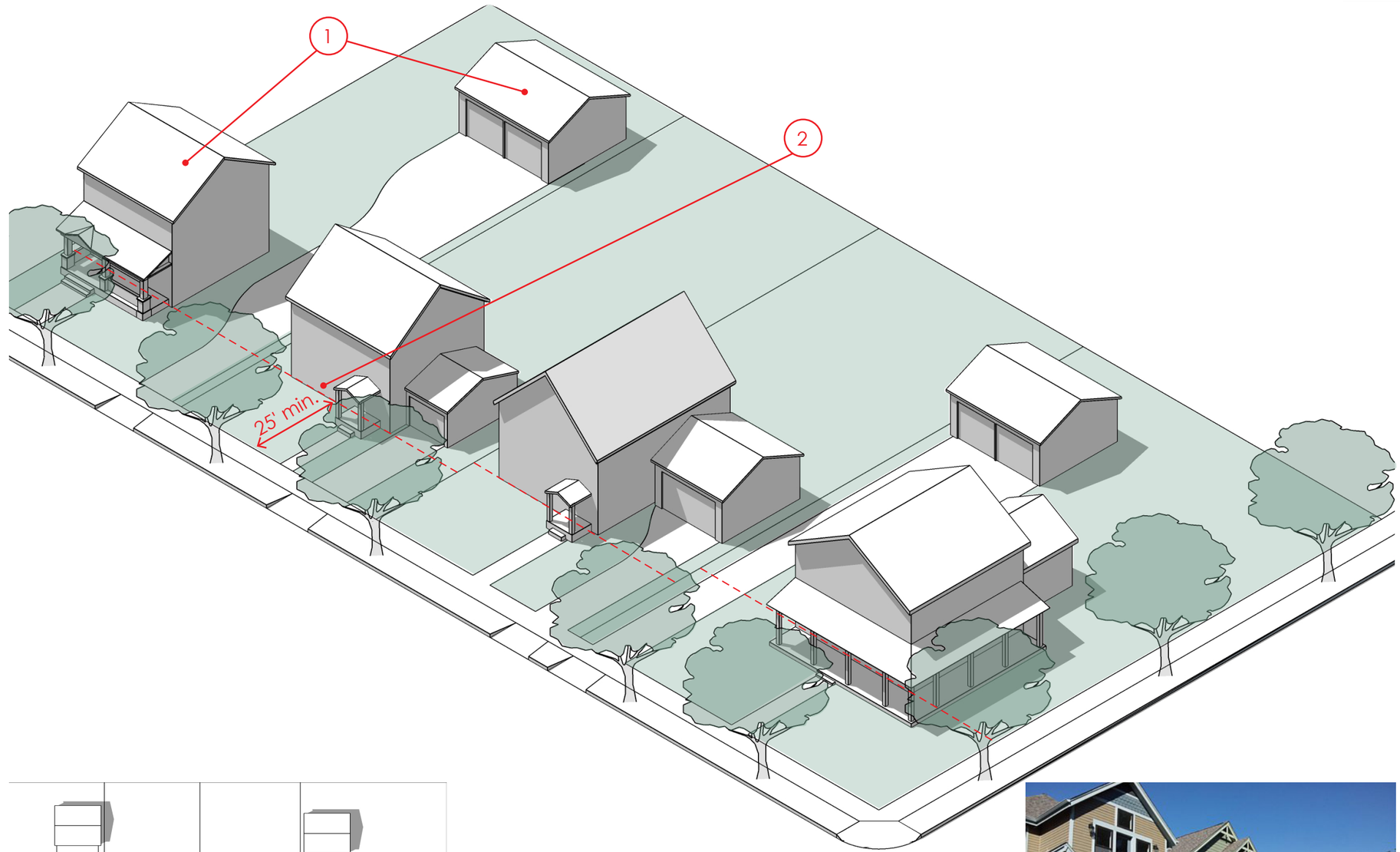
Side entry turned away from the street.

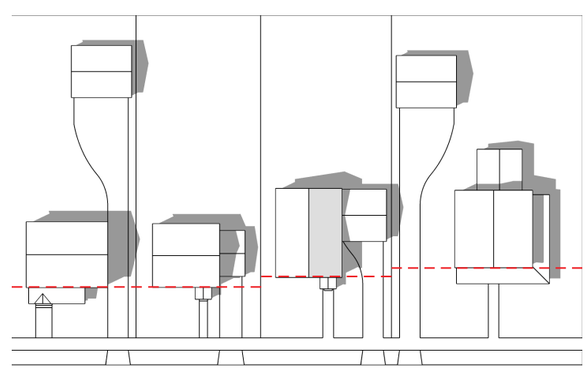
WORKING DRAFT

## BUILDING PLACEMENT (ISSUE 2)

Maintaining an established setback pattern is a way of preserving neighborhood character. Setbacks may vary slightly, due to topography changes, or to conserve a natural feature, but in general, a consistent front yard appearance should be maintained.

1. One Principal Building may be built at the frontage on each lot. Accessory Buildings to the rear of the principal Building are also permitted.
2. Minimum front setback standards are established by the applicable zoning district: New structures and additions must be compatible with the prevailing site arrangement, setback distance and orientation of neighborhood houses to reinforce the existing character of the street.
3. Any existing buildings not conforming to an established setback pattern on the block-face must not be used to determine a setback range.
4. The following may encroach into the required setback: porches (except enclosed porches), stoops, terraces, balconies, bay windows.
5. Façades must be built parallel to the primary street frontage.
6. Side setbacks for principal buildings must be the minimum required by the zoning code.



Plan view of the same block showing setbacks.

Consistent setback pattern.

## LOT COVERAGE (ISSUE 3)

The building footprint of new homes has increased, in some cases dramatically, over the past couple of decades. It has become more common to maximize the building envelope, resulting in greater lot coverage and buildings that are out-of-scale with their neighbors. This not only impacts design and character, but stormwater management as well. Larger houses are often accompanied by more paved surfaces, including driveways and walkways, which can exacerbate stormwater issues. Establishing a maximum building footprint and limiting impervious surfaces are efforts to mitigate building mass and scale impacts as well as impacts on the stormwater management system.

Lot Coverage: The percentage of lot area covered by buildings, including enclosed porches and accessory buildings.

1 Lot coverage by buildings must be a maximum 35% of the lot with the exception of covered or uncovered porches facing frontages. Total building footprint (ground floor), not including covered or uncovered porches facing frontages, must be a maximum of 1,500 s.f.

If an existing one-story house is retained, an addition may bring total lot coverage up to 35% of the smallest lot size permitted (ex: 6,000 square feet in the R-60 zone) or up to 2,100 square feet.

2 Walks must be 4 ft. wide max.

3 Front yard impervious coverage must be a maximum of 40%.

4 Rear yard impervious coverage must be a maximum of 50%.

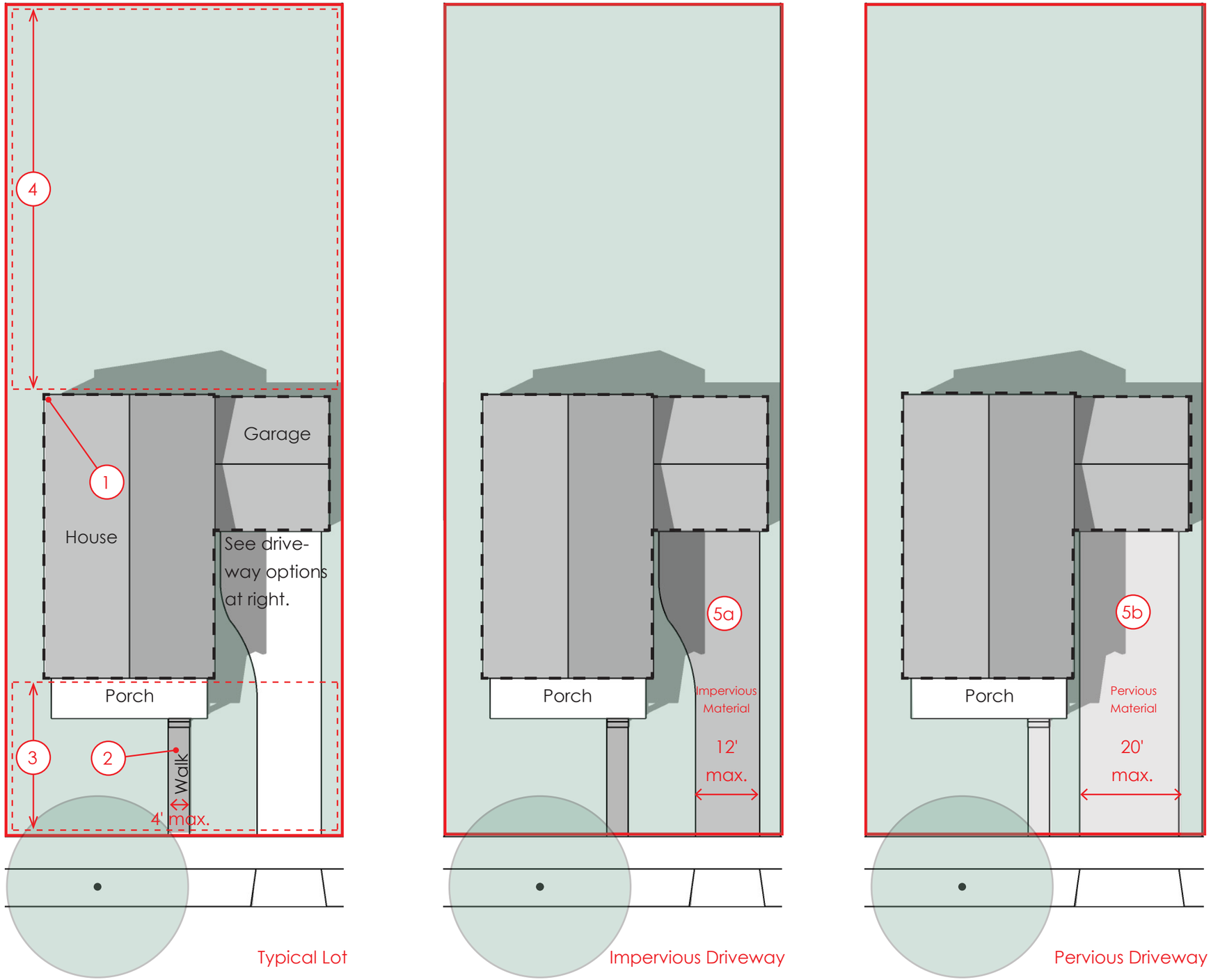
5a In the first layer, driveways of an impervious material must be 12 ft. wide max.

5b Driveways of a pervious material must be 20 ft. wide max. or 2 car widths max., whichever is less.

Property Line

Building Footprint (< 35% of Lot Area; 1,500 s.f. max. if not retaining single-story)

Areas Counted as Impervious



## PARKING, GARAGES & PAVEMENT (ISSUE 4)

Garages should not be the prominent feature of the front elevation of the home or of the street frontage. Streetscapes that are dominated by garages and driveways give prominence to vehicles rather than reflecting a walkable, inviting neighborhood.

1 In the First Layer, the following are permitted:

- Driveways of 12 feet maximum width.
  - Pervious materials, impervious materials, and paved ruts are permitted.
- Driveways of 20 feet maximum width if permeable materials are utilized.

In the First Layer, the following are prohibited:

- Garages
- Carports

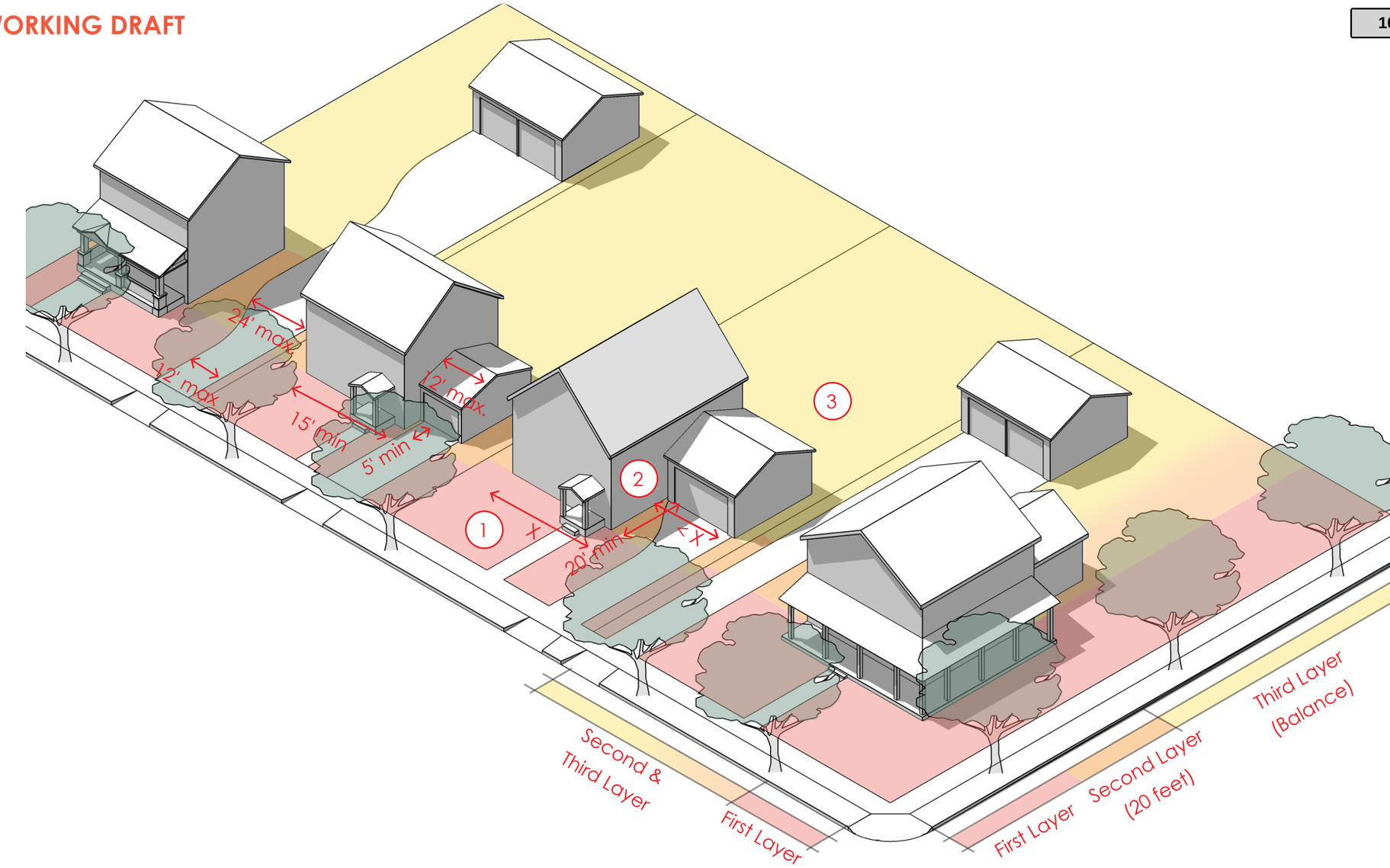
2 In the Second Layer, the following are permitted:

- Driveways of 24 feet maximum width if pervious materials are utilized.
- Driveways of 20 feet maximum width if impervious materials are utilized.
- Paved ruts.
- Garages and carports of 12 feet wide or less placed a minimum of 5 feet behind the façade of the primary building, if façade is at least 15 feet wide.

3 In the Third Layer, the following are permitted:

- Driveways of pervious or impervious materials.
- Paved ruts
- Parking
- Garages
- Carports

In all layers, permeable materials are preferred.



Garage beside house, set back.

Garage in rear yard, paved rut driveway.

Driveway with mixed materials.

Driveway with permeable materials.

## ADDITIONS (ISSUE 5)

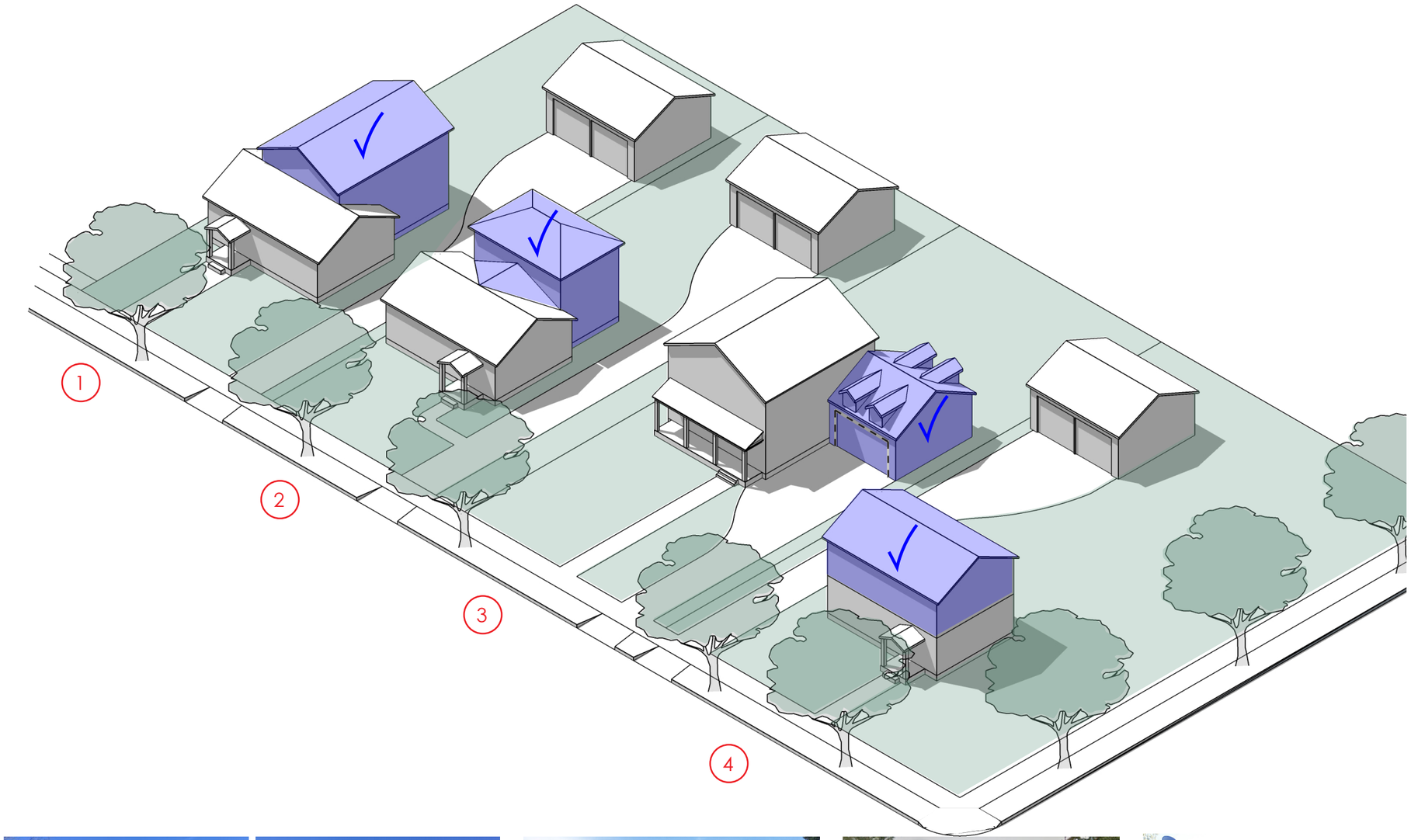
Additions should complement the design and proportions of the original structure. They should be concentrated toward the rear or the side of the existing structure whenever possible. The overall height, massing, and proportions should relate well to adjacent structures as well as to the larger neighborhood context. Additions with a proposed second story along a block of predominantly one-story homes, should demonstrate particular sensitivity regarding the overall scale and proportion as well as window placement and privacy of the new portion of the structure.

1. This addition is acceptable because it appears secondary in massing to the original structure when viewed from the street (for example, it is smaller than, narrower than, shorter than, behind etc. or a combination of these things) and would be relatively inconspicuous from the street. However, the two-story height behind a one-story house barely qualifies as "secondary." If the new roof extended in front of the original ridge, it would not be considered secondary and would be undesirable.

2. This addition is acceptable because it is secondary in massing to the original structure (for example, it is smaller than, narrower than, shorter than, behind etc. or a combination of these things) and would be relatively inconspicuous from the street, similar to house 1. Using a roof pitch similar to that of the original structure and a hipped roof help keep the two-story mass from dwarfing the original one-story structure.

3. A roof eave and ridge that is lower than the original structure is acceptable as is a roof that is perpendicular to the original structure.

4. A second-story addition can be acceptable if the floor area of the second floor does not extend past the walls of the original structure, resulting in a single simple mass.



Rear addition, front and side views: secondary in massing from the primary street, change in roof lines to minimize mass, symetrical window alignment and placement.

Rear addition doesn't dwarf original, roof ridge is a only a few ft above, & it's relatively inconspicuous from the street.

Set back addition, matches colors & detail, roof ridge & eave lower than those of the original structure.

2nd story addition. Simple massing, symmetric windows with detail, porch breaks-up mass.

## ADDITIONS (ISSUE 5)

**Illustrated Examples**
Shown to the right are some examples of additions which are not desirable.

1. The ridge of the roof of this addition dwarfs the original structure and looks out of place from the street. The ridge of the roof of an addition should not be higher than the ridge of the roof of the principal building unless the addition adds a full story to the Principal Building.

2. Similar to house 1, the two-story addition dwarfs the original one-story structure in front of it. The width of the addition should be less than that of the original structure, especially if the addition is taller.

3. This addition is undesirable because of the extension of the roof, which creates an unbalanced massing.

4. Adding a second-story that is of a greater floor area or extends past the walls of the original structure is undesirable.

**General Guidelines and Standards**
To follow are generalized guidelines and standards for all types of additions.

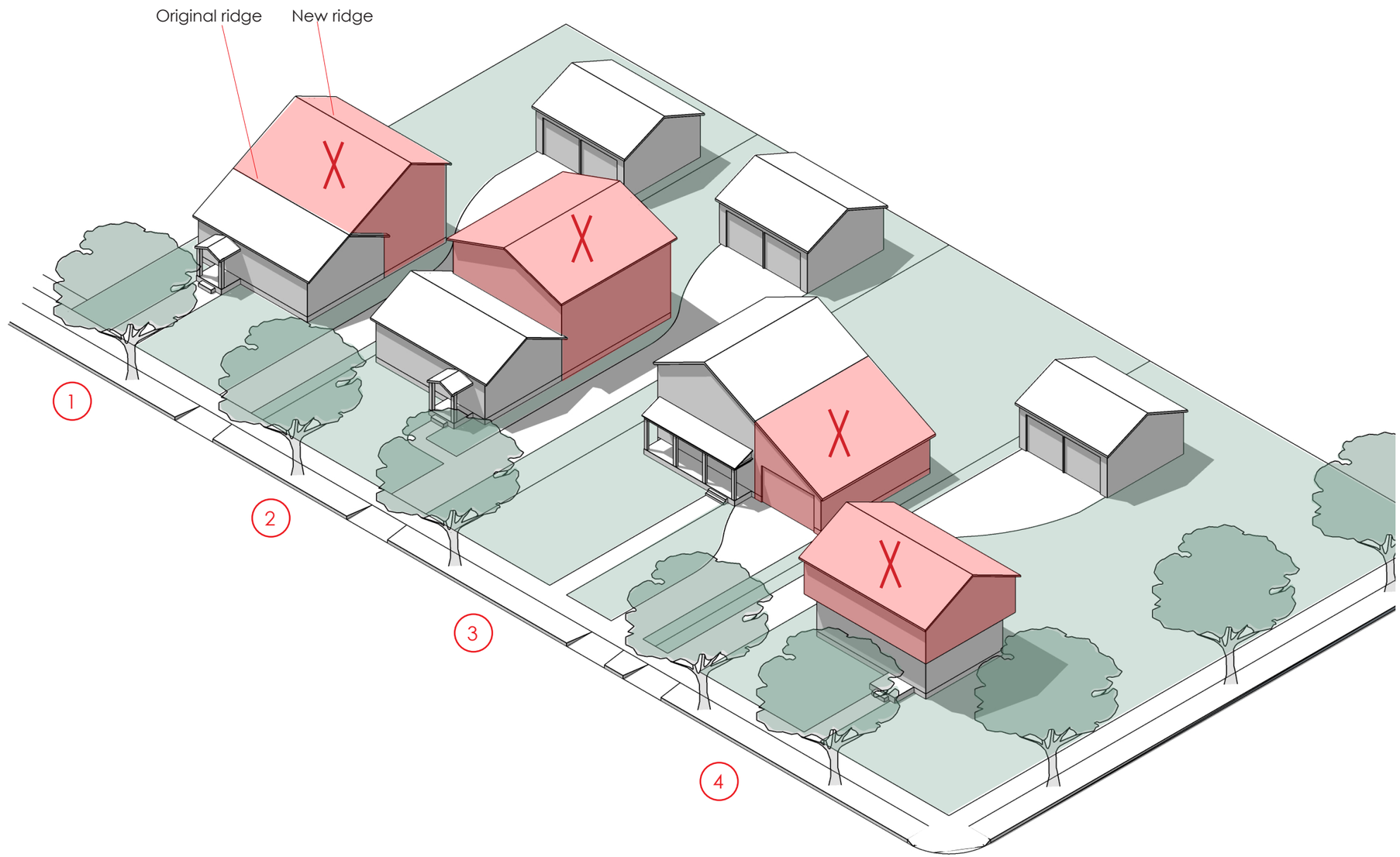
5. The eave of an addition must not be higher than the eave of the principal building unless the addition adds a full story to the Principal Building.

6. Additions to an existing principal building must be secondary in massing, scale and detail to the principal building.

7. Additional stories should appear structurally feasible, i.e. openings should be directly above openings in the existing story below.

8. Façades of an additional story must be the same material as the existing story below, or, an acceptable, appropriate transition between materials must be included in the design.

9. Window proportions in additional stories must match those of the predominant windows in the original structure.



## BUILDING MASSING & SCALE (ISSUE 6)

The size of a typical single-family home is larger today than it was in the first half of the 20th century, when many of the homes in East Rockville were built. Finding a balance between flexibility in design, changing preferences in housing size and styles, and respecting established neighborhood character is one of the primary challenges for design guidelines in older neighborhoods.

The massing and scale of new construction can have the greatest impact on neighborhood character. Larger construction should be sensitive to the existing smaller-scaled neighborhood context. Roof lines, massing, windows, and porches, among other treatments, can have a significant impact on the perceived mass of a building.

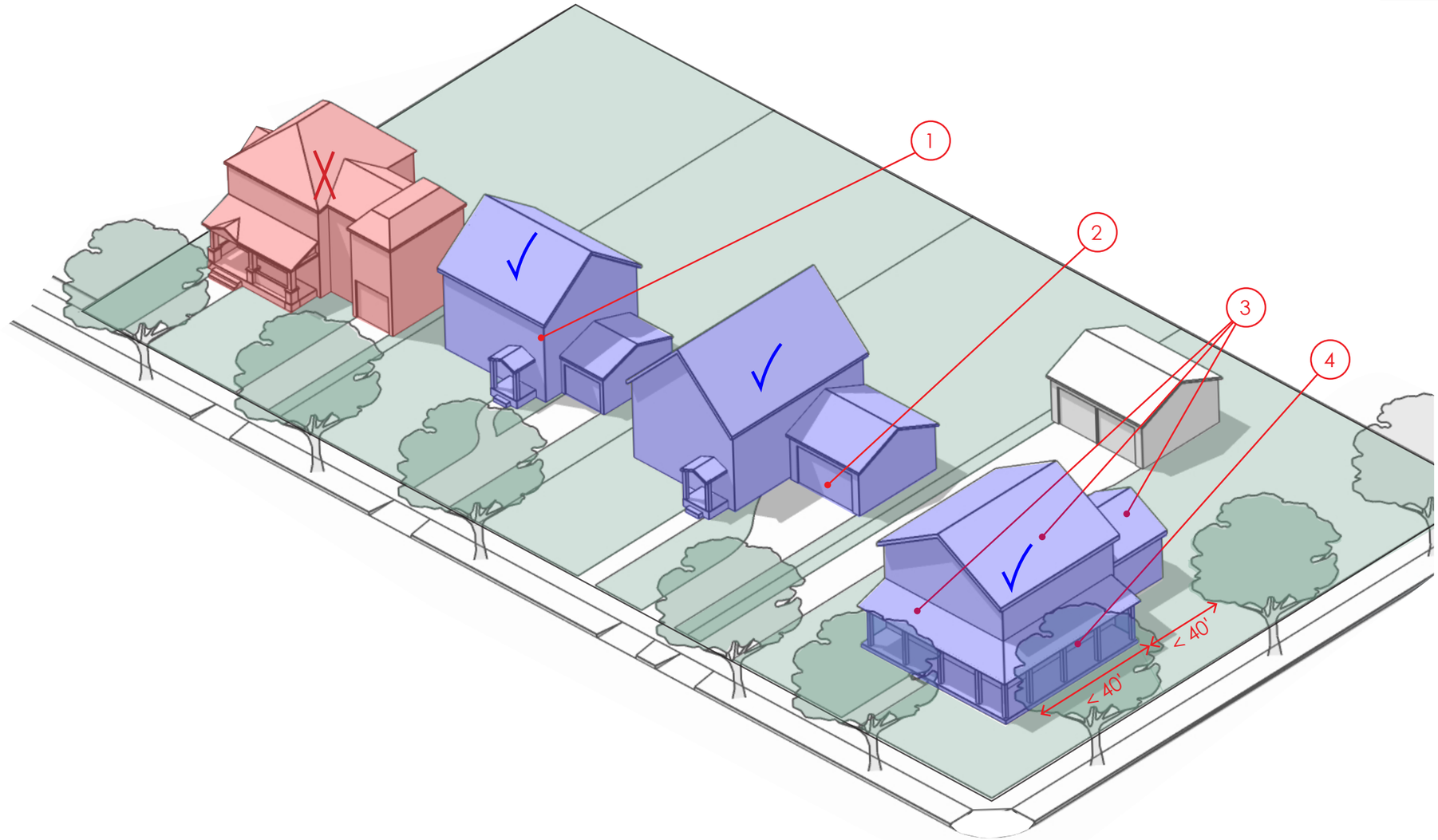
1. Buildings must have simple massing (few Outside Corners), a similar overall height and similar floor-to-floor height.

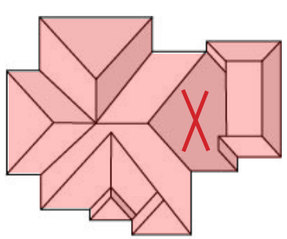
2. Garages must not be in the primary mass of a building. Garages shall be located beside or behind the principal building and if beside, be setback (see also Issue 4).

3. Building massing should communicate hierarchy. Larger structures should be distributed into smaller masses to minimize the perceived mass of the building.

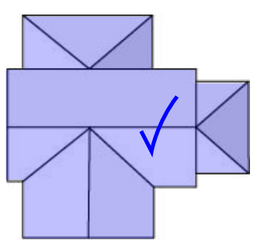
4. A single plane of a facade must not be greater than 40 ft.

5. Using a roof plan as a guide can help keep massing simple. The fewer ridges and valleys and overlapping gables, the simpler the massing.



Complex Roof Plan with many overlapping gables.

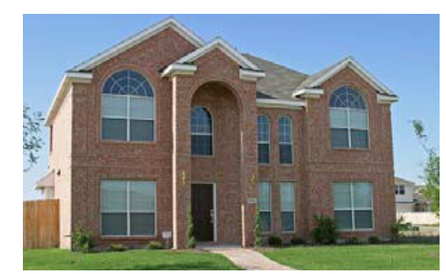


Simple Roof Plan

Simple massing (few outside corners)

Garage next to main structure helps break-up mass and transition to adjacent 1-story.

Simple, distributed massing clearly showing the main body of the house.



Overly bulky and undistributed massing with overlapping roof lines.

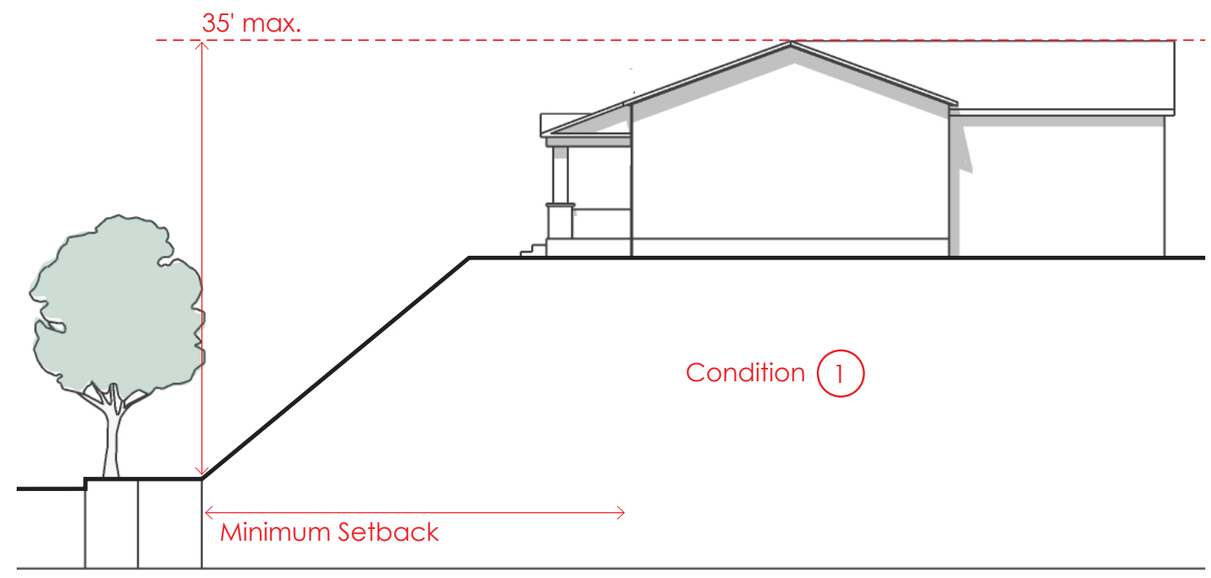
## BUILDING HEIGHT (ISSUE 7)

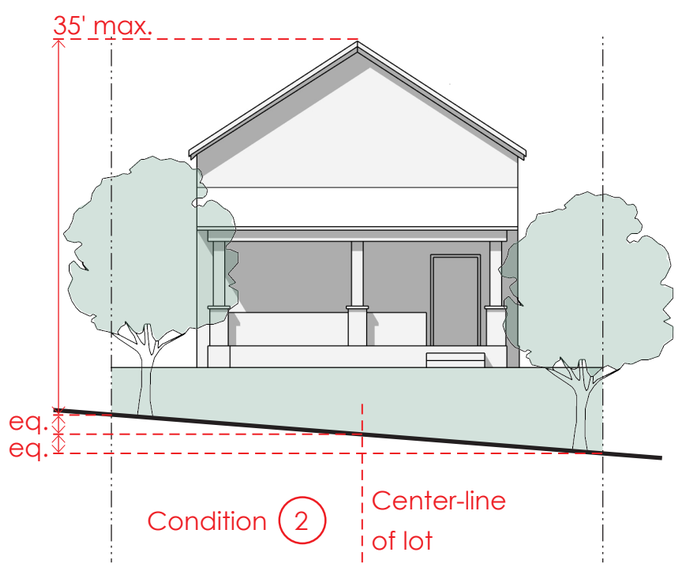
A building's scale is established largely by its height. Relatively consistent building heights establish a certain rhythm to a street. If a building is much taller than its surrounding neighbors it can seem out of place and break the existing rhythm. In older neighborhoods, it is not uncommon for one-story buildings to be replaced with taller, two-story homes.

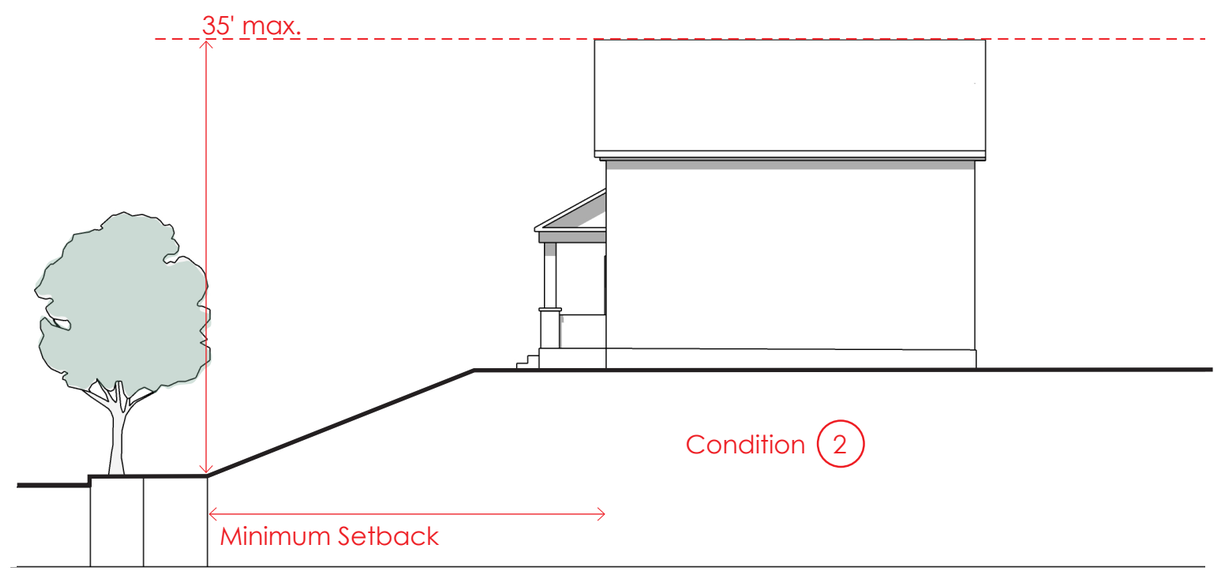
A building can be larger than adjacent structures and still be in scale and harmonious with the neighborhood. Currently, the city's zoning code measures height to the mid-point of the roof. Measuring to the peak provides greater predictability of final maximum building height.

1. On lots where there is a slope that restricts the height to fewer than 2 stories, an exception to maximum height may be granted at the discretion of the Chief of Zoning.
2. Height will be measured from the average grade at the front property line to the peak of the roof.
3. Buildings will be limited to a maximum height of 35 feet and 2.5 stories.

Examples of inconsistent height and mass between new and existing structures.



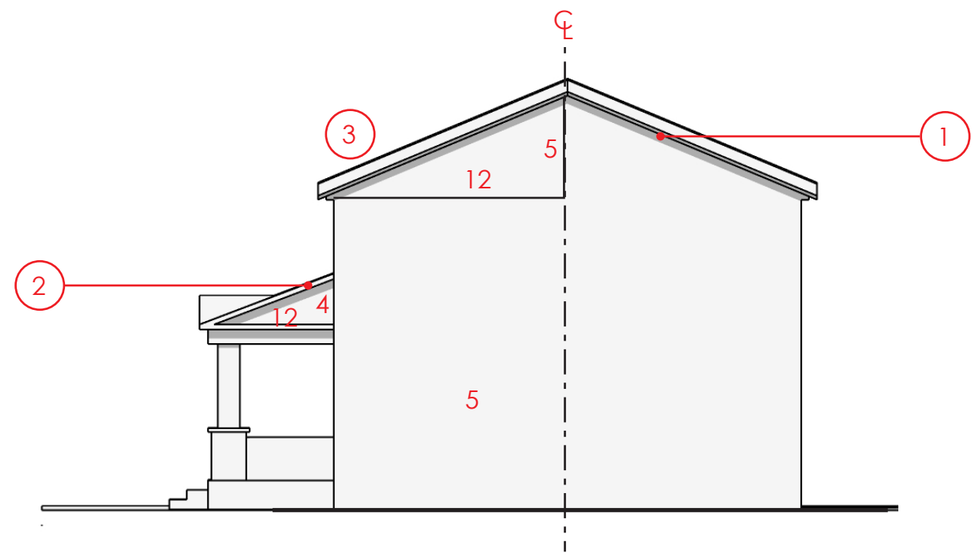



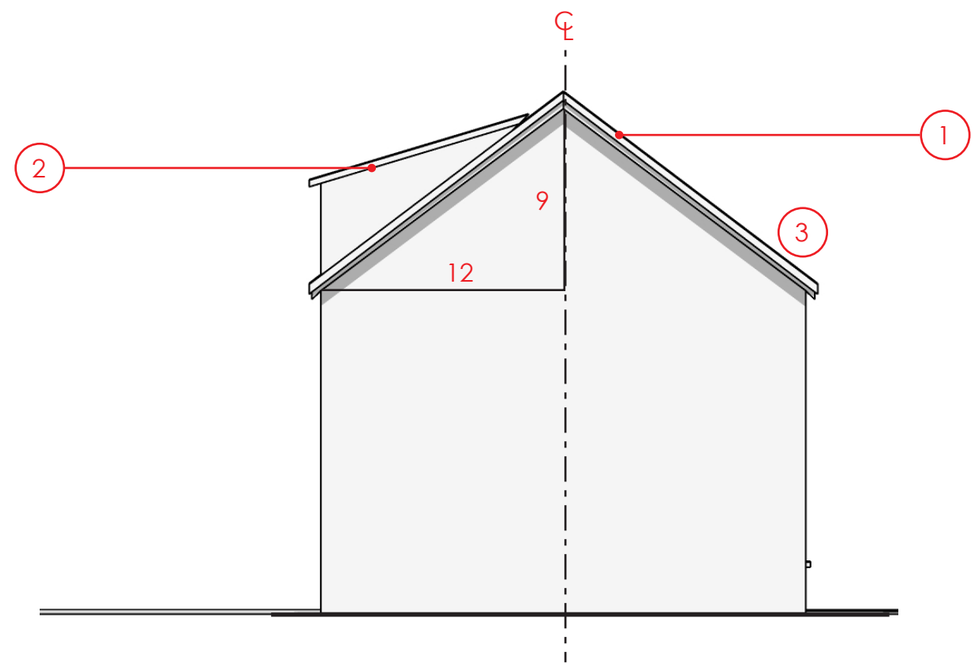



## ROOF PITCH (ISSUE 8)

Pitch is the slope or angle of a roof. The form of a roof can contribute significantly to the mass and proportion of a building. Utilizing a lowered pitch or fewer ridges and valleys (as shown with Issue 6) is another way of reducing the bulk of a structure.

1. Pitched roofs must be symmetrically sloped. The slope must be 5:12 to 9:12
2. Porch roofs and attached shed roofs must be 2:12 to 4:12.
3. Roof pitches must be appropriate to the style of the building.
4. The maximum height of buildings with flat or shed roofs will be 30 feet.



## BUILDING ARTICULATION (ISSUE 9)

Articulating a building facade means to provide a variation to its surface, such as framed windows, adding a porch, or off-setting a portion of the elevation. Articulation gives texture to exterior walls, and simple treatments can provide architectural interest and break up the bulk of large structures.

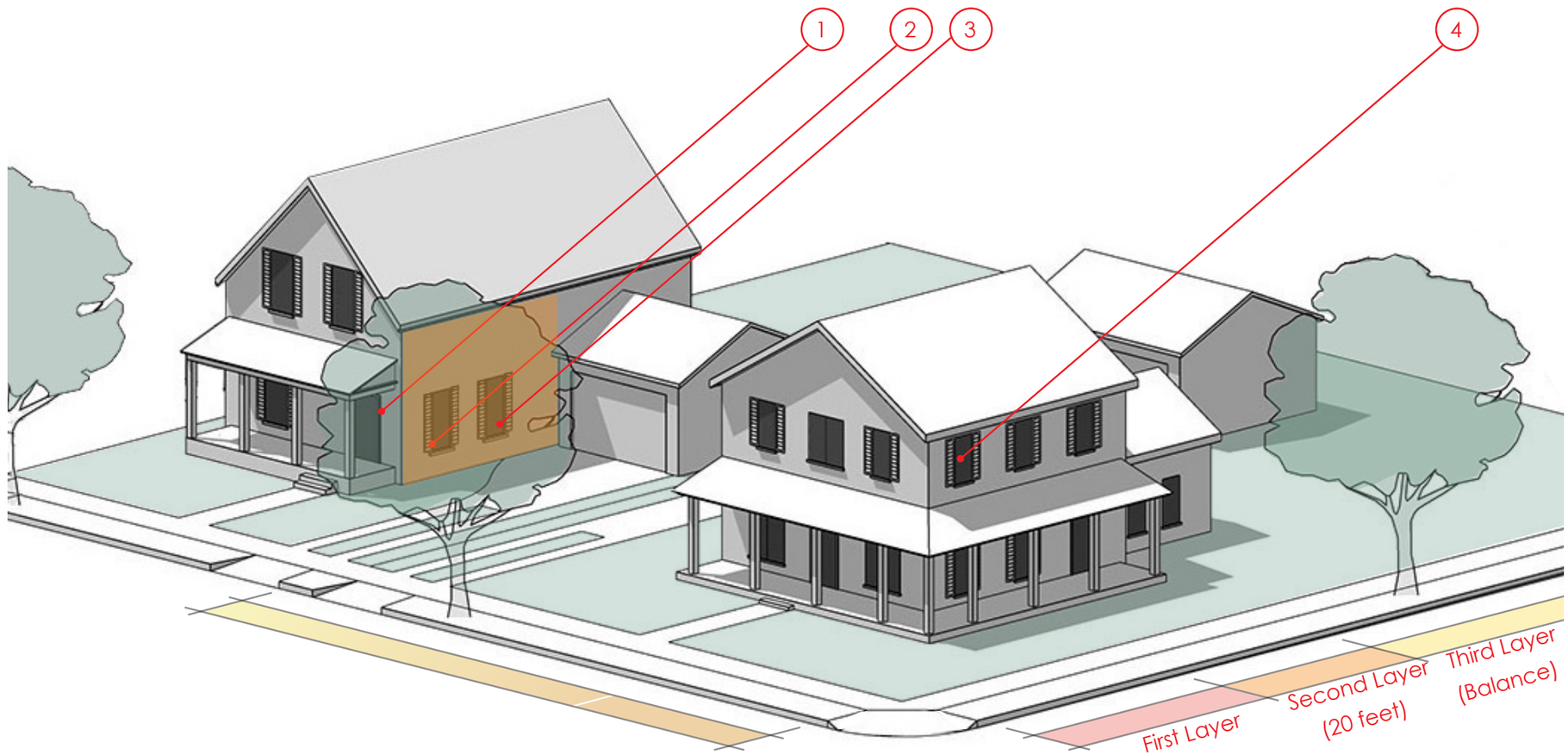
1. The front of the house and the location of the front door must be clearly visible from the street.

2. Side elevations must utilize one or more of the following methods to avoid large, blank walls:
   - Include windows. Windows are required on side walls in the second layer. These windows are required to follow the standards for windows facing frontages.)
   - Horizontal element: In addition to the side windows, houses over 2 stories must utilize a horizontal eave or band on the wall or a change in material (refer to photo).

3. Side elevations must include windows consistent with the proportion of the windows on the facade. Several windows on side elevations should be placed within the second lot layer.

4. On corner lots, both façades must be similarly designed and detailed and have similar opening proportion, placement, pattern and alignment.

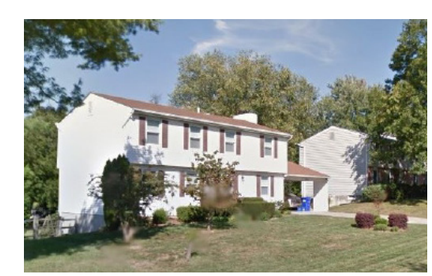
5. All building elements must be of a consistent style.



Horizontal band, materials change between stories.

Corner House, articulated both façades.

Consistent window proportion.



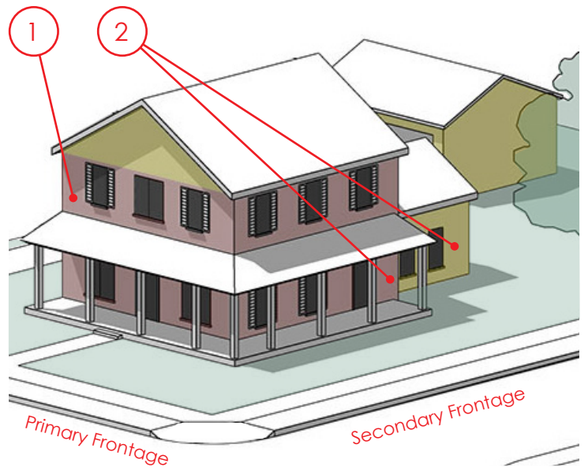
Avoid blank walls on side elevations.

## BUILDING MATERIALS (ISSUE 10)

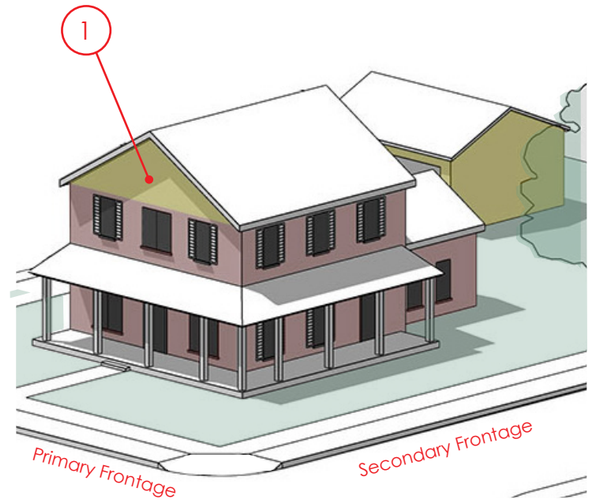
1. Gable ends in the Principal Building should be a single material and the material should be of equal or lesser apparent weight than the material of walls below.

2. If different materials are to be used on the same house, the materials should differentiate the fundamental parts of the building from one another (e.g. the foundation, building walls and top or the principle building and accessory structures).

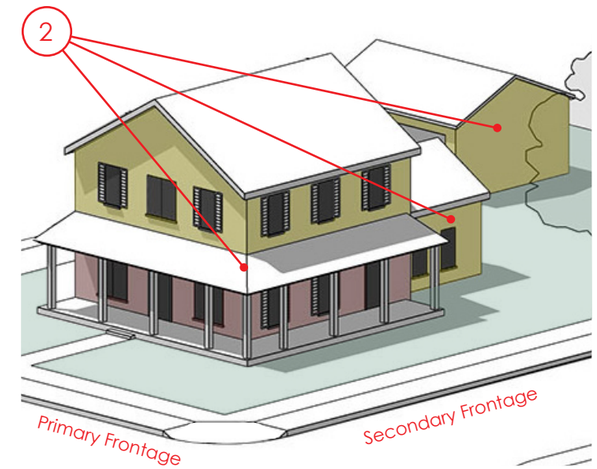
3. Materials should not change at outside corners (brick front, siding side) as this makes the material appear more like wallpaper than the structure of the building.



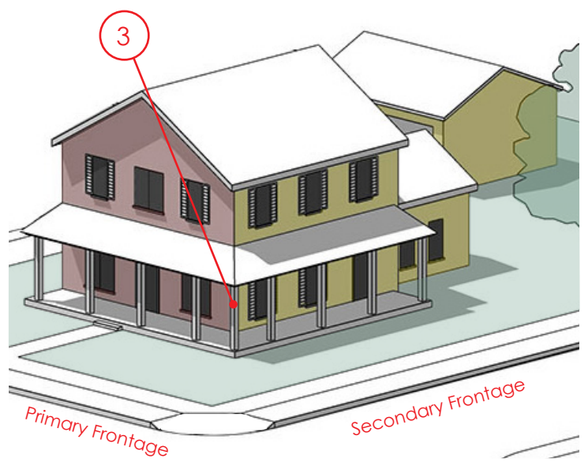

✓ Do: Using one or two materials for the Principal Building and another material for the Backbuilding and Accessory Building is preferred.



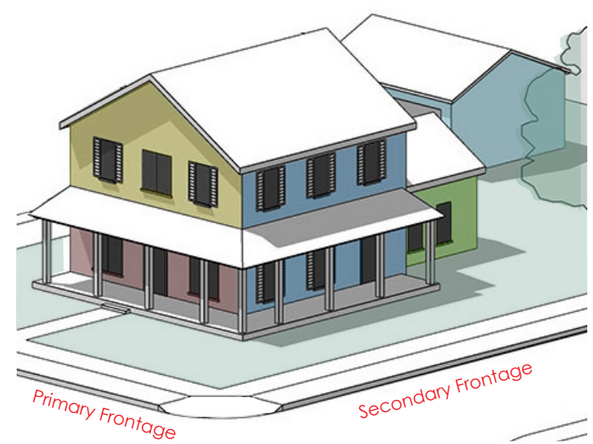

✓ Do: Using one or two materials for the Principal Building and Backbuilding and another material the Accessory Building is preferred.



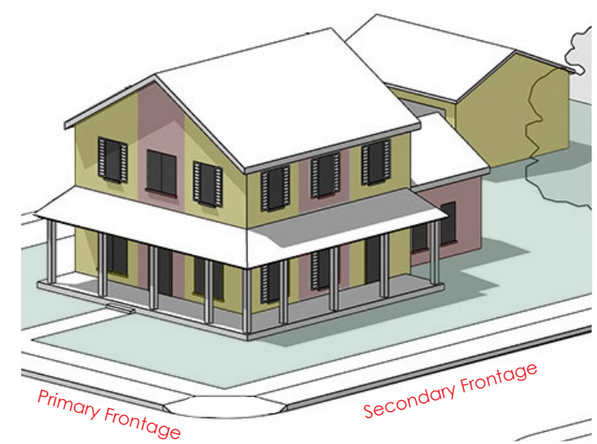

✓ Do: Transitioning between materials between floors is preferred as long as the material on the bottom is the more durable of the two.




✓ Permitted but not preferred: Material transitions around outside corners should be avoided.




✗ Don't: Using more than two materials per Principal Building and one per each Backbuilding and Accessory building is not preferred.




✗ Don't: Single planes should not transition from one material to another along vertical lines.

Attachment 10.b: Draft East Rockville Design Guidelines and Standards Document (3240 : East Rockville Design Guidelines and Standards,

WORKING DRAFT

## PORCHES & STOOPS (ISSUE 11)

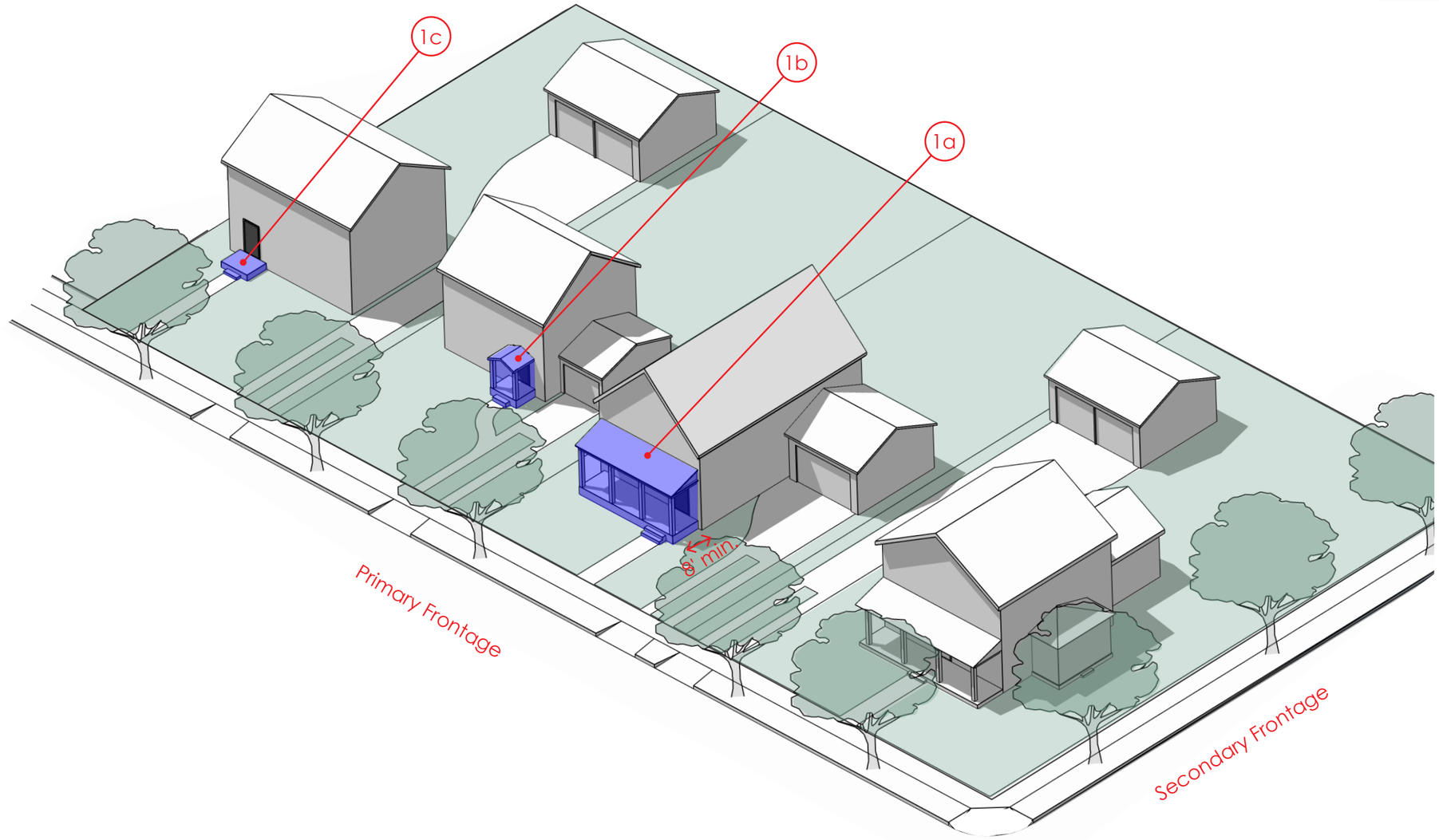
Porches and stoops add more than just character and interest to a house. They also facilitate community and put more "eyes on the street", as they provide a place for sitting and conversation. Practically, they also provide shelter from the elements, and depending on size, additional living space.

1 New principal buildings must include a front porch, stoop or uncovered stoop.

- 1a Covered, unenclosed porch/stoop.
- 1b Covered porch/stoop.
- 1c Uncovered porch/stoop.

2 Porches and stoops must be a minimum of 5 feet deep, but 8 feet minimum is preferred.

3 Porches of two-story height ceilings are not permitted (see image A below). Two-story porches with two habitable stories are permitted (see image B below). Porch ceilings must be similar to the ceiling height of the story to which they are attached.



One-story porch.

Uncovered stoop.

Covered porch.

A. Two-story porch.

B. Two one-story porches.

City of Rockville

# MEMORANDUM

August 5, 2020

TO: Mayor and Council

FROM: Planning Commission

SUBJECT: Planning Commission Recommendation on Zoning Text Amendment Application TXT2020-00257, East Rockville Design Guidelines and Standards

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At our meeting on August 5, 2020, the Planning Commission approved the comments in this memorandum on the proposed Zoning Text Amendment (ZTA) Application TXT2020-00257 to add a Design Guidelines section to Article 10 – Single Dwelling Unit Residential Zones of the City's Zoning Ordinance. If adopted, the ZTA would implement the East Rockville Design Guidelines document, which would apply to new detached residential structures and additions to existing homes in East Rockville. The comments are based on a review and discussion that took place on both July 22 and August 5, and as well as on the presentation that the Commission received from the consultant team of Michael Watkins Urban Design and Architecture on May 27th.

After lengthy discussion and deliberation, the Planning Commission voted unanimously to recommend for approval to the Mayor and Council the draft ZTA along with several items for further consideration as outlined below.

**PLANNING COMMISSION RECOMMENDATIONS**

1) **Design Guidelines Section Name (proposed new Section 25.10.14)**
The Planning Commission recommends that, to avoid confusion, the section title for the Zoning Text Amendment, which is called Design Guidelines in the proposed amendment, should match the name of the East Rockville document, or vice versa. Staff agrees and recommends retaining the existing section title (Design Guidelines) and changing the current title of the East Rockville document (East Rockville Design Guidelines and Standards) to the East Rockville Design Guidelines. This small change simplifies the terminology and utilizes a term of more universal understanding for not only planners

and designers, but also residents. Further, the introductory section of the East Rockville document includes an explanation about which provisions are required standards (the "wills" and the "musts") and which are discretionary *guidance* (the "shoulds"). Staff believes that both standards and guidance can come under the broader title of Guidelines.

**2) Alternative Compliance: Additional Parameters and Reference in the new Design Guidelines section of the Zoning Ordinance**

An "Alternative Compliance" option is included in the draft East Rockville Design Guidelines document and may be granted by the Chief of Zoning, or another applicable Approving Authority as defined in the Zoning Ordinance, if "the proposed alternative design maintains the intent and spirit of the guidance and standards and provides an equal or better design solution in terms of livability for residents and impacts on neighboring properties."

*Additional Parameters*

The Planning Commission raised a mix of questions about Alternative Compliance, including whether it allowed for too much flexibility or whether additional parameters for meeting the Alternative Compliance should be established. The Planning Commission agrees with retaining an option for Alternative Compliance but recommends the following modifications:

- Establish more specific findings or criteria for approving Alternative Compliance.
- Expressly require a property owner to prepare a statement demonstrating how the proposed alternative is meeting the intent and spirit of the design guidelines.

A third option, to limit Alternative Compliance to apply only to specific mandatory design standards, was considered but is not favored by the Planning Commission.

In addition to providing more criteria and/or a justification for compliance, the Planning Commission suggests that Alternative Compliance should have a stronger introductory and intent statement within the East Rockville Design Guidelines document, emphasizing that alternative proposals should demonstrate the benefits to the neighborhood that balance the requested relaxation of a standard.

*Reference in the new Design Guidelines section of the Zoning Ordinance*

The Planning Commission also recommends that a reference to Alternative Compliance should be included as a subsection of the proposed new Design Guidelines section of the Zoning Ordinance so that it is made clear up front that flexibility may be permitted in the application of the mandatory standards in the design guidelines (the "musts" as opposed to the "shoulds") if certain criteria are met. The Commission suggests adding a subsection to the proposed new section 25.10.14 that refers generally to the allowance for Alternative Compliance but that the details of the criteria or findings remain in the East Rockville Design Guidelines document.

**3) Limits to Building Footprint, Large Lots**

PDS staff provided an overview of the issues raised by the Mayor and Council about the proposed limit to building footprint (Issue 3, Lot Coverage, document page 5) given the varying lot sizes and, in particular, the number of large lots in East Rockville. The Planning Commission discussed and is in favor of the alternative that staff presented. To follow is a summary of the proposed alternative.

The current proposal to limit the primary building footprint to 1,500 square feet is based on the R-60 zoning category, which requires a 6,000-square-foot minimum lot size. The majority of the neighborhood is zoned R-60, except for a few blocks zoned R-75 in the Burgundy Knolls area to the northeast, between 1st Street and E Gude Drive. A 7,500-square-foot minimum lot size is required in the R-75 zone. Given these two zoning classifications, the Planning Commission supports staff's recommendation that, for lots up to 7,499 square feet, the current draft language would apply; and the footprint for the primary building would be limited to 1,500 square feet (25% of 6,000 square feet). For lots 7,500 square feet and larger, the footprint of the primary building would be limited to 1,875 (25% of 7,500 square feet). The same would apply for instances in which a property owner wanted to add on to, but retain, their single-story home. If an existing one-story house is retained on a lot that is 7,500 square feet or larger, an addition may bring total lot coverage up to 35% of the smallest lot size available (7,500 square feet in the R-75 zone or up to 2,625 square feet. The language would need to be updated accordingly for the properties under 7,500 square feet.

**4) Porches**

As people have been confined closer to home during the COVID-19 pandemic, we have seen first-hand how building design can influence the "feel" of a neighborhood. Specifically, with the case of porches, it has become more common to see neighbors sitting on their front porches or stoops, greeting others as they walk by. The Planning Commission notes that the East Rockville Design Guidelines document currently requires that new porches be a minimum of 5 feet deep, with 8 feet preferred, but that there is no requirement for width. The Planning Commission, after discussion, ultimately decided not to recommend a required minimum width; but the Mayor and Council may want to consider further discussion about adding a preferred width of 8 feet. The Planning Commission also recommends adding more robust intent language about the importance of porches in walkable neighborhoods to the introductory paragraph on document page 14.

**5) Updates to Graphics**

The Planning Commission recommends updating the graphics for Issue 5, Additions (document pages 7 and 8). The Planning Commission recommends making it more clear graphically that image 1 on page 7 corresponds to image 2 on page 8. We also recommend that image 4 on page 8 be changed to an image that is more representative of the type of additions that are occurring in the neighborhood.

6) **Consistent Terminology**
The Planning Commission notes that certain terms were abbreviated, for example, "max" instead of "maximum," and there were inconsistent uses of terminology across pages. For example, "pervious" material is used in some places while "permeable" material is used in others. We recommend that staff make edits as applicable to abbreviated terminology and to ensure that consistent terminology is used throughout the document.

7) **Mature Tree Preservation**
Members of the East Rockville Civic Association (ERCA) have made the preservation of the neighborhood's tree canopy a priority. Currently, tree preservation is addressed in the East Rockville Design Guidelines document only as a rationale for a request for Alternative Compliance. After discussing additional provisions offered for consideration by PDS staff, the Planning Commission recommends that the following be added to Issue 2, Building Placement (document page 4).

- The rear setback line will be maintained as the limit of disturbance to protect existing trees within the setback area on the lot or adjacent lots. If the rear of the lot adjoins an alley, the Chief of Zoning may consider Alternative Compliance in another location on the lot, including designating the front yard setback area, as the limit of disturbance.
- Three (3) shade trees (1 in the front yard and 2 in the rear yard) are required per lot for rebuilds or major additions. Existing trees may be counted toward meeting this requirement. Applicants are strongly encouraged to place a high priority on preserving existing mature trees.
- Applicants must provide a Tree Save Plan, or other similar document, along with all permit applications for new single-family homes and major additions, detailing how trees on the lot and adjacent lots will be preserved and the above requirements are met. PDS staff should outline the parameters for a document similar to a Tree Save Plan that, ideally, property owners can prepare themselves at minimal, if any, extra cost.

Therefore, on a motion by Commissioner Reverend Wood, seconded by Commissioner Pitman with Commissioners Littlefield (Chair), Goodman, Hadley, Tyner, and Miller voting in favor of the motion, the Commission recommends approval of Text Amendment TXT2020-00257 with the additional recommendations as outlined above.

**c.c.:** Robert DiSpirito, City Manager
Ricky Barker, Director, PDS
Jim Wasilak, Chief of Zoning, PDS

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Consent
Department: Human Resources
Responsible Staff: Marcus Odorizzi

## Subject

Revisions to Face Covering Policy for COVID-19 Pandemic

## Recommendation

Staff recommends that the Mayor and Council approve the revisions to the Face Covering Policy for COVID-19 Pandemic.

## Change in Law or Policy (remove this section if not needed)

Staff is proposing changes to the City's Face Covering Policy for COVID-19 Pandemic, specifically regarding the use of plastic face shields, as well as masks or face coverings with exhalation valves or vents. The proposed changes are based upon new guidance recently issued by the Centers for Disease Control and Prevention (CDC) and a September 22, 2020 Executive Order issued by Montgomery County.

## Discussion

Since the time the City's Face Covering Policy for COVID-19 Pandemic was adopted, more is now known about the efficacy of the use of plastic face shields, as well as masks or face coverings with exhalation valves or vents, to reduce potential COVID-19 exposures. Based upon the latest recommendations from the CDC, staff recommends the City revise the Face Covering Policy for COVID-19 Pandemic to no longer allow the use of plastic face shields as a substitute for wearing a face covering. Additionally, the revised policy states that masks or face coverings with exhalation valves or vents should not be worn to help prevent the person wearing the mask or face covering from spreading COVID-19 to others.

A September 22, 2020 Executive Order issued by Montgomery County revised the definition of a face covering to remove the option of wearing a plastic full-face shield. Currently, face shields are not acceptable face coverings in Montgomery County, nor are face shields recommended by the CDC to be used in lieu of face coverings.

The proposed revisions do allow those who are deaf or hard of hearing, or those who care for or interact with a person who is hearing impaired, to continue to wear plastic face shields in

lieu of a face covering. This exception is permitted by Montgomery County's Executive Order and follows the latest recommendations promulgated by the CDC.

## Mayor and Council History

The Face Covering Policy for COVID-19 Pandemic was originally adopted by the Mayor and Council on June 22, 2020.

## Attachments

Attachment 11.A.a: Face Covering Policy for COVID-19 Pandemic 10.19.2020 Redline Version (PDF)

Rob DiSpirito, City Manager 10/13/2020

Face Covering Policy for COVID-19 Pandemic

October 19, 2020 Version

**Purpose**

The City is regulated by Maryland Occupational Safety and Health Administration (MOSH), which has established guidance related to face coverings and other respiratory protection. The City will require that all employees wear face coverings, as outlined below, to protect the workforce and the public with the goal of reducing potential COVID-19 exposures.

COVID-19 spreads mainly from person to person through respiratory droplets produced when an infected person coughs, sneezes, or talks. These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs. Studies and evidence on infection control report that these droplets usually travel around 6 feet (about two arms lengths).

A face covering may not protect the wearer, but it may keep the wearer from spreading the virus to others.

**Scope**

Employees
The City of Rockville (City) shall require all employees who report to work at assigned work locations (onsite) to wear face coverings while in City office buildings, facilities, vehicles, and other workspaces. The face covering requirement shall apply to all City employees, interns, temporary or seasonal employees, contractors, volunteers and individuals engaged in business on behalf of the City.

Visitors
Any visitors who enter a City office building or facility will be required to wear face coverings at all times.

Exceptions

- Employees can remove their face covering while they are working alone in an enclosed space such as an office with a door that is closed or when driving alone in a vehicle.
    - These employees must put on their face covering when entering common areas or in the presence of other persons.
    - Single occupants in a City-vehicle are required to wear a face covering if another employee will be using the vehicle that day or if the vehicle is considered a pool vehicle where there is the likelihood that someone else could drive the vehicle the same day.

- Employees can remove their face covering while working outdoors and maintaining physical distancing of at least 6 feet from others.
- Sworn police officers should follow the internal policies of the Rockville City Police Department regarding the wearing of face coverings while on duty.
- ~~Employees are exempted from the requirements of this policy if their position requires them to wear safety glasses and the employee chooses to wear City-supplied face shields; which are available in the City's Stockroom.~~
- Plastic face shields are not to be used as a substitute for a face covering but may be appropriate for people who are deaf or hard of hearing or those who care for or interact with a person who is hearing impaired.
    - Unless you meet this criteria, plastic face shields are not to be used as a substitute for a face covering.
- Employees who cannot wear a face covering for reasons consistent with the Americans with Disabilities Act should contact Daisy Harley, Benefits Manager, at 240-314-8476 or dharley@rockvillemd.gov.

This policy will remain in effect until the City Manager, in consultation with the Director of Human Resources, rescinds the Face Covering Policy for COVID-19 Pandemic. ~~This policy may be updated periodically, with approval by the Mayor and Council. This policy will remain in effect until the Governor rescinds the state of emergency associated with COVID-19.~~

**Face Covering Supply and Use**

The City's Stockroom, at the Gude Drive Maintenance Facility, has a supply of disposable face coverings that will be made available for use by Visitors who arrive at City buildings, facilities, or other workspaces without a face covering.

The cloth face coverings being provided by the City, as recommended by the CDC, are not surgical masks or N-95 respirators. These items remain critical supplies that must continue to be reserved for healthcare workers and other first responders. The City will permit employees to wear their own surgical masks or N-95 respirators onsite. If an employee chooses to wear N-95 respirators, please contact Marcus Odorizzi, Safety and Risk Manager, at 240-314-8467 or modorizzi@rockvillemd.gov to receive important information from OSHA that the City must provide as part of allowing you to voluntarily use a respirator.

The City will supply cloth face coverings to all onsite employees.

- The City's Stockroom has a supply of cloth face coverings available for distribution to employees. Please work with your supervisor or designate only one person to retrieve enough cloth face coverings for your crew, team, or department to ensure we're also protecting our Stockroom employees by limiting the number of internal customers they're serving.

Employees may choose to wear their own face covering mask in place of those provided by the City.

- The face covering must not contain graphics or images that are or may be potentially offensive, insensitive, inappropriate, intimidating, or contain partisan graphics, images or messaging.
- The face covering must fit snugly and cover your nose, mouth and chin.
- If an employee chooses to purchase and wear their own face covering rather than the supply provided by the City, the employee will not receive reimbursements for that purchase.

What if I forgot to bring my face covering to work?

- It is the responsibility of employees to bring and wear required face coverings. Employees will not be allowed to enter any City building or other assigned work location (onsite) without a face covering.
- Individual departments have the discretion to provide a replacement face covering, if available, or the employee will be sent home and their time will be entered into Kronos as Annual Leave or Leave Without Pay (LWOP) if there is insufficient Annual Leave.

How to wear your Face Covering Correctly:

- Wash your hands before putting on your face covering
- Put it over your nose and mouth and secure it under your chin
- Try to fit it snugly against the sides of your face
- Make sure you can breathe easily
- Don't put the covering around your neck or up on your forehead
- Don't touch the face covering, and, if you do, wash your hands
- Although plastic face shields cannot be used as a substitute for a face covering, employees may wear a plastic face shield in addition to a face covering.

Masks or face coverings with exhalation valves or vents should not be worn to help prevent the person wearing the mask or face covering from spreading COVID-19 to others.

How to Take Off your Face Covering:

- Untie the strings behind your head or stretch the ear loops
- Handle only by the ear loops or ties
- Fold outside corners together
- Be careful not to touch your eyes, nose, and mouth when removing and wash hands immediately after removing.
- Follow the below instructions for cleaning your face covering

How to clean your Cloth Face Covering:

- Employees are responsible for maintaining and cleaning City-issued face coverings
- Employees must wash face coverings after each use
- Washing machine
  - Use regular laundry detergent and the warmest appropriate water setting for the cloth used to make the face covering
- Completely dry face covering after washing and before next use
  - Dryer
    - Use the highest heat setting and leave in the dryer until completely dry.
  - Air Dry
    - Lay flat and allow to completely dry. If possible, place the cloth face covering in direct sunlight.
  - Dry-Clean
    - The City is contracting with Edna's Cleaners for the cleaning and sanitizing of the City-issued face coverings. It will be determined by your own department if City-issued face coverings will be dry-cleaned by Edna's Cleaners.

**Failure to Follow**

Employees

Employees who violate this policy may be subject to discipline pursuant to the City's PPP #180-00 Policy on Employees' Code of Conduct consistent with the City's PPP #75-10 Policy on Discipline and Dismissal.

The type of discipline shall be dependent upon the frequency and/or severity of the employee's conduct.

Employees who regularly conduct their work assignments away from the office, such as meeting contractors to perform an on-site inspection, are not required to provide service to anyone who refuses to wear a face covering, improperly wears their face covering, or does not adhere to physical distancing requirements by remaining 6 feet away.

Visitors

Visitors are required to follow the directives contained within this policy, and the direction of employees regarding the wearing of face coverings. Any visitor who refuses to wear a face covering, or who improperly wear their face covering, will be refused/denied service from City employees until compliance is obtained.

If a visitor continues to fail to follow the directives to wear a face covering while in a City building or workplace, please immediately contact your supervisor and inform them of the situation and ask for assistance to respond.

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Consent
Department: PW - Environmental Management
Responsible Staff: Heather Gewandter

## Subject

Approval to Increase Baltimore County Contract #B-1101 Rider, On-Call Stormwater Management Services and Environmental Restoration Services, to Apex Companies, LLC in the Amount Not to Exceed $350,000

## Recommendation

Staff recommends that the Mayor and Council increase the rider contract on Baltimore County Contract No. B-1101: On-call Stormwater Management Services and Environmental Restoration Services, to Apex Companies, LLC in the amount of $350,000 for a revised total not to exceed amount of $700,000.

## Discussion

In order to carry-out three emergency repair projects, and perform needed maintenance on underground stormwater management facilities, City staff requests the Mayor and Council increase the original award to Apex Companies, LLC from $350,000 annually to $700,000 annually. Staff is not requesting additional funding in order to carry-out this work.

On April 29, 2019, the Mayor and Council awarded a rider on Baltimore County Contract #B-1101, On-call Stormwater Management Services and Environmental Restoration Services, to Apex Companies, LLC, through April 17, 2020, with two, one-year renewal options in an annual not-to-exceed amount of $350,000. Staff has renewed this contract for one year beginning April 17, 2020, through April 17, 2021, and there is one, one-year renewal option remaining.

This rider contract provides the City with a mechanism to perform all maintenance on above ground stormwater management facilities, including Environmental Site Design (ESD) best management practices like bioretention and green roofs. The rider contract provides the City with the means to perform clean-out and maintenance work on underground stormwater management facilities. It also provides for emergency stream repair work (e.g., when a sewer line breaks near a stream). Apex Companies, LLC is the only vendor currently under contract with the City that has the expertise to carry-out this work. The April 29, 2019, agenda approved by the Mayor and Council anticipated the possibility of performing emergency stream repairs.

This year, the City has three emergency fixes. The first is a stream repair associated with failing gabion baskets (wire mesh structures packed with rock). The gabion baskets support part of Cabin John Parkway and their collapse threatens the structural integrity of the road. The second fix is a dry pond dam, located in Redgate Park, which has breached thus putting the City out of compliance with State Dam Safety regulations. The fix will "decommission" this pond, allowing it to safely pass water and not leach sediment into downstream waters, as well as come into compliance with State regulations. The final project is much smaller in scale, but also unsafe. This project will remove a culvert over a stream in RedGate Park. The culvert sustained damage during a recent storm and is no longer safe. This project will remove the culvert and stabilize the area where the culvert was located to eliminate future stream erosion issues. The budgetary estimate for these three projects totals $260,000.

In addition, staff will utilize this contract to carry-out underground stormwater facility maintenance. The City previously received this service through a contract that ended in June 2020. The annual cost to clean-out and provide routine maintenance for City-maintained underground stormwater management facilities is $90,000.

The requested $350,000 increase to the award for the City's stormwater management facility maintenance and emergency stream repair contractor would allow staff to perform these fixes while carrying-out the established annual maintenance program.

## Mayor and Council History

The Mayor and Council approved the award of this contract on April 29, 2019.

## Procurement

In accordance with Section 17-71(b) of the Rockville City Code (Cooperative Procurement), the City may contract with any contractor who offers goods, services, insurance, or construction on the same terms as provided to other State or local governments or agencies thereof, who have arrived at those terms through a competitive procurement procedure similar to the procedure used by the City.

In accordance with Section 17-39(a) of the Rockville City Code (Awarding Authority), all contracts involving more than one hundred thousand dollars ($100,000) shall be awarded by the Council.

## Fiscal Impact

Sufficient FY 2021 funding is available in the contractual services operating budget in the Department of Public Works, Environmental Management Division. Additional funds, which are appropriated in the Capital Improvements Program budget in the Stream Restoration Spot Repairs project, will be used for the stream repair. Continuation of the contract beyond June 30 of each year is subject to appropriation by the Mayor and Council.

## Next Steps

Upon Mayor and Council approval, the Procurement Division will modify the existing rider contract with Apex Companies, LLC.

Rob DiSpirito, City Manager 10/13/2020

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Consent
Department: PW - Traffic & Transportation
Responsible Staff: Andrew Luetkemeier

## Subject

Award of a Special Procurement Contract for Construction Phase Engineering Services for the Rockville Intermodal Access: Baltimore Road CIP Project, to Rummel, Klepper, and Kahl, LLP, in the Amount Not to Exceed $144,102.35.

## Recommendation

Staff recommends that the Mayor and Council award a Special Procurement Contract, subject to the City's Attorney's approval of a revised agreement, to Rummel, Klepper and Kahl, LLP in the amount not to exceed $144,102.35, for construction phase engineering services for the Rockville Intermodal Access: Baltimore Road Project.

## Discussion

This Special Procurement Contract with Rummel, Klepper, and Kahl, LLP (RKK) will be used for construction phase engineering services for the Rockville Intermodal Access: Baltimore Road Project. RKK is the engineer of record for the project, having completed the signed and sealed drawings and specifications for construction. It is a customary practice that the same firm performing the design services also provides construction phase engineering services. Due to the age of the contract and the fact that it has expired, it was not possible to amend the original 2009 contract to add the construction phase engineering services.

RKK will provide the traditional services during the construction phase to ensure the project is constructed per the design. Specifically, they will evaluate and respond to the construction contractor's "requests for information," prepare re-designed drawings during construction due to any unforeseen circumstances, attend progress and field meetings, make periodic site visits during construction and approve shop drawings. These services will be performed on an as needed basis at the request of the City. Day to day construction inspection is not included in this contract and will be performed by City staff and other on-call construction inspection consultants, as necessary.

## Mayor and Council History

This is the first time this item has been brought before the Mayor and Council.

## Procurement

Per Rockville City Code, Section 17-88(a), "Special Procurement," the City may authorize non-competitive procurement methods, upon written determination that a unique or unusual circumstance exists that makes competitive procurement contrary to the City's interest.

RKK is the engineer of record for this project as they developed and sealed the project's design drawings and specifications. Utilizing another engineering firm via a competitive procurement process for these construction phase engineering services creates additional project risks and liabilities, as well as additional time and costs associated with bringing another engineering firm up to speed on the project, all of which is contrary to the City's interest.

Additionally, it is highly unlikely other firms would be interested in assuming the project risks and liabilities associated with providing professional services during only the construction phase of this process.

After reviewing RKK's proposed scope of services and considering other options, the department has determined that hiring RKK is in the best interest of the City. Hiring RKK would be the most efficient choice because they have worked on this project for more than 10 years, developed the plans and specifications, are familiar with the site conditions, were involved in all design considerations and decisions, and understand the project's history. RKK brings value in this regard because there is not a steep learning curve that another consultant would need to go through to interpret and understand the design and its underlying considerations on such a large, multi-faceted project.

The new Special Procurement Contract is subject to the City's Attorney's Office review and approval of a new or revised agreement based on previous City's agreement with RKK. City staff initially considered hiring RKK on a rider contract from Montgomery County, but at the request of City staff, RKK was amenable to lowering their proposal cost by utilizing lower rates that match their current SHA contract rates which has reduced their cost proposal by about 2.7%. The rates reflect market conditions as they match SHA's current rate and are lower than Montgomery County's contract rates. Staff believes the fact that other agencies and jurisdictions accept these rates coupled with RKK's intimate knowledge of the project provides the best value for the City for these services.

RKK is neither an MBE nor DBE business entity.

## Fiscal Impact

This contract will be utilized during the construction phase of the Rockville Intermodal Access: Baltimore Road (8A11) project on an as needed basis. The current project budget has approximately $144,000 set aside for these services. Any unused funds will be available for other project needs or will return to the Capital Projects Fund after the project closes.

## Next Steps

Upon Mayor and Council award, and subject to the City's Attorney's Office review and approval of a new or revised agreement based on previous City's agreement with RKK, the Procurement Division will obtain insurance certificates, contract signatures, and a Special Procurement Contract will be awarded to RKK.

Rob DiSpirito, City Manager 10/14/2020

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Consent
Department: CMO - Public Information and Community Engagement
Responsible Staff: Kathy Dantzler

## Subject

Award of Contract for R11 MC Office Renovation/PEG Studio Set Build

## Recommendation

### Discussion

This project will include labor, materials, technical integration and equipment installation to renovate the current Master Control and office space and the studio set build for the City's Public, Educational, and Government (PEG) cable television station, Rockville 11.

Construction will include sound proofing, demolition, lighting, mechanical, sprinkler system, and HVAC.

Upon completion of this project, Cable Television Production staff, will use both spaces to create, produce, and broadcast programming for the City's 24-hour, seven-day-a-week Public, Education, and Government (PEG) Cable television station, Rockville 11.

### Mayor and Council History

This is the first time that this item has been brought before the Mayor and Council.

### Procurement

In accordance with Section 17-71 of the Rockville City Code, Cooperative Procurement: (b) The City may contract with any contractor who offers goods, services, insurance, or construction on the same terms as provided other state or local governments or agencies thereof who have arrived at those terms through a competitive procurement procedure similar to the procedure used by the City.

In accordance with Section 17-39 of the Rockville City Code, Awarding Authority, (a) All contracts involving more than one hundred thousand dollars ($100,000.00) shall be awarded by the Mayor and Council.

Quotes for this work scope were obtained from three (3) contractors with Cooperative Agreements/Job Order contracts issued by Baltimore County Public Schools. These contracts where reviewed and approved by the Procurement Division as rideable in accordance with the City's Code and were determined to be appropriate contracts to utilize. Bob Andrews Construction, Inc. had the best price and plan for execution under its contract with Baltimore County Public School Contract #JMI-615-18 for Building Renovation and Alteration Services.

Requested price quotes under the rider contracts were received by September 24, 2020 as follows:

| Contractor | Rider Contract | MFD Status | Location | Amount |
|---|---|---|---|---|
| **Bob Andrews Construction, Inc.** | Baltimore County Public Schools | Non-MFD | Middle River, MD | $197,385.00 |
| **Tito Contractors, Inc.** | Baltimore County Public Schools | Hispanic | Washington, D.C. | $218,844.00 |
| **North Point Builders** | Baltimore County Public Schools | Non-MFD | Baltimore, MD | $254,000.00 |

The architect's cost estimate was $245,706.91. The low bid award is 19% below the General Contract's estimate. The proposals were reviewed by the design team led by Wheeler, Goodman, & Masek Architecture and Interiors (WGM) and were found to be reasonable and complete. The City has worked with Bob Andrew's Construction, Inc. on similar repair and renovation projects in the past five years, including the Senior Center ADA Improvements (Phase 1), Glenview Mansion side porch repair, and F. Scott Fitzgerald Theatre roof beam improvement and installation of a motorized lighting bar. These projects were all successfully completed. Bob Andrews Construction, Inc. has provided the City with a quality product for a fair price.

**Fiscal Impact**

Due to delays with the PEG Studio CIP in FY 2020, this construction award had to be moved to FY 2021. Funding to support this award is available in the FY 2021 budget within the Cable TV Equipment Cost Center. This cost center is not supported by the General Fund. Instead, it is funded by the Special Activities Fund, which consists of revenues from the Comcast Franchise Agreement Fees and the Cable Grant Fund. These revenues are restricted and can only be used for the operation and maintenance of the Public, Education, and Government (PEG) cable television station, Rockville 11.

**Next Steps**

Should the Mayor and Council authorize approval, the Procurement Department will conduct the contract process, including obtaining signatures and insurance certificate(s) from Bob Andrews Construction, Inc.

## Discussion

This project will include labor, materials, technical integration and equipment installation to renovate the current Master Control and office space and the studio set build for the City's Public, Educational, and Government (PEG) cable television station, Rockville 11.

Construction will include sound proofing, demolition, lighting, mechanical, sprinkler system, and HVAC.

Upon completion of this project, Cable Television Production staff, will use both spaces to create, produce, and broadcast programming for the city's 24-hour, seven day a week Public, Education, and Government (PEG) Cable television station, Rockville 11.

## Mayor and Council History

This is the first time that this item has been brought before the Mayor and Council.

## Procurement

In accordance with Section 17-71 of the Rockville City Code, Cooperative Procurement: (b) The City may contract with any contractor who offers goods, services, insurance, or construction on the same terms as provided other state or local governments or agencies thereof who have arrived at those terms through a competitive procurement procedure similar to the procedure used by the City.

In accordance with Section 17-39 of the Rockville City Code, Awarding Authority, (a) All contracts involving more than one hundred thousand dollars ($100,000.00) shall be awarded by the Council.

Quotes for this work scope were obtained from three (3) contractors with Cooperative Agreements/Job Order contracts issued by Baltimore County Public Schools. These contracts where reviewed and approved by the Procurement Division as rideable in accordance with the City's Code and were determined to be appropriate contracts to utilize. Bob Andrews Construction, Inc. had the best price and plan for execution under its contract with Baltimore County Public School Contract #JMI-615-18 for Building Renovation and Alteration Services.

Requested price quotes under the rider contracts were received by September 24, 2020 as follows:

| Contractor | Rider Contract | MFD Status | Location | Amount |
|---|---|---|---|---|
| **Bob Andrews Construction, Inc.** | Baltimore County Public Schools | Non-MFD | Middle River, MD | $197,385.00 |
| **Tito Contractors, Inc.** | Baltimore County Public Schools | Hispanic | Washington, D.C. | $218,844.00 |
| **North Point Builders** | Baltimore County Public Schools | Non-MFD | Baltimore, MD | $254,000.00 |

The architect's cost estimate was $245,706.91. The low bid award is 19% below the General Contract's estimate. The proposals were reviewed by the design team led by Wheeler, Goodman, & Masek Architecture and Interiors (WGM) and were found to be reasonable and complete. The City has worked with Bob Andrew's Construction, Inc. on similar repair and renovation projects in the past five years, including the Senior Center ADA Improvements (Phase 1), Glenview Mansion side porch repair, and F. Scott Fitzgerald Theatre roof beam improvement and installation of a motorized lighting bar. These projects were all successfully completed. Bob Andrews Construction, Inc. has provided the City with a quality product for a fair price.

## Fiscal Impact

Due to delays with the PEG Studio CIP in FY 2020, this construction award had to be moved to FY 2021. Funding to support this award is available in the FY 2021 budget within the Cable TV Equipment Cost Center. This cost center is not supported by the General Fund. Instead, it is funded by the Special Activities Fund, which consists of revenues from the Comcast Franchise Agreement Fees and the Cable Grant Fund. These revenues are restricted and can only be used for the operation and maintenance of the Public, Education, and Government (PEG) cable television station, Rockville 11.

## Next Steps

Upon Mayor and Council approval, the Procurement Department will conduct the contract process, including obtaining signatures and insurance certificate(s) from Bob Andrews Construction, Inc.

## Attachments

Attachment 11.D.a: AGENDA ITEM - Task Order R11 Master Control Suite and Office Renovation - PEG Studio Set Build (DOCX)
Attachment 11.D.b: UPDATE Award Agenda Item - R11 Master Control-Office Remodel and PEG Studio Set Build (DOC)

Rob DiSpirito, City Manager 10/13/2020

City of Rockville
Mayor and Council
Agenda Item

**For Meeting On:** October 19, 2020
**Agenda Item Type:** Award/Consent
**Title:** Award/Consent of Contract for R11 Master Control Suite/Office Renovation and Public, Education, and Government (PEG) Studio Set Build.

**Department:** City Manager

**Responsible Staff:** Katherine Kirk-Dantzler, Cable Television Station Manager
240-314-8187
KDantzler@rockvillemd.gov

**SUBJECT:**
Award a Rider Contract for the renovation of the Rockville 11 Master Control/Office Renovations (3rd floor City Hall) and the build of the Public, Education, and Government (PEG) studio (1st floor of City Hall) with Bob Andrews Construction Inc. by riding Contract JMI-615-18 Building Restoration and Alteration Services.

**RECOMONDATION:**
Staff recommends the Mayor and Council award a rider contract for renovations of the Rockville 11 Master Control Suite/Office and the build of the Public, Education, and Government (PEG) studio set at City Hall to Bob Andrews Construction, Inc. of Middle River, Maryland by riding Baltimore County Public Schools contract JMI-615-18 for Building Renovation and Alteration Services in the amount not-to-exceed $197,385.00.

**DISCUSSION**
This project will include labor, materials, technical integration and equipment installation to renovate the current Master Control and office space and the studio set build for the City's Public, Educational, and Government (PEG) cable television station, Rockville 11.

Construction will include sound proofing, demolition, lighting, mechanical, sprinkler system, and HVAC.

**DISCUSSION (cont'd)**
Upon completion of this project, Cable Television Production staff, will use both spaces to create, produce, and broadcast programming for the city's 24-hour, seven day a week Public, Education, and Government (PEG) Cable television station, Rockville 11.

**MAYOR AND COUNCIL HISTORY:**
This is the first time that this item has been brought before the Mayor and Council.

**PROCOUREMENT INFORMATION**
In accordance with Section 17-71 of the Rockville City Code, Cooperative Procurement: (b) The City may contract with any contractor who offers goods, services, insurance, or construction on the same terms as provided other state or local governments or agencies thereof who have arrived at those terms through a competitive procurement procedure similar to the procedure used by the City.

In accordance with Section 17-39 of the Rockville City Code, Awarding Authority, (a) All contracts involving more than one hundred thousand dollars ($100,000.00) shall be awarded by the Council.

Quotes for this work scope were obtained from three contractors with Cooperative Agreements/Job Order contracts issued by Baltimore County Public Schools. These contracts where reviewed and approved by the Procurement Division as rideable in accordance with the City's Code and were determined to be appropriate contracts to utilize. Bob Andrews Construction, Inc. had the best price and plan for execution under its contract with Baltimore County Public School Contract #JMI-615-18 for Building Renovation and Alteration Services.

Requested price quotes under the rider contracts were received by September 22, 2020 as follows:

| Contractor | Rider Contract | MFD Status | Location | Amount |
|---|---|---|---|---|
| Bob Andrews Construction | Baltimore County Public Schools | Non-MFD | Middle River, MD | $197,385.00 |
| Tito Contractors, Inc. | Baltimore County Public Schools | Hispanic | Washington, D.C. | $218,844.00 |
| North Point Builders | Baltimore County Public Schools | Non-MFD | Baltimore, MD | $254,000.00 |

The architect's cost estimate was $270,706.91**.** The low bid award is 37% below the General Contract's estimate. The proposals were reviewed by the design team led by Wheeler, Goodman, Masek & Associates (WGM), architects and they recommended a construction contract be awarded to Bob Andrews Construction, Inc.

**FISCAL IMPACT**

Funding to support this award is available in the FY 2021 budget within the Cable TV Equipment Cost Center. This cost center is not associated with the General Fund. Instead, it is funded by the Special Activities Fund which consists of revenues from the Comcast Franchise Agreement Fees and the Cable Grant Fund. These revenues are to be used specifically for the operation and maintenance of the Public, Education, and Government (PEG) cable television station, Rockville 11.

**NEXT STEPS**

Upon Mayor and Council approval, the Procurement Department will conduct the contract process, including obtaining signatures and insurance certificate(s) from Bob Andrews Construction, Inc.

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Consent
Department: CMO - Public Information and Community Engagement
Responsible Staff: Kathy Dantzler

## Subject

Award of Contract for R11 MC Office Renovation/PEG Studio Set Build

## Recommendation

Award a Rider Contract for the renovation of the Rockville 11 Master Control/Office Renovations (3rd floor of City Hall) and the build of the Public, Education, and Government (PEG) studio (1st floor of City of Hall) with Bob Andrews Construction, Inc. by riding Baltimore County Public School Contract JMI-615-18 Building Restoration and Alteration Services.

## Discussion

This project will include labor, materials, technical integration and equipment installation to renovate the current Master Control and office space and the studio set build for the City's Public, Educational, and Government (PEG) cable television station, Rockville 11.

Construction will include sound proofing, demolition, lighting, mechanical, sprinkler system, and HVAC.

Upon completion of this project, Cable Television Production staff, will use both spaces to create, produce, and broadcast programming for the City's 24-hour, seven-day-a-week Public, Education, and Government (PEG) Cable television station, Rockville 11.

## Mayor and Council History

This is the first time that this item has been brought before the Mayor and Council.

## Procurement

In accordance with Section 17-71 of the Rockville City Code, Cooperative Procurement: (b) The City may contract with any contractor who offers goods, services, insurance, or construction on the same terms as provided other state or local governments or agencies thereof who have arrived at those terms through a competitive procurement procedure similar to the procedure used by the City.

In accordance with Section 17-39 of the Rockville City Code, Awarding Authority, (a) All contracts involving more than one hundred thousand dollars ($100,000.00) shall be awarded by the Mayor and Council.

Quotes for this work scope were obtained from three (3) contractors with Cooperative Agreements/Job Order contracts issued by Baltimore County Public Schools. These contracts where reviewed and approved by the Procurement Division as rideable in accordance with the City's Code and were determined to be appropriate contracts to utilize. Bob Andrews Construction, Inc. had the best price and plan for execution under its contract with Baltimore County Public School Contract #JMI-615-18 for Building Renovation and Alteration Services.

Requested price quotes under the rider contracts were received by September 24, 2020 as follows:

| Contractor | Rider Contract | MFD Status | Location | Amount |
|---|---|---|---|---|
| **Bob Andrews Construction, Inc.** | Baltimore County Public Schools | Non-MFD | Middle River, MD | $197,385.00 |
| **Tito Contractors, Inc.** | Baltimore County Public Schools | Hispanic | Washington, D.C. | $218,844.00 |
| **North Point Builders** | Baltimore County Public Schools | Non-MFD | Baltimore, MD | $254,000.00 |

The architect's cost estimate was $245,706.91. The low bid award is 19% below the General Contract's estimate. The proposals were reviewed by the design team led by Wheeler, Goodman, & Masek Architecture and Interiors (WGM) and were found to be reasonable and complete. The City has worked with Bob Andrew's Construction, Inc. on similar repair and renovation projects in the past five years, including the Senior Center ADA Improvements (Phase 1), Glenview Mansion side porch repair, and F. Scott Fitzgerald Theatre roof beam improvement and installation of a motorized lighting bar. These projects were all successfully completed. Bob Andrews Construction, Inc. has provided the City with a quality product for a fair price.

## Fiscal Impact

Due to delays with the PEG Studio CIP in FY 2020, this construction award had to be moved to FY 2021. Funding to support this award is available in the FY 2021 budget within the Cable TV Equipment Cost Center. This cost center is not supported by the General Fund. Instead, it is funded by the Special Activities Fund, which consists of revenues from the Comcast Franchise Agreement Fees and the Cable Grant Fund. These revenues are restricted and can only be used for the operation and maintenance of the Public, Education, and Government (PEG) cable television station, Rockville 11.

## Next Steps

Should the Mayor and Council authorize approval, the Procurement Department will conduct the contract process, including obtaining signatures and insurance certificate(s) from Bob Andrews Construction, Inc.

## Attachments

AGENDA ITEM - Task Order R11 Master Control Suite and Office Renovation - PEG Studio Set Build (DOCX)

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Consent
Department: PW - Traffic & Transportation
Responsible Staff: Andrew Luetkemeier

## Subject

Award of IFB #01-19, Rockville Intermodal Access: Baltimore Road Improvements, to Locust Lane Farms, Inc. of Upper Marlboro, MD in the Amount Not to Exceed $5,809,224.12

## Recommendation

Staff recommends the Mayor and Council award IFB #01-19 to Locust Lane Farms, Inc. of Upper Marlboro, MD for the construction of the Rockville Intermodal Access: Baltimore Road Improvements in an amount not to exceed $5,809,224.12.

## Discussion

**Project Description:**

The Rockville Intermodal Access: Baltimore Road Improvements Project is a roadway and roadside improvements project along Baltimore Road, planned primarily to improve multi-modal transportation through this important east/west corridor into the heart of the city and with access to the Rockville Metro Station. The project seeks to standardize the roadway section to the extent possible, while providing new and extended shared-use paths and wider sidewalks, as well as improving bus stops and accessibility.

Most of the project's construction will occur on an approximately 1.25-mile length of Baltimore Road between Norbeck Road to the west and the city limit to the east. The work includes new curb and gutter, storm drain pipes and structures, pavement resurfacing, minor roadway alignment improvements, new and replaced sidewalks, extension of the shared use path from Calvin Park to the Millennium Trail on First Street, stream restoration, culvert replacement near Rockville Cemetery, water and sewer main relocations, and new landscaping.

The project also seeks to improve pedestrian accessibility in the stretch of Baltimore Road west of Norbeck road by making spot improvements at select intersections. Curb bump-outs with new crossings and signage are proposed at the intersections of Baltimore Road/South Horners Lane and at Baltimore Road/Grandin Avenue. Bump-outs reduce the crossing length at the intersection and make the pedestrians more visible to motorists.

**Background:**

The City of Rockville received a Federal Earmark in the amount of $4,000,000 (less rescissions) via Section 1702 of the Federal funding authorization act known as the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), for the purpose of providing funding for projects specified by Congress called "High Priority Project" (HPP) Funds. In July of 2007, the City signed a Memorandum of Understanding (MOU) with the Maryland State Highway Administration (SHA), which described the scope of the project and outlined the responsibilities of the parties. SHA serves as oversight for the federal aid that supports the project, and the City conducts the project in accordance with all federal and state regulations and requirements.

A design consultant, Rummel, Klepper and Kahl, LLP (RKK) was selected in accordance with the federal aid consultant selection procedures as required by SHA. RKK and their design team provided the design services for the project, including all topographic and property surveys, geotechnical investigation and reporting, preliminary and final design of drawings, details, and specifications, and roadway plats and easement sketches. Staff intends to retain RKK for construction phase engineering services in support of the City's Construction Management Division of Public Works.

The project design phase incurred lengthy delays while obtaining all required easements and property acquisitions, in accordance with the federal law for the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (as amended). In total, the City negotiated and secured right-of-way and/or temporary construction easements from 32 properties. The City received the Right-of-Way Certification from SHA on December 4, 2018, indicating approval that all property and easements necessary for the project to be constructed had been obtained in accordance with the federal regulations.

Public infrastructure projects that retrofit an established neighborhood almost always require consideration of an appropriate balance between achieving the goals of the project, but doing so in a way that minimizes the negative impact to private properties. This project is no different, and due to its size, scope, and the number of properties directly affected, the City was not able to include a buffer between the curb and sidewalk or shared use path for certain segments of the project. A buffered sidewalk is obviously preferred, but these segments still achieve walkability goals in the corridor and avoided further delays and likely condemnation of multiple private properties. The design provides 5-foot-wide sidewalks where currently there are 4-foot-wide sidewalks, or no sidewalk at all. It also provides a continuous 8-foot-wide shared use path connection from the Millennium Trail on First Street to the Rock Creek trail.

All design phase approvals were obtained from SHA and the Authorization to Advertise for construction was sent on January 29, 2020. After modifications were approved to the Procurement Code necessitated from the COVID-19 pandemic, this project's bid was advertised on May 26, 2020, and the bid opening was held on July 9, 2020. Staff received the Concurrence in Award from SHA on September 15, 2020, allowing the Mayor and Council to make award for the project in accordance with the federal aid requirements.

## Mayor and Council History

This is the first time this item has been brought before the Mayor and Council.

## Public Notification and Engagement

Two public meetings were held during the preliminary design stages of the project to gather community input.

Meetings with individual property owners occurred during the property acquisition phase of the project. Staff, and the City's property acquisition consultant, discussed project impacts with the affected property owners.

This project is highlighted on the City's website, describing the proposed scope of the construction.

Once the contracts are signed and the contractor has proposed a schedule for construction, staff expects to convey that schedule, and explain the project phases and specific impacts to the residents by mailings, attendance at neighborhood association meetings if necessary, and by updates to the project's page on the City's website. It is anticipated that construction could begin as early as January 2021. The contract duration is 450 calendar days from the issuance of a notice to proceed, which would make the completion in spring 2022 unless there are approved contract delays.

## Procurement

Staff prepared and publicly issued IFB #01-19 on May 26, 2020 in accordance with Rockville City Code section 17-61. IFB #01-19 was posted on the City's website, and electronically provided to 860 prospective bidders via the State of Maryland new eMaryland Marketplace Advantage (eMMA) system. Of the 860 prospective bidders, using the new system's reporting capabilities, 55 were Disadvantaged Business Enterprises (DBE), and 95 were Minority Business Enterprises (MBE).

A virtual pre-bid conference was held via WebEx on June 9, 2020.

Sealed bids were received and opened on July 9, 2020. Eleven bids were received:

| Contractor | MFD Status | Location | Total Bid Amount |
|---|---|---|---|
| Locust Lane Farms | Non-DBE/MBE | Upper Marlboro, MD | $5,809,224.12* |
| Old Line Construction | Non-DBE/MBE | Dunkirk, MD | $5,999,459.00* |
| Triple R | DBE And MBE | Rockville, MD | $6,109,895.82 |
| FO Day | Non-DBE/MBE | Rockville, MD | $6,642,688.12* |
| CJ Miller | Non-DBE/MBE | Hampstead, MD | $6,854,409.10 |
| Sagres | MBE | Alexandria, VA | $7,827,776.75 |

| | | | |
|---|---|---|---|
| Concrete General | Non-DBE/MBE | Gaithersburg, MD | $7,910,990.13 |
| Ardent | Non-DBE/MBE | McLean, VA | $8,080,800.00 |
| Fort Myer Construction | Non-DBE/MBE | Washington, DC | $8,729,324.56* |
| Rustler | Non-DBE/MBE | Upper Marlboro, MD | $8,951,704.80 |
| E&R Services | MBE | Lanham, MD | $127,733,026.39* |

*Indicates bids tabulated from unit prices differed from stated total bid submitted by bidder.

Locust Lane Farms, Inc. is the lowest, responsive, and responsible bidder. Their proposed unit prices have been deemed fair and reasonable by staff, and their total bid was about 5% more than the Engineer's estimate for the project construction.

As is a requirement of the federal aid for the project, the Maryland State Highway Administration issued their Concurrence in Award of the project to Locust Lane Farms on September 15, 2020.

References were contacted, and all received were extremely favorable of their experiences with Locust Lane Farms, Inc.

## Fiscal Impact

Adequate funding is available in the Rockville Intermodal Access: Baltimore Road Improvements (8A11) CIP project for the award and for a construction contingency of approximately $750,000 or 13%. A budget transfer was recently made from the completed Southlawn Lane Sidewalk Project (6A11) for approximately $443,000 in order to increase the contingency amount available for this project. This project is funded by the Capital Projects Fund (including paygo, bonds, grants, and developer funding) and the Transportation Improvements Special Activities Fund account. The FY 2021 CIP sheet for 8A11 is included as Attachment A.

## Next Steps

Upon Mayor and Council award, the Procurement Division will obtain insurance certificates, payment and performance bonds, contract signatures, and issue a contract to Locust Lane Farms, Inc.

## Attachments

Attachment 11.E.a: Attachment A (PDF)

Rob DiSpirito, City Manager 10/13/2020

# Rockville Intermodal Access - Baltimore Road (8A11)

**Description:** This project designs and constructs improvements along Baltimore Rd., including environmental requirements and right-of-way acquisition. Improvements between Town Center and Norbeck Rd. include roadside improvements to street crossings at specific locations. Improvements from Norbeck Rd. to the city limits include curbs and gutters, stormdrains, sidewalks, and bike paths.

**Changes from Previous Year:** Estimated completion shifted to FY 2022 due to the delays in obtaining approvals related to a federal earmark. Construction bid opening will take place in Summer 2020; construction will start in Fall 2020.

**Current Project Appropriations**

| | |
|---|---|
| Prior Appropriations: | 7,765,265 |
| Less Expended as of 4/17/20: | 1,231,812 |
| Total Carryover: | 6,533,453 |
| New Funding: | - |
| Total FY 2021 Appropriations: | 6,533,453 |

**Critical Success Factor:** Planning and Preservation

**Mandate/Plan:** Complete Streets Policy

**Anticipated Project Outcome:** Safer, standard roadway section.

**Project Timeline and Total Cost by Type:** The lengthy property acquisition process and the need to meet federal requirements caused major project delays. Cost increases are from actual consulting fees and updated estimates of construction costs.

| | Estimated Start | | Estimated Completion | | Estimated Cost | | | |
|---|---|---|---|---|---|---|---|---|
| **Type** | **Original** | **Current** | **Original** | **Current** | **Original** | **Current** | **$ Change** | **% Change** |
| Planning / Design | FY 2008 | FY 2010 | FY 2009 | FY 2019 | 600,000 | 1,290,180 | 690,180 | 115% |
| Construction | FY 2009 | FY 2021 | FY 2011 | FY 2022 | 4,600,000 | 6,248,045 | 1,648,045 | 36% |
| Other (land acquisition) | FY 2008 | FY 2012 | FY 2009 | FY 2019 | 400,000 | 227,040 | (172,960) | -43% |
| | | | | **Project Total ($):** | **5,600,000** | **7,765,265** | **2,165,265** | **39%** |

**Project Funding:** This project is fully funded.

| Source | Prior | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Future | Total |
|---|---|---|---|---|---|---|---|---|
| Paygo (Cap) | 1,050,000 | - | - | - | - | - | - | 1,050,000 |
| Bonds (Cap) | 1,000,000 | - | - | - | - | - | - | 1,000,000 |
| Grants (Cap) | 3,598,810 | - | - | - | - | - | - | 3,598,810 |
| Developer (Cap) | 1,316,455 | - | - | - | - | - | - | 1,316,455 |
| Paygo (Act) | 800,000 | - | - | - | - | - | - | 800,000 |
| **Total Funded ($)** | **7,765,265** | **-** | **-** | **-** | **-** | **-** | **-** | **7,765,265** |
| Unfunded (Cap) | - | - | - | - | - | - | - | - |
| **Total w/Unfunded ($)** | **7,765,265** | **-** | **-** | **-** | **-** | **-** | **-** | **7,765,265** |

**Operating Cost Impact:** Landscaping; stormwater management; snow removal; and traffic sign repair, maintenance, and supplies.

| Fund | Prior | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Future | Total |
|---|---|---|---|---|---|---|---|---|
| General | - | - | - | 8,000 | - | - | - | 8,000 |
| SWM | - | - | - | 3,730 | - | - | - | 3,730 |

**Project Manager:** Andrew Luetkemeier, Senior Transportation Engineer, 240-314-8524.

**Notes:** This project was created mid-year FY 2007. FY 2021 work includes construction of the improvements.



Attachment 11.E.a: Attachment A (2984 : Award of IFB #01-19, Rockville Intermodal Access: Baltimore Road Improvements, to Locust Lane

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Consent
Department: Recreation & Parks
Responsible Staff: Paige Janzen

## Subject

City of Rockville, Maryland and Pinneberg, Germany Sister City Agreement

## Recommendation

Staff recommends that the Mayor and Council approve the Sister City Agreement between the City of Rockville, Maryland and Pinneberg, Germany.

## Discussion

The City of Rockville, Maryland and Pinneberg, Germany have been Sister Cities since 1957, marking a sixty-three-year relationship. The Rockville – Pinneberg Sister City relationship is the third oldest sister city partnership under President Dwight D. Eisenhower's 1956 people-to-people initiative. The Rockville Mayor and Council issued a resolution making Pinneberg, Germany a Sister City on October 13, 1957. The Pinneberg Mayor and Council issued a resolution making Rockville, Maryland a Sister City on November 8, 1957. Yet, an official Sister City Agreement was never signed.

It is the aspiration of both Rockville and Pinneberg to execute a formal Sister City Agreement, which will establish the date of November 8, 1957 as the commencement of our two cities' Sister City relationship, reaffirm the commitment of Rockville and Pinneberg as Sister Cities, and would not reset the clock on our nearly sixty-three year relationship.

Rockville Sister City Corporation requests that the Rockville Mayor and Council approve this agreement which, if approved, will be formally signed by Mayor Newton of the City of Rockville and Mayor Urte Steinberg of Pinneberg, Germany.

## Mayor and Council History

On October 13, 1957, the Rockville Mayor and Council issued a resolution making Pinneberg, Germany a Sister City. On September 14, 2020, the Rockville Mayor and Council unanimously approved City staff moving forward with drafting the Sister City Agreement between the City of Rockville, Maryland and Pinneberg, Germany.

## Attachments

Attachment 11.F.a:
Rockville_Pinneberg_Sister_City_Resolutions_October_13_November_8_1957_with_English_Translation (PDF)
Attachment 11.F.b: Rockville_Pinneberg_Sister_City_Agreement_final version (PDF)

Rob DiSpirito, City Manager 10/13/2020

# Resolution

**Whereas,** *the preservation of world peace is dependent in very large measure upon the degree of friendly understanding that exists among the peoples of various nations, and*

**Whereas,** *the exchange of information and ideas, combined with the sincere efforts of people to understand and assimilate what may be, at first, strange and different, is one of the most important means of establishing sound international relationships, and*

**Whereas,** *the City of Rockville has been presented with the opportunity of affiliating with a "sister city," an opportunity affording friendly contact with a city in a distant land and offering the means of mutual exchange at all levels of community life;*

**Now, Therefore, Be it Resolved, by the Mayor and Council of Rockville, Maryland,**

*That the City of Rockville, Maryland, be and it is hereby affiliated with the City of Pinneberg, Schleswig-Holstein, Germany, for the purpose of establishing a friendly and informative "Sister City" relationship, based upon the determination of people of good will to meet in common exploration of new roads to international understanding and confidence.*

John E. Otley
Frank A. Egger
Alexander C. Brown

*In witness whereof, I have hereunto set my hand and caused the Seal of the City of Rockville, Maryland, to be affixed this 13th day of October, 1957.*

Richard J. Horsepian
Mayor

Attachment 11.F.a: Rockville_Pinneberg_Sister_City_Resolutions_October_13_November_8_1957_with_English_Translation (3351 : City of Rockville, Maryland and Pinneberg, Germany

# STADT PINNEBERG

AUF ANREGUNG DES AMERIKANISCHEN GENERALKONSULATS IN HAMBURG HAT UNSERE STADTVERTRETUNG AM 19. JULI 1957 DEN EINSTIMMIGEN BESCHLUSS GEFASST, PARTNERSCHAFTLICHE BEZIEHUNGEN ZU DER STADT ROCKVILLE IM STAATE MARYLAND/USA AUFZUNEHMEN.

WIR HOFFEN, DASS SICH DIE PARTNERSCHAFT, DIE NEBEN DEM KULTURELLEN GEDANKENAUSTAUSCH ENGE FREUNDSCHAFTLICHE UND PERSÖNLICHE BEZIEHUNGEN ZWISCHEN DEN BEIDEN STÄDTEN HERSTELLEN UND LETZTEN ENDES DIE VERSTÄNDIGUNG ZWISCHEN DEN NATIONEN DER WELT VERTIEFEN UND STÄRKEN SOLL, ZUM SEGEN FÜR DIE MENSCHEN UNSERER STÄDTE UND VÖLKER AUSWIRKEN MÖGE.

PINNEBERG, DEN 8. NOVEMBER 1957

BÜRGERVORSTEHER

BÜRGERMEISTER

Attachment 11.F.a: Rockville_Pinneberg_Sister_City_Resolutions_October_13_November_8_1957_with_English_Translation (3351 : City of Rockville,

STADT PINNEBERG

ENCOURAGED BY THE AMERICAN GENERAL CONSULATE IN HAMBURG ON JULY 19, 1957, OUR CITY PASSED A UNANIMOUS DECISION FOR PARTNERSHIP RELATIONS WITH THE CITY OF ROCKVILLE IN THE STATE OF MARYLAND, U.S.A.

WE HOPE THAT THE PARTNERSHIP WILL STRENGTHEN FUTURE CULTURAL EXCHANGES, CLOSE FRIENDSHIP AND PERSONAL RELATIONS AS A BLESSING FOR OUR CITIZENS AND ULTIMATELY FOR THE NATIONS THROUGHOUT THE WORLD.

PINNEBERG, NOVEMBER 8, 1957

BÜRGERVORSTEHER

BÜRGERMEISTER

Translated from the original November 8, 1957 document by Margrit and Jürgen Ziegler, DAGRP, September 1, 2018

# SISTER CITY AGREEMENT
# VEREINBARUNG ÜBER DIE STÄDTEPARTNERSCHAFT

## The City of Rockville, Maryland, U.S.A. - The City of Pinneberg, Federal Republic of Germany
## Stadt Pinneberg, Bundesrepublik Deutschland - Stadt Rockville, Maryland, U.S.A.

The City of Rockville, in the State of Maryland, in the United States of America and the City of Pinneberg, in the State of Schleswig-Holstein, in the Federal Republic of Germany, have enjoyed their official Sister City relationship since 1957.

Die Stadt Pinneberg im Land Schleswig-Holstein in der Bundesrepublik Deutschland und die Stadt Rockville im Bundesstaat Maryland in den Vereinigten Staaten von Amerika sind seit dem Jahr 1957 in herzlicher Freundschaft durch eine offizielle Städtepartnerschaft verbunden.

As the Mayor and Council of Rockville ratified a Resolution to enter into a formal Sister City relationship with Pinneberg on October 13, 1957 and the Mayor and City Council of Pinneberg ratified a Resolution to enter into a formal Sister City relationship with Rockville on November 8, 1957, it is the desire of both cities to acknowledge and proclaim their longstanding relationship with this official Sister City Agreement.

Nachdem Bürgermeister und Stadtrat der Stadt Rockville am 13. Oktober 1957 den Beschluss gefasst haben, mit der Stadt Pinneberg eine formelle Städtepartnerschaft einzugehen, und Bürgermeister und Ratsversammlung der Stadt Pinneberg am 8. November 1957 den Beschluss gefasst haben, mit der Stadt Rockville eine formelle Städtepartnerschaft einzugehen, ist es jetzt der Wille der beiden Städte, ihre lange und erfolgreiche Partnerschaft durch diese Vereinbarung über die Städtepartnerschaft zu bestätigen und offiziell zu verkünden.

It is further agreed by both Rockville and Pinneberg that November 8, 1957 shall be recognized as the official date of the commencement of their Sister City relationship.

Pinneberg und Rockville stimmen außerdem darin überein, dass der 8. November 1957 zum offiziellen Gründungsdatum der Städtepartnerschaft erklärt werden soll.

It is understood that Rockville and Pinneberg shall endeavor to continue and deepen their friendship and mutual understanding through educational, cultural, governmental and other exchanges.

Pinneberg und Rockville werden ihre langjährige Freundschaft und Zusammenarbeit durch schulische, kulturelle, offizielle und andere Austausche fortsetzen und weiter vertiefen.

Rockville and Pinneberg shall continue to promote the welfare of the citizens of both cities, holding the firm belief that we will continue to strengthen the ties of friendship between our two cities and through our friendship and cooperation, continue to contribute toward the peace and prosperity of the world.

Pinneberg und Rockville werden zum Wohle ihrer Bürgerinnen und Bürger auch in Zukunft eng miteinander zusammenarbeiten in der der festen Überzeugung, dass wir das Band der Freundschaft zwischen unseren Städten weiter stärken und durch unsere Freundschaft und Zusammenarbeit zur friedlichen Entwicklung der Welt beitragen werden.

We, the City of Rockville and the City of Pinneberg, hereby pledge to continue our cooperation with each other as Sister Cities on this 15th day of November in the year of 2020.

Wir, die Stadt Pinneberg und die Stadt Rockville, erklären an diesem 15. November 2020 feierlich unseren Willen, unsere freundschaftliche Zusammenarbeit als Partnerstädte fortzusetzen.

| | |
|---|---|
| Bridget Donnell Newton<br>Mayor of the City of Rockville<br>Bürgermeisterin von Rockville | Urte Steinberg<br>Bürgermeisterin von Pinneberg<br>Mayor of the City of Pinneberg |

Attachment 11.F.b: Rockville_Pinneberg_Sister_City_Agreement_final version (3351 : City of Rockville, Maryland and Pinneberg, Germany

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Discussion, Instructions and Possible Adoption
Department: City Clerk/Director of Council Operations Office
Responsible Staff: Sara Taylor-Ferrell

## Subject

Discussion on the 2020 Charter Review Commission Scope of Work

## Recommendation

Discuss and determine the scope of work for the Charter Review Commission. Direct staff to prepare and bring back for adoption by the Mayor and Council a resolution with the topics and scope of work to be performed by the Charter Review Commission.

## Discussion

The Charter is a legal document similar to a constitution. It establishes the City's corporate limits and outlines how the City is organized and conducts business, such as holding elections, levying taxes, adopting ordinances, and providing services.
You can review the Mayor and Council's discussion about the Charter review process on the Jan. 13, 2020. Mayor and Council agenda at:
www.rockvillemd.gov/AgendaCenter <http://www.rockvillemd.gov/AgendaCenter>
The City's Charter can be found at:
https://library.municode.com/md/rockville/codes/code_of_ordinances?nodeId=CH>
On February 24, 2020, the Mayor and Council adopted resolution 1A-20 establishing a Charter Review Commission. (Attachment 1). As part of Resolution 1A-20 the Mayor and Council established that a public hearing would be held to solicit input from the public regarding what provisions of the City Charter need to be reviewed and updated. Once the public hearing was held, the Mayor and Council would adopt a resolution setting forth the provisions and or topics upon which the Charter Review Commission to review and make recommendations.

On June 1, and July 13, 2020, the Mayor and Council held public hearings to solicit input from the public on the scope of review for the Charter Review Commission.

In addition to expressing general interest in participating on such a commission, comments addressed the following subjects:

- Expanding the size of the Council;
- Considering districts and the boundaries for districts;
- Establishing a process to fill Council vacancies;

- Further increasing voter turn-out; and
- Changing from a plurality wins system to approval voting.

The public hearings can be viewed here:

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4184

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4202

As an example, for your discussion this evening, in 2012, the Mayor and Council established a Charter Review Commission and provided for the following scope of review:

a. To review and evaluate Article II, Section 1(a), and Article III, Section 4, of the City Charter regarding the following issues:

i. the length of the elected terms of the Mayor and Council;
ii. the number of members of the City Council; and
iii. the schedule by which elections for the Mayor and Council are held.

b. To review and evaluate any additional provisions of the City Charter and Rockville City Code related to the topics in that the Commission believes are appropriate.

c. To solicit citizen input regarding these issues by public forums or other processes.

Additionally, the Mayor and Council could establish a due date for a final report. Staff recommends that the Mayor and Council define the expectations for timing the completion of the work and provisions for citizen input.

A generic timeline could include:

- Meet at least monthly from November 2020 through December 2021 (anticipate an August recess); Provide an update on progress and any issues to date in April 2020; and
- Transmit and present a final report to the Mayor and Council in January 2022.

The generic timeline will determine the Commission's meeting schedule to establish the specific duties and responsibilities for the Charter Review Commission.

## Mayor and Council History

At the Mayor and Council's meeting on January 13, 2020, the Mayor and Council held a discussion regarding the Charter Review Process. On February 24, 2020, the Mayor and Council adopted Resolution 1A-20 establishing a commission to review the City's Charter (Attached 1- Resolution 1A-20). On June 1, and July 13, of 2020, the Mayor and Council held

two public hearings to solicit input from the public on the scope of review for the Charter Review Commission.

The City Clerk's Office will provide the staffing for the Commission, with assistance from the City Attorney's Office.

## Public Notification and Engagement

Based on the Mayor and Council's direction, staff will develop a communication plan to keep the public informed about the Charter Review Commission activities and opportunities to provide input into the Commission's deliberations. Since this Commission is appointed by the Mayor and Council, it will be subject to the Open Meetings Act.

## Next Steps

The City Clerk/Director of Council Operations in conjunction with the City Attorney’s Office will bring back a resolution based on the Mayor and Council direction.

## Attachments

Attachment 13.a: Resolution No. 06-12 (PDF)
Attachment 13.b: Resolution 1A-20 To Establish 2020 Charter Review Commission (PDF)

Sara Taylor-Ferrell, City Clerk/Director of Council Operations 10/14/2020

Resolution No. 6-12

RESOLUTION: To establish a Charter Review Commission to review and make recommendations to the Mayor and Council on certain provisions related to elections contained in the Charter of the City of Rockville.

WHEREAS, the Mayor and Council are resolved to further perfect Rockville's form of government; and

WHEREAS, the form that the City's elected body takes and the schedule by which it is elected are of keen interest to the City's citizenry; and

WHEREAS, the Mayor and Council have identified three areas of the Rockville Charter regarding the election and service of the members of the Mayor and Council that they wish to have examined; and

WHEREAS, the Mayor and Council desire to establish a Charter Review Commission for the purpose of reviewing Article II, "The Mayor and Council," Section 1, "Number, Selection, Term, Qualification, and Payment," Part (a), and Article III, "Registration, Nominations and Elections," Section 4, "Election of Mayor and Council," of the City Charter, as well as any additional provisions of the City Charter and Rockville City Code related to these topics; and

WHEREAS, the Mayor and Council desire that the Charter Review Commission solicit citizen input, deliberate with all due care, prepare a report with its recommendations, and deliver that report to the Mayor and Council.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE MARYLAND, as follows:

1. That a Charter Review Commission is hereby established as follows:

    a. The Charter Review Commission shall be comprised of no more than eleven members, all of whom shall be residents of the City.

    b. The City shall solicit applications for the Charter Review Commission from eligible members of the public according to the appointment procedures prescribed in the Mayor and Council's "Guidelines And Procedures For Citizen Boards and Commissions," adopted March 12, 2012.

    c. Each member of the Mayor and Council may choose one member to serve on the Charter Review Commission. The Mayor and Council shall select and approve five additional members.

    d. The Chair of the Supervisors of Elections shall additionally serve as a non-

voting *ex officio* representative to the Charter Review Commission.

e. The Mayor shall nominate and the Council shall approve an additional member to serve as the Chair of the Charter Review Commission.

2. That the Charter Review Commission has the following duties and responsibilities:

   a. To review and evaluate Article II, Section 1(a), and Article III, Section 4, of the City Charter regarding the following issues:

      i. the length of the elected terms of the Mayor and Council;

      ii. the number of members of the City Council; and

      iii. the schedule by which elections for the Mayor and Council are held.

   b. To review and evaluate any additional provisions of the City Charter and Rockville City Code related to the topics in 2.a. that the Commission believes are appropriate.

   c. To solicit citizen input regarding these issues by public forums or other processes.

   d. To prepare a final report and deliver it to the Mayor and Council no later than December 15, 2012, setting forth the findings, recommendations, and any proposals for amendments to the Charter, or changes to the Code, of the City of Rockville.

3. That the Mayor and Council shall carefully consider the recommendations of the Charter Review Commission and vote on whether to place such recommendations on the November 2013 City ballot as advisory referenda, as prescribed by Section 8-23 of the Rockville City Code.

**********

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 April 30, 2012.

Douglass A. Barber

Douglass A. Barber, City Clerk/Treasurer

Resolution No. 1A-20

RESOLUTION: To establish a Charter Review Commission to review and make recommendations to the Mayor and Council regarding the Charter of the City of Rockville

WHEREAS, the Mayor and Council is resolved to further perfect Rockville's form of government; and

WHEREAS, the Mayor and Council desires to establish a Charter Review Commission for the purpose of reviewing certain provisions of the City Charter and making recommendations to the Mayor and Council; and

WHEREAS, the Mayor and Council will be holding a public hearing to solicit input from the public regarding on what provisions of the City of Rockville Charter needs to be reviewed and updated; and

WHEREAS, once the public hearing is held, the Mayor and Council will adopt a resolution setting forth the provisions and/or topics upon which it wants the Charter Review Commission to review and make recommendations; and

WHEREAS, the Mayor and Council have agreed to establish the Charter Review Commission in accordance with the provisions set forth below.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE MARYLAND, as follows:

That a Charter Review Commission is hereby established as follows:

a. The Charter Review Commission shall be comprised of no more than eleven members, all of whom shall be residents of the City.

b. The City shall solicit applications for the Charter Review Commission from eligible members of the public according to the appointment procedures prescribed in the Mayor and Council's "Guidelines And Procedures For Citizen Boards and Commissions."

c. Each member of the Mayor and Council may choose one member to serve on the Charter Review Commission. The Mayor and Council shall select and approve five additional members.

d. The Chair of the Supervisors of Elections shall additionally serve as a non-voting *ex officio* representative to the Charter Review Commission.

e. The Mayor shall nominate, and the Council shall approve, an additional member to serve as the Chair of the Charter Review Commission.

f. Once established, the Charter Review Commission will review the City's Charter and provide recommendations to the Mayor and Council in accordance with the resolution setting forth the provisions and/or topics to be reviewed.

**********

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 February 24, 2020.

Sara Taylor Ferrell, City Clerk/Director of
Council Operations

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Discussion
Department: PW - Traffic & Transportation
Responsible Staff: Emad Elshafei

## Subject

Undergrounding of MD 355

## Recommendation

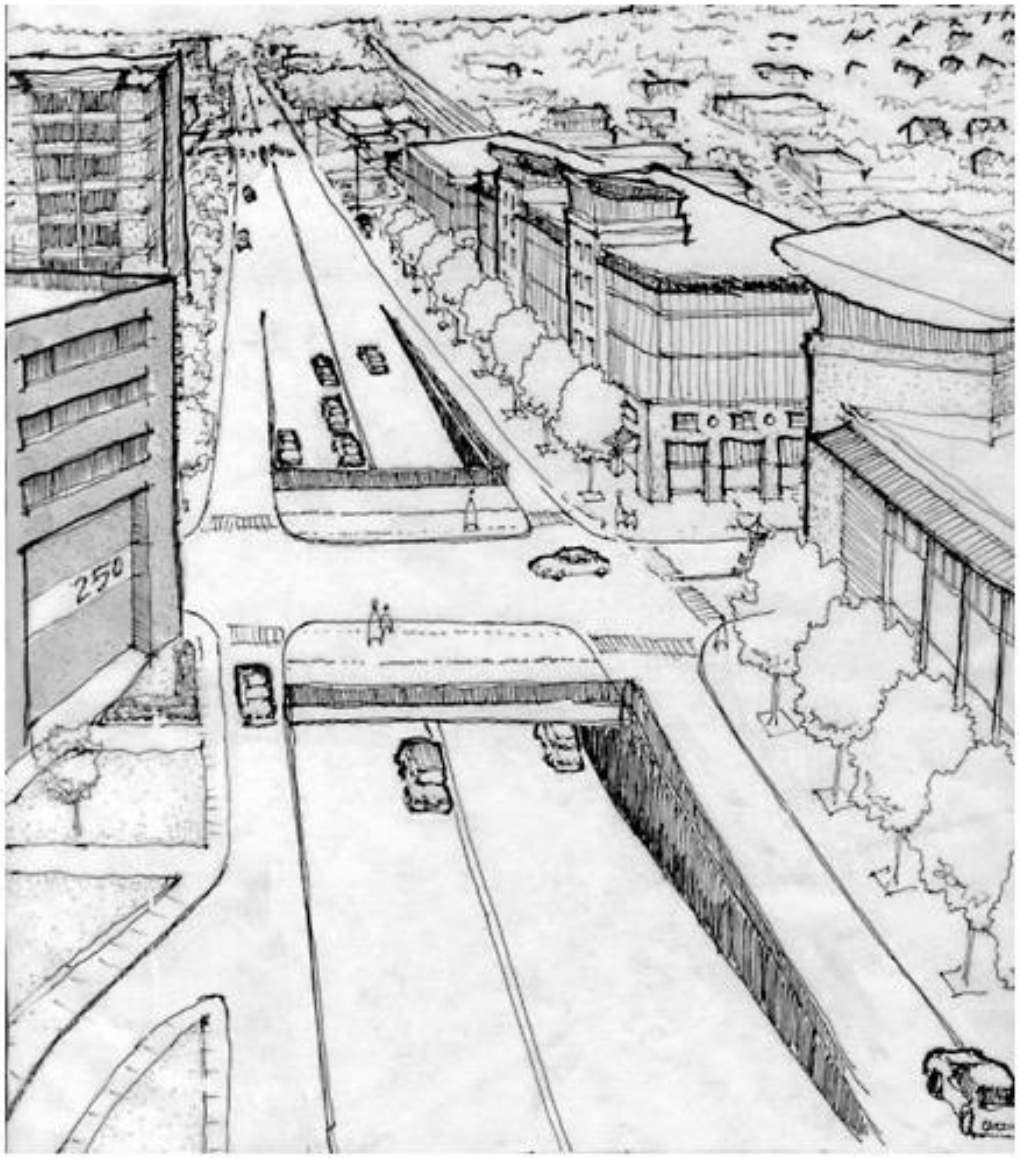
Staff recommends that the Mayor and Council discuss undergrounding MD 355 and other related items, provide feedback on whether to pursue this concepts or other related concepts, and how this should be communicated to the State who owns the road, and other related parties.

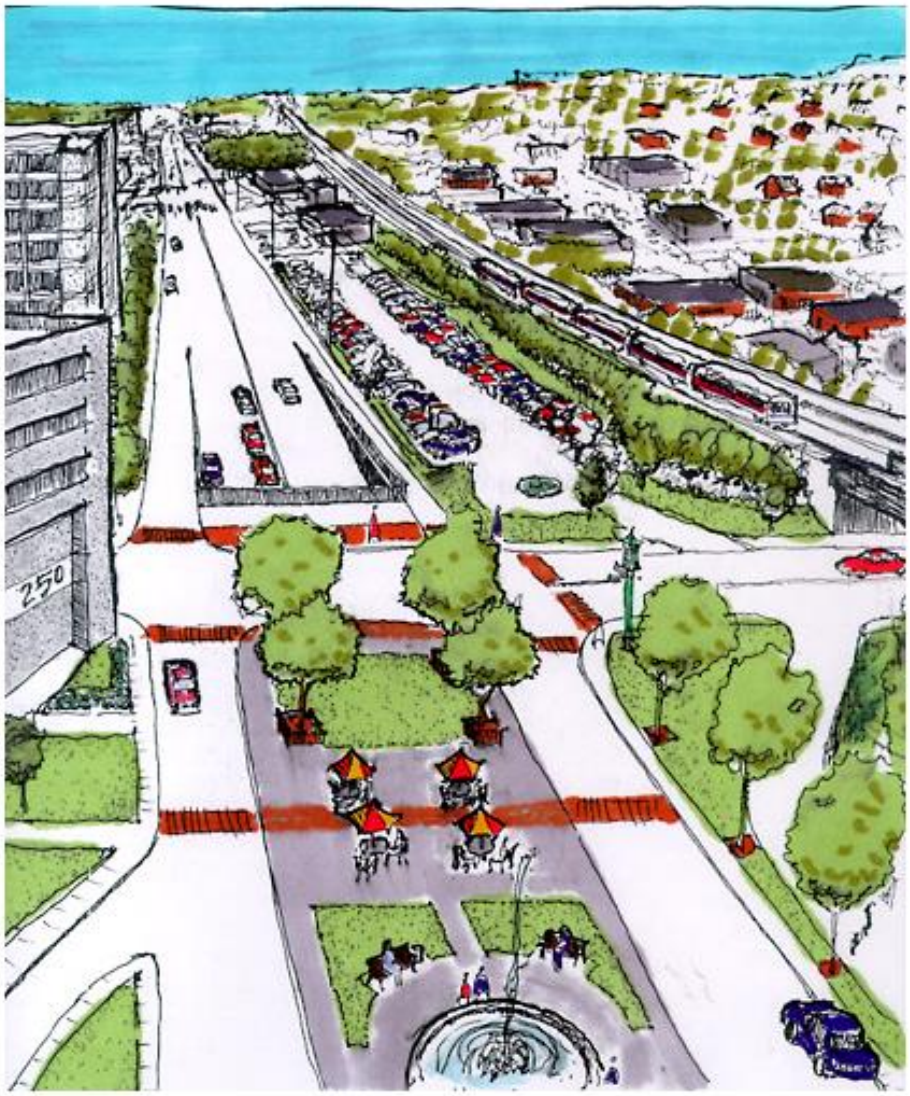
## Discussion

This agenda item is being brought forth at the direction of the Mayor and Council for the discussion of potentially undergrounding of Maryland State Route 355 (Rockville Pike) in Town Center. Staff also recommends that the discussion include other potentially related elements, such as a pedestrian promenade or other amenity in the roadway that the current Town Center Master Plan and other documents envision. In preparation for this discussion, staff has prepared the following summary of background information.

Rockville Town Center 1990's Tunnel Renderings

The topic of potentially undergrounding Rockville Pike in Town Center has been discussed for at least three decades. While the road is owned by the Maryland State Highway Administration (SHA), the City hired an architectural firm in the 1990s to provide a series of renderings, as shown below. However, no engineering, cost or traffic analysis was performed at that time.


250




Rockville Town Center Master Plan

In 2001, the Rockville Town Center Master Plan included language about the potential undergrounding. The Plan indicated that the idea of depressing MD 355 in order to separate through-traffic (to be sent underground) from local vehicular and pedestrian traffic (to stay at the surface level) would provide the ideal long-term option for improving connectivity between the Metro station and the Town Center, and offer a better street-level crossing experience for those coming to Town Center from the east side of the tracks. Proposed improvements included an elevated pedestrian promenade, 25 feet above the level of the railroad tracks (Town Center Master Plan p. 52, https://www.rockvillemd.gov/DocumentCenter/View/27812/Town-Center-Neighborhood-Plan?bidId=), which would "represent the 'lobby' or entry level to the Town Center for those arriving on Metro." The promenade was viewed as a visually stimulating architectural

statement that provides a positive entry at the transit site. Finally, the Plan stated that the undergrounding of MD 355 could be a dynamic companion piece to the pedestrian promenade if cost and engineering logistics are resolved. "The pedestrian promenade, however, can and should be pursued pending finalization of the likelihood of the undergrounding of MD 355." (P. 51, TCMP).

2015 Bus Rapid Transit (BRT) Town Center Integration Study

In 2015, a Bus Rapid Transit (BRT) Town Center Integration Study was conducted to identify possible design solutions for integrating BRT in the Rockville Town Center area. The City has been engaged in the BRT corridor planning efforts conducted by Montgomery County and the Maryland Department of Transportation for MD 355 and Veirs Mill Road. The City initiated the 2015 study to understand how the BRT routes could be accommodated, while enhancing the Town Center area, where so much investment and redevelopment have already occurred under the guidance of Rockville's 2001 Town Center Master Plan.
Along those lines, the study explored the concept of a tunnel that would carry through-traffic in lanes that would descend under the existing MD 355 grade, then later emerge back to the existing grade. Through-traffic on MD 355 would be diverted to a 0.70-mile long, four-lane tunnel whose extent would be between a location south of Dodge Street and one north of Beall Avenue. Existing at-grade travel lanes would be reconfigured to provide, in the median of MD 355, two travel lanes for automobiles (one in each direction), turn-lanes at E. Middle Lane (Park Road), and a two-lane buffered BRT guideway in the median of MD 355. The undergrounding concept was described by the study as the concept that would offer the greatest opportunities for transportation and urban design improvement in the central portion of the MD 355 – Rockville Pike corridor because it would remove two at-grade travel lanes of travel, and replace them underground with four through-traffic lanes.

The 2015 study stated that this transportation concept would also allow the existing right-of-way to be better utilized for pedestrian and BRT transit patron use at the surface, enhancing the corridor for multi-modal use. However, the study also explained that this concept would likely require widening of the right-of-way in certain surface locations, offering some opportunities for opens spaces and beautification. The study concluded that separating the through-traffic from the local traffic, by constructing a tunnel, would offer an opportunity for integrating BRT service into Town Center.

The benefits of the undergrounding of MD 355 in Town Center included in this study were:

- New transit option and dedicated bus lanes provide more reliable BRT travel times.
- Significant through-vehicle traffic is eliminated from the surface of MD 355.
- Maintains or improves current level of service at all but one intersection (at least a 33% reduction in afternoon rush hour traffic volume).
- Potential to retain existing vehicle lane widths.
- Allows for more open space and amenities on surface; opportunity for stronger place-making, redevelopment opportunities, and other potential circulation improvements.

- Maintains similar crossing distances to today and provides for pedestrian crossing refuges.

The drawbacks included the following:

- Potential weaving of local and through traffic at tunnel entrances and exits.
- Reduces at-grade capacity of MD 355 (taking lanes for BRT).
- Highest cost of construction of the three options considered.
- Highest construction complexity and longer time to build.

This 2015 study estimated the cost of this concept to be approximately $214 million, not including right-of-way or utility undergrounding/relocation costs. The study also warned about the risks and complications associated with tunnels. It suggested a careful review of items such as site topography, soil conditions, and subsurface structures to allow an estimating engineer to determine reasonable values for construction alternatives with more confidence. Such information was not available at this planning level of project development; and with this in mind, the study suggested a total cost range of $200 million to $300 million, for future planning purposes. Those 5-year-old cost estimates would likely need to be revised upwards to reflect current and future costs.

Rockville 2040 Draft Comprehensive Plan

The Planning Commission has recently completed public hearings on the draft Comprehensive Plan, Volume II: Planning Areas, with the public record due to close on October 7th. Public hearings on Volume 1: Elements, were held last year. Both volumes, which were edited and then approved for release by the Planning Commission, discuss the Rockville Metro Station and the importance of improving the pedestrian movement between the station and the activity area west of MD 355 (as well as to neighborhoods east of the station). Volume 1 has an entire policy (#14) in the Transportation Element focused on the redesign and reconstruction of Rockville Station as a 21st century multi-modal transit hub, which would include direct access from an improved pedestrian bridge to the rail platforms. The draft 2040 Comprehensive Plan, as currently written, adopts the existing (2001) Town Center Master Plan by reference, thereby incorporating all policies that are not superseded in the 2040 Comprehensive Plan. No such superseding policy is in the current draft. Therefore, the undergrounding of MD 355 with an elevated promenade would continue to be the City's long-term policy unless a different concept is specifically inserted into the 2040 Comprehensive Plan, or an update is completed to the Town Center Master Plan.

Once the Planning Commission has completed its review of public testimony, it will make edits to the draft, approve it, and then recommend it to the Mayor and Council. Staff anticipates that the Mayor and Council will receive the Plan for its review early in 2021.

Upcoming Discussion of Scope of Work for WMATA Station Study

On October 19, 2020, the Mayor and Council will discuss the upcoming WMATA study of the Rockville Metro Station. A draft scope of work has been developed for the study, based in large measure on input received at a March 4th meeting that included representatives from WMATA, the City, Montgomery County, and REDI. City staff has worked with WMATA on edits to the WMATA-developed draft and received input from Montgomery County and REDI. On October 19th, Mayor and Council will have the opportunity to discuss and offer edits to the draft scope

of work, which currently makes mention of potentially studying both an improved and expanded pedestrian bridge/promenade and undergrounding of MD 355. In the draft scope of work, the specific items to be studied will be finalized during a process that includes public visioning, which is the first key public step, and a subsequent conversation with the Mayor and Council.

It is clear from the above that the City could benefit from clarity on its policy towards the area in Town Center along MD 355. The current City position is documented in the 2001 Town Center Master Plan, which envisions a promenade elevated above the existing grade of Rockville Pike and the roadway undergrounded. Staff recommends that the vision that the Mayor and Council ultimately approve be incorporated into the 2040 Comprehensive Plan, which is scheduled to go to the Mayor and Council in early 2021 and/or in an updated Town Center Master Plan. Any vision that includes an elevated promenade (whether alone or in conjunction with a new pedestrian bridge to the Rockville Station); undergrounding lanes of traffic; or constructing something else within the existing state roadway, will require an extensive amount of time, coordination and money. This is compounded by the complexity and environmental issues associated with underground and overhead construction.

In summary, direction on this item is needed now or during the Mayor and Council's review of the 2040 Comprehensive Plan. Specifically, whether the proposal of undergrounding MD 355 should be pursued in the future or whether an elevated promenaded would be desired.

## Mayor and Council History

This is the first time this item has been brought before the Mayor and Council.

Jenny Kimball

Jenny Kimball, Deputy City Manager 9/30/2020

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Discussion and Possible Approval
Department: PDS - Comprehensive Planning
Responsible Staff: David Levy

## Subject

Washington Metropolitan Area Transit Authority (WMATA) Rockville Station Study Scope

## Recommendation

Hold a discussion with WMATA, City and County staff on the proposed project scope to study the Rockville Station and indicate support of the scope, which will initiate the study under the WMATA FY 2021 Project Development Program.

## Discussion

The purpose of this agenda item is for the Mayor and Council to discuss, provide feedback on, and endorse the intended project by Washington Metropolitan Area Transit Authority (WMATA, or Metro) to carry out a planning study of the Rockville Station and property. The goal of the study is to develop an implementable concept for the future of the station and property, based on community vision and goals. The City, the County, WMATA and other future public- and private-sector partners will then be able to take action towards implementing the concept.

The study will be carried out through a consultant team that will be hired by WMATA. On October 19th the Mayor and Council will have the opportunity to review the draft scope of work (Attachment A) that WMATA will use to solicit bids. The scope of work describes the approach to the planning study, which includes both public engagement and Mayor and Council reviews. Attachment B is a summary version of the scope, which is required to be submitted for approval to the Maryland Department of Transportation (MDOT), which is the source of the study funds. Once the Mayor and Council has endorsed these documents, WMATA will move forward toward final approval from MDOT and soliciting the services of the consulting team.

**Background to the Study**

Rockville Station is a critical asset for the City of Rockville. Since its opening in 1984, near the site of the historic Rockville railroad station, it has served as a key transportation hub for Rockville and for Montgomery County. It serves the government centers for both the City and the County, as well as the county Circuit and state District courthouses. It also provides Rockville residents transit access to the entire Washington, DC metropolitan region and

beyond, through rail services provided by Metro, MARC and Amtrak, and bus services provided by Metro and the county Ride On system. As such, the station is a central component of infrastructure in Rockville, for residents east and west of the station, for the economic growth and prosperity of Rockville and the Stonestreet corridor, and in support of the services and cultural offerings in Rockville Town Center.

Despite its great value, the station and the site also face challenges. Core components of the station need repair or replacement, some on an emergency basis. Key examples are the pedestrian bridge that connects the station to the west side of MD 355 and the canopy over the Metrorail platform. WMATA recently closed the pedestrian bridge on an emergency basis, with planned repairs expected to begin in November and potentially last up to nine (9) months. Full replacement of the pedestrian bridge may be needed in the next 5-10 years. The platform canopy, in which concrete cracks are easily seen, is scheduled to be replaced next year (2021), which will force closure of the station for a series of months (more details are forthcoming regarding when the station will be closed and how the public will be served during the closure). Additional repairs are needed where there is leaking water in the stair tower and the station building.

More broadly, certain built-in features of the station present harder-to-solve challenges. The connection between the station and downtown Rockville is interrupted by the 7-lane Rockville Pike/MD-355, a bus loop, and parking lots, requiring commuters to travel more than 600 feet across the aging pedestrian bridge or cross a significant amount of traffic at grade with Rockville Pike. Even if one uses the pedestrian bridge to approach the station, it requires descending two flights of stairs (or a problematic elevator) to go under the tracks, to then go back up an escalator (or additional elevator) that has intermittent outages, to reach the Metrorail platform. The adjacent Amtrak and MARC train platforms are reached in a similar way, though by stairs instead of the final escalator from under the track level. Access from the east side of the station can also be challenging, with unclear walking paths from certain directions and less-than-secure street crossings. These conditions make it understandably difficult to promote transit ridership and transit-oriented development, but they also present an opportunity to re-imagine and re-configure the station itself and the area around it.

Over the past three years, various representatives of Rockville have discussed the challenges and opportunities of the station with WMATA, even while staying in touch regarding the needed emergency repairs. Staff firmly believes that Rockville Station has the potential to transform into a world-class, multi-modal gateway that serves the City's residents, employees, and visitors; supports the City's smart growth initiatives; enhances land values; minimizes the divide between the station and Rockville Town Center; and helps to connect Rockville's neighborhoods east of the station with those to the west.

Rockville has invested significant time and resources in planning for the future of both Town Center and the neighborhoods east of the Rockville Station. The Town Center Master Plan (2001) envisioned the station as a central feature of the pedestrian- and transit-oriented downtown. The East Rockville Neighborhood Plan (2004) and the Lincoln Park Neighborhood

Plan (2007) included core sections discussing the importance of improved access from those communities to the station. The recently-completed study of the Stonestreet Avenue corridor identified opportunities for redevelopment and moderate increases in residential density near the station. It recommended improvements to the pedestrian infrastructure on N. Stonestreet Avenue and at the intersection of Park Road and North/South Stonestreet Avenues, plans for which are being developed for construction.

The Planning Commission's draft Comprehensive Plan (a.k.a. Rockville 2040) envisions allowing a blend of moderate-density housing and neighborhood-serving retail on the edges of the predominantly single-unit residential East Rockville neighborhood closest to the station, and on the site itself. At a broad vision level, Policy 14 in Rockville 2040's draft Transportation Element seeks to, "redesign and reconstruct Rockville Station as a 21st century multimodal transit hub." (https://www.rockvillemd.gov/DocumentCenter/View/38099/Comprehensive-Plan-Volume-I-Elements-Planning-Commission-Draft---page-view?bidId=, p. 76).

In addition, the City has, in recent years, approved the Bikeway Master Plan, a Vision Zero Plan and other policies that are designed to enhance modes other than automobiles in Rockville. Interface with transit stations is an important part of these plans. At the same time, Montgomery County is moving forward with its plans for Bus Rapid Transit (BRT), now called Flash, whose Veirs Mill Road route will open in the very near future with a stop at the Rockville Station. The future MD 355 route will also have a stop at Rockville Station. Each of these planned pedestrian, bicycle and transit improvements will serve to further enhance the importance of Rockville Station as a transportation hub in Rockville and the region.

All these factors, and more, make the present an opportune time to develop a long-term vision for the station and its surrounding area, and for WMATA, the City of Rockville and Montgomery County to work with the Rockville public to develop a vision for the station and surrounding areas.

**WMATA Project Development Program**

In response to Rockville's expression of interest regarding the future of the station and site, WMATA has set aside resources in its FY 2021 Project Development Program budget to study Rockville Station. The Project Development Program (PDP) is funded by each of the three WMATA governing entities: Maryland, Virginia and the District of Columbia. Each entity provides $1 million per year for the PDP and reserves the right to approve how those funds are utilized. The Maryland Department of Transportation (MDOT) serves this function for projects and studies located in the State of Maryland. The FY 2021 PDP budget has a reservation of $350,000 to support the Rockville Station study.

WMATA staff has informed City staff that Rockville Station was selected for study for two main reasons: 1) the station and its connecting infrastructure are aging and in need of repair; and 2) the City of Rockville and WMATA are both interested in exploring development opportunities

on the station site to complement the City's plans (e.g., Stonestreet and Town Center), and to address WMATA's desire to attract increased ridership.

On January 6, 2020, the Mayor and Council sent a letter, based on a decision at the December 16, 2019 meeting, to WMATA General Manager and CEO, Paul Wiedefeld (Attachment C). The letter expressed the importance of the station to Rockville, appreciation for WMATA's having reserved the funding, and a request that a meeting be set up to discuss the goals for the study.

The requested meeting took place on March 4, 2020 in the Mayor and Council Chambers, with the following participants:

> **City of Rockville** - Mayor Newton, Councilmember Pierzchala, Rob DiSpirito, Craig Simoneau, David Levy, Andrea Gilles, Clark Larson
> **REDI** – Cindy Stewart
> **Montgomery County** – Gary Erenrich (MCDOT)
> **WMATA** – Shyam Kannan, Stephen Segerlin, Robin McElhenny-Smith, Charlie Scott, Henry Kay (contractor)

In the meeting, Mr. Segerlin of WMATA presented work that had been completed over the prior year that considered the potential for development at the site, including options for reconfiguration of bus services and other variables. That prior work had been done in the context of WMATA's conducting similar studies on WMATA-owned sites throughout its rail network. Mr. Segerlin indicated that the upcoming study could build upon that prior work, but would not necessarily need to do so. The March 4 meeting also included significant time for participants to provide input on priorities for the station and the study. The follow-up plan, discussed with participants, was for WMATA to take that input and return with a draft scope of work for the study, which, after working with staff, would then be reviewed by the full Mayor and Council.

**The Rockville Station Study Scope**

As part of its role as a central stakeholder for the study, the Mayor and Council is asked to review and consider providing any recommended edits to two versions of the scope for the Rockville Station study: a long version (Attachment A) and a short version (Attachment B). The long version describes the study's tasks and deliverables in detail, providing the basis on which a prospective consultant team can bid, and to which the selected consultant team will be required to adhere during the course of the study. This detailed scope also sets the expectations of the study's process and outcomes by the project's stakeholders, which include the Rockville public and staff at the City, County and WMATA. The short version provides a brief summary of the proposed study. It will be submitted to MDOT for authorization of the use of funds to conduct the study under the FY 2021 Project Development Program.

City staff have worked with WMATA staff over the past few months to craft both versions of the study scopes with the goal of incorporating the programmatic needs of Rockville Station with

the desires of the Rockville community. Montgomery County and REDI staff have provided their comments and edits, as well.

**Key Components of the Scope**

1. **Visioning Workshop** – An open public meeting to identify goals, objectives, and criteria for transit-oriented development at Rockville Station; validate identified opportunities and constraints; and prioritize ideas for transportation access improvements to be incorporated by later concept plans and analyses. The Mayor and Council will have an opportunity to review the results of the workshop with the consultant team and staff to reach a set of agreed-upon goals and objectives, in order to guide the rest of the project.

2. **Concept Design Charrette** – Based on the results of the visioning workshop, the consultant team will work with staff to formulate conceptual plans for site access, transit facilities, and private development.

3. **Transportation and Financial Analysis** – The consultant will determine the impacts, benefits and trade-offs of each of the three concept plans from a transportation operation (walk, bike, bus, drive, etc.) perspective, as well as estimate the capital and operational costs and revenues for the three concepts in order to understand the financial feasibility or shortfalls of each.

4. **Real Estate Market Analysis** – The consultant will produce a study of the real estate market at Rockville Station compared with other regional activity centers and peer locations, including benchmarking the economic, business, and investment conditions of each location, to determine the strengths and weaknesses of real estate opportunities at Rockville Station.

5. **Placemaking Proposals** – The consultant will identify low-cost interventions to activate the pedestrian bridge crossings, as well as pedestrian and vehicular tunnels under the tracks at the station and Park Road, in consultation with WMATA, City of Rockville, and CSX.

6. **Concept Review Workshop** – An open public meeting to gather feedback on the consultant's draft concept plans and analyses.

7. **Final Plan** – The study will conclude with a consultant-prepared final report summarizing their findings and identifying a preferred concept for Rockville Station.

More detail on these items are included in Attachment A.

Once the Mayor and Council indicates its support for the scope of work, WMATA can move forward with obtaining final sign-off and approval from the Maryland Department of Transportation (MDOT), and then contract with a consultant team to lead the study process.

In addition to City staff, others who will attend the October 19 Mayor and Council meeting include:

- WMATA
  - Nina Albert, Director, Office of Real Estate and Station Planning
  - Steven Segerlin, Program Manager, Station Area Planning and Nina Albert

- Montgomery County Department of Transportation
  - Gary Erenrich, Special Assistant to the Director
  - Joana Conklin, Rapid Transit System Development Manager

## Mayor and Council History

Staff first raised the topic of this study during a November 25, 2019 discussion of the overall Town Center Initiative. On December 16, 2019, the Mayor and Council approved that a letter be sent to WMATA requesting a meeting to discuss the study's goals (Attachment C). That meeting was held on March 4, 2020. In attendance were Mayor Newton and Councilmember Pierzchala.

## Public Notification and Engagement

Until now, public notification has occurred through Mayor and Council agenda items and discussions of Town Center, and through brief articles regarding the upcoming study published in Rockville Reports on December 30, 2019 and September 28, 2020. However, a core part of the scope of work includes opportunities for public input during the course of the consultant-led study of Rockville Station, including an early community visioning workshop and a workshop to review draft concepts, before the completion of the study's final report and presentation to the Mayor and Council.

## Boards and Commissions Review

No input from boards and commissions have been solicited to date, but relevant boards, commissions and advisory groups will be invited and encouraged to participate during the study process.

## Fiscal Impact

There is no fiscal impact to the City of Rockville for conducting the Rockville Station study, as it is fully funded by the WMATA FY21 Project Development Program (PDP) budget with a reservation in the amount of $350,000.

## Next Steps

Once the two documents are endorsed by the Mayor and Council, WMATA can move forward with seeking final sign-off and approval from the Maryland Department of Transportation, and then contract with a consultant team to begin the study.

## Attachments

Attachment 15.a: Draft WMATA Scope of Work for Rockville Station Visioning Study - long version(PDF)
Attachment 15.b: Draft WMATA Scope of Work for Rockville Station Visioning Study - short version(PDF)
Attachment 15.c: Rockville Mayor and Council letter to WMATA - January 6, 2020 (PDF)

Rob DiSpirito, City Manager 10/13/2020

Washington
Metropolitan Area
Transit Authority
600 Fifth Street NW
Washington, DC 20001

## Scope of Work

# Contract CQXXXXX

# DRAFT
# Rockville Community Visioning & Concept Development Study

Prepared By: Steven Segerlin
*(WMATA Task Manager)*

Department: LAND

Date: 09/02/2020

Attachment 15.a: Draft WMATA Scope of Work for Rockville Station Visioning Study - long version (3317 : WMATA Rockville Station Study)

Attachment 15.a: Draft WMATA Scope of Work for Rockville Station Visioning Study - long version (3317 : WMATA Rockville Station Study)

## 1. BACKGROUND

Rockville Metro Station is a critical asset for the City of Rockville and the economic growth and prosperity of its town center. Currently the Town Center and the Metrorail Station are disconnected by a 7-lane roadway, bus loop and parking lots, requiring commuters to walk more than 600 feet across an aging pedestrian bridge or cross a significant amount of traffic at grade. All of these conditions are less than ideal to promote transit ridership and transit-oriented development, but they also present an opportunity to reimagine and reconfigure the area. Rockville Metro Station could transform into a world-class multi-modal gateway that supports the City's smart growth initiatives, enhances land values, and minimizes the divide between station and town center.

In addition, Rockville has invested significant time and resources in planning for the future of the neighborhoods east of the Rockville Metro Station. The recently completed study of the Stonestreet Avenue corridor has identified opportunities for redevelopment and increased residential density in close proximity to the station. Reimagining and reconfiguring the station should also include the interface between the residential and the mixed-use areas east of the station, to promote both transit usage and beneficial transit-oriented development.

This assignment is to support the City of Rockville to establish a vision and concepts for an upgraded transit center, including improved access, and transit-oriented development on WMATA property at the Rockville Station and in the surrounding areas. It will develop a Program of Requirements to address current deficiencies as well as accommodate future transportation and land use plans. It will explore different configurations for the transit facilities (BRT, Bus, Bike/Ped, P&R, and K&R), including access and circulation, and evaluate them against a set of agreed upon design criteria to determine the preferred concept and feasibility.

The main emphasis is to identify opportunities that maximize access to the station by all travel modes and increase overall transit ridership while improving connectivity with the Rockville Town Center and surrounding neighborhoods and enhancing the economic development potential of downtown Rockville. The study should also provide preliminary design inputs to inform the scope of the replacement of the pedestrian bridge, which may be necessary in the next 5-10 years.

## 2. PURPOSE

The Office of Real Estate and Parking ("LAND") regularly produces station area plans to evaluate how to improve transit facilities and operations at Metro stations. When private real estate development projects are desired at a Metro station, LAND also produces feasibility studies to determine the type and amount of development that can be accommodated while maintaining transit operations and the strategy for phasing development. The station area plans and feasibility studies, together, help WMATA evaluate the potential for transit-oriented development, coordinate internal WMATA stakeholders, and collaborate with jurisdictional partners, station communities, and real estate developers.

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The Rockville Community Visioning and Concept Development study developed under this Task Order will be used by WMATA and the City of Rockville to:

- Coordinate with stakeholders to develop a shared vision for transit-oriented development
- Develop at least three (3) concept options for the re-configuration of transit facilities and integration of private development
- Explore opportunities to improve accessibility and safety for pedestrian and bicyclists while reducing traffic congestion impacting bus operations. Examples that will be discussed during the public visioning stage include:
    - Raising the pedestrian bridge to a new entrance mezzanine elevated over the Metrorail platform, permitting more-direct access to the platform.
    - Continuing the pedestrian bridge over the platform and the CSX and landing on the east side.
    - Creating an expanded pedestrian promenade over the existing grade of Rockville Pike.
    - Building a tunnel to accommodate Rockville Pike traffic under the intersection with E. Middle Lane (Park Road).
    - Alternative bus stop locations on the west side of MD 355 to reduce buses crossing Maryland Route 355.
    - Integrating station functions and access as part of the future redevelopment of the property at 255 Rockville Pike.
    - Examining BRT station design and interface with the Rockville Metrorail station.
- Evaluate the costs and benefits, and other trade-offs, in operational and accessibility improvements
- Identify placemaking interventions to activate pedestrian bridges and tunnels under the tracks
- Enhance the competitiveness and attractiveness of real estate offerings

## 3. SCOPE OF WORK

The Consultant shall prepare a labor-hour and direct cost-based proposal for execution of the following scope of work.

### Task 1 Project Management

The Consultant PM will prepare a work plan and staffing schedule, coordinate the work of all sub-Consultants, and maintain a central project file in accordance with appropriate quality standards. The Consultant PM will prepare and submit monthly invoices and progress reports through Procore.

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Attachment 15.a: Draft WMATA Scope of Work for Rockville Station Visioning Study - long version (3317 : WMATA Rockville Station Study)

Monthly progress reports will include major highlights and progress made within the month, The Consultant PM shall participate in weekly progress meetings with key WMATA staff for the project.

All work will conform to the following WMATA manuals, guidelines and documents, as applicable to this task order:

- 2018 Joint Development Policies
- 2018 Joint Development Program Guidelines
- 2018 Transit-Oriented Development Policies
- 2017 Station Site and Access Planning Manual
- WMATA Manual of Design Criteria, Revision 9, dated November 2016
- WMATA CAD Standards Manual (latest version)
- ADA Standards for Transportation Facilities
  - Available on-line at https://www.access-board.gov/guidelines-and-standards/transportation/facilities/about-the-ada-standards-for-transportation-facilities/ada-standards-for-transportation-facilities-single-file
- 2010 ADA Standards for Accessible Design
  - Available on-line at https://www.ada.gov/2010ADAstandards_index.htm

### Deliverables for Task 1:

- Work plan and schedule
- Staffing plan
- Monthly progress reports
- Weekly progress meetings
- Monthly invoices
- Quarterly Coordination Meetings
- Meeting summaries and action list

## Task 2 Local Agency and Stakeholder Coordination

The Consultant will convene meetings and/or prepare presentation materials necessary to advise the City of Rockville and other stakeholders about the project and to solicit their direction and documentation about various aspects of the project requiring decision-making. Presentation materials must be approved by WMATA and the City of Rockville before distribution. The Consultant shall assume the following meetings will be required at minimum.

| No. | Event | Participants | Purpose |
|---|---|---|---|
| **1** | **Kick-off meeting and site-walk** | WMATA, City, and County staff | • Review the scope and discuss opportunities and constraints |

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Attachment 15.a: Draft WMATA Scope of Work for Rockville Station Visioning Study - long version (3317 : WMATA Rockville Station Study)

| | | | |
|---|---|---|---|
| **2** | **Visioning workshop** | Open to public | • Identify goals, objectives, and criteria for transit-oriented development at Rockville Metro Station<br>• Validate identified opportunities and constraints<br>• Prioritize transportation access improvement ideas for concept plans and transportation analysis<br>• Identify a Program of Requirements for the station to address MARC/Amtrak access, park & ride, kiss & ride, taxi, bike, pedestrian and traffic circulation |
| **4** | **Interim Meeting** | WMATA, City and County staff | • Review and finalize understanding of public input. |
| **3** | **Vision presentation** | Mayor and Council of Rockville | • Summarize findings from the vision workshop<br>• Recommend final goals, objectives, and criteria for transit-oriented development, including priority access improvements. |
| **4** | **Design charrette** | WMATA, City and County staff | • Formulate concept plans for site access, transit facilities, and private development |
| **5** | **Interim review meeting** | WMATA, City and County staff | • Share concept designs and the draft results of the transportation analysis, financial, and real estate competitive analyses |
| **6** | **Interim review meeting** | WMATA, City and County staff | • Share draft results of the financial, and real estate market competitive analyses |
| **7** | **Concept review workshop** | Open to public | • Gather feedback on concept plans, cost-benefits, and trade-offs. |
| **8** | **Review meeting on public input** | WMATA, City and County staff | • Review input from public and determine what changes should be made to the concepts. Discuss final report. |
| **9** | **Present final report** | Mayor and Council of Rockville | • Presentation and discussion. |

<u>Deliverables:</u>

- Draft and final meeting materials
- Seven (7) meetings, presentations, and/or workshops

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## Task 3 Conceptual Designs

Consultant shall lead the development of at least three (3) concept plans based on feedback from the design charrette that represent different approaches for organizing the transit facilities and private development. The consultant should also expect to make revisions to the concept designs based on feedback from the two interim review meetings.

The conceptual designs shall at a minimum include:

- Site plans with dimensions for building footprints, on-site circulation and roadways, and transit facilities. They shall additionally identify any ROW requirements from private or other public properties.
- Elevations drawings with dimensions of the transit facilities and public realm showing different vertical and horizontal circulation paths.
- Illustrative renderings of transit facilities and private development to highlight the: (i) integration of station with Rockville Town Center and with the Stonestreet Avenue corridor, (ii) customer experience for each access mode, and (iii) and potential for using iconic station and building architecture to generate a gateway and placemaking effect. This is only required for the final version.

Deliverables:

- Two interim versions of the concept plans
- One final version of the concept plans

## Task 4 Transportation Analysis

Consultant shall determine the impacts, benefits and trade-offs of each of the three (3) concept plans from a transportation operations perspective. The analysis should, at a minimum:

- Compare the walking distances to the platform for customers arriving to the station from different modes with other stations within the region with pedestrian bridges.
- Propose a revised bus routing plan (for RideOn, MetroBus and BRT) to provide services at new bay locations.
- Estimate the travel time savings and ridership generated by the new circulation patterns for each access mode including the pedestrian bridge alternatives.
- Determine the current intersection capacity Park Rd and Monroe PL/Church St intersections along Rockville Pike including peak hour utilization using MDOT published AADT figures.
- Identify the peak hour traffic volume on Rockville Pike currently commuting through the Monroe PL/Church St and Park Rd.
- Estimate the change in peak hour traffic volume crossing MD 355 at Park Rd and Monroe PL/Church St intersections resulting from the new circulation patterns including the impacts of BRT operations.

- Calculate pedestrian and bicycle levels of comfort.

Deliverables:

- At least one design workshop with WMATA, RideOn, and City of Rockville staff to preview the analytical methodologies
- Draft and final technical memorandum documenting the findings of the transportation analysis to identify the best performing solutions with supporting maps, tables, and calculations.

## Task 5 Financial Analysis

Consultant shall estimate the capital and operational costs and revenues for the three (3) concept designs to understand financial feasibility or shortfalls of each. This activity should not be initiated until WMATA and the City of Rockville approve the concept plans. The analysis should at a minimum identify:

- Capital costs of proposed public facilities
- Increases or savings in operational costs of proposed public facilities compared to current operations.
- Increases in public revenues derived from medium- and high-density scenarios (i.e. residual land value, tax and non-tax proceeds, and growth in ridership and fares)
- Financing strategies for proposed public facilities including possible duration and likelihood of executing the transaction and potential failure risks.

Deliverables:

- Draft and final technical memorandum documenting the findings of the financial analysis and recommended financing strategies.

## Task 6 Real Estate Market Competitive Analysis

Consultant shall produce a comparative study of the real estate market at Rockville Metro Station and other regional activity centers and peer locations to be identified in consultation with the City of Rockville. At a minimum it shall include a benchmarking of the economic, business and investment conditions of each location to determine the strengths and weaknesses of real estate opportunities at Rockville Metro Station.

The consultant shall additionally propose at least three marketing approaches from a branding and investors perspective that will enhance the attractiveness of a potential offering at Rockville Metro Station and accelerate the development opportunity.

Deliverables:

- At least two meetings with the City of Rockville and Montgomery County's Economic Development branches to gain insights for the benchmarking and marketing activities.
- Draft and final technical memorandum documenting the findings of the real estate market competitive analysis and proposed marketing strategies.

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Attachment 15.a: Draft WMATA Scope of Work for Rockville Station Visioning Study - long version (3317 : WMATA Rockville Station Study)

## Task 7 Placemaking Proposals

Consultant shall identify the low-cost interventions to activate the pedestrian bridge crossings and pedestrian and vehicular tunnels under the tracks at the station and Park Rd. They should be formulated in consultation with WMATA, City of Rockville, and CSX to understand the design criteria and restrictions. A site walk with stakeholders should additionally be conducted to discuss and opportunities and constraints. If CSX cannot participate in-person their feedback should be solicited virtually. The proposals should at a minimum include:

- Sketches and/or photographic overlays to illustrate the proposed interventions.
- Estimates of the capital costs of placemaking interventions.

Deliverables:

- Site walk with WMATA, City of Rockville, and CSX
- Draft and final technical memorandum documenting the placemaking proposals.

## Task 8 Final Report

Consultant shall prepare a Final Report summarizing the findings from each task and identifying the preferred concept. This Final Report is expected to be published and therefore should be written in a manner that is easy-to-read and includes high-quality graphics and formatting that supports comprehension and provides clarity about the opportunity and obstacles to delivering the preferred concept.

Deliverables:

- Draft and final report template
- Draft and final report (populated)

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## 4. SCHEDULE OF DELIVERABLES

| No | Task Name | Percentage of Direct Labor | Deliverables or Milestone | Due Date | Percentage of entire Task Order |
|---|---|---|---|---|---|
| 1 | Project Management | 10.0% | See Task 1 | Ongoing | 10.0% |
| 2 | Local Agency and Stakeholder Coordination | 20.0% | See Task 2 | 240 CD from NTP | 20.0% |
| 3 | Concept Development | 20.0% | See Task 3 | 135 CD from NTP | 20.0% |
| 4 | Transportation Analysis | 15.0% | See Task 4 | 120 CD from NTP | 15.0% |
| 5 | Financial Analysis | 10.0% | See Task 5 | 150 CD from NTP | 10.0% |
| 6 | Real Estate Market Competitive Analysis | 10.0% | See Task 6 | 120 CD from NTP | 10.0% |
| 7 | Placemaking Proposals | 5.0% | See Task 7 | 150 CD from NTP | 5.0% |
| 8 | Final Report | 10.0% | See Task 8 | 300 CD from NTP | 10.0% |
| | **TOTAL LABOR** | **100%** | | **TOTAL LABOR** | **100%** |

Notes:

- The Consultant shall submit monthly invoices for the percent completion of each milestone and acceptance of work by WMATA or as indicated for the specific task or sub-task.
- Consultant may add actual Other Direct Costs in its invoice each month.
- The assigned percentages for each subtask's milestone or deliverable shall be applied to the total Notice-to-Proceed amount to determine the total amount to be paid for this subtask.

DRAFT

Attachment 15.a: Draft WMATA Scope of Work for Rockville Station Visioning Study - long version (3317 : WMATA Rockville Station Study)

# Project Development Program Agreement
# Task Scope and Budget Concurrence

## *Rockville Visioning & Concept Development Study (CRB0009)*

### Task Description

The purpose of this assignment is to support the City of Rockville to establish a vision and concepts for an upgraded transit center and transit-oriented development on WMATA property at Rockville Station and the surrouding areas. It will explore different configurations for the transit facilities (BRT, Bus, Bike/Ped, P&R, and K&R) and evaluate them against a set of agreed upon design criteria to determine the preferred concept.

This effort will identify opportunities to maximize access to the station and increase overall ridership while improving connectivity with Rockville Town Center and its economic development potential. It will also provide preliminary design inputs to inform the scope of the replacement of the pedestrian bridge, which may be necessary in the next 5-10 years.

### Deliverables

1. Facilitate a visioning workshop with the Rockville community and other key stakeholders to determine goals, objectives, and criteria for the future of the transit station and transit-oriented development at Rockville Station.

2. Organize a design charrette to develop at least three (3) concept designs for transit facilities and private development, including site layout plans, elevations showing vertical and horizontal circulation paths, and illustrative renderings.

3. Conduct transportation and financial analysis to determine cost-benefit comparisons among the resulting concepts.

4. Present concepts and gather feedback from the City of Rockville, Montgomery County, and public.

5. Prepare a real estate competitive analysis and develop strategies that can accelerate development and ridership goals. [RKV: move earlier?]

6. Identify placemaking opportunities to activate the connections between the station and surrounding destinations.

### Schedule

10 months

### Milestones

1. Visioning Workshop

2. Concept Design Charrette

3. Transportation, Financial, and Real Estate Analysis

4. Placemaking Proposals

5. Concept Review Workshop

6. Final Plan

| Budget | FY20 | FY21 | FY22 | FY23 | FY24 | FY25 | FY26 | FY27 | Total |
|---|---|---|---|---|---|---|---|---|---|
| CRB0009 (MD) | 350,000 | | | | | | | | 350,000 |
| | | | | | | | | | |
| | | | | | | | | | |
| **Total Budget** | 350,000 | | | | | | | | 350,000 |

**Metro - Project Development Program Manager**

**Concurrence:**

**Jurisdiction**

**Date**

City of Rockville
111 Maryland Avenue
Rockville, Maryland
20850-2364
www.rockvillemd.gov

240-314-5000
TTY 240-314-8137

January 6, 2020

Paul J. Wiedefeld
General Manager and CEO
Washington Metropolitan Area Transit Authority
600 5th Street, NW
Washington, DC 20001

Dear Mr. Wiedefeld:

The Mayor and Council of the City of Rockville, unanimously support WMATA's efforts to return the Rockville Station "Back to Good." We stand ready to partner with you to achieve this goal. As one of the front doors to Rockville's Town Center, which is the seat of government for Montgomery County, this 35-year-old station will greatly benefit from long-term improvements to address current and future goals related to our downtown, adjacent neighborhoods, transit services and economic development.

We believe that WMATA shares Rockville's vision for the Rockville Station as an attractive, first-class, multi-modal hub built for the 21st century. Following a successful master planning process with the community for the neighboring North Stonestreet corridor, the Mayor and Council have recently directed zoning changes and streetscape improvements, as well as an improved design for one of the intersections adjacent to the WMATA station. At the same time, Rockville Town Center continues developing, with two large projects currently under construction and more potential in the future. These actions will result in positive opportunities for greater density and economic investment, all of which will increase ridership for WMATA. We look forward to sharing this information with you and jointly exploring opportunities for transit-oriented development on the site. The possibilities are truly exciting!

WMATA's funding of the FY2020 Rockville Metro Station Area Planning Study is deeply appreciated. We wish to collaborate with you as this study commences and throughout the entire process. Therefore, we respectfully request a meeting with your staff from the WMATA departments tasked with studying and planning the long-term improvements to the station site. The purpose of the meeting would be to discuss how, together, Rockville and WMATA can define the scope of the project and then be partners in developing and implementing plans to better serve WMATA's customers and contribute to Rockville's growing vitality.

MAYOR
Bridget Donnell Newton

COUNCIL
Monique Ashton
Beryl L. Feinberg
David Myles
Mark Pierzchala

CITY MANAGER
Robert DiSpirito

CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS
Sara Taylor-Ferrell

CITY ATTORNEY
Debra Yerg Daniel

Please contact the City's project team, headed by Craig Simoneau, Public Works Director, (csimoneau@rockvillemd.gov), and David Levy, Assistant Planning Director, (dlevy@rockvillemd.gov), to schedule this meeting. Thank you.

Sincerely,

Bridget Donnell Newton, Mayor

Monique Ashton, Councilmember

Beryl L. Feinberg, Councilmember

David Myles, Councilmember

Mark Pierzchala, Councilmember

Mayor and City Council

Cc: Rob DiSpirito, City Manager
Craig Simoneau, Director of Public Works
Ricky Barker, Director of Planning and Development Services
David Levy, Assistant Director of Planning and Development Services
Charlie Scott, Senior Government Relations Officer, MD, Washington Metropolitan Area Transit Authority
Robin McElhenny-Smith, Project Manager, Washington Metropolitan Area Transit Authority
Gary Erenrich, Special Assistant to the Director, Montgomery County Department of Transportation

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Discussion
Department: CMO - Procurement
Responsible Staff: Patricia Ryan

## Subject

FY20 Minority, Female, and Disabled-Owned Businesses (MFD) Program Update

## Recommendation

Staff recommends that the Mayor and Council receive the MFD year-end FY20 report.

## Discussion

The focus of the City's Minority, Female, Disabled-Owned Business (MFD) outreach program is to communicate, collaborate and make connections for and between MFD vendors and the City.

Specific MFD outreach activities for FY20, the fourth full year of the outreach program, are provided as Attachment B. To summarize, Procurement staff:

- Exhibited the MFD outreach program at 4 events;
- Attended 5 participating agency outreach meetings/events;
- Presented How to do Business with the City, with MFD emphasis, at 2 events; and
- Conducted 21 formal one-on-one technical assistance meetings with businesses.

This represents 32 activities in FY20 where the Procurement Division had an opportunity to learn about MFD businesses and share ideas of how the City can make meaningful connections with these companies.

A brief history of the City's MFD outreach program:

- Established by the Mayor and Council and formally started October 2015 with a .5 FTE dedicated to the outreach program. The remainder of FY15 was spent researching different jurisdictions and programs to see how they functioned in order to determine where the City could add the most value for our MFD vendors.

- In FY16, staff completed the design and purchase of exhibit/road show materials, researched and established core procurement information and resources for the one-on-one technical vendor meetings, and networked and reached out to participating agencies with MFD related programs to find ways to effectively partner with them.

- In FY18/19, the City became a participating agency in Montgomery County's Central Vendor Registration program, providing the City with a resource of MFD vendors for

staff to utilize, especially important for small purchases (less than $3,000). Procurement provided formal training and instructions to City staff as how to utilize this resource.

- Also in FY18/19, the Procurement Forecast Calendar was developed, posted on the City's web site, and distributed at matchmaking/exhibit events. This is very helpful for our vendors, Buyers and City staff. We believe the City is the only local municipality to offer this effective tool.

The last four months of FY20 (and continuing into FY21) have been challenging for agencies and our vendor community. Typically, spring is when most agencies have their various in-person outreach events and exhibits. That was not the case this past spring. Many annual events were cancelled in full due to the COVID-19 pandemic. The Montgomery County Chamber of Commerce's flagship procurement conference, GovConNet, was postponed for 3 months and then was virtual in mid-August 2020. Despite initial obstacles, there were a number of productive one-on-one vendor matchmaking sessions.

Our vendor community of course has faced continuous challenges. Many of our MFD vendors are in the consulting/training field. Numerous agencies, including the City, have delayed, postponed or even cancelled certain solicitations considered for the time being as non-essential. These often include consulting/training services. In discussion with MFD vendors, many have used this time to establish or review their registrations on various public jurisdictions' websites to ensure that information is current.

A successful MFD outreach program requires City-wide support. We are grateful to staff for, after an email or even an in-person introduction from Procurement, taking the extra time to talk with an MFD vendor and answer their questions as to what the City is seeking and how this vendor can add value for the City. Procurement explores MFD vendors' abilities, including small dollar purchases and any rideable contracts the City might be able to use. Some past success stories include:

- The Human Resources Administrator for Training & Development has done multiple small dollar purchases for training, including the repeated use of an MFD company we met in October 2016 at a Montgomery County Procurement Forum, where the City participated as an exhibitor and panelist. This company specializes in diversity training.

- In July 2017, the Rehabilitation Specialist from Planning and Development Services joined procurement at a Greater Washington Hispanic Chamber of Commerce B2B Matchmaking Program for Construction, and found several companies interested in bidding on Rockville residence rehabilitation work.

- Meeting an MFD flooring vendor with a rideable contract at a procurement event in FY17. Staff had a one-on-one technical assistance meeting with the company and introduced them to the Twinbrook Community Center where, in August 2018, they installed a new floor. Also, in 2019, the Senior Center utilized the firm for new flooring.

- Introducing the Maryland Women's Business Center (MWBC) to an international commercial bank with a branch in Rockville. This resulted in the MWBC receiving a $30,000 grant from the bank.

In the event that a MFD vendor has a business activity not needed by the City either at that moment or in the future, effort is made to direct companies to other jurisdictions or private sector companies that could benefit from that vendor's service.

## Mayor and Council History

The FY19 and FY20 6-month (through December 31, 2019) update was provided to Mayor and Council by Memo April 2020, and is attached for reference (Attachment A).

## Next Steps

Though it brings challenges, FY21 also affords opportunities. This is an ideal time for Procurement to host a virtual event City-wide for our MFD vendors and staff, conducting matchmaking sessions as appropriate. The City-wide nature of this event would facilitate more direct and more relevant connections between staff and MFD vendors. Emphasis will be placed on small dollar purchases and/or rider contracts the MFD firm may have been awarded by other agencies. Staff will provide a FY21 annual MFD report in late summer 2021.

## Attachments

Attachment 16.a: Attachment A April 2020 Memo for MFD activities FY19 and 6 Mos FY20 (PDF)

Attachment 16.b: Attachment B MFD listing of activities for FY20 through June 30, 2020 (PDF)

Rob DiSpirito, City Manager 10/13/2020

**MEMORANDUM**

DATE: April 28, 2020

TO: Robert DiSpirito, City Manager

VIA: Jessica J. Lewis, Director of Procurement

FROM: Pat Ryan, Principal Buyer

SUBJECT: Minority Female Disabled (MFD) Outreach Program:
FY19 Year-End Report and FY20 Six Month Report (through 12/31/2019)

The purpose of the City's MFD outreach program is to communicate, collaborate and make connections for MFD vendors with the City.

Specific MFD outreach activities for FY19, the third full year of the outreach program, are provided as Attachment A. To summarize, Procurement staff:

- Exhibited the MFD outreach program at 4 events,
- Attended 3 participating agency outreach meetings/events,
- Conducted 2 internal trainings on the new vendor registration system,
- Presented How to do Business with the City, with MFD emphasis, at 4 events (including one roundtable discussion), and
- Conducted 31 formal one-on-one technical assistance meetings with businesses.

This represents 44 activities in FY19 where the Procurement Division had an opportunity to learn about MFD businesses and share ideas of how the City can make meaningful connections with these companies.

During this period, the City of Rockville became a participating agency under Montgomery County's Inter-Agency Vendor Registration System (CVRS). This is a one-stop self-registration system for companies interested in doing business with a participating agency. In addition to Montgomery County and the City of Rockville, there are four other agencies that utilize CVRS which includes Montgomery College, Montgomery County Public Schools, Maryland-National Capital Park and Planning Commission, and Housing Opportunities Commission.

The CVRS is an excellent resource for City staff to locate MFD vendors, especially for the two procurement paths they utilize the most, small purchases (less than $3,000) and one-time Request for Quotes ($3,001 to $30,000). We conducted internal CVRS trainings with procurement staff in March 2019 and City staff in early FY20 (July and August 2019). In addition, detailed search instructions are posted on the intranet for easy access for staff.

The City's joining CVRS was also advertised in the July/August 2019 *Rockville Reports* (page 4), with the headline "Doing Business with the City?" The end of the article refers the reader to the

City's procurement website, where more information can be found about the City's MFD Outreach program, including how to reach us.

Also, in FY19 procurement staff participated in the Montgomery County Chamber of Commerce's procurement conference, GovConNet. The City's procurement office had the opportunity to exhibit, participate in panel discussions, and conduct one-on-one matchmaking sessions with companies.

Staff support of the City's MFD outreach program continues to be strong. When appropriate, after a technical assistance one-on-one meeting, email introductions between the MFD vendor and the relevant City staff are sent. Staff continues to be extremely receptive to these email introductions.

**Summary of One-on-One Technical Assistance Meetings**
Businesses find the one-on-one technical assistance meetings very helpful. Each one is custom tailored to that company's needs. Information is gathered ahead of time regarding a business's profiles on eMaryland Marketplace, Montgomery County's Central Vendor Registration System, and any other material as appropriate. During the meeting, we discuss and review each profile to determine if the information is accurate by reviewing National Institute of Government Procurement (NIGP) commodity codes, MFD status, local small business reserve status, and other items directly relevant to that vendor.

During the technical assistance meetings, we make businesses aware of the different resources that are available such as the Maryland Women's Business Center (MWBC) or getting MFD certification help through the Maryland Department of Transportation. Often, we do email introductions between the MFD vendor and City staff, especially for small purchases (less than $3,000) that are within an employee's delegated authority. This is particularly true in recreation, facilities, training and wellness.

At the end of the technical assistance meeting, action items are summarized and an email is prepared with links to the topics discussed, with City staff email introductions to follow. The one-on-one technical assistance meetings are highly valued and are a cornerstone to the City's MFD outreach program.

**FY20 Six Month Report Summary**
Specific MFD outreach activities for FY20 six-month report (through 12/31/2019) are provided as Attachment B. To summarize, Procurement staff:

- Exhibited the MFD outreach program at 3 events,
- Attended 4 participating agency outreach meetings/events,
- Presented How to do Business with the City, with MFD emphasis, at 1 event, and
- Conducted 10 formal one-on-one technical assistance meetings with businesses.

This represents 18 activities where the Procurement Division had an opportunity to learn about MFD businesses and share ideas of how the City can make meaningful connections with these companies.

Since March 16, 2020, with remote work as a result of COVID-19, one-on-one technical assistance meetings happen by phone or through WebEx depending on vendors' preferences.

**Veteran-Owned Business Discussion**
Procurement research indicates that Veteran-owned businesses are not a category in disparity studies that support a formal, legally mandated MFD program. Adding Veteran-owned businesses to the City's MFD informal outreach program was discussed during the regular program update at the January 11, 2016 Mayor and Council meeting. Staff did not recommend adding Veterans to the

City's MFD informal outreach program, stating the idea of the program was to remove societal barriers that prevent participation by a particular group. The Mayor and Council ultimately agreed, with the notation that if the City wanted to include a Veterans program it should be separate from the MFD program.

In further consultation with Montgomery County, they currently do not have a specific program for Veteran-owned businesses. This is based on Veterans not being categorized as a disadvantaged group within the County.

While it has a MFD emphasis, an advantage of the City's informal outreach program is it affords staff the opportunity to talk with all businesses, including Veteran-owned companies. We do this regularly, whether it is at an EXPO type event or when conducting one-on-one technical assistance meetings.

**Next Steps**
Additional CVRS trainings (in-person or remotely) are planned for staff this summer 2020. There will also be regularly scheduled trainings for all employees, with special emphasis on new employees.

In conjunction with IT, staff will develop and compile a searchable database of the companies that participated in the City's one-on-one technical assistance meetings. This will provide staff with ongoing and convenient access to a variety of MFD companies when there is a City need for their goods or services. This would not require any additional registrations on the part of our vendor community.

Staff will provide a year-end report for FY20 in the fall 2020.

Updated through 12/31/2019

# City of Rockville
# Minority, Female and Disabled Owned Business Procurement in Rockville
# Activities, Meetings, Outreach – FY20 Six Month (through December 31, 2019)

| **FY 2020** **Activity Date** | **Organization Name/Contact Information/Location** | **COR Staff Attending** | **Event Description** | **Cost** |
|---|---|---|---|---|
| 07/10/2019 | Monica Olaya<br>Atlantic Safety Products<br>College Park, MD<br>Safety products, Operational Management Consulting, Promotional Items | P. Ryan | One on One Technical Assistance<br>Attended City's presentation at MWBC event in June 2019 | None |
| 07/17/2019 | Open House<br>Montgomery County Office of Procurement<br>Rockville, MD | P. Ryan | Met vendor attendees, speakers included the upgraded eMaryland Marketplace and Montgomery County's Central Vendor Registration | None |
| 07/24/2019 | Jaye Marie Walker<br>LyfeWurks<br>Rockville, MD<br>Marketing, Branding and Strategic Analysis for businesses | P. Ryan | One on One Technical Assistance<br>Saw the City's website listing of MFD outreach | None |
| 07/24/2019 | Jimmy Lawson<br>N&H General Construction Co., Inc.<br>Poolesville, MD<br>Sidewalks, Driveways, Curbs, Gutters, Concrete, ADA, Pool Decks | P. Ryan | One on One Technical Assistance<br>New to public procurement | None |

Updated through 12/31/2019

| **FY 2020** Activity Date | Organization Name/Contact Information/Location | COR Staff Attending | Event Description | Cost |
|---|---|---|---|---|
| 08/19/2019 | The Power Conference, 2019<br>Women Doing Business<br>North Bethesda Marriott<br>Montgomery County Conference Center | P. Ryan | Exhibitor, all day event<br>Met with businesses and partnering agencies | $450 |
| 08/20/2019 | Ellen Ryan<br>Writer<br>Rockville, MD<br>Magazine, Newspaper and Grant writing | P. Ryan | One on One Technical Assistance<br>Saw the article in *Rockville Reports* | None |
| 09/06/2019 | Jeffrey Green<br>Montgomery County Economic Development Corporation<br>Rockville, MD | P. Ryan | Awareness/access to various programs for businesses state-wide, how we can partner for businesses | None |
| 09/09/2019 | Charity Maguwah-Biti<br>Lethabo LLC<br>New Market, MD<br>Sells Furniture and Efficient Space Planning, Interiors and Staging | P. Ryan | One on One Technical Assistance<br>Learned about our program from Rockville Chamber of Commerce | None |
| 09/11/2019 | Maryann Kearns<br>Meaningful Acts<br>Rockville, MD<br>Marketing and Development Consulting | P. Ryan | One on One Technical Assistance<br>Very familiar with the City – introduced the company to MWBC | None |
| 10/07/2019 | Bagher Fardanesh, PhD, MPA<br>Piaiget Consutling<br>Rockville, MD<br>Management Consulting/Training<br>Teaches International Marketing courses | P. Ryan | One on One Technical Assistance | None |
| 09/13/2018 | MWBC Annual Awards Luncheon | J. Lewis<br>J. Woods<br>P. Ryan | Annual Awards Luncheon for Maryland Women's Business Center | $100 |

Updated through 12/31/2019

| **FY 2020** **Activity Date** | **Organization Name/Contact Information/Location** | **COR Staff Attending** | **Event Description** | **Cost** |
|---|---|---|---|---|
| 09/16/2019 | Ken Reed<br>AJ Stationers<br>Baltimore, MD<br>Office Supplies | P. Ryan | One on One Technical Assistance | None |
| 10/24/2019 | 10th Asian American Business Summit and EXPO<br>Silver Spring Civic Center<br>Silver Spring, MD | P. Ryan | Exhibitor, all day event, 9am-3pm<br>Spoke with multiple businesses and partnering agencies | $595<br>Local Travel |
| 11/12/2019 | ProBiz/Africa Biz 2019<br>Silver Spring Civic Center<br>Silver Spring, MD<br>Produced annually by the Booker T. Washington Foundation and the Africa Business-League-America | P. Ryan | Exhibitor, all day event, 8am-5pm<br>Participated as presenter in Local Government Opportunities panel discussion | Local Travel |
| 12/04/2019 | 19th Annual Minority Legislative Breakfast; Montgomery County<br>Hosted by:<br>African American Chamber of Commerce of Montgomery County<br>Asian American Political Alliance<br>Hispanic Chamber of Commerce<br>Bethesda, MD | P. Ryan | Continued to meet with partnering agencies and companies | $52.00 |
| 12/09/2019 | Olive Idehen<br>Callive<br>Maryland<br>Nonprofit Consultant & Financial Coach | P. Ryan | One on One Technical Assistance | None |
| 12/27/2019 | Michelle Tolson<br>SERVPRO<br>Rockville, MD<br>Mold remediation, bio hazard cleanup | P. Ryan | One on One Technical Assistance<br>Learned about our program from Rockville Chamber of Commerce | None |

Updated through 06/30/2020

Attachment B

# City of Rockville
# Minority, Female and Disabled Owned Business Procurement in Rockville
# Activities, Meetings, Outreach – FY20 (through June 30, 2020)

| **FY 2020** **Activity Date** | **Organization Name/Contact Information/Location** | **COR Staff Attending** | **Event Description** | **Cost** |
|---|---|---|---|---|
| 07/10/2019 | Monica Olaya<br>Atlantic Safety Products<br>College Park, MD<br>Safety products, Operational Management Consulting, Promotional Items | P. Ryan | One on One Technical Assistance<br>Attended City's presentation at MWBC event in June 2019 | None |
| 07/17/2019 | Open House<br>Montgomery County Office of Procurement<br>Rockville, MD | P. Ryan | Met vendor attendees, speakers included the upgraded eMaryland Marketplace and Montgomery County's Central Vendor Registration | None |
| 07/24/2019 | Jaye Marie Walker<br>LyfeWurks<br>Rockville, MD<br>Marketing, Branding and Strategic Analysis for businesses | P. Ryan | One on One Technical Assistance<br>Saw the City's website listing of MFD outreach | None |
| 07/24/2019 | Jimmy Lawson<br>N&H General Construction Co., Inc.<br>Poolesville, MD<br>Sidewalks, Driveways, Curbs, Gutters, Concrete, ADA, Pool Decks | P. Ryan | One on One Technical Assistance<br>New to public procurement | None |

Updated through 06/30/2020

| **FY 2020** Activity Date | Organization Name/Contact Information/Location | COR Staff Attending | Event Description | Cost |
|---|---|---|---|---|
| 08/19/2019 | The Power Conference, 2019<br>Women Doing Business<br>North Bethesda Marriott<br>Montgomery County Conference Center | P. Ryan | Exhibitor, all day event<br>Met with businesses and partnering agencies | $450 |
| 08/20/2019 | Ellen Ryan<br>Writer<br>Rockville, MD<br>Magazine, Newspaper and Grant writing | P. Ryan | One on One Technical Assistance<br>Saw the article in *Rockville Reports* | None |
| 09/06/2019 | Jeffrey Green<br>Montgomery County Economic Development Corporation<br>Rockville, MD | P. Ryan | Awareness/access to various programs for businesses state-wide, how we can partner for businesses | None |
| 09/09/2019 | Charity Maguwah-Biti<br>Lethabo LLC<br>New Market, MD<br>Sells Furniture and Efficient Space Planning, Interiors and Staging | P. Ryan | One on One Technical Assistance<br>Learned about our program from Rockville Chamber of Commerce | None |
| 09/11/2019 | Maryann Kearns<br>Meaningful Acts<br>Rockville, MD<br>Marketing and Development Consulting | P. Ryan | One on One Technical Assistance<br>Very familiar with the City – introduced the company to MWBC | None |
| 10/07/2019 | Bagher Fardanesh, PhD, MPA<br>Piaiget Consutling<br>Rockville, MD<br>Management Consulting/Training<br>Teaches International Marketing courses | P. Ryan | One on One Technical Assistance | None |
| 09/13/2018 | MWBC Annual Awards Luncheon | J. Lewis<br>J. Woods<br>P. Ryan | Annual Awards Luncheon for Maryland Women's Business Center | $100 |

Updated through 06/30/2020

| **FY 2020** Activity Date | Organization Name/Contact Information/Location | COR Staff Attending | Event Description | Cost |
|---|---|---|---|---|
| 09/16/2019 | Ken Reed<br>AJ Stationers<br>Baltimore, MD<br>Office Supplies | P. Ryan | One on One Technical Assistance | None |
| 10/24/2019 | 10th Asian American Business Summit and EXPO<br>Silver Spring Civic Center<br>Silver Spring, MD | P. Ryan | Exhibitor, all day event, 9am-3pm<br>Spoke with multiple businesses and partnering agencies | $595<br>Local Travel |
| 11/12/2019 | ProBiz/Africa Biz 2019<br>Silver Spring Civic Center<br>Silver Spring, MD<br>Produced annually by the Booker T. Washington Foundation and the Africa Business-League-America | P. Ryan | Exhibitor, all day event, 8am-5pm<br>Participated as presenter in Local Government Opportunities panel discussion | Local Travel |
| 12/04/2019 | 19th Annual Minority Legislative Breakfast; Montgomery County<br>Hosted by:<br>African American Chamber of Commerce of Montgomery County<br>Asian American Political Alliance<br>Hispanic Chamber of Commerce<br>Bethesda, MD | P. Ryan | Continued to meet with partnering agencies and companies | $52.00 |
| 12/09/2019 | Olive Idehen<br>Callive<br>Maryland<br>Nonprofit Consultant & Financial Coach | P. Ryan | One on One Technical Assistance | None |
| 12/27/2019 | Michelle Tolson<br>SERVPRO<br>Rockville, MD<br>Mold remediation, biohazard cleanup | P. Ryan | One on One Technical Assistance<br>Learned about our program from Rockville Chamber of Commerce | None |

Updated through 06/30/2020

| FY 2020 Activity Date | Organization Name/Contact Information/Location | COR Staff Attending | Event Description | Cost |
|---|---|---|---|---|
| 02/04/2020 | Ready, Set, GROW!<br>State of Maryland's Governor's Office of Small, Minority and Women Business Affairs<br>Montgomery County outreach<br>Silver Spring Civic Center<br>Silver Spring, MD | P. Ryan | Presented and Exhibited at this Procurement Connections all day workshop.<br>Attendance included: Multiple State of Maryland agencies and then Montgomery County jurisdictions including, City of Rockville, Montgomery County, University of Maryland College Park, Maryland Stadium Authority, and Maryland National Capital Park and Planning. | None |
| 02/06/2020 | Karyn Anderson<br>Pro-Line Industrial Products<br>Certified Woman Owned<br>Multiple local locations<br>Head office in Dixon, CA | P. Ryan | One on One Technical Assistance<br>Rothgeb Meeting<br>Introduction to Stockroom<br>Product Demonstrations | None |
| 02/24/2020 | Tyler Kern<br>Foundant (philanthropic grant software)<br>Bozeman, MT | P. Ryan | One on One Technical Assistance | None |
| 03/05/2020 | Grace Denno<br>Montgomery County Procurement Division of Business Relations and Compliance for Minority, Small, and/or Local Businesses | J. Lewis<br>P. Ryan | Conference Call with Ms. Denno to stay current on the County's Minority program, including monitoring and tracking. Striving for continuous improvement for the City's outreach program. | None |
| 03/10/2020 | Jenn Williams<br>Chief Operating Officer<br>LewLew Inc./Energy<br>Provides solutions to reduce energy costs<br>Maryland office in Silver Spring | P. Ryan | One on One Technical Assistance<br>Referral form the 2/4/2020 Ready, Set, GROW workshop | None |
| 03/12/2020 | Central Vendor Registration System (CVRS)<br>Discussion with City of Rockville procurement head | P. Ryan | Met with Ms. Lewis to discuss CVRS in general and how to fully utilize the system in particular | None |

Updated through 06/30/2020

| FY 2020 Activity Date | Organization Name/Contact Information/Location | COR Staff Attending | Event Description | Cost |
|---|---|---|---|---|
| 03/20/2020 and 06/09/2020 | E. Charles Ezuma-Ngwu (Charles)<br>EZ Consulting Group, LLC<br>All types of consulting: business analysis, project management consulting services<br>Potomac, MD | P. Ryan | One on One Technical Assistance, follow-up meeting, Discussed a specific solicitation he was considering responding to, including pros/cons | None |
| 04/02/2020 | Suzanne Brehens<br>Owner<br>Smart Detailing LLC<br>Currently has office in Virginia, very recently opened a location in in Rockville | P. Ryan | One on One Technical Assistance | None |
| 04/09/2020 | Wangari Kamau<br>Owner<br>Soma Global Consulting<br>Specializes in Trainings; Racial Equality<br>Rockville | P. Ryan | One on One Technical Assistance | None |
| 05/18/2020 | Vishakha Vaddoriya<br>Business Development Specialist<br>vTech Solutions<br>Specializes in IT Staffing<br>Washington DC | P. Ryan | One on One Technical Assistance | None |
| 06/02/2020 | Linda Mack<br>Chief Executive Officer<br>Global Investigative Services<br>Specializing in Background Checks<br>Rockville | P. Ryan | One on One Technical Assistance | None |
| 06/05/2020 | Geoffrey Hendricks<br>Mike Colon<br>Miller's Supplies at Work<br>Office products/solutions<br>Newington, VA | P. Ryan | One on One Technical Assistance | None |

Updated through 06/30/2020

| **FY 2020** **Activity Date** | **Organization Name/Contact Information/Location** | **COR Staff Attending** | **Event Description** | **Cost** |
|---|---|---|---|---|
| 06/17/2020 | Wangari Kamau<br>Owner<br>Soma Global Consulting<br>Specializes in Trainings; Racial Equality<br>Rockville | P. Ryan | Follow-up from our 04/09/2020 meeting, especially regarding various registrations on her firm on public jurisdictions web sites. | None |

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Discussion
Department: Human Resources
Responsible Staff: Karen Marshall

## Subject

Vacancy Report/Hiring Freeze Status

## Recommendation

Staff recommends that the Mayor and Council review and discuss the Vacancy and Hiring Freeze Report of positions that were open as of September 30, 2020.

## Discussion

The attached reflects all open positions with totals by funds ending September 30, 2020.

The Gross Personnel Savings category shown on the attached report for each position represents the portion of the FY21 adopted budget, including salary and benefits, that covers the number of days the position has been vacant in FY2021.

## Mayor and Council History

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

## Attachments

Attachment 17.a: FY21 September Vacancy and Hiring Freeze Report (PDF)

Rob DiSpirito, City Manager 10/13/2020

Vacancy and Hiring Freeze Report - General Fund Positions Open as of 9/30/2020

ATTACHMENT A

| Department | Cost Center | Working Title | Grade | % General Fund | Position Vacancy Date | Status of Positions Open Over 90 Days | Days Open | Days Open FY2021 | FY21 Adopted Budget | Gross Personnel Savings | Number of Positions | Subject to Freeze |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| City Attorney's Office | Office of the City Attorney | City Attorney | Contract | 100% | 9/14/2020 | | 16 | 16 | $ 303,390.00 | $ 13,299.29 | 1 | N |
| City Attorney's Office | Office of the City Attorney | Senior Assistant City Attorney | AD120 | 100% | 5/29/2020 | Successful candidate to start on October 5 | 124 | 91 | $ 190,080.00 | $ 47,389.81 | 2 | N |
| Housing and Community Development | Community Programs | Community Services Manager | AD115 | 100% | 4/24/2020 | Reviewing applications | 159 | 91 | $ 115,440.00 | $ 28,780.93 | 1 | N |
| Housing and Community Development | Administration | Housing and Landlord-Tenant Specialist | AD111 | 100% | 7/1/2020 | Position being advertised | 91 | 91 | $ 94,600.00 | $ 23,585.21 | 1 | N |
| Housing and Community Development | Youth and Family Services | Community Services Program Coordinator | AD109 | 100% | 7/17/2020 | Second round interview | 75 | 75 | $ 97,290.00 | $ 19,991.10 | 2 | N |
| Housing and Community Development | Youth and Family Services | Youth and Family Counselor | AD112 | 100% | 9/11/2020 | Position being advertised | 19 | 19 | $ 107,280.00 | $ 5,584.44 | 1 | N |
| Finance | Financial Administration | Management and Budget Analyst | AD113 | 100% | 4/24/2020 | Successful candidate to start on October 5 | 159 | 91 | $ 105,120.00 | $ 26,208.00 | 1 | N |
| Mayor and Council | City Clerk's Office | Deputy City Clerk | AD111 | 100% | 1/3/2020 | Second round interview | 271 | 91 | $ 95,140.00 | $ 23,719.84 | 1 | N |
| Planning and Development Services | Administration and Support | Executive Assistant | AD109 | 100% | 1/13/2020 | Frozen | 261 | 91 | $ - | $ - | 1 | Y |
| Planning and Development Services | Application Process and Permit | Building Plans Examiner Supervisor | AD113 | 100% | 1/13/2020 | Interviewing | 261 | 91 | $ 105,120.00 | $ 26,208.00 | 1 | N |
| Planning and Development Services | Application Process and Permit | Building Plans Examiner | AD111 | 100% | 9/18/2020 | Department head working with HR on recruitment strategy | 12 | 12 | $ 113,170.00 | $ 3,720.66 | 1 | N |
| Planning and Development Services | Development Review | Landscape Architect/Urban Forester | AD111 | 100% | 11/29/2019 | Successful candidate to start on October 19 | 306 | 91 | $ 116,610.00 | $ 29,072.63 | 1 | N |
| Planning and Development Services | Comprehensive Planning | Senior Planner | AD111 | 100% | 3/6/2020 | Frozen | 208 | 91 | $ - | $ - | 3 | Y |
| Planning and Development Services | Development Review | Senior Planner | AD111 | 100% | 3/23/2020 | Frozen | 191 | 91 | $ - | $ - | 3 | Y |
| Planning and Development Services | Zoning Ordinance | Senior Zoning Inspector | AD110 | 100% | 6/30/2020 | Interviewing | 92 | 91 | $ 126,870.00 | $ 31,630.60 | 1 | N |
| Police | Management and Support - Administration | Police Major | PL119 | 100% | 1/26/2020 | Frozen | 248 | 91 | $ - | $ - | 2 | Y |
| Police | Patrol Team | Police Officer | PL110 | 100% | 7/1/2020 | Offer made to candidate, contingent start is January 11 | 91 | 91 | $ 82,550.00 | $ 20,580.96 | 21 | N |
| Police | Patrol Team | Police Officer | PL110 | 100% | 7/21/2020 | Ongoing recruitment | 71 | 71 | $ 82,550.00 | $ 16,057.67 | 21 | N |
| Public Works | Engineering | Engineering Supervisor | AD116 | 20% | 9/21/2020 | Position being advertised | 9 | 9 | $ 29,090.00 | $ 717.29 | 2 | N |
| Public Works | Engineering | Engineering Supervisor | AD116 | 20% | 9/21/2020 | Position being advertised | 9 | 9 | $ 32,190.00 | $ 793.73 | 2 | N |
| Public Works | Street Maintenance | Maintenance Worker I - General Maintenance | UN103 | 75% | 12/9/2019 | Reviewing applications | 296 | 91 | $ 41,140.00 | $ 10,256.82 | 7 | N |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Public Works | Street Maintenance | Maintenance Worker I - General Maintenance | UN103 | 75% | 12/31/2019 | Reviewing applications | 274 | 91 | $ 41,140.00 | $ 10,256.82 | 7 | N |
| Public Works | Street Maintenance | Maintenance Worker I - General Maintenance | UN103 | 75% | 3/16/2020 | Reviewing applications | 198 | 91 | $ 41,140.00 | $ 10,256.82 | 7 | N |
| Recreation and Parks | Capital Projects | Senior Construction Project Manager | AD116 | 100% | 9/27/2019 | Frozen | 369 | 91 | $ - | $ - | 1 | Y |
| Recreation and Parks | Childcare | Preschool Teacher | AD104 | 100% | 9/7/2020 | Recruitment to start when need exists | 23 | 23 | $ 37,920.00 | $ 2,389.48 | 2 | N |
| Recreation and Parks | Civic Center | Box Office and Marketing Manager | AD106 | 100% | 8/25/2020 | Interviewing | 36 | 36 | $ 73,200.00 | $ 7,219.73 | 1 | N |
| Recreation and Parks | Facilities Maintenance Service | Facilities Maintenance Trades Worker | UN106 | 100% | 2/14/2020 | Position being advertised | 229 | 91 | $ 66,570.00 | $ 16,596.90 | 5 | N |
| Recreation and Parks | Parks East Services | Maintenance Worker I - Parks and Facilities | UN103 | 100% | 9/4/2020 | Position being advertised | 26 | 26 | $ 46,560.00 | $ 3,316.60 | 3 | N |
| Recreation and Parks | Summer Camps | Recreation Programs Supervisor | AD113 | 100% | 8/21/2020 | Successful candidate to start on October 5 | 40 | 40 | $ 154,800.00 | $ 16,964.38 | 6 | N |
| Recreation and Parks | Urban Forestry Maintenance | Tree Climber | UN105 | 100% | 6/10/2019 | Frozen | 478 | 91 | $ - | $ - | 4 | Y |
| Recreation and Parks | Urban Forestry Maintenance | Tree Climber | UN105 | 100% | 7/8/2019 | Successful candidate to start on September 28 | 450 | 91 | $ 66,570.00 | $ 16,596.90 | 4 | N |
| Recreation and Parks | Urban Forestry Maintenance | Tree Climber | UN105 | 100% | 3/9/2020 | Position readvertised to have a larger pool of qualified candidates | 205 | 91 | $ 62,330.00 | $ 15,539.81 | 4 | N |
| | | | | | | | | | $ 2,427,860 | $ 426,734.41 | | |

***Please note:** The blue highlight indicates a status change from the previous report, and the yellow highlight indicates a new position added since the previous report.

**Vacancy and Hiring Freeze Report - Water Fund Positions Open as of 9/30/2020**

| Department | Cost Center | Working Title | Grade | % Water Fund | Position Vacancy Date | Status of Positions Open Over 90 Days | Days Open | Days Open FY2021 | FY21 Adopted Budget | Gross Personnel Savings | Number of Positions | Subject to Freeze |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Public Works | Engineering | Engineering Supervisor | AD116 | 20% | 9/21/2020 | Position being advertised | 9 | 9 | $ 29,090.00 | $ 717.29 | 2 | N |
| Public Works | Engineering | Engineering Supervisor | AD116 | 20% | 9/21/2020 | Position being advertised | 9 | 9 | $ 32,190.00 | $ 793.73 | 2 | N |
| Public Works | Water Systems Maintenance | Maintenance Worker I - Utilities | UN103 | 100% | 8/3/2020 | Position being advertised | 58 | 58 | $ 68,440.00 | $ 10,875.40 | 5 | N |
| Public Works | Water Treatment Plant | Water Treatment Plant Shift Leader | AD109 | 100% | 9/21/2020 | On hold | 9 | 9 | $ 100,580.00 | $ 2,480.05 | 2 | N |
| | | | | | | | | | $ 230,300 | $ 14,866.47 | | |

***Please note:** The blue highlight indicates a status change from the previous report, and the yellow highlight indicates a new position added since the previous report.

**Vacancy and Hiring Freeze Report - Sewer Fund Positions Open as of 9/30/2020**

| Department | Cost Center | Working Title | Grade | % Sewer Fund | Position Vacancy Date | Status of Positions Open Over 90 Days | Days Open | Days Open FY2021 | FY21 Adopted Budget | Gross Personnel Savings | Number of Positions | Subject to Freeze |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Public Works | Engineering | Engineering Supervisor | AD116 | 20% | 9/21/2020 | Position being advertised | 9 | 9 | $ 29,090.00 | $ 717.29 | 2 | N |
| Public Works | Engineering | Engineering Supervisor | AD116 | 20% | 9/21/2020 | Position being advertised | 9 | 9 | $ 32,190.00 | $ 793.73 | 2 | N |
| | | | | | | | | | $ 61,280 | $ 1,511.01 | | |

***Please note:** The blue highlight indicates a status change from the previous report, and the yellow highlight indicates a new position added since the previous report.

**Vacancy and Hiring Freeze Report - Refuse Fund Positions Open as of 9/30/2020**

| Department | Cost Center | Working Title | Grade | % Refuse Fund | Position Vacancy Date | Status of Positions Open Over 90 Days | Days Open | Days Open FY2021 | FY21 Adopted Budget | Gross Personnel Savings | Number of Positions | Subject to Freeze |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Public Works | Environmental Management | Sanitation Worker | UN104 | 100% | 9/21/2020 | Interviewing | 9 | 9 | $ 49,820.00 | $ 1,228.44 | 15 | N |
| Public Works | Street Maintenance | Maintenance Worker I - General Maintenance | UN103 | 25% | 12/9/2019 | Reviewing applications | 296 | 91 | $ 13,720.00 | $ 3,420.60 | 7 | N |
| Public Works | Street Maintenance | Maintenance Worker I - General Maintenance | UN103 | 25% | 12/31/2019 | Reviewing applications | 274 | 91 | $ 13,720.00 | $ 3,420.60 | 7 | N |
| Public Works | Street Maintenance | Maintenance Worker I - General Maintenance | UN103 | 25% | 3/16/2020 | Reviewing applications | 198 | 91 | $ 13,720.00 | $ 3,420.60 | 7 | N |
| | | | | | | | | | $ 90,980 | $ 11,490.25 | | |

***Please note:** The blue highlight indicates a status change from the previous report, and the yellow highlight indicates a new position added since the previous report.

**Vacancy and Hiring Freeze Report - SWM Fund Positions Open as of 9/30/2020**

| Department | Cost Center | Working Title | Grade | % SWM Fund | Position Vacancy Date | Status of Positions Open Over 90 Days | Days Open | Days Open FY2021 | Adopted FY21 Budget | Gross Personnel Savings | Number of Positions | Subject to Freeze |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Public Works | Engineering | Engineering Supervisor | AD116 | 40% | 9/21/2020 | Position being advertised | 9 | 9 | $ 58,200.00 | $ 1,435.07 | 2 | N |
| Public Works | Engineering | Engineering Supervisor | AD116 | 40% | 9/21/2020 | Position being advertised | 9 | 9 | $ 64,380.00 | $ 1,587.45 | 2 | N |
| | | | | | | | | | $ 122,580.00 | $ 3,022.52 | | |

***Please note:** The blue highlight indicates a status change from the previous report, and the yellow highlight indicates a new position added since the previous report.

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Approval
Department: City Manager's Office
Responsible Staff: Jenny Kimball

## Subject
Action Report

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

## Attachments
Attachment 18.A.a: Action Report Updated 101220 (DOCX)

Rob DiSpirito, City Manager 10/13/2020

**Blue -** new items to the list.
Red - latest changes.

# Mayor and Council Action Report

| **Future Agenda Items to Schedule** | |
|---|---|
| **Topic:** | **Notes:** |
| Daytime Support for Youth during Virtual Learning | Councilmember Ashton will share information from the Black and Brown Coalition for Educational Equity and Excellence about supporting families struggling with access to affordable childcare and successful virtual learning. |
| Drones and Public Safety | Mayor and Council asked staff to explore potential public safety issues associated with drones and how the City could consider monitoring, regulating and penalizing criminal activity. |
| Reduction in Force Policy | Mayor and Council requested discussion of a Reduction in Force (RIF) policy to be incorporated in the Personnel Policy and Procedures Manual update. |
| Retirement Incentive/Employee Buyout Program | Staff will provide information about employee buyout programs and discuss the potential for a Rockville program. |

| Ref. # | Meeting Date | Staff/ Dep | Response Method | Direction to Staff / Action Taken / Status | Timeline |
|---|---|---|---|---|---|
| **2014-23** | 9/8/11 | R&P | Future agenda | **King Farm Farmstead**<br><br>**Status: On April 20, 2020, the Mayor and Council discussed the responses to the request for information (RFI) on potential future uses of the Farmstead. Security system installation for the Dairy Barns and house is complete and staff is securing a cost estimate to bring water to the property as the first step in designing/constructing a fire suppression system during FY21 and FY22.** | Ongoing |
| **2015-14** | 7/13/15 | CMO | Future agenda | **Purchasing Study Response**<br><br>**Status: An update on the Procurement Action Plan was shared on August 3, 2020. The next updated is tentatively scheduled for January 2021.** | January 2021 |

Attachment A

| Ref. # | Meeting Date | Staff/ Dep | Response Method | Direction to Staff / Action Taken / Status | Timeline |
|---|---|---|---|---|---|
| **2016-12** | 9/26/16 | HR | Future agenda | **Vacancy Report/Hiring Freeze Update**<br>Provide a Vacancy Report to the Mayor and Council at the first meeting of each month.<br><br>**Status: The next report will be on the October 19, 2020 agenda.** | October 19, 2020 |
| **2016-16** | 10/10/16 | PDS | Future agenda | **Global Issues on BRT**<br>Schedule another discussion on BRT with the City of Gaithersburg and Montgomery County, to include broader issues such as governance and finance. Consider holding the meeting in Gaithersburg.<br><br>**Status: County staff will present an update on the Viers Mill Rd/MD 586 project to the Mayor and Council on November 2, 2020. County transportation is determining a recommended alternative for design of the MD 355 route.** | November 2, 2020 |
| **2016-18** | 10/24/16 | PDS | Future agenda | **FAST – Faster, Smarter, More Transparent (Site Plan/Development Review Improvements)**<br>Provide regular updates on the status of the work.<br><br>**Status: A FaST update was provided to the Mayor and Council on November 18, 2019. The next update was provided by email in October 9, 2020 as an alternative to a Mayor and Council agenda item. The first edition of an updated monthly Development Watch newsletter was prepared to offer the community more information and an improved design.** | October 2020 |
| **2017-6** | 2/27/17 | CMO | Email | **Minority-, Female- & Disabled-Owned Businesses**<br>Provide updates on the Procurement Division's activities to engage and support minority-, female- and disabled-owned businesses.<br><br>**Status: The MFD Report for FY19 and FY20 was shared with the Mayor and Council by email on May 1, 2020. A Mayor and Council agenda item on October 19, 2020 will provide a forward-looking discussion of the City's MFD outreach program, including program metrics, program successes, potential program adjustments. A local preference approach for also will be discussed with the Mayor and Council on a future agenda.** | October 19, 2020 |



Attachment 18.A.a: Action Report Updated 101220 (3363 : Action Report)

Attachment A

| Ref. # | Meeting Date | Staff/ Dep | Response Method | Direction to Staff / Action Taken / Status | Timeline |
|---|---|---|---|---|---|
| **2017-11** | 6/12/17 | R&P | Agenda item | **Deer Population in Rockville**<br>Continue to monitor the deer population. Consider action steps and gather community input.<br><br>**Status: The Mayor and Council approved the location, dates and required City Code changes for the pilot deer culling program on June 1 and June 22, 2020. The pilot will be underway on November 21 – 29, December 19 – 27, and January 9 – 16.** | January 2021 |
| **2018-1** | 1/22/18 | Finance | Action Report | **Utility Billing System**<br>Provide updates on the replacement of the Velocity Payment System, powered by Govolution.<br><br>**Status: Implementation with the system vendor is nearly complete and the new tool will be rolled out for customer use in November 2020.** | November 2020 |
| **2018-7** | 6/18/18 | CMO | Agenda Item | **LGBTQ Initiatives**<br>Identify and implement Mayor and Council suggestions.<br><br>**Status: The Adopted FY21 budget includes a new family/gender neutral bathroom at Dogwood Park, to be constructed in FY22. The Human Rights Campaign 2020 Municipal Equality Index results will be issued in the fall. The LGBTQ community will be included in the Mayor and Council's ongoing work on social justice, racism and bias.** | Ongoing |
| **2018-8** | 6/18/18 | CMO/RCPD/ R&P | Town Meeting | **Rockville Goes Purple**<br><br>**Status: The final component of the 2020 National Recovery Month activities is the release of a Rockville 11 interview with Rona Kramer, State Secretary of Aging, on opioids and older adults. View the special at: https://youtu.be/NoksgFBBY7I.** | Ongoing |
| **2018-11** | 8/1/18 | PDS | Agenda Item | **Neighborhood Shopping Centers**<br>Discuss mechanisms to encourage neighborhood shopping center revitalization and explore additional zoning and uses. | TBD |

Attachment 18.A.a: Action Report Updated 101220 (3363 : Action Report)

Attachment A

| Ref. # | Meeting Date | Staff/ Dep | Response Method | Direction to Staff / Action Taken / Status | Timeline |
|---|---|---|---|---|---|
| **2018-15** | 10/8/18 | PDS | Future Agenda | **Short-Term Residential Rentals**<br>Discuss how to manage short-term residential rentals' (e.g., Airbnb) impact on city neighborhoods and explore options for taxing users.<br><br>**Status: Short-term residential rentals was discussed on January 13, 2020. Staff emailed the results of additional research requested by the Mayor and Council on January 23, 2020. A Mayor and Council public hearing on short-term residential rentals is scheduled for November 9, 2020.** | November 9, 2020 |
| **2018-19** | 10/15/18 | HR | Future Agenda | **Volunteer Program**<br><br>**Status: A report on the number of volunteers and volunteer hours for the first half of FY20 was provided on the January 13, 2020 agenda. On November 9, 2020, staff will provide an FY20 volunteer update and discussion of strategies to increase volunteerism. The Mayor and Council will also discuss recruitment of volunteers for boards and commissions during the November 23 agenda item on new boards and commissions.** | November 9 and 23, 2020 |
| **2019-1** | 10/29/18 | PDS | Future Agenda | **Accessory Structures**<br><br>**Status: On April 20, 2020, the Mayor and Council discussed potential revisions to the development standards for accessory structures. The Mayor and Council directed staff to conduct additional neighborhood outreach to educate and inform residents of the proposed changes and to bring back the item for discussion and instruction. Discussion and instruction on Accessory Buildings and Accessory Dwelling Units is tentatively scheduled for the November 16th Mayor and Council meeting.** | November 16, 2020 Tentative |
| **2019-2** | 2/25/19 | R&P/PDS/ CMO | Future Agenda | **RedGate Park Planning**<br><br>**Status: The Mayor and Council provided staff direction on June 22, 2020 to engage the public in a planning process for a new destination park at RedGate. Staff is procuring new public engagement software to support the effort and will begin the engagement process this fall. The Mayor and Council will receive updates during the planning process and will be engaged in the public outreach portion of the work.** | Ongoing |



Attachment 18.A.a: Action Report Updated 101220 (3363 : Action Report)

Attachment A

| Ref. # | Meeting Date | Staff/ Dep | Response Method | Direction to Staff / Action Taken / Status | Timeline |
|---|---|---|---|---|---|
| **2019-4** | 3/25/19 | PDS | Future Agenda | **Business Improvement Districts (BIDs) and Tax Increment Financing (TIF)**<br><br>**Status: The Mayor and Council requested background information and a briefing on Business Improvement Districts, Arts & Entertainment Districts, and Tax Increment Financing. The Mayor and Council will discuss special districts and other financing tools during the November 2, 2020 meeting.** | November 2, 2020 |
| **2019-7** | 4/1/19 | R & P | Memo | **Early Childhood Education and Child Care Services**<br>Discuss city provision of early childhood education services (history of the current program, community need for the service, private sector market, expansion to additional Rockville locations) and future services.<br><br>**Status: The Mayor and Council will take up this topic again on January 11, 2021. To prepare for the discussion, staff will obtain the results of a childcare user survey conducted for Montgomery County's Early Childhood Coordinating Council (ECCC) and will incorporate information requested in recent conversations with the Mayor and Council.** | January 11, 2021 |
| **2019-10** | 4/1/19 | HR | Email | **Personnel Policy and Procedures Manual Update**<br>Share an update on the status of this effort.<br><br>**Status: In follow up to the Feb. 24 presentation of the updated PPM, the Mayor and Council is scheduled to discuss again on October 26, 2020. Staff will provide the revised draft PPM in advance of the October 26 brief book.** | October 26, 2020 |
| 2019-12 | 4/1/19 | Police | Future Agenda | **Parking Enforcement at Street Meters**<br>Share an overview of Rockville's current program and how other local jurisdictions handle parking enforcement at street meters, including hours of enforcement.<br><br>**Status: Town Center parking meter spaces have been signed as 15- minute curbside pick-up and a system for improved food pick up is in place in Town Square to support food service establishments.** | Ongoing |



Attachment 18.A.a: Action Report Updated 101220 (3363 : Action Report)

Attachment A

| Ref. # | Meeting Date | Staff/ Dep | Response Method | Direction to Staff / Action Taken / Status | Timeline |
|---|---|---|---|---|---|
| 2019-19 | 12/16/2019 | City Clerk/Director of Council Operations | Worksession | **Boards and Commissions Task Force Work Session**<br>Continue the Mayor and Council's discussion of the Boards and Commission Task Force (BCTF).<br><br>**Status: The Mayor and Council discussed the Task Force's report and next steps on July 6, 2020. The Mayor and Council directed the three appointed officials to return on agenda, on November 2, 2020 with specific updates and responses to the recommendations in the report and an action plan for next steps. The Mayor and Council will also discuss recruitment of volunteers for boards and commissions during the November 23 agenda item on new boards and commissions.** | November 2, 2020 |
| 2020-02 | | CAO | Future Agenda | **5G Wireless Technology**<br><br>**Status: On March 18, 2020 and May 11, 2020, the Mayor and Council discussed and introduced Zoning Text Amendment TXT2019-00251 on regulating the Installation of Small Cell Antennas. Staff is researching topics and questions raised by the Mayor and Council prior to scheduling adoption of the Ordinance. In addition, the FCC has issued another order which requires that this text amendment be modified prior to adoption. Staff is currently evaluating what changes must be made. It is likely that the text amendment may be modified significantly and would require beginning the public review process again. The CAO has hired an outside attorney who is assisting with the ordinance rewrite. This item is tentatively on the Mayor and Council's November 23rd agenda.** | November 23, 2020 |
| 2020-03 | 1/13/2020 | DPW | Memo and Future Agenda | **Climate Change Efforts**<br>Brief the Mayor and Council on City efforts related to climate change.<br><br>**Status: The Mayor and Council discussed the Climate Action Plan on September 21, 2020. Staff will follow up on the community input / open house process and the analysis of electric vehicles in the City fleet.** | Winter 2020 |





Attachment 18.A.a: Action Report Updated 101220 (3363 : Action Report)

| Ref. # | Meeting Date | Staff/ Dep | Response Method | Direction to Staff / Action Taken / Status | Timeline |
|---|---|---|---|---|---|
| 2020-07 | 1/13/2020 | PDS | Future Agenda | **Affordable Housing Goals**<br>Discuss Rockville's strategy to meet the affordable housing goals established by the Metropolitan Washington Council of Governments (COG).<br><br>**Status: Multiple future agenda items will explore a variety of strategies to meet the affordable housing goals, including adjustments to the City's Moderately-Priced Dwelling Unit (MPDU) program, tax exemptions for affordable housing, fees and other subsidized housing programs. Staff will explore with the Mayor and Council other barriers to affordable housing by reviewing the zoning ordinance, identifying developable and under-utilized parcels, and seeking additional affordable housing funding opportunities and tools. To inform the future agenda items, staff will conduct public forums to solicit feedback on strategies.**<br><br>**The City's Homeowners Tax Credit Program and the County's Senior Tax Credit Program will be included in the Mayor and Council's discussion during the first FY22 Budget worksession on November 9, 2020.**<br><br>**Staff is also developing a system for tracking MPDU expiration dates (there are about 900 units with different expiration dates) to be discussed on agenda on January 25, 2021.** | November 9, 2020 and January 25, 2021 |
| 2020-09 | 1/27/2020 | DPW | Future Agenda | **Corridor Cities Transitway**<br>Provide background information to facilitate the current Mayor and Council taking an official position on the CCT route.<br>**Status: Discussion will be scheduled for a future Mayor and Council meeting.** | TBD |
| 2020-10 | 1/27/2020 | DPW | Future Agenda | **I-270 widening**<br>Establish a strategy for negotiating with the State.<br><br>**Status: Mayor Newton spoke at the public hearing on Sept. 10. The comment period on the DEIS was extended from Oct. 8 to Nov. 9. The Mayor and Council will discuss the DEIS on October 26 and approve written comments to SHA on November 2, 2020.** | October 26 and November 2, 2020 |

| Ref. # | Meeting Date | Staff/ Dep | Response Method | Direction to Staff / Action Taken / Status | Timeline |
|---|---|---|---|---|---|
| 2020-08 | 1/27/2020 | CMO/PDS/ Finance/ DPW | Worksession | **Town Center**<br>Follow up on Mayor and Council direction from the Town Hall meeting and Urban Land Institute (ULI) report.<br>**Status: A status update and discussion of Town Center initiatives will be provided to the Mayor and Council on November 2, 2020.**<br><br>**Parking** – Explore improvements to parking in Town Center<br>**Status: Parking will be included in the November 2, 2020 Town Center discussion.**<br><br>**Town Center Road Diet –** Study and report to Mayor and Council on suggestions in the TAP report and Mayor and Council's discussion.<br>**Status: The consultant presented their analysis of No. Washington St and East Middle Ln to the Mayor and Council on October 5, 2020, when staff received direction on the preferred approach.**<br><br>**Real Estate/Broker/Economist Assessment –** In the context of the next update on the ULI recommendations, invite industry experts to dialogue on competitive challenges to Town Center.<br>**Status: REDI and city staff will continue to provide their professional insights on competitive challenges to Town Center. The next Mayor and Council discussion of Town Center is scheduled for November 2, 2020.**<br><br>**Undergrounding of Route 355 –** Revisit the information provided to the Mayor and Council, including community impacts, to formulate an official Mayor and Council position post COVID-19.<br>**Status: Discussion is scheduled for October 19, 2020.** | Ongoing |
| 2020-11 | | PDS | Future Agenda | **Annexation Options**<br>Discuss annexation options.<br><br>**Status: Discussion of a proposed annexation plan and potential annexation of properties near the intersection of MD 355 and Shady Grove Road is scheduled for November 23, 2020.** | November 23, 2020 |
| 2020-12 | 4/27/20 | R&P | Future Agenda | **Resident Company Briefing**<br><br>**Status: On the October 26, 2020 Mayor and Council agenda, resident companies will share information about their plans to resume operations and their business plans to support ongoing operations.** | October 26, 2020 |

| Ref. # | Meeting Date | Staff/ Dep | Response Method | Direction to Staff / Action Taken / Status | Timeline |
|---|---|---|---|---|---|
| 2020-13 | 4/27/20 | CMO | Email | **Census Outreach Update**<br>Provide an update on the efforts completed, underway and planned to continue encouraging Rockville residents to complete the 2020 Census.<br><br>**Status: Updates on Census outreach efforts were emailed to the Mayor and Council on May 17, July 19, and Sept. 3, 2020. The Mayor and Council sent a letter to Rockville's federal delegation on September 17, 2020 requesting support to extend the Census collection period through October.** | Ongoing |
| 2020-14 | 4/20/20 | CMO/CAO | Future Agenda | **Smoking/Vaping Awareness Campaign (Public Rights-of-Way & multi-family residential developments)**<br>Develop a public awareness campaign about the negative impacts of smoking generally, on people with underlying health conditions and on neighbors in multi-family residential communities.<br><br>**Status: The Mayor and Council discussed this topic on July 20, 2020. As a next step, staff will prepare a communications plan that reflects the Mayor and Council's feedback. A proclamation for the Great American Smokeout is scheduled for the October 26 Mayor and Council meeting.** | October 26, 2020 |
| 2020-16 | 6/1/20 | RCPD | Future Agenda | **Social Justice, Racism and Bias**<br>Prepare suggestions for Mayor and Council discussion of ways to further engage with and educate our community.<br><br>**Status: On June 22, 2020, the Mayor and Council discussed the Rockville City Police Department's (RCPD) fair and impartial policing strategies. Frequently Asked Questions were posted online to educate the community. The Mayor and Council provided direction on a new Community Policing Advisory Board, to be discussed on November 16, 2020.**<br><br>**On September 21, 2020, the Mayor and Council discussed short, mid and long-term action ideas, aspirations and directives and directed staff to further revise the table and develop a plan for next steps. The follow up discussion is on the Mayor and Council's December 14, 2020 agenda.**<br><br>**Staff is monitoring activity at the State level on changes to the Law Enforcement Officers Bill of Rights (LEOBR) and will bring this topic to the Mayor and Council in the development of the 2021 State Legislative program.** | November 16, 2020 & December 14, 2020 |

Attachment A

| Ref. # | Meeting Date | Staff/ Dep | Response Method | Direction to Staff / Action Taken / Status | Timeline |
|---|---|---|---|---|---|
| 2020-17 | 6/1/20 | CMO | Email | **Spanish Language Article in Rockville Reports**<br>Provide background information about the City's former practice of translating to Spanish one of the articles of priority interest to the community into each edition of Rockville Reports.<br><br>**Status: Staff shared the requested information by email on June 16, 2020.** | TBD |
| 2020-18 | 6/8/20 | CC/DCO | Future Agenda | **New Education Commission/Committee**<br>Discuss the possibility of establishing a new commission or committee on education.<br><br>**Status: Discussion is tentatively scheduled for November 23, 2020.** | November 23, 2020 |
| 2020-19 | 9/21/20 | DPW/R&P | Future Agenda | **Pesticide Restriction**<br><br>**Status: The Environment Commission and the Recreation and Parks Board will have this item on their October meeting agendas. Staff will follow up on any additional questions that come up. Discussion with the Mayor and Council is scheduled for January 25, 2021.** | January 25, 2021 |

## Completed:

| Ref. # | Meeting Date | Staff/ Dep | Response Method | Direction to Staff / Action Taken / Status | Timeline |
|---|---|---|---|---|---|



Attachment 18.A.a: Action Report Updated 101220 (3363 : Action Report)

Mayor & Council Meeting Date: October 19, 2020
Agenda Item Type: Review and Comment
Department: City Clerk/Director of Council Operations Office
Responsible Staff: Sara Taylor-Ferrell

## Subject

Future Agendas

## Recommendation

## Attachments

Attachment 19.A.a: Mock Agenda 10.26.20 (DOC)
Attachment 19.A.b: Future Agendas as of 10.19.2020 (XLS)

Sara Taylor-Ferrell, City Clerk/Director of Council Operations 10/14/2020

# MAYOR AND COUNCIL

## MEETING NO.
## Monday, October 26, 2020 – 7:00 PM

## AGENDA

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

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

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

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

**Participating in Community Forum & Public Hearings:**

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

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

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

1. Send your **Name**, **Phone number**, **the Community Forum or Public Hearing Topic** and **Expected Method of Joining the Meeting (computer or phone)** to mayorandcouncil@rockvillemd.gov no later than **9:00 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 5:40 p.m. (approximately 20 minutes before the actual meeting start time).
4. Read for https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex
5. meeting tips and instructions on joining a Webex meeting (either by computer or phone).
6. If joining by computer, **Conduct a WebEx test**: https://www.webex.com/test-meeting.html prior to signing up to join the meeting to ensure your equipment will work as expected.
7. Participate (by phone or computer) in the optional Webex Orientation Question and Answer Session at 3 p.m. the day of the meeting, for an overview of the Webex tool, or to ask general process questions.

**Participating in Mayor and Council Drop-In (Mayor Newton and Councilmember Feinberg)**
Drop-In Sessions will be held by phone on Monday, November 9 from 5:30-5:45 p.m. **Please sign up by 2 p.m. on the meeting day using the form at: https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227**

Attachment 19.A.a: Mock Agenda 10.26.20 (3382 : Future Agendas)

6:00 PM **1. Convene in Open Session to vote on motion to go into Closed Session pursuant to Section 3-305(b)(10) of the General Provisions Article of the Annotated Code of Maryland to discuss public security.**

**2. Closed Session**

7:00 PM **3. Reconvene into Open Session**

**4. Pledge of Allegiance**

**5. Agenda Review**

7:05 PM **6. City Manager's Report**

7:15 PM **7. COVID-19 Update**

7:30 PM **8. Proclamation**

**A. Great American Smokeout Proclamation**

7:35 PM **9. Appointments and Reappointments**

**A. Boards and Commissions Appointments, Reappointments and Announcement of Vacancies**

7:45 PM **10. Community Forum**

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

**11. Mayor and Council's Response to Community Forum**

Attachment 19.A.a: Mock Agenda 10.26.20 (3382 : Future Agendas)

8:05 PM **12. Consent**

**A. 457 Plan Approval**

**B. Pension Plan Restatement**

**C. Vehicle Safety Policy for COVID-19 Pandemic**

8:10 PM **13. FY 2022 Budget Public Hearing**

8:30 PM **14. The F. Scott Fitzgerald Theatre Resident Companies Present Their Business Plans to Mayor and Council**

9:00 PM **15. Discussion of Additional Testimony to the County Council on the Montgomery County Growth Policy**

9:05 PM **16. Fourth Quarter FY 2020 Financial Report**

9:15 PM **17. FY 2021 Budget Amendment (Amendment #1)**

9:45 PM **18. Discussion of the Personnel Policies and Procedures Manual**

10:45 PM **19. Discussion and Instructions on DEIS for I-495 and I-270 Managed Lanes Project**

11:45 PM **20. Review and Comment - Mayor and Council Action Report**

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

**22. Old/New Business**

12:00 AM **23. Adjournment**

Attachment 19.A.a: Mock Agenda 10.26.20 (3382 : Future Agendas)

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.

Attachment 19.A.a: Mock Agenda 10.26.20 (3382 : Future Agendas)

# Future Agendas
## As of 10/19/2020

| Category | Estimated Agenda Time Needed (in minutes) | Title |
|---|---|---|
| Meeting : 11/2/20 06:00 PM (7 items) | | |
| Discussion and Instructions | 90 | Staff Recommendations on Boards and Commissions Task Force Follow-Up |
| Proclamation | 5 | Proclamtion Declaring November 2020 as Pancreatic Cancer Awareness Month |
| Proclamation | 5 | Proclamation Declaring November 2020 as National Family Caregivers Awareness Month |
| Proclamation | 5 | Proclamation Declaring November 2020 as National Alzheimer's Awareness Month |
| Proclamation | 5 | Municipal Government Works Proclamation |
| Presentation | 45 | Presentation of the MD 586 Bus Rapid Transit (BRT) Project |
| Consent | 5 | Approval of Letter to SHA Regarding Comment on the DEIS for the I-495 and I-270 Managed Lanes Project |
| | | |
| Total Meeting Time (In Hours) | 2 HR 40 MINS | |

| Category | Estimated Agenda Time Needed (in minutes) | Title |
|---|---|---|
| Meeting : 11/9/20 07:00 PM ( 9 items) | | |
| Update | 30 | COVID-19 Update |
| Proclamation | 5 | Proclamation Declaring Sunday November 15, 2020 as America Recycles Day |
| Presentation | 30 | Volunteer Program Update |
| Consent | 5 | 2021 State Legislative Priorities |
| Work Session | 45 | FY 2022 Budget Worksession (Calendar, Process, Preview) |
| Public Hearing | 45 | Short-Term Rental Public Hearing: Potential Permissions & Regulations |
| Consent | 5 | Adoption of a Resolution to Approve Amendments to the Stormwater Management Regulations So as to Revise the As-Built Submission and Certification Requirements for Single-Family Development Projects in Accordance with Rockville's FAST Initiative |

Attachment 19.A.b: Future Agendas as of 10.19.2020 (3382 : Future Agendas)

# Future Agendas
As of 10/19/2020

| | | |
|---|---|---|
| Discussion, Instructions and Possible Adoption | 60 | Recreation and Parks Strategic Plan |
| Approval | 45 | Arts in Public Places - Arts Projects - Rockville Swim and Fitness Center & Rockville Gateway Projects |
| | | |
| Total Meeting Time (In Hours) | 4 HR 30 MINS | |
| | | |
| Category | Estimated Agenda Time Needed (in minutes) | Title |
| Meeting : 11/16/20 06:00 PM (8 items) | | |
| Discussion | 60 | Request to Increase Ethics Commission, Board of Supervisors of Elections and Rockville Housing Enterprises, Inc. Membership |
| Appointments & Announcement of Vacancies | 5 | Boards and Commissions Appointments and Reappointments |
| Discussion | 10 | Vacancy Report/Hiring Freeze Status |
| D & I, Possible Introduction & Possible Adoption | 30 | East Rockville Design Guidelines, TXT2020-00257, Discussion, Introduction & Possible Adoption |
| Consent | 5 | Approval of New City-REDI Agreement |
| Discussion and Instructions | 60 | Discussion and Instructions to Staff on Further Actions for Zoning Text Amendment Application TXT2019-00254 - to Revise the Height Standards, Maximum Footprint, and Rear Yard Coverage Requirements for Accessory Buildings and Structures in Residential Zones; Mayor and Council of Rockville, Applicants |
| Discussion and Instructions | 45 | Discussion and Instructions to Staff on Further Actions on Zoning Text Amendment TXT2019-00255, to Allow for Accessory Dwelling Units in Accessory Buildings on Properties Single Unit Detached Dwellings as a Conditional Use, and Allow for Accessory Apartments Within Single Unit Detached Dwellings as a Conditional Use; Mayor and Council of Rockville, Applicants |
| Discussion and Possible Approval | 60 | Community Policing Advisory Board - Next Steps |
| | | |
| Total Meeting Time (In Hours) | 4 HR 35 MINS | |
| | | |
| Category | Estimated Agenda Time Needed (in minutes) | Title |
| Meeting : 11/23/20 07:00 PM (8 items) | | |
| Discussion and Instructions | 60 | Discussion and Instruction - Small Cell Antennas |

# Future Agendas
## As of 10/19/2020

| | | |
|---|---|---|
| Discussion and Instructions | 45 | Discussion on New Boards and Commissions (Education and Youth) Outreach and Recruitment |
| Update | 30 | COVID-19 Update |
| Presentation | 20 | Revised FY19 Procurement Annual Report |
| Presentation | 20 | FY20 Procurement Annual Report |
| Discussion | 30 | Discussion of Proposed Annexation Plan and Potential Annexation of Properties Near the Intersection of MD 355 and Shady Grove Road |
| Public Hearing | 20 | Public Hearing on Zoning Text Amendment TXT2020-00256, to Amend Section 25.21.21 of the Zoning Ordinance to Modify the Tree Planting Requirements for New Residential Lots Containing Townhouses, Duplexes and Other Attached Units (FAST Initiative); Mayor and Council of Rockville, Applicants |
| Presentation | 45 | Presentation on Proposed Parkland Dedication Requirements |
| | | |
| Total Meeting Time (In Hours) | 4 HR 30 MINS | |
| | | |
| Category | Estimated Agenda Time Needed (in minutes) | Title |
| Meeting : 12/07/20 07:00 PM (10 items) | | |
| Presentation | 10 | First Quarter FY 2021 Financial Report |
| Presentation and Discussion | 60 | FY 2022 Budget Priorities and Survey Results |
| Presentation | 20 | Fiscal Year 2020 Audited Comprehensive Annual Financial Reports (CAFR) |
| Presentation | 10 | Fiscal Year 2020 Popular Annual Financial Report (PAFR) |
| Presentation | 30 | FY 2021 Revenue Update (If Needed) |
| Approval | 5 | Approval of FY2022 CDBG Grant Application Submission |
| Presentation | 30 | Fireside Annual and Closeout Report |
| Consent | 5 | Approval to Extend Contract #44-15, Water Main Rehabilitation to Sagres Construction Corporation and Emergency Utility Repairs to Mid Atlantic Utilities Inc. through December 31, 2021 |
| Consent | 5 | Approval to Increase Contract #01-18, Professional Engineering Services at the Water Treatment Plan: Electrical Distribution Systems Upgrade, to CDM Smith Inc., in an Amount Not to Exceed $435,000 |

Attachment 19.A.b: Future Agendas as of 10.19.2020 (3382 : Future Agendas)

# Future Agendas
## As of 10/19/2020

| | | |
|---|---|---|
| Consent | 5 | Award of Maryland State Rider Contract #060B7400088, Two-Way Radio, to Communications Electronics in the Amount of $309,859.47 |
| | | |
| Total Meeting Time (In Hours) | 3 HR 00 MINS | |
| | | |
| Category | Estimated Agenda Time Needed (in minutes) | Title |
| Meeting : 12/14/20 07:00 PM (9 items) | | |
| Appointments & Announcement of Vacancies | 5 | Boards and Commissions Appointments and Reappointments |
| Update | 30 | COVID-19 Update |
| Recognition | 60 | Good Neighbor Awards |
| Discussion | 90 | Social Justice, Racism and Bias Follow-Up Discussion |
| Discussion | 10 | Vacancy Report/Hiring Freeze Status |
| Presentation and Discussion | 60 | Historic Resources Management Plan Presentation and Discussion |
| Introduction | 15 | Introduction and Discussion of Ordinance to Amend Chapter 9 (Fire Code) to Adopt the 2018 Editions of the Fire Code (NFPA 1) and the Life Safety Code (NFPA 101), and All Associated NFPA Codes or Standards Incorporated by Reference and the Latest Editions of Certain Other NFPA Codes Not Incorporated by Reference into NFPA 1 or NFPA 101. |
| Authorization | 15 | Authorization to File Zoning Text Amendment to Implement the Zoning Recommendations in the North Stonestreet Avenue and Park Road Master Plan Amendment Areas |
| Authorization | 15 | Authorization to File Sectional Map Amendment - to Apply the Zoning Recommended by the Comprehensive Master Plan for the North Stonestreet Avenue and Park Road Plan Amendment Areas |
| | | |
| Total Meeting Time (In Hours) | 5 HR 00 MINS | |
| | | |
| Category | Estimated Agenda Time Needed (in minutes) | Title |
| Meeting : 1/4/21 07:00 PM (5 items) | | |
| Discussion | 45 | Discussion of BIDs, TIFs, and Other Financial Tools for Town Center |
| Discussion | 60 | Town Center Initiative - Update |

# Future Agendas
## As of 10/19/2020

| | | |
|---|---|---|
| Consent | 5 | Award Requirements Contract for Construction, Repair, and Maintenance of Concrete Sidewalk, Curb, Driveway Aprons, and Miscellaneous Appurtenances and Infrastructure to (Vendor) in the Amount Not to Exceed (TBD) |
| Consent | 5 | Award IFB #(TBD), Thin Lift Asphalt Rehabilitation, Patching, and Milling Related Asphalt Maintenance Work on Various Streets, to (Vendor) in the Amount Not to Exceed (TBD) |
| Presentation and Discussion | 45 | Presentation and Discussion and Instructions on Wayfinding |
| | | |
| Total Meeting Time (In Hours) | 2 HR 40 MINS | |
| | | |
| Category | Estimated Agenda Time Needed (in minutes) | Title |
| Meeting : 1/11/21 07:00 PM ( 5 items) | | |
| Appointments & Announcement of Vacancies | 5 | Boards and Commissions Appointments and Reappointments |
| Discussion and Instructions | 60 | Part-Two Discussion of the Personnel Policie and Procedures Manual |
| D & I, Possible Introduction & Possible Adoption | 30 | Discussion, Instruction and Possible Adoption 2021 Mayor and Council Meeting Dates |
| Update | 30 | COVID-19 Update |
| Discussion | 60 | Rockville Early Childhood Education |
| | | |
| Total Meeting Time (In Hours) | 3 HR 05 MINS | |
| | | |
| Category | Estimated Agenda Time Needed (in minutes) | Title |
| Meeting : 1/25/21 07:00 PM (3 item)<br>Worksession | | |
| Presentation | 60 | Presentation on Proposed Water and Sewer Rate Structures Based on Property Classification |
| Discussion | 60 | Moderately Priced Dwelling Unit Term Expiration |
| Presentation and Discussion | 60 | Presentation and Discussion on Pesticide Practices and Policy Options for the City |
| | | |
| Total Meeting Time (In Hours) | 3 HR 00 MINS | |

Attachment 19.A.b: Future Agendas as of 10.19.2020 (3382 : Future Agendas)

**Department of Planning and Development Services**

111 Maryland Avenue Rockville, MD 20850 240-314-8240

*www.rockvillemd.gov*

**MEMORANDUM**

**TO:** Mayor and Council

**FROM:** Ricky Barker, Director of Planning and Development Services

**VIA:** Robert DiSpirito, City Manager

**DATE:** October 15, 2020

**SUBJECT:** Montgomery County Growth Policy Update

Since the Mayor and Council's review of the County's proposed new Growth Policy on September 14th, Montgomery County's Council held its September 15th public hearing. Following all the testimony heard and submitted, the County Council chose to move forward with the process and not delay action, despite Rockville's strong request that the County postpone action in the interest of greater public participation and deliberation. The proposed Growth Policy was forwarded to two County Council committees for their review and recommendations (the Government Operations and the Planning, Housing & Economic Development committees). The following are the highlights of the County committees' recommendations.

**Government Operations Committee recommended**:

- To remove the reduced impact fees in Activity Centers/Desired Growth Areas. Unless the full County Council chooses to override the committee's unanimous recommendation and revive the Desired Growth Area discounts, this recommendation will likely be adopted. Jason Sartori, of the Montgomery County Planning Department, believes that this recommendation will not be overturned by the full County Council.
- To support exempting school and transportation impact taxes from areas within Opportunity Zones. In Rockville, this exemption would apply to the South Rockville Pike area (i.e., Twinbrook Quarters). To illustrate the effect of the proposed change, the estimated Transportation Impact Tax for Phase I of the recently-approved Twinbrook Quarter development is $4.090 million (with an offsetting credit for construction of roads estimated at $1.485 million). Therefore, without any reductions/credits in the proposed policy, the City is estimated to receive over $2.5 million

in Transportation Impact Tax just for Phase I. Future phases would only add to that total. As the County's proposed change is to exempt properties in Opportunity Zones from the Transportation Impact Tax, the City would lose this same $2.5 million, (which could be used to help pay for projects such as the Maryland/Dawson extensions).

- To replace the full exemption of impact taxes for development projects with more than 25% affordable housing units, with a discount equal to the lowest (standard) impact tax rate for the housing unit type. (Those projects already approved and in process would be "grandfathered").
- To allow the impact tax discount or waive for projects that provide at least 25% affordable housing, provided that units have a restriction period equal to or greater than the County's current 99-year control period.

**Planning, Housing and Economic Development Committee recommended, for development projects approved in the County:**

- To reinstitute the individual school test and delete the cluster test.
- To go from a current 5-year test for school capacity to a 3-year test.
- To expand Montgomery County Public Schools' role from addressing school site planning only to also addressing capacity issues, as part of the County's Development Review process.
- To require a school re-test with an application to extend the Adequate Public Facilities Ordinance (APFO) validity period.
- To eliminate the moratorium policy for all areas in the County, and to still hold the County and the State responsible to solve the overcrowding problem.
- To support a County-wide policy regarding school utilization (allowing for capacity borrowing from equivalent level schools at 3 (ES), 5 (MS), and 10 (HS) miles from the subject school).
- To allow the Utilization Premium Payment (UPP) funds to be used to relieve over-utilization in a school area and at the same school level. The UPP is a fee that would be charged as a percentage of the school impact tax where school utilization exceeds 120% of program capacity.
- To allow the UPP payment be made at the time of building permit issuance based on the Annual School Test in effect at the time of application. For projects with a longer build-out, this essentially is a re-test of what was considered at the time of original project approval.
- To rename the Subdivision Staging Policy (SSP) to the "Growth and Infrastructure Policy."
- To oppose eliminating a Local Area Transportation Review (LATR) Study in any infill area until a Unified Mobility Program is implemented in order to share in the infrastructure improvement costs. (The LATR Guidelines are used for preparation and review of transportation studies for development in Montgomery County).

- To retain the 120 seconds/vehicle intersection delay standard in any given infill policy area until it can be superseded by a Unified Mobility Program.
- To not change the test methodology to a Critical Lane Volume (CLV) methodology from the current Highway Capacity Manual (HCM) analysis methodology.

Following the completion of the committee meetings, the full County Council will have two meetings on the proposed County Growth Policy (10/20 and 10/27) before a scheduled adoption on 11/10. Typically, the County Council packet comes out on the Friday before the next week's meetings.

**In conclusion, staff is most concerned about four items:**

1. Eliminating the exemption of school and transportation impact taxes for development projects that provide at least 25% affordable housing units - Staff believes that this incentive is important to promote more affordable housing in Rockville and the surrounding areas.

2. The exemption of school and transportation impact fees in the South Rockville Pike Opportunity Zone - As stated above, the result of this would be a loss of literally millions of dollars of future revenues to put toward City transportation projects. At its September 14th meeting, the Mayor and Council voted unanimously to not support the exemption of impact fees in the South Rockville Pike Opportunity Zone. Staff recommends that this decision by the Mayor and Council should be relayed to the County Council as soon as practically possible, since the County Council has chosen to not delay action on its County Growth Policy.

3. Applicability of Taxes in Infill Areas - The different school and transportation tax rates for the infill areas presently do not apply in Rockville (areas in the vicinity of the Shady Grove, Rockville and Twinbrook Metro stations). Therefore, these areas within the County would be at an advantage to attract new growth over similar areas in the City. A property in the County with similar characteristics to an adjacent, inside-the-City property could have a lower impact tax (ranging from 9% to 56% reduction depending on the type of unit), and thus, would most likely be more attractive to develop in the County. Staff believes infill areas within the City near mass transit sites need to be mapped by the County so that similar impact tax rates would apply. That would eliminate the competitive disparity. These lower impact tax rates would especially help our Town Center area.

4. Moratorium - The County seeks to remove the current moratorium provision, but the County has not clearly demonstrated how overcrowded schools will receive appropriate, much-needed funding without the pressure of a moratorium. The additional impact taxes for developments located in areas where schools are overcrowded, plus the change in the real estate transfer tax, could, in theory, provide adequate school funding. However, the County has not clearly identified how capital improvement projects will be prioritized and how school construction funds will be adequately raised and allocated.

City staff believe that the Mayor and Council should provide additional feedback to the County as soon as practically possible. This Status Report by staff regarding the County's proposed new Growth Policy has been placed, at the Mayor and Council's direction, on your October 19th meeting agenda. Two other status reports are planned for your October 26th and November 2nd future meeting agendas. These three reports occur in advance of an anticipated November 10th vote by the County Council, which would allow sufficient time for the Mayor and Council to communicate its preferences.