



MAYOR AND COUNCIL

MEETING NO. 19-20
Monday, June 22, 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 2:00 p.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, July 13 from 5:30-6:30 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>

5:30 PM - Convene in open session to vote on motion to go into closed session pursuant to Sections 3-305(b)(7) and 3-305(b)(8) of the General Provisions Article of the Annotated Code of Maryland to obtain legal advice and consult with staff, consultants, or other individuals about potential litigation regarding the LEOBR and police reforms.

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**

6:30 PM 6. **Community Forum**

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

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

6:50 PM 8. **Consent**

A. **Adoption of Resolution to Extend the Time for the Mayor and Council to Approve, Modify, Remand or Disapprove the Planning Commission's February 2020 Park Road and North/South Stonestreet Avenue Area Comprehensive Master Plan Amendment for 60 Days, Until August 22, 2020**

B. **Modification of Dates to Alternative Location for the Pilot Deer Culling Program**

- C. Adoption of an Ordinance to Amend Chapter 14 of the Rockville City Code, Entitled “Parks and Recreation” So as to Amend the Animals; Malicious Mischief, Damage, Etc; Operating Hours; and Traffic Regulations Sections Contained in Article III to Allow for the Establishment of a City Managed Deer Culling Program on City Park Property
- D. Renewal of CGI Technologies Inc. Software Maintenance Agreement
- E. Renewal of Workers' Compensation Insurance with AIG for the FY21 Policy Period
- F. I-270 and I-495 Draft Letter to the Maryland Department of Transportation (MDOT)

6:55 PM 9. RCPD Fair & Impartial Policing Strategies

7:55 PM 10. Adoption of Resolution to Adopt Vision Zero Action Plan to Move the City of Rockville Toward Zero Traffic Deaths by 2030

8:40 PM 11. Redgate Park Planning Strategy

9:10 PM 12. Briefing on Project Plan PJT2020-00012, Key West at Fallsgrove, for an Amendment to the Fallsgrove Planned Development (PD) to Permit Up to 350 Multifamily Dwellings in Place of the Approved Office Development at 1800 Research Boulevard; Key West Center Fallsgrove LLC, Applicant

9:40 PM 13. Organizational Structure for the Department of Housing and Community Development

10:00 PM 14. Support for Federal COVID-19 Health and Medical Benefits Legislation

Additional Agenda Items A-D- Policies on COVID-19 Pandemic

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

A. Action Report

16. Review and Comment - Future Agendas

A. Future Agendas

17. Old/New Business

10:30 PM **18. Adjournment**

Additional Agenda Items

A. Face Covering Policy for COVID-19 Pandemic

B. Wellness Policy for COVID-19 Pandemic

C. Telework Policy for COVID-19 Pandemic

D. Leave Policy for COVID-19 Pandemic

E. Community Forum - June 22, 2020

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: June 22, 2020
 Agenda Item Type: Consent
 Department: PDS - Comprehensive Planning
 Responsible Staff: Andrea Gilles

Subject

Adoption of Resolution to Extend the Time for the Mayor and Council to Approve, Modify, Remand or Disapprove the Planning Commission's February 2020 Park Road and North/South Stonestreet Avenue Area Comprehensive Master Plan Amendment for 60 Days, Until August 22, 2020

Recommendation

Staff recommends that the Mayor and Council adopt the resolution to extend by 60 days the deadline to act on the Park Road and North/South Stonestreet Avenue Area Comprehensive Master Plan Amendment.

Discussion

Background

The Park Road and North/South Stonestreet Avenue area is one of the key opportunity areas identified in the 2018 Stonestreet Corridor Study (2018 Study), which can be viewed on the City's website at <http://www.rockvillemd.gov/2004/Stonestreet-Corridor>. The 2018 Study included a robust year-long community engagement process that outlined land use, design, and infrastructure improvement recommendations for each of the opportunity areas.

On July 8, 2019, the Mayor and Council authorized staff to initiate a comprehensive master plan amendment for the Park Road and North/South Stonestreet Avenue area. The Planning Commission completed its review of the plan amendment on February 12, 2020 and transmitted its recommended document (Attachment A) to Mayor and Council on March 25, 2020. On June 8, 2020 the Mayor and Council conducted a virtual public hearing to hear testimony on the draft document.

State of Maryland Requirements and Legislative Body Deadlines

The State Land Use Article requires that the Mayor and Council act on the Planning Commission's draft within 90 days after the date that the Planning Commission certifies an attested copy of the recommended plan to the Mayor and Council. If the Mayor and Council does not act by the deadline, the Planning Commission's recommended plan amendment becomes part of Rockville's Comprehensive Master Plan.

A transmittal letter, included as the cover letter to the Planning Commission resolution (Attachment B), from the Planning Commission Liaison, Jim Wasilak, is dated March 25, 2020. Accordingly, the Mayor and Council must act on the draft plan by June 23, 2020, or 90 days after March 25.

Under State Law, however, if this deadline is not feasible, the Mayor and Council may extend, by resolution, the 90-day deadline. The Land Use Article allows one 60-day extension, to a maximum 150 days after a plan is certified. Adoption of the attached resolution (Attachment C) would provide an extension for the Mayor and Council to act through August 22, 2020.

With an extension of time to act on the plan, the Mayor and Council would have until August 22 to:

1. adopt the plan as sent by the Planning Commission,
2. modify the plan and then adopt it,
3. remand the plan back to the Planning Commission for additional work, or
4. disapprove the plan.

For the Mayor and Council to pursue either of the first two options, the Land Use Article requires that the Mayor and Council hold a public hearing, which it fulfilled by conducting a public hearing on June 8. After the public hearing, the Mayor and Council has the opportunity to discuss public testimony and make any modifications it wishes before approving and adopting the plan amendment.

Mayor and Council History

On March 30, the Mayor and Council approved the release of the Planning Commission draft of the plan amendment and set the Mayor and Council public hearing date for May 4. At their meeting on April 27, they decided to postpone the public hearing until June 8 to provide additional time to establish a series of public comment options for virtual meetings. With protocols in place, the public hearing was conducted on June 8 with virtual participation. The Mayor and Council also decided to keep open the public record through the close of business on June 15.

Options Considered

Pursuant to the State Land Use Article, if the Mayor and Council decide not to extend the time to review the Planning Commission's recommended draft of the plan amendment, the Planning Commission's draft would become the adopted plan after the 90-day review period.

Public Notification and Engagement

Staff will continue to keep the Stonestreet community stakeholders, including the East Rockville and Lincoln Park Civic Associations, updated throughout the Mayor and Council process.

Next Steps

Once the Mayor and Council adopt by resolution the 60-day time extension to act on the Planning Commission's recommended draft of the plan amendment, a work session will be

scheduled to discuss community testimony and any revisions that the Mayor and Council may wish to make to the draft plan amendment.

Attachments

- Attachment 8.A.a: Park Road-Stonestreet Planning Commission Recommended Draft (PDF)
- Attachment 8.A.b: Park Road-Stonestreet Planning Commission Resolution (PDF)
- Attachment 8.A.c: Park Road-Stonestreet Resolution to Extend Deadline (PDF)



Rob DiSpirito, City Manager

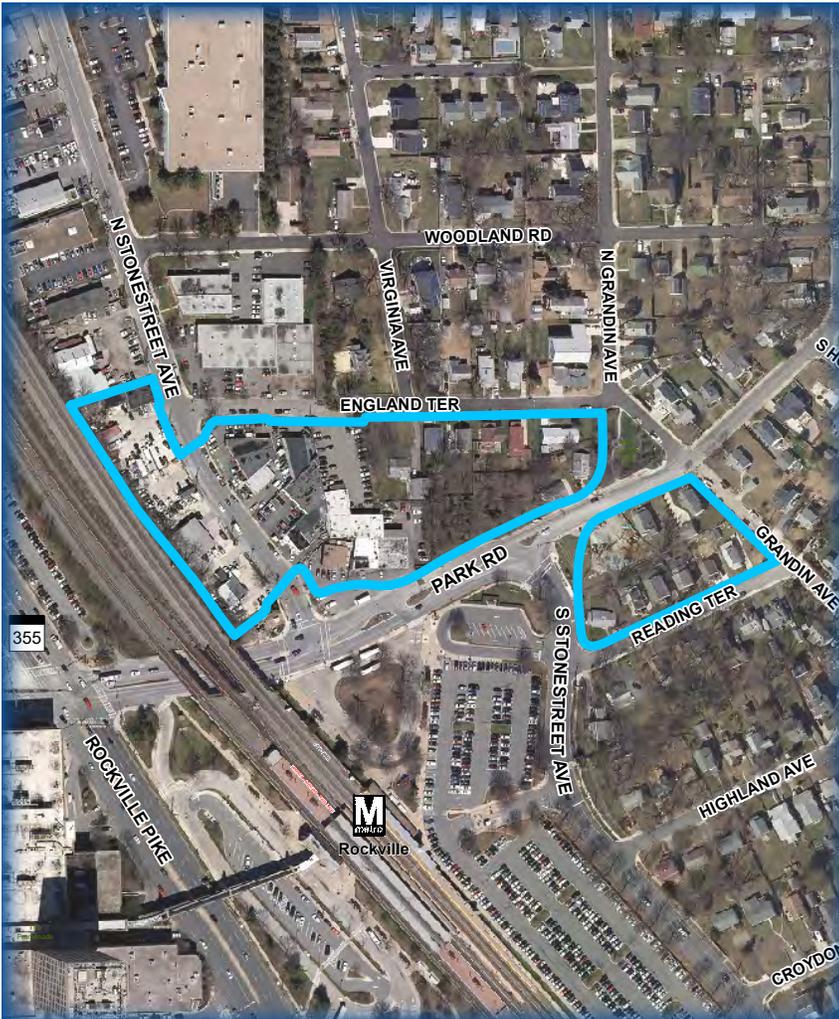
6/17/2020



City of **Rockville**
Get Into It

PARK ROAD AND NORTH/SOUTH STONESTREET AVENUE AREA

Comprehensive Master Plan Amendment Planning Commission Draft



February 12, 2020



CITY OF ROCKVILLE
MARYLAND

Attachment 8.A.a: Park Road-Stonestreet Planning Commission Recommended Draft (3146 : Park Road and North/South Stonestreet Avenue

CITY OF ROCKVILLE

ELECTED AND APPOINTED OFFICIALS

Mayor and Council

Bridget Donnell Newton, Mayor
 Monique Ashton
 Beryl L. Feinberg
 David Myles
 Mark Pierzchala

Planning Commission

Charles Littlefield, Chair
 Anne Goodman
 Don Hadley
 Sarah Miller
 Suzan Pitman
 John Tyner, II
 Rev. Jane E. Wood

PLANNING AND DEVELOPMENT SERVICES STAFF

Ricky Barker, Director
 David B. Levy, Assistant Director
 Jim Wasilak, Zoning Manager, Planning Commission Liaison
 Cynthia Kebba, Comprehensive Planning Manager
 Andrea Gilles, Project Lead
 Sheila Bashiri, Principal Planner
 Larissa Klevan, Principal Planner
 Clark Larson, Principal Planner
 Manisha Tewari, Principal Planner

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1.1 SUMMARY

The purpose of this amendment to the 2002 Comprehensive Master Plan for the City of Rockville is to change the Planned Land Use for a specific set of properties around the intersection of Park Road and North Stonestreet Avenue, between the rail lines to the west and North Grandin Avenue to the east (see Map 1), and provide additional design guidance for redevelopment. The properties north of Park Road are bound on the west by the rail lines and on the east by North Grandin Avenue, extending north to England Terrace. The properties south of Park Road are bound by South Stonestreet Avenue on the west and North Grandin Avenue on the east, extending south to Reading Terrace.

Through the 2018 Stonestreet Corridor Study (2018 Study) public engagement process and planning analysis, key issues along the corridor were identified and confirmed. Park Road near its intersection with North Stonestreet Avenue is the first introduction to the east side after passing under the railroad overpass from the west. The Rockville Metro station is located on the south side of Park Road, a significant advantage for any future east side transit-oriented development. As in previous plans, the 2018 Study recognized this area as a priority for a transition to a more walkable and neighborhood-oriented place. This plan amendment reflects an updated vision for the subject area.

Specifically, this amendment:

- Changes the Planned Land Use classifications for a set of properties that have been, until now, designated for a mix of commercial and service industrial uses as well as detached residential to designations that promote a walkable, transit-oriented mix of residential and commercial development (page 7).
- Provides additional design guidance that includes placing the more intense development nearest the Rockville Metro Station and appropriately scaling down new development that would be adjacent to the existing residential areas (page 8).

Map 1: Subject Area Aerial + Existing Land Uses



1.2 BACKGROUND

On February 6, 2017, the Mayor and Council approved a Scope of Work for the Stonestreet Corridor Study, which was completed in July 2018. The 2018 Study area included approximately 145 acres of land, generally encompassing the east and west sides of North and South Stonestreet Avenues, from the northern boundary at Westmore Road, south to where South Stonestreet Avenue terminates. The process for the 2018 Study was community-driven and resulted in recommendations for land use, zoning, and infrastructure in five key opportunity areas within the Corridor.

This plan amendment area (subject area) was one of the five key opportunity areas identified by the 2018 Study (see Map 2, Area 1). On August 1, 2018, the Mayor and Council directed staff to expedite three of the five opportunity areas: the MCPS and County sites (Area 2); the North Stonestreet Avenue infrastructure improvements (Area 4); and the Park Road and South Stonestreet Avenue infrastructure improvements (Area 5). At that time, it was also

decided that the remaining two opportunity areas, 1000 Westmore Avenue (Area 3) and Park Road and North Stonestreet Avenue (Area 1) would be addressed as part of the Rockville 2040 Comprehensive Plan Update.

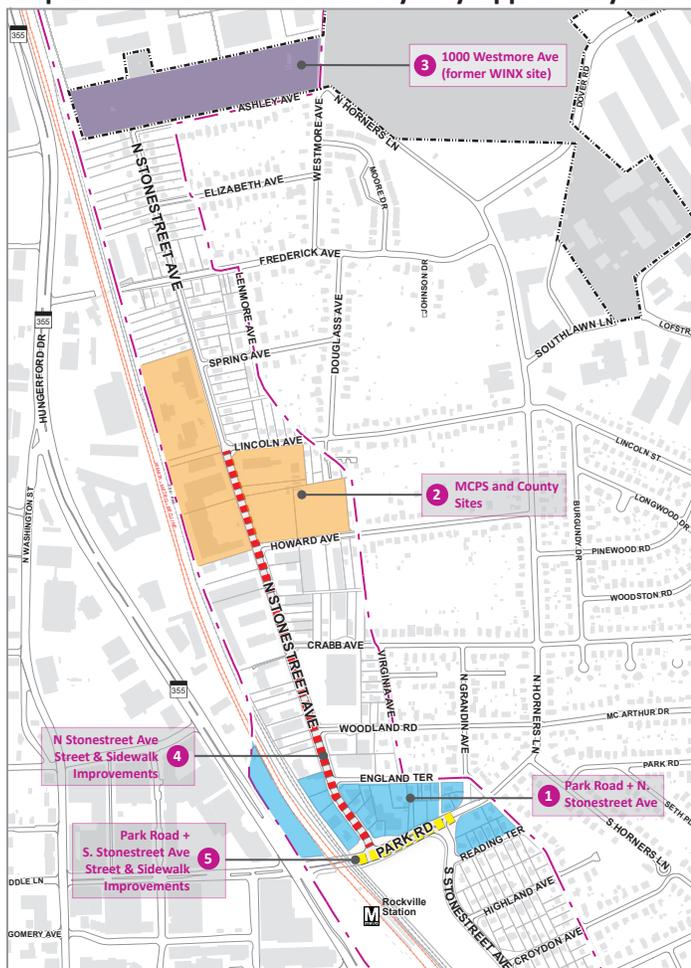
Shortly after receiving Mayor and Council direction, Planning staff submitted the Comprehensive Master Plan Amendment for the MCPS and County properties to Planning Commission for their review and approval. On March 25, 2019, after following the formal process, the Mayor and Council adopted the plan amendment, which laid a foundation for a future rezoning to allow a mix of uses, should the properties become available for redevelopment. In addition to the plan changes, progress has also been made on the recommended infrastructure improvements for North and South Stonestreet Avenues and Park Road. On May 6, 2019, the Mayor and Council adopted the FY 2020 budget, which includes capital improvement funds for the design of the North Stonestreet Avenue streetscape project and the reconfiguration of the intersection at Park Road and South Stonestreet Avenue.

In early summer 2019, representatives from the East Rockville Civic Association expressed concern at a Mayor and Council Community Forum about the timing of the Park Road and North Stonestreet Avenue area land use recommendations. In response, at their meeting on July 8, Mayor and Council directed staff to initiate the plan amendment process for this key opportunity area from the Stonestreet Corridor Study.

1.3 PLANNING FRAMEWORK

Recommendations for the subject area have been a component of several plans, including the 2001 Town Center Master Plan; the 2004 East Rockville Neighborhood Plan (2004 ERNP); the 2007 Lincoln Park Neighborhood Plan (2007 LPNP); and the 2002 Comprehensive Master Plan. Both the 2004 ERNP and the 2007 LPNP

Map 2: Stonestreet Corridor Study: Key Opportunity Areas



called for changes to the North Stonestreet Avenue corridor. They sought to add community-serving uses to the existing light industrial base, south of Howard Avenue, and to improve the infrastructure for pedestrians to establish greater compatibility with the adjacent neighborhoods.

The 2004 ERNP described in detail a redevelopment concept for North Stonestreet Avenue that was "to transform the corridor into a mixed-use area of neighborhood serving retail, residential and small-scale office uses" (pages 17-19). It also included guidance about new development taking advantage of the area's location next to a transit stop (page 24). The 2004 ERNP was frank about the contrast between the vision for the corridor and its existing conditions. The plan stated that the preferred approach for the existing service industrial businesses was that they be grandfathered and not displaced, and that certain incentives should be considered to motivate upgrades to service industrial properties that would be in line with plan objectives (page 19).

The Planned Land Use map from the 2004 ERNP designated the properties fronting North Stonestreet Avenue, and at the corner of North Stonestreet and Park Road, for mixed-use development. The remaining properties in the

subject area were designated for detached residential housing, which, along with the accompanying single-family residential zoning, prohibits a mix of housing types that would better maximize the area's adjacency to transit and meet some of the housing demand pressures that the east side of the city is currently experiencing.

1.4 AREA AND CONTEXT

Park Road is a critical, and one of only a few, east/west connections within the city. The area is busy not only with cars, trucks, and buses utilizing Park Road, but also with walkers and bikers traveling to and from the Rockville Metro Station. There are crosswalks at the intersection, but the sidewalk that exists on the west (rail) side of North Stonestreet Avenue discontinues after less than 100 feet north of Park Road. People often walk in the street on the west side of North Stonestreet Avenue. Although there is a sidewalk on the east side, it is sub-par and often crowded by vehicles from the auto repair shops.

Also on the north side of Park Road, is a mix of one-story buildings set back from the street, overgrown vacant properties, and single-family homes. The commercial uses include a convenience store, a restaurant, multiple auto repair and body shops, and retail sales businesses. There is no open public use or gathering space within the commercial area, and access is vehicle-oriented. The closest green space is Mary Trumbo Park at the corner of Park Road and North Grandin Avenue. It is passive, landscaped space geared toward the residential neighborhood.

To the east of the Rockville Metro Station and South Stonestreet Avenue is the East Rockville neighborhood, predominantly comprised of single-family detached homes. Due in part to its proximity to transit, East Rockville has experienced increased development pressure over the past decade to accommodate new residents seeking relatively affordable housing near transit. Small homes have been demolished and have been replaced by large houses, some of which are used as rentals for multiple occupants.

Service industrial is the predominant existing land use on North Stonestreet Avenue, south of England Terrace. The properties are smaller in size and the lots are often maximized with parked vehicles, which



Park Road at N. Stonestreet Ave



N. Stonestreet Ave near the Park Road intersection



Park Road viewing west, near S. Stonestreet Ave

at times spill onto the street. This area is in need of up-grades to ensure that walking and biking are viable modes of travel on their own, as well as safe and comfortable connections to transit.

Progress has been made in recent years to improve pedestrian and bicycle infrastructure in the area. A new sidewalk and bicycle lane was recently installed adjacent to the Rockville Metro Station along South Stonestreet Avenue. Both travel lanes on North Stonestreet Avenue include painted "sharrows" (share-the-road painted bike and arrow markings) to indicate a shared road with bicyclists. On a more transformative level, the adopted FY2020 Capital Improvements Program includes the design of the North Stonestreet Avenue streetscape project and the reconfiguration of the intersection at Park Road and South Stonestreet Avenue, as recommended in the Stonestreet Corridor Study. Proposed improvements include enhanced sidewalks on both sides of the street, improved street lighting, landscaping, and improved bicycle infrastructure. These proposals, when constructed, will provide a much needed shift on North and South Stonestreet Avenues and Park Road toward better accommodating walkers and bikers, along with vehicles.

1.5 COMMUNITY ENGAGEMENT

The 2018 Stonestreet Corridor Study, the precursor planning process that led to this amendment, included five well-attended community meetings and several small group and civic association meetings in 2017 and 2018. The subject area was identified as a priority area for action at the first meeting. Some of the comments expressed about the area included:

- Improve pedestrian security on N. Stonestreet Avenue from the Rockville Metro Station to the neighborhoods, especially at night--- better lighting, complete sidewalks, better crosswalks;
- Encourage upgrades to existing businesses. Park Road at N. Stonestreet is the gateway to the east side;
- Add more housing options and vibrancy closest to the Metro with improved access to the station;
- Allow businesses to stay where they are;
- Improve safety for bicyclists and walkers on N. Stonestreet Avenue and at the Park Road and S. Stonestreet Avenue intersection;
- Construct sidewalks on both sides of N. Stonestreet Avenue;
- Address traffic management, congestion and parking that may result with new development;
- Redesign intersections near Rockville Metro Station to protect and encourage pedestrian access.

The subject area was one of the primary topics of the third meeting at which street improvement preferences were discussed for both North Stonestreet Avenue and Park Road, in particular its intersection with South Stonestreet Avenue. At the fourth community meeting on December 5, 2017, based on input up to that point, an example redevelopment concept was presented and discussed for the subject area that included a mix of housing types, mixed-use buildings with ground floor commercial, and improved



Park Road viewing east



Crowded sidewalk on N. Stonestreet Ave



Improvements on S. Stonestreet Ave near Metro

Attachment 8.A.a: Park Road-Stonestreet Planning Commission Recommended Draft (3146 : Park Road and North/South Stonestreet Avenue

pedestrian and open space connections. The concept was presented again as a component of the draft recommendations at the final public meeting. Feedback about the illustrative concept was generally enthusiastic. Some of the responses from the meetings included: appreciation for the pedestrian-friendly concept; more housing and more housing types made sense so close to transit; and liking the idea that there would be more places and activities within walking distance. Some of the concerns were about parking, additional traffic, and what certain infrastructure improvements or redevelopment could mean for existing businesses.

1.6 PROPOSED COMPREHENSIVE MASTER PLAN CHANGES

A. Area Goals

In the event that the subject properties become available for redevelopment, they should bring about:

- A revitalized area and focal point at the corner of Park Road and North Stonestreet Avenue, establishing an anchored entrance to Rockville's east side, integrating such elements as building form and design, public art, landscaped open spaces or plazas, and wayfinding.
- Redevelopment that takes advantage of transit proximity, is well-connected, and that transitions appropriately to the East Rockville neighborhood.
- An upgraded pedestrian environment, including enhanced sidewalks, landscaping, street trees, public/civic gathering spaces, and pedestrian-scale lighting.
- A mix of walkable, local-serving commercial uses and multi-unit residential, and residential attached uses at the North Stonestreet Avenue and Park Road intersection.
- A range of new, high-quality residential attached housing types, designed to be compatible with the scale of adjacent detached residential homes.

The city should seek creative approaches to meeting these goals, including public/private partnerships, infrastructure investments, financing mechanisms, and/or others.

B. Land Use

A new set of planned land uses for the subject area are proposed with Map 4. In addition, the text from the Area Goals, Design Guidance, and Implementation sections will also be adopted as components of the Comprehensive Master Plan.

The changes to the proposed land use, pursuant to this plan amendment include the new land use categories that have been proposed as part of the Rockville 2040 Comprehensive Plan process. The categories and descriptions are:

RA: Residential Attached

Allows a variety of house types that share party walls. Types of permitted construction include rowhouse, duplex, triplex, fourplex, and small apartment buildings with up to six units total in a single structure. Detached houses are also allowed.

RRM: Retail Residential Mix

Expresses the city's interest in retaining or introducing retail in specific locations mixed with multiple-unit residential and/or residential attached types. The mix can be horizontal, with stand-alone retail next to apartment buildings on a development site; or the mix can be vertical, with retail on the ground floor and apartments above. In some locations, the plan indicates where retail is strongly preferred along a street front.

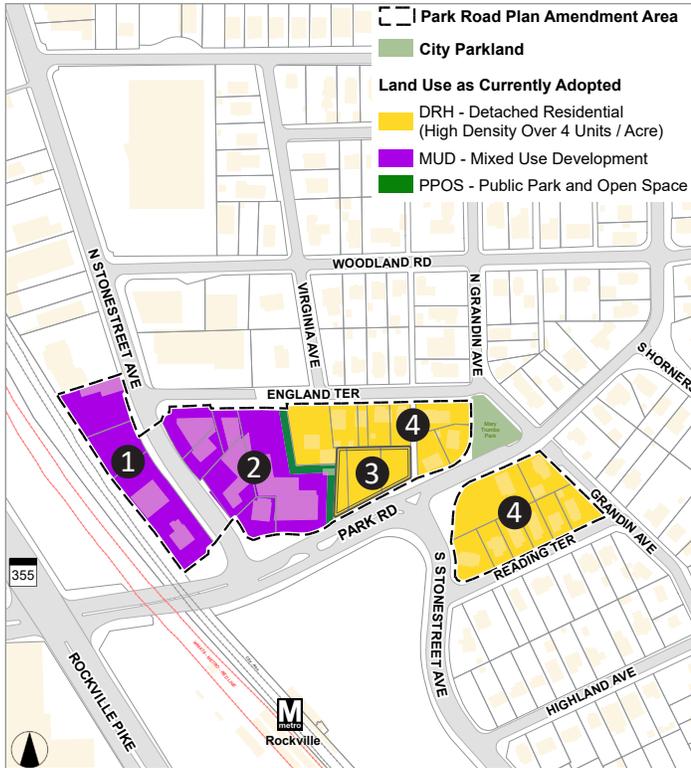
OR: Office or Retail

Allows either or both uses.

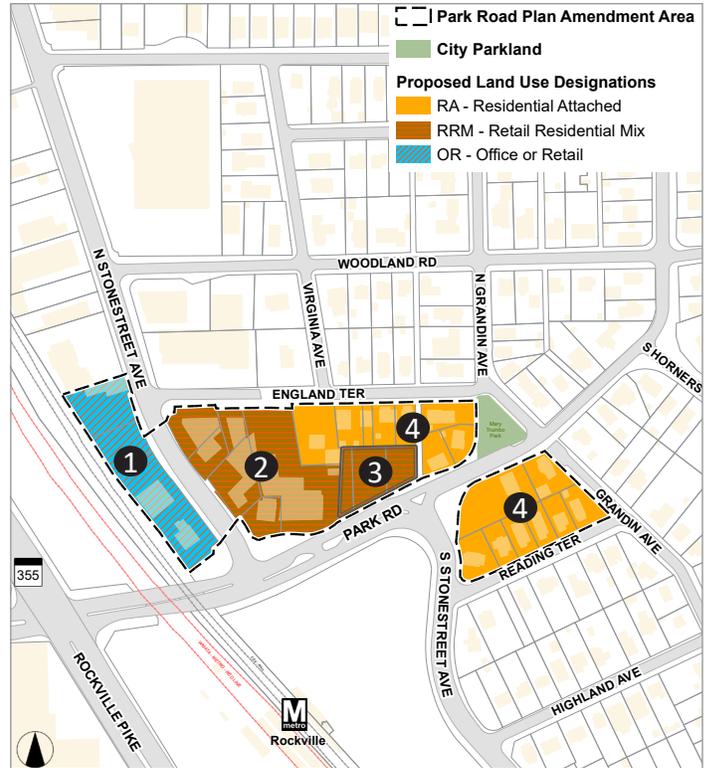
The numbers to follow correspond to the numbers on Maps 3 and 4 on the following page.

- ① Amend the Land Use from **Mixed Use Development (MUD)** to **Office or Retail (OR)** to promote walkable retail, office, and services uses.
 - In addition to office and retail, artisan and craft/maker spaces are also encouraged at this location.
 - Residential as the sole use is not encouraged at this location given site constraints due to shallow lot depths and the abutting rail lines. If residential units are proposed as a component of a larger project, specific consideration should be given to ensure that negative impacts from the abutting rail lines are mitigated.
 - No new Service Industrial uses would be encouraged, but existing uses would be allowed to remain.
- ② Amend the Land Use from **Mixed Use Development (MUD)** and **Public Parks and Open Space (PPOS)** to **Retail Residential Mix (RRM)** with building heights up to 4-5 stories (or 50-65 ft) to promote a mix of local retail and service uses and multi-unit residential across from the Rockville Metro Station.
 - No new Service Industrial uses would be encouraged, but existing uses would be allowed to remain.
- ③ Amend the Land Use from **Detached Residential - High Density Over 4 Units Per Acre (DRH)** to **Retail Residential Mix (RRM)** to promote a greater mix of uses, including smaller-scale multi-unit residential, rowhouses, and limited commercial at this transit node.
 - Explore options for the City to facilitate the development of these properties consistent with plan goals. Street improvements for the Park Road and South Stonestreet Avenue intersection have been proposed for inclusion in a future Capital Improvements Program, and the City may also want to consider options to coordinate the development of these properties with any future street reconstruction.
- ④ Amend the Land Use from **Detached Residential - High Density Over 4 Units Per Acre (DRH)** to **Residential Attached (RA)** to promote a mix of infill housing types, compatible in scale with single-family homes, including duplexes, triplexes, fourplexes, and rowhouses.
 - A small multiplex with up to 6 units may be appropriate at the southeast corner of Park Road and South Stonestreet Avenue and on the north side of Park Road if the building fronts on Park Road.
 - The building should blend well with the surrounding residential detached neighborhood, transition well in scale, mass, and height to surrounding homes, provide enhanced connections to the Rockville Metro Station, and limit curb cuts on Park Road so as to focus vehicular access and parking to the rear of the building.
 - Particular consideration should be given to how stormwater is managed for any new development on the south side of Park Road. The area is lower in elevation and residents have raised concerns about backyard flooding, under current conditions.
 - For all other areas, all housing types included in the RA category are recommended except the multiplex with up to 6 units.

Map 3: Land Uses as Currently Adopted



Map 4: Land Uses as Proposed



Attachment 8.A.a: Park Road-Stonestreet Planning Commission Recommended Draft (3146 : Park Road and North/South Stonestreet Avenue

C. Design Guidance

The recommendations in this section provide guidance for new development in both the private and public realms. They also promote compatibility with adjacent homes in East Rockville. Every effort should be made to integrate new development with the surrounding neighborhoods to further strengthen the existing community fabric.

- a. **Neighborhood Transitions:** Provide sensitively scaled transitions between new development and existing neighborhood homes.
 - Orient maximum building heights along Park Road and North Stonestreet Avenue, away from the existing single-family residential.
 - New buildings should taper down in height and scale toward existing single-family homes to establish a compatible relationship between buildings.
 - Exterior lighting for new buildings should utilize a cut-off design to minimize light spillover onto surrounding properties.

- b. **Public Realm Improvements:** Enhance pedestrian and bike connections to the Rockville Metro Station, to new open spaces, and to the surrounding neighborhoods through improved sidewalks, bike infrastructure, signage, landscaping, lighting, and public art.
 - Ensure that streetscape improvements that result from the redevelopment of individual properties are compatible with the overall street and sidewalk improvement recommendations from the 2018 Stonestreet Corridor Study.
 - Consider additional street connections and pathway crossings to break up block sizes and to create greater ease of access and pedestrian safety within the area.
 - Re-connecting England Terrace with North Stonestreet Avenue and North Grandin Avenue with Park Road should be studied and considered as part of any

redevelopment concept as a means to improve traffic flow, increase access points for pedestrians, and provide access to rear- or side-yard parking.

- Any new street connections or pathways should be well-landscaped and designed for pedestrian safety.
 - Consolidate and reduce the number of curb cuts where possible to minimize conflicts between vehicular access points and pedestrian and bicycle areas.
 - Explore burying utility lines at the time of new development and/or street and sidewalk reconstruction.
- c. Building Orientation:** In general, orient the primary facades of buildings and front doors parallel to the street or to a public open space to frame the edges of streets, parks and open spaces, and to activate pedestrian areas. Establish building frontages along Park Road and North Stonestreet Avenue to include ground-floor retail, enhanced pedestrian areas and amenities, landscaping, and bicycle infrastructure.
- d. Facade Articulation:** Create an architecturally enhanced feature at the corner of North Stonestreet Avenue and Park Road by focusing new development at that intersection, incorporating high-quality design components, and enhancing the public realm.
- e. Parks and Open Space:** Incorporate accessible community use space, including parks and other contiguous outdoor green space into the overall redevelopment concept.
- f. Parking:** In general, parking areas should be set back behind front building lines, away from the public realm and screened from public view. For attached dwellings, rear garage access is preferred, whether the garage is integrated into the primary structure or whether it is a separate structure. Avoid front loaded garages whenever possible. For multi-unit dwellings, parking requirements should take into account the area's transit proximity.
- g. Rail Line Impact Mitigation:** Mitigate impacts on new development, particularly residential developments, related to the area being proximate to the rail line, in such areas as safety hazards, noise, vibrations and odors. The purpose is to safeguard residents, customers, and employees of these new buildings.

D. Implementation: Zoning

The land use plan amendment is one component of implementing the goals and recommendations from the 2018 Stonestreet Corridor Study for this area. If this plan amendment is approved by the Mayor and Council, the zoning will need to be updated, through a separate public process, to be consistent with the land use changes.

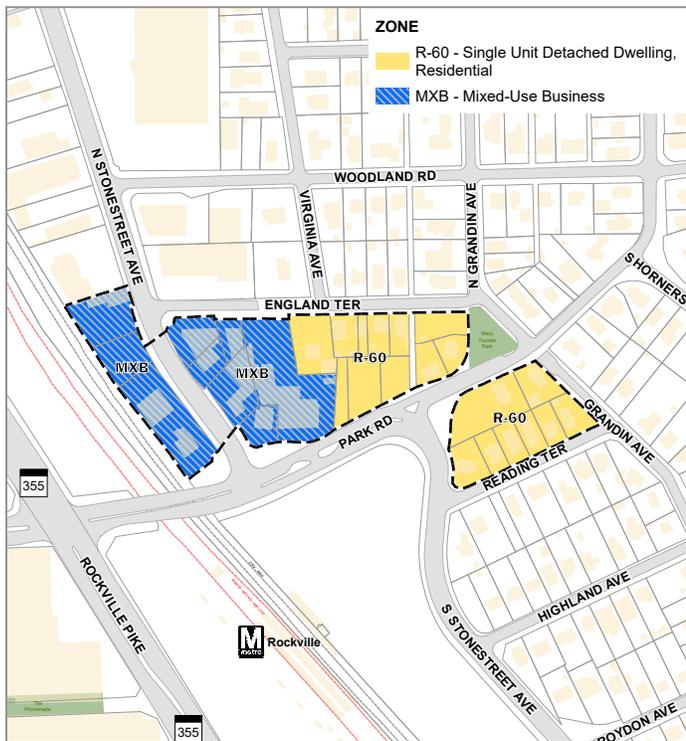
The potential zoning is as follows:

Property Specific (the numbers below correspond to the numbers on Map 6):

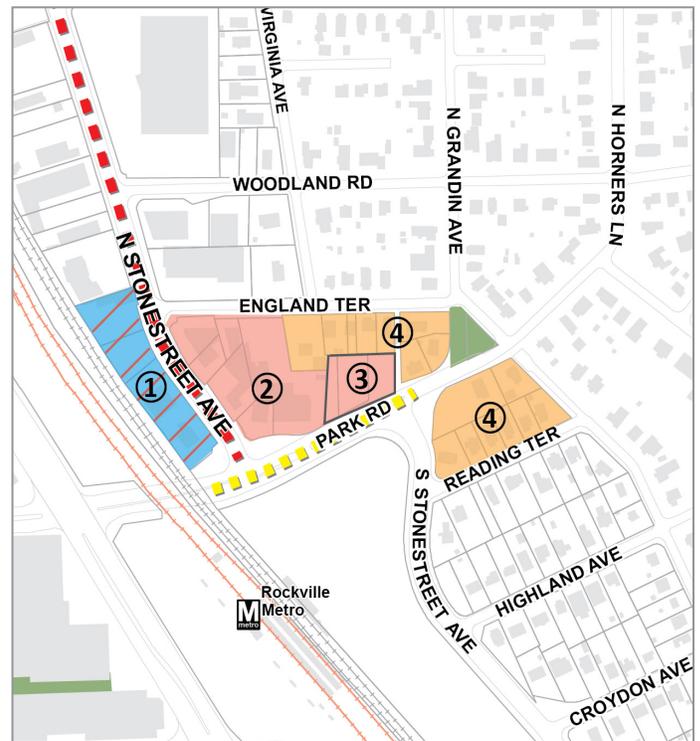
1. Rezone the properties from Mixed Use Business (MXB) to a mixed-use zone that allows for uses including retail, office, neighborhood services, and artisan/craft manufacturing.
 - Artisan and craft/maker manufacturing spaces are light-impact uses that have their operations generally enclosed within a building and produce little-to-no noise, vibrations or fumes outside of the building.
 - Residential as the sole use is not encouraged at this location given site constraints due to shallow lot depths and the abutting rail lines. If residential units are proposed as a component of a larger project, specific consideration should be given to ensure that negative impacts from the abutting rail lines are mitigated.

- No new Service Industrial uses should be permitted, but existing uses should be allowed to remain.
2. Rezone the properties from Mixed Use Business (MXB) to a mixed-use zone to promote a mix of local retail and service uses and multi-unit residential across from the Rockville Metro Station.
 - No new Service Industrial uses should be permitted, but existing uses should be allowed to remain.
 3. Rezone the properties from Single-Family Residential (R-60) to a mixed-use zone to promote a greater mix of uses, including smaller-scale multi-unit residential, rowhouses, and limited commercial at this transit node.
 4. Rezone the property from Single-Family Residential (R-60) to a zone specifically designed for infill residential attached development.

Map 5: Existing Zoning



Map 6: Potential Zoning Recommendations



Park Road and North/South Stonestreet Avenue Area
Comprehensive Master Plan Amendment
Planning Commission Draft
February 12, 2020



City of Rockville
Maryland



City of Rockville

MEMORANDUM

March 25, 2020

TO: City of Rockville Mayor and Council

FROM: Jim Wasilak, Zoning and Development Manager,
Planning Commission Liaison *RJW*

VIA: Members of the Planning Commission

SUBJECT: Park Road and North/South Stonestreet Avenue Area Plan Amendment

On February 12, 2020, the Planning Commission completed its review of the Park Road and North/South Stonestreet Avenue Area Plan Amendment. The Planning Commission voted 4 to 1 to approve, with revisions, the amendment for transmittal to the Mayor and Council for review and consideration.

Staff has made the revisions to the document as directed by the Planning Commission. This memo, attached to the Planning Commission resolution, serves as certification of an attested copy of the Planning Commission recommended plan.

Enclosures:
Planning Commission Resolution

Resolution No. 1-20

RESOLUTION: To approve and recommend adoption of the Park Road and North/South Stonestreet Avenue Area Comprehensive Master Plan Amendment as an amendment to the Adopted and Approved Comprehensive Master Plan for the City of Rockville, Maryland.

WHEREAS, the Planning Commission for the City of Rockville (hereinafter referred to as the “Commission”), under the provisions of Sections 3-201 *et seq.* of the Land Use Article of the Annotated Code of Maryland, may make and approve a plan or amendments thereto and recommend the same to be adopted by the local legislative body; and

WHEREAS, on December 19, 2001, the Planning Commission did approve, and on November 12, 2002, the Mayor and Council did adopt a Comprehensive Master Plan for the City of Rockville, Maryland (the “2002 Comprehensive Plan”); and

WHEREAS, on August 1, 2001, the Planning Commission did approve, and on October 22, 2001, the Mayor and Council did adopt a Town Center Master Plan (the “2001 Town Center Master Plan”) as an amendment to the 2002 Comprehensive Plan; and

WHEREAS, on December 17, 2003, the Planning Commission did approve, and on March 8, 2004, the Mayor and Council did adopt an East Rockville Neighborhood Plan (the “2004 East Rockville Neighborhood Plan”) as an amendment to the 2002 Comprehensive Plan; and

WHEREAS, on July 12, 2006, the Planning Commission did approve, and on February 26, 2007, the Mayor and Council did adopt a Lincoln Park Neighborhood Plan (the “2007 Lincoln Park Neighborhood Plan”) as an amendment to the 2002 Comprehensive Plan; and

WHEREAS, the Mayor and Council did instruct the Commission to make and approve and recommend to the Mayor and Council an amendment to the 2002 Comprehensive Plan,

including the 2001 Town Center Master Plan, the 2004 East Rockville Neighborhood Plan, and the 2007 Lincoln Park Neighborhood Plan (collectively referred to herein as the “Plan”) for the Park Road and North/South Stonestreet Avenue area of the Plan; and

WHEREAS, the City staff prepared, consistent with Sections 3-201 *et seq.* of the Land Use Article of the Annotated Code of Maryland, an amendment to the Plan for the Park Road and North/South Stonestreet Avenue area; and

WHEREAS, in connection with the preparation of the amendment to the Plan for the Park Road and North/South Stonestreet Avenue area, the Commission and City staff did carefully and comprehensively survey and study present conditions and projections of future growth and the relation of the Park Road and North/South Stonestreet Avenue plan amendment area to neighboring jurisdictions; and

WHEREAS, the amendment to the Plan for the Park Road and North/South Stonestreet Avenue area has been prepared for the purpose of guiding and accomplishing the coordinated, adjusted, and harmonious development of the City; and

WHEREAS, the amendment to the Plan for the Park Road and North/South Stonestreet Avenue area implements the visions as provided in Section 1-201 of the Land Use Article of the Annotated Code of Maryland; and

WHEREAS, after the preparation of said amendment to the Plan for the Park Road and North/South Stonestreet Avenue area, the Commission gave notice of the time and place of the public hearing to be held on said amendment to the Plan by giving notice in a newspaper of general circulation in the City; and

WHEREAS, the Commission did refer copies of said amendment to the Plan for the Park Road and North/South Stonestreet Avenue area to all adjoining planning jurisdictions and to all

state and local jurisdictions that have responsibility for financing or constructing public improvements necessary to implement the amendment to the Plan for the Park Road and North/South Stonestreet Avenue area at least sixty (60) days prior to the public hearing; and

WHEREAS, the Commission held a public hearing on said amendment to the Plan for the Park Road and North/South Stonestreet Avenue area in the Council Chamber at City Hall, Rockville, Maryland on January 8, 2020; and

WHEREAS, the Commission took into consideration the testimony presented at said public hearing and in the written public record and now desires to present its recommendations for an amendment to the Plan for the City of Rockville, Maryland; and

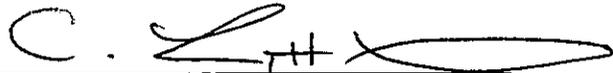
WHEREAS, the planning and development policies recommended in the amendment to the Plan for the Park Road and North/South Stonestreet Avenue area have been closely coordinated with and represent an extension of planning policy contained in the Comprehensive Master Plan for the City of Rockville, Maryland.

NOW, THEREFORE, BE IT RESOLVED by the Commission, as follows:

The amendment to the Plan for the Park Road and North/South Stonestreet Avenue area is hereby approved and recommended for adoption by the Mayor and Council of Rockville, Maryland pursuant to Section 3-202, Land Use Article of the Annotated Code of Maryland as an amendment to the 2002 Comprehensive Master Plan for the City of Rockville, Maryland, the amendments to the 2002 Comprehensive Master Plan entitled "Town Center Master Plan," dated October 22, 2001; "East Rockville Neighborhood Plan," dated March 8, 2004; and "Lincoln Park Neighborhood Plan," dated February 26, 2007.

* * * * *

I certify that the above is a true and correct copy of
a Resolution adopted by the Planning Commission
of the City of Rockville, Maryland, at its meeting of
February 12, 2020.



Charles Littlefield
Chair, Planning Commission

Attachment 8.A.b: Park Road-Stonestreet Planning Commission Resolution (3146 : Park Road and North/South Stonestreet Avenue Plan

Resolution No. ____ RESOLUTION: To extend the time for the Mayor and Council to approve, modify, remand or disapprove the Planning Commission's February 2020 Park Road and North/South Stonestreet Avenue Area Comprehensive Master Plan Amendment for 60 days, until August 22, 2020.

WHEREAS, on February 12, 2020, the Rockville Planning Commission approved a resolution to recommend its February 2020, draft Park Road and North/South Stonestreet Avenue Area Comprehensive Master Plan Amendment to the Mayor and Council; and

WHEREAS, on March 25, 2020, the Planning Commission Liaison transmitted a certified attested copy of the Commission's recommended plan to the Mayor and Council; and

WHEREAS, pursuant to Section 3-204 of the Land Use Article of the Annotated Code of Maryland, a legislative body may adopt, modify, remand, or disapprove a plan and may hold a public hearing before remanding or disapproving and shall hold a public hearing before adopting or modifying a plan; and

WHEREAS, on March 30, 2020, the Mayor and Council set a public hearing date of May 4, 2020; and

WHEREAS, on April 10, 2020, the Governor of the State of Maryland renewed the State of Emergency, for the entire State of Maryland, in a continued effort to control and prevent the spread of COVID-19; and

WHEREAS, to reduce the spread of COVID-19, the U.S. Centers for Disease Control and Prevention and the Maryland Department of Health recommended social distancing and avoiding gatherings; and

WHEREAS, due to State directives for slowing the spread of COVID-19, Rockville City Hall is closed and Mayor and Council meetings are conducted virtually; and

WHEREAS, on April 27, 2020, the Mayor and Council postponed the May 4, 2020 public hearing until June 8, 2020 to provide additional time to establish procedures for the public to participate virtually in public hearings; and

WHEREAS, on June 8, 2020, the Mayor and Council public hearing was advertised and held on the rescheduled date; and

WHEREAS, pursuant to Section 3-204 of the Land Use Article, the recommendation of the Planning Commission shall be considered approved if the legislative body fails to approve, modify, remand, or disapprove the recommended plan within 90 days after the date that the

Resolution No. ___

-2-

Planning Commission certifies an attested copy of the recommended plan to the legislative body; and

WHEREAS the 90-day period for the Mayor and Council to approve, modify, remand or disapprove the recommended plan expires on June 23, 2020; and

WHEREAS Section 3-204 of the Land Use Article also states that if the legislative body determines that there are exigent circumstances so that the legislative body is unable to approve, modify, remand or disapprove the recommended plan, the legislative body may extend the deadline for no more than one 60-day extension by resolution; and

WHEREAS the Mayor and Council has determined that there are exigent circumstances so that it is unable to approve, modify, remand or disapprove the Planning Commission's recommended plan within 90 days; and

WHEREAS it is the desire of the Mayor and Council to extend the deadline to approve, modify, remand or disapprove the plan by 60 days; and

WHEREAS the 60-day extension period expires on August 22, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that the deadline to approve, modify, remand or disapprove the Planning Commission's recommended Park Road and North/South Stonestreet Avenue Area Comprehensive Master Plan Amendment is extended for 60 days, until August 22, 2020.

* * * * *

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

Sara Taylor-Ferrell
City Clerk/Director of Council Operations

Attachment 8.A.c: Park Road-Stonestreet Resolution to Extend Deadline (3146 : Park Road and North/South Stonestreet Avenue Area Plan



Mayor & Council Meeting Date: June 22, 2020
 Agenda Item Type: Consent
 Department: Recreation & Parks
 Responsible Staff: Steve Mader

Subject

Modification of Dates to Alternative Location for the Pilot Deer Culling Program

Recommendation

Staff recommend the Mayor and Council modify the dates of the Pilot Deer Culling Program.

Discussion

On December 16, 2019, the Mayor and Council voted to proceed with the draft Pilot Deer Culling Program as one of the tools for managing the population of white-tailed deer. The Pilot Deer Culling Program (Program) recommended performing the deer culling at Redgate Park. As a result of the recent increased use of Redgate Park, the Mayor and Council requested that staff consider the alternate location.

The alternate location is the John Hayes Memorial Forest (Park) located at the Civic Center complex. This location comes with challenges, including impacts to Croydon Creek Nature Center (Center) programs and school trips.

Initially, the Recreation and Parks staff reviewed schedules, programs, and planned events and recommended that the culling proceed within the John Hayes Memorial Forest/Park on the following schedule that minimizes conflicts with Center programs:

- September 12 – September 20
- November 21- November 29
- December 19 – December 27

At the June 1st Mayor and Council meeting, staff were requested to contact the archery organizations to determine if they would still be interested in the program if the September 12 – September 20 slot was eliminated. Staff sent an email to the organizations and received responses from two. Those organizations both expressed concern that the success with respect to the number of deer culled will be negatively impacted, however, they were both still interested in participation. Therefore, if it is the will of the Mayor and Council, the proposed time frames would now include:

- November 21- November 29
- December 19 – December 27
- January 9 – January 16

These dates still coincide with the tentative Maryland Department of Natural Resources (DNR) archery season for 2020-2021. All the other precautions and requirements included in the original program will also apply within the John Hayes Memorial Forest/Park, including appropriate signage placed around the perimeter of the Park. In addition, access to the park by the authorized culling participants will be from the drive entrance on Route 28, Norbeck Road, rather than through the neighborhood.

Mayor and Council History

This is the second time the alternate location for the Pilot Deer Culling Program has been before the Mayor and Council. The first discussion was on June 1, 2020.

Options Considered

No alternative locations were proposed. However, several options for modifying the program to fit within the John Hayes Forest Preserve Park were considered, including the following;

- Close the entire park during the proposed times in September through November. This option was determined to be too restrictive and negatively impacts many programs provided by the Center.
- Reduce the area of the park to be closed during the proposed times in the original program. Generally, programs are held throughout the entire park, therefore this option would also negatively impact programs provided by the Center.
- Reducing the time frame from 3 to 2 periods.

Next Steps

Upon approval by the Mayor and Council, staff will continue program planning, including amend the City Code, prepare and distribute public information and coordinate with partner organizations.

Public Notification and Engagement

Staff will develop a communication plan and messaging about deer management and the approved deer culling program:

- Develop web presence,
- Distribute information through Rockville Reports, social media, Rockville Channel 11, Nextdoor and neighborhood associations, and
- Solicit comments from the Recreation and Park Advisory Board and Environment Commission.

)

Attachments

Attachment 8.B.a: Final Draft Archery Pilot Project 2 (PDF)



Rob DiSpirito, City Manager 6/17/2020

Pilot Deer Culling Program

Location: John Hayes Memorial Forest

Means: Modern archery equipment only (compound bows and crossbows)

Dates: November 21- November 29 and December 19 – December 27. Sunday hunting is ½ hour before sunrise to 10:30 am. Dates will coincide with MD DNR Regulations for 2020.

Access/Parking: Entrance to the park is from the fire road access adjacent to Route 28.

Safety Zone: A safety zone (no hunting) will be identified and marked in the field. The safety zone will encompass a 50-yard buffer around the entire property. See attached map.

Participant Identification: Approved participants must have the following identification on their person while hunting on the property.

- Valid Driver's License
- Valid Maryland Hunters License including Archery Stamp
- Rockville Identification Card (Provided by City)

All participants must attend a pre-hunt meeting with Recreation and Parks staff. The meeting will cover safety, responsibility, coordination, carcass handling, restrictions and reporting.

Participant Selection

The Department of Recreation and Parks shall solicit Request for Proposals from non-profit deer management organizations. Selection will be based upon years of experience, harvest records, qualifications of individual participants and their written proposal.

Individual Participants Requirements

- Member in good standing with a registered 501 C- non-profit deer management organizations.
- Proof of membership
- Valid State of Maryland Driver's License
- Valid State of Maryland Hunting License (resident or non-resident)
- Hunter Safety Card – recommended.
- Provide DNR archery harvest record for past 5 years
- Vehicle identification including Year, Make, Model, Color and license plate number
- Valid Maryland Shooter Qualification Card – For locations to qualify see: https://dnr.maryland.gov/huntersguide/Documents/shoot_qual_cal.pdf
- Liability Insurance (Depends on Risk Management requirements to be determined)

Regulations for Hunt

The Department of Recreation and Parks reserves the right to change program-specific regulations, as necessary and appropriate, at any time. Hunting authorization for participants and/or groups may be revoked at the discretion of Recreation and Parks staff.

- Hunting of white-tailed deer; only.
- Modern archery equipment; only (compound bows and crossbows).
- The following is a list of regulations for reference only. Participants are obligated to comply with all applicable laws.

Maryland Department of Natural Resources

- Hunting permitted to occur 1/2 hour before sunrise – 1/2 hour after sunset.
- Hunters shall not hunt while under the influence of alcohol or any narcotic drug.
- Sunday hunting is permitted as governed by the State and Montgomery county.
- Hunters shall not shoot on, from, or across any public road.
- Hunters shall not hunt or shoot at wildlife within 100 yards of an occupied building or camp without permission of the owner or occupant.
- Hunters shall not hunt without valid Driver's License, valid Maryland Hunters License including Archery Stamp, and Rockville Identification Card (provided by City).
- A compound bow shall have a full draw and pull of not less than 50 pounds.
- A crossbow used for deer hunting shall have a draw of not less than 75 pounds.
- All crossbows shall have a working safety.
- It is unlawful to have a loaded crossbow in, on, or leaning against a vehicle. A loaded crossbow is one that is cocked and has an arrow or bolt in the firing position.
- Arrows used for deer hunting must have a sharpened broadhead with metal points and a minimum width of 7/8 of an inch.
- The use of poisoned or explosive tipped arrows is prohibited.
- Hunters must follow all requirements and procedures for tagging and checking deer.
- For complete State regulations see-
<http://www.eregulations.com/maryland/hunting>.

City of Rockville

- Parking to occur in designated areas only.
- Hunting permitted to occur in designated areas only .
- Maximum of 6 participants hunting at any given time.
- Visible display of City of Rockville Archery Managed Deer Hunting Program identification.
- Arrows/bolts must always be quivered while on the ground.

- Arrows and bolts must be labeled with City of Rockville assigned, unique identification number.
- Hunting to occur from portable, commercially manufactured tree stands and ladder stands only (minimum platform height of 10 feet from the ground).
- Hunting participants must wear full-body safety harness, always attached to tree or life line, while climbing, hunting and descending.
- Tree stands may be left in the park overnight.
- Filming of hunting activities is prohibited (use of trail cameras for scouting is permitted, at participant's own risk).
- Hunting participants may not shoot onto, from, or across marked trails designed for human use.
- Maximum acceptable shooting range is 30 yards.
- All shots must be accurate and lethal.
- Recovery of harvested deer on/from any adjacent private property requires consultation/assistance of City of Rockville Department of Recreation and Parks. No access onto private property without proper permission.
- Tracking dogs may be used only when necessary and must remain on a leash.
- Evisceration (field dressing) of deer to occur away from roads, trails, and high visibility areas (viscera to be covered with sticks and/or leaf litter).
- Deer carcasses must be fully covered during removal, loading and transport process.
- De-cocking of crossbows must be done in a safe, discreet manner, away from, and out of sight of, roads, trails and the public.
- Absolutely no littering.
- Bag Limits: 15 antlerless deer and 2 antlered deer (will be consistent with DNR regulations for 2020).
- Mandatory reporting of harvest, observational data, citizen interactions and any incidents within 24 hours of hunting activity. Reports shall be called into the Parks and Facilities Division at (240) 314-8700.
- Participants must contact the City of Rockville Police Dispatch (240) 314-8900 upon arrival, and check-out upon departure (full name, group name and Rockville identification number).

Carcass Handling: All harvested deer must be field dressed on-site and within the adjacent tree line. No viscera piles may be left on fairways, cart paths or in visible areas. All deer must be consumed by the participant or donated to Farmers Feeding the Hungry.

Data Collection: All participants will collect the following data: number of days hunted, and number of deer harvested (doe, fawn or antlered deer, number of points and number of deer shot but not recovered).

RECORD KEEPING/DATA COLLECTION

Pilot Archery Harvest Record

Participant's Name: _____

City of Rockville ID Number: _____

Organization: _____

Date Hunted	Success	Buck	Doe	Fawn	Location	Bow
	Yes <input type="checkbox"/>	No points	<input type="checkbox"/>	<input type="checkbox"/>	Section 1 <input type="checkbox"/>	Cross Bow <input type="checkbox"/>
	No <input type="checkbox"/>	# _____			Section 2 <input type="checkbox"/>	Compound Bow <input type="checkbox"/>
					Section 3 <input type="checkbox"/>	
					Section 4 <input type="checkbox"/>	
					Section 5 <input type="checkbox"/>	
					Section 6 <input type="checkbox"/>	
	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Total Days Hunted: _____

Total Deer Harvested: _____

Total Deer not recovered: _____

COMMENTS:

Communications Plan

There will be several elements to the communications plan including social media, Rockville Channel 11, Rockville Reports and notification to surrounding communities. On site communications will include post hunt signage surrounding the park and a pre-hunting meeting between City staff and the participants.

Attachment 8.B.a: Final Draft Archery Pilot Project 2 (3180 : Modification of Dates to Alternative Location for Deer Culling)

DRAFT



Mayor & Council Meeting Date: June 22, 2020
 Agenda Item Type: Consent
 Department: Recreation & Parks
 Responsible Staff: Steve Mader

Subject

Adoption of an Ordinance to Amend Chapter 14 of the Rockville City Code, Entitled “Parks and Recreation” So as to Amend the Animals; Malicious Mischief, Damage, Etc; Operating Hours; and Traffic Regulations Sections Contained in Article III to Allow for the Establishment of a City Managed Deer Culling Program on City Park Property

Recommendation

Staff recommends adoption of the ordinance.

Discussion

On December 16, 2019, the Mayor and Council voted to proceed with the draft Pilot Deer Culling Program as one of the tools for managing the population of white-tailed deer. The Pilot Deer Culling Program (Program) recommended performing the deer culling at Redgate Park. As a result of the recent increased use of Redgate Park, the Mayor and Council requested that staff consider the alternate location.

The alternate location is the John Hayes Memorial Forest (Park) located at the Civic Center complex. This location comes with challenges, including impacts to Croydon Creek Nature Center (Center) programs and school trips.

Initially, the Recreation and Parks staff reviewed schedules, programs, and planned events and recommended that the culling proceed within the John Hayes Memorial Forest/Park on the following schedule that minimizes conflicts with Center programs:

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At the June 1st Mayor and Council meeting, staff were requested to contact the archery organizations to determine if they would still be interested in the program if the September 12 – September 20 slot was eliminated. Staff sent an email to the organizations and received responses from two. Those organizations both expressed concern that the success with respect to the number of deer culled will be negatively impacted, however, they were both still

interested in participation. Therefore, if it is the will of the Mayor and Council, the proposed time frames would now include:

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These dates still coincide with the tentative Maryland Department of Natural Resources (DNR) archery season for 2020-2021. All the other precautions and requirements included in the original program will also apply within the John Hayes Memorial Forest/Park, including appropriate signage placed around the perimeter of the Park. In addition, access to the park by the authorized culling participants will be from the drive entrance on Route 28, Norbeck Road, rather than through the neighborhood.

Mayor and Council History

This is the second time the alternate location for the Pilot Deer Culling Program has been before the Mayor and Council. The first discussion was on June 1, 2020.

Options Considered

No alternative locations were proposed. However, several options for modifying the program to fit within the John Hayes Forest Preserve Park were considered, including the following;

- Close the entire park during the proposed times in September through November. This option was determined to be too restrictive and negatively impacts many programs provided by the Center.
- Reduce the area of the park to be closed during the proposed times in the original program. Generally, programs are held throughout the entire park, therefore this option would also negatively impact programs provided by the Center.
- Reducing the time frame from 3 to 2 periods.

Next Steps

Upon approval by the Mayor and Council, staff will continue program planning, including amend the City Code, prepare and distribute public information and coordinate with partner organizations.

Public Notification and Engagement

Staff will develop a communication plan and messaging about deer management and the approved deer culling program:

- Develop web presence,
- Distribute information through Rockville Reports, social media, Rockville Channel 11, Nextdoor and neighborhood associations, and

- Solicit comments from the Recreation and Park Advisory Board and Environment Commission.

Attachments

Attachment 8.C.a: Ordinance- Ch 14 amendments (PDF)



Rob DiSpirito, City Manager

6/17/2020

ORDINANCE NO. _____

ORDINANCE: To amend Chapter 14 of the Rockville City Code, entitled "Parks and Recreation" so as to Amend the Animals; Malicious mischief, damage, etc; Operating hours; and Traffic regulations Sections Contained in Article III to Allow for the Establishment of a City Managed Deer Culling Program on City Park Property

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

SECTION I – That Chapter 14 of the Rockville City Code entitled "Parks and Recreation" be amended as follows:

Chapter 14

PARKS AND RECREATION

ARTICLE III. PARK RULES

Sec. 14-37 – Animals.

- (a) A person may not catch, injure, destroy or interfere in any way with birds, squirrels, or any wild animals, unless as part of a City-managed deer culling program and in accordance with the terms of the program and all applicable laws and regulations.

Sec. 14-49 - ~~Malicious mischief, damage, etc.~~ Damage to park property.

(a) A person may not:

- (1) Cut, break into, injure, deface or disturb any tree, shrub, plant, rock, building, wall, fence, bench, sign or other structure, apparatus, or property;
- (2) Pluck, pull up, cut, take or remove any shrub, bush, plant, flower or sign;
- (3) Mark or write upon any building, fence, bench, sign or other structure;

- (4) Climb any tree or walk, stand or sit upon monuments, vases, fountains, railings, fences or any other property not designated for such purposes;
- (5) Cut or remove any wood, turf, grass, soil, rock, sand or gravel.

(b) This section does not apply to the installation and use of a portable deer stand by a person participating in a City-managed deer culling program in accordance with the terms of the program and all applicable laws and regulations.

Sec. 14-50. - Operating hours.

(b) All City parks shall be closed between sunset and sunrise, except as provided below:

- (1) That part of City parks artificially illuminated for the purpose of conducting athletic activities including that part necessary for parking, ingress and egress, shall remain open until 11:00 p.m. during the entire year to persons utilizing same for such purposes;
- (2) Buildings in City parks including grounds specified in a permit and such additional park grounds as may be necessary for parking, ingress and egress to such buildings shall remain open to persons utilizing the buildings and grounds under a permit until 2:00 a.m. when such buildings are in use for activities authorized in advance by the City Manager or his designee by a permit;-

(3) That part of City parks subject to a City-managed deer culling program shall be open to participants of the program as specified by the terms of the program.

Section 14-53 – Traffic regulations.

(b) A person may not operate a motor vehicle on any area except the paved park roads or parking areas, except that a person may operate a motor vehicle on other areas as authorized in writing by the Director of Recreation and Parks.

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

Attachment 8.C.a: Ordinance- Ch 14 amendments (3179 : Approval of Chapter 14 Recreation and Parks Article - III Park Rules)

Ordinance No.

- 3 -

NOTE: ~~Strikethrough~~ indicates material deleted.
Underlining indicates material added.

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

Sara Taylor-Ferrell

City Clerk/Director of Council Operation

Attachment 8.C.a: Ordinance- Ch 14 amendments (3179 : Approval of Chapter 14 Recreation and Parks Article - III Park Rules)



Mayor & Council Meeting Date: June 22, 2020
Agenda Item Type: Consent
Department: Finance
Responsible Staff: Gavin Cohen

Subject

Renewal of CGI Technologies Inc. Software Maintenance Agreement

Recommendation

Staff recommends that the Mayor and Council award a contract to CGI Technologies and Solutions Inc. for an amount not to exceed \$832,459.84 for the City's general ledger, payroll, financial reports, procurement, inventory, human resources (HRIS), and employee self service software modules for five years from FY 2021 through FY 2025, subject to the annual appropriation of funds by the Mayor and Council.

Attachments

Attachment 8.D.a: Rockville PSMA_Amendment 4 March 2020 (PDF)

A handwritten signature in black ink, appearing to read "Rob DiSpirito", is written over a horizontal line.

Rob DiSpirito, City Manager

6/17/2020

Amendment No. 4
to
Proprietary Software Maintenance Agreement
between
CGI Technologies and Solutions Inc.
and
City of Rockville, Maryland

This Amendment No. 4 (“Amendment”) to the Proprietary Software Maintenance Agreement dated February 3, 2005, as amended, (“Agreement”) by and between CGI Technologies and Solutions Inc., formerly known as CGI-AMS, (“CGI”) and the City of Rockville, Maryland, (“Customer”) is made March ____, 2020 (“Amendment Effective Date”).

WHEREAS, Customer and CGI entered into a Proprietary Software License Agreement dated February 3, 2005, as amended, (“License Agreement”) for CGI’s proprietary software product known as as CGI Advantage®, identified subsystems, and third party products; and

WHEREAS, Customer and CGI entered into a Proprietary Software Maintenance Agreement dated February 3, 2005, as amended, (“Agreement”) to provide maintenance support services for the CGI Advantage®, identified subsystems, and third party products; and

WHEREAS, CGI and Customer have entered into previous amendments to modify terms and conditions of the Agreement as mutually agreed; and

WHEREAS, the parties now wish to further amend the Agreement to update certain terms and conditions and extend the maintenance support services for a period of five (5) years.

NOW, THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. Governing Document

The Agreement is incorporated herein and forms a part of this Amendment. Except as provided below, all other terms and conditions of the Agreement, as previously amended shall remain unchanged and in full force and effect and are hereby ratified and reaffirmed by the parties hereto. In the event of any conflict or inconsistency between the provisions set forth in this Amendment and the Agreement, this Amendment shall govern and control.

2. Definitions.

The term “Maintenance Period” is deleted and replaced in Section 1 with the revised definition below.

“Maintenance Period” means an annual twelve (12) month or shorter period, in the case of a partial year, included in the Maintenance Term, the initial term of this Agreement, or any subsequent renewal period within the Maintenance Term.

Section 1 is amended to add the new definitions below.

“Environment Copy” means a copy of the Customer’s Advantage non-production upgrade support environment.

“Hosting Facility” means a secure hosting facility selected by CGI where the Customer’s Environment Copy is held.

“Maintenance Services” means the standard support and maintenance services provided by CGI for the Software described in Section 2.A of this Agreement.

“Maintenance Term” means the period for which Maintenance Fees are specified in Exhibit A to this Agreement.

3. Maintenance

Section 2.B is replaced in its entirety with the following:

- B. **Investigation and Correction.** CGI will investigate and correct suspected Software Incidents at CGI’s offices. If CGI’s personnel travel to Customer’s place of business at Customer’s request to perform Maintenance Services, Customer will reimburse CGI for the reasonable travel time and other out-of-pocket expenses of CGI’s personnel. If a suspected Software Incident is attributable to a cause other than the Software as delivered by CGI, then Customer will pay for CGI’s work on a time and materials (T&M) basis.

Solely for the purpose of facilitating CGI’s investigation and correction of suspected Software Incidents at CGI’s offices, which shall be at CGI’s sole discretion, at no additional charge CGI will host the Customer’s Environment Copy in a secure Hosting Facility subject to the terms and conditions set forth in this Subsection B. CGI will provide written notification to Customer of the location of the Hosting Facility.

- i. Notice of Readiness for Shipping Environment Copy. When CGI is ready to receive and install the Environment Copy in the Hosting Facility, it will provide Customer with written notice together with written instructions for preparing the Environment Copy to be shipped to the Hosting Facility. The instructions provided will include instructions for removing or masking (collectively, “scrubbing”) personal or other sensitive data from the Environment Copy before it is shipped.
- ii. Customer Responsibility for Preparing the Environment Copy. Upon receipt of notice from CGI described in Subparagraph i, the Customer will prepare the Environment Copy, including scrubbing all sensitive data from the Environment Copy, in accordance with the written instructions provided by CGI pursuant to Subparagraph i. CGI may assist in the scrubbing process. Customer will be responsible for validating that all sensitive data has been scrubbed from the Environment Copy before shipping it to the Hosting Facility.
- iii. CGI Responsibility for Shipping Environment Copy. CGI will be responsible for arranging with a third party for, and paying the cost of, secure shipping of the Environment Copy from the Customer’s offices to the Hosting Facility and, if the Customer data is subsequently to be returned pursuant to Subparagraph vi, from the Hosting Facility to the Customer’s offices.
- iv. CGI Obligation to Secure Environment Copy. Once CGI has received the scrubbed Environment Copy, CGI will install it in the Hosting Facility. Notwithstanding the Customer scrubbing the Environment Copy in accordance with Subparagraph ii, while the Environment Copy is installed in the Hosting Facility, CGI will maintain and follow appropriate technical and organizational measures intended to protect Customer data in the Environment Copy against accidental, unauthorized or unlawful access, disclosure, alteration, loss, or destruction.
- v. Updates to Environment Copy. The parties will work together to establish and document a refresh schedule and process for updates to the Environment Copy to provide that the Environment Copy and the Customer’s production environment remain synchronized.
- vi. Return or Destruction of Environment Copy. On reasonable advance written notice

of not less than thirty (30) days, either party may terminate the arrangement for CGI hosting of the Environment Copy for any reason or for no reason. Once a party has given the required notice, CGI will, at the Customer's option, either return or destroy, and certify destruction of, the Customer data included in the Environment Copy. If the Customer opts for a return, CGI shall return the applicable Customer data in the same format and on similar physical media as the Customer deployed originally in shipping it to CGI.

CGI will bear no liability for damages or costs of any kind arising from disclosure of Customer data included in the Environment Copy that results from any cause other than CGI's failure to perform its obligations under the Agreement. Otherwise, CGI's liability is subject to the limitation of liability specified in Section **Error! Reference source not found.** of the Agreement.

4. Termination.

Section 6.B is deleted replaced in its entirety with the following:

- B. Customer may terminate this Agreement for convenience at any time upon at least thirty (30) calendar days' prior written notice to CGI. Upon written notification from Customer of the desire to terminate for convenience, a termination fee comprising the current Maintenance Fee, if applicable, plus the Early Termination Fee ("Early Termination Fee") will be due and payable as provided below.
- 1) Current Maintenance Fee: If Customer has not paid the maintenance fee for the then-current Maintenance Period in full, Customer must pay to CGI the remaining balance of such maintenance fee prior to terminating this Agreement. Maintenance Fees are not pro-rated and all paid Maintenance Fees are non-refundable.
 - 2) Early Termination Fee: The Early Termination Fee shall apply in the event that Customer terminates the Agreement for convenience prior to the end of the Maintenance Term. The Early Termination Fee is calculated at twenty percent (20%) of the remaining Maintenance Fees that but for the early termination would have been payable through the end of the Maintenance Term.

5. Exhibit A

Exhibit A of the Agreement is replaced in its entirety with a restated and amended Exhibit A which is attached hereto and made a part of this Amendment as if fully included in the text hereof.

ALL OTHER TERMS AND CONDITIONS REMAIN IN PLACE AND UNCHANGED.

Remainder of this page intentionally left blank

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the effective date, by their respective duly authorized representatives.

City of Rockville, Maryland (Customer)

CGI Technologies and Solutions Inc. (CGI)

By _____

By _____

Printed Name _____

Printed Name _____

Title _____

Title _____

Date _____

Date _____

Attachment 8.D.a: Rockville PSMA_Amendment 4 March 2020 (3185 : Renewal CGI Software Maintenance Agreement)

EXHIBIT A

CGI Technologies and Solutions Inc. Proprietary Software Maintenance Agreement

1. **Maintenance Term.** The Maintenance Term is the period beginning on July 1, 2020 and ending on June 30, 2025, and comprises the Maintenance Periods specified in Table A in Section 2 below.
2. **Maintenance Fees.**
 - A. **Maintenance Services.** The maintenance fees payable for each Maintenance Period during the Maintenance Term are specified in Table A. Customer may buy Maintenance Services for the Software for subsequent Maintenance Term(s) in which CGI is offering Maintenance Services, at CGI's then-current prices. Such transactions shall be effected through an amendment to this Exhibit A.

Table A – Maintenance Periods and Fees

Maintenance Period	Maintenance Fee
July 1, 2020 – June 30, 2021	\$150,654.25
July 1, 2021 – June 30, 2022	\$158,186.96
July 1, 2022 – June 30, 2023	\$166,096.31
July 1, 2023 – June 30, 2024	\$174,401.13
July 1, 2024 – June 30, 2025	\$183,121.19

- B. **Supplemental Maintenance Services.** Supplemental Maintenance Services will be provided on a T&M basis at a mutually agreed to hourly rate. Upon the parties' mutual written agreement, which may be provided by email by individuals authorized to so bind the parties, to proceed with the Supplemental Maintenance Services, CGI will perform such services at the quoted rate.
3. **Software.** The Maintenance Services under this Agreement are provided with respect to the Software and Bundled Software Products outlined in Exhibit A of the Proprietary Software License Agreement made effective as of February 5, 2005. Customer has chosen to discontinue maintenance on the products listed below. Therefore, these products will not be eligible for standard maintenance, patches or upgrades. If, at a later date, Customer chooses to reinstate these products under maintenance or for an upgrade, CGI may charge back maintenance or a new license fee, whichever is less. Maintenance services do not include the following Software and Bundled Software Products:
 - a. Adobe Present Central Pro (production, 1 CPU & 10 print locations) - Maintenance Services no longer provided by Adobe
 - b. Adobe Output Designer – 1 Named User - Maintenance Services no longer provided by Adobe
 - c. IRI – CoSort Win/2/16 GB – 1 License – Maintenance Cancelled January 2017
 - d. IRI - CoSORT IBM X346/2/16 GB – 1 License – Maintenance Cancelled January 2017
4. **License Agreement.** The Software was provided to Customer pursuant to the terms and conditions of that certain Proprietary Software License Agreement between CGI and Customer. In the event CGI ceases to operate in the ordinary course of business, Customer will be granted a limited license to access and use the CGI Software source

code solely for purposes of maintaining the Software, and consistent with the terms of the Proprietary Software License Agreement. Access and use of the CGI source code prior to this release event is prohibited.

Agreed to and initialed for identification by:

(Customer)

(CGI)



Mayor & Council Meeting Date: June 22, 2020
Agenda Item Type: Consent
Department: Human Resources
Responsible Staff: Marcus Odorizzi

Subject

Renewal of Workers' Compensation Insurance with AIG for the FY21 Policy Period

Recommendation

Staff recommends that the Mayor and Council authorize the City Manager and the City's insurance broker, Aon, to bind coverage with AIG and/or its affiliates for workers' compensation insurance for the FY21 policy period in a form acceptable to the City Attorney.

Discussion

The City contracts with Aon to provide insurance brokerage and consulting services to obtain competitive insurance rates for a variety of complex insurance coverages, including workers' compensation. Pursuant to Aon's scope of services with the City, Aon is responsible for assisting the City with the completion of annual renewal applications, including an assessment of exposures, and the solicitation of insured/self-insured coverages and programs. Additionally, Aon is responsible for the placement and ongoing maintenance of all insurance policies applicable to their scope of services with the City.

For the FY21 policy period, Aon approached the commercial insurance market to procure guaranteed cost and high-deductible plan options. The intent was to validate the current plan structure to ensure it is financially advantageous for the City. Aon recognized that the appetite for public entities is limited to select few carriers, and the COVID-19 pandemic has had a considerable impact on the overall operating environment of insurers, further limiting their appetite to write plans for public entities needing coverage for first responders and law enforcement. In Aon's solicitation of the City's workers' compensation program, Travelers, Chubb, Safety National, PMA, and the incumbent carrier AIG were approached. Of these carriers, Aon advised that Travelers declined to quote a high-deductible option because of the COVID-19 pandemic and the target pricing; Chubb declined to quote because of the timelines established and pricing; and Safety National declined because they would have required a higher deductible north of \$1,000,000 per-claim. Aon was able to secure competitive options from AIG and PMA. A comparison of the quotations from AIG and PMA is enclosed in Aon's Renewal Proposal for Workers' Compensation.

As outlined further below, the City is recommending renewing coverage with AIG for workers' compensation insurance for FY21, based upon a 0% increase in premium rating versus the option to enter a new plan with significant collateral requirements from both the expiring carrier and new carrier.

In FY12, the City made the conscious decision to enter a high-deductible and loss-sensitive plan design for its' workers' compensation insurance. It was in FY12 that the City entered an agreement with AIG, and its' subsidiaries, to obtain workers' compensation coverage under the high-deductible plan; which is typically reserved for larger employers with the capacity to self-insure part of their losses. Under a high-deductible plan, the City receives a substantial reduction in up-front premium, with the expectation that premium savings will exceed that of the claim costs in a given policy year. This plan design offers the City the potential for significant savings versus a fully guaranteed plan, but does come with the financial risk of paying for very costly claims up to the occurrence deductible and overall aggregate stop limit in any given policy period.

The FY21 renewal terms, specifically regarding collateral requirements from AIG, continue to be negotiated through Aon, as the City's broker of record for this line of insurance. While rates continue to be negotiated, the City is projecting a total premium pay-in amount of \$424,728. AIG's FY21 renewal quotation showed an overall flat renewal with a 0% change in premium rating from FY20. The City's total premium pay-in amount is 1.3% higher than the premium in FY20 simply due to an increase in projected overall City payroll for FY21.

In addition to paying the policy premium at the inception of renewal, the City will be billed monthly for losses incurred throughout the policy year that fall under the deductible of \$500,000 per-employee injury, with an annual policy period aggregate or stop loss limit of \$3,162,000. Due to the fact that losses are paid as they are incurred, and due to the potential and often long-tail of claims until they reach closure, the City will likely be paying for losses incurred since the policy inception of FY12, using FY21 funds.

Under the high-deductible insurance plan, the City pays a base premium, \$424,728 in FY21, and assumes the costs for incurred workers' compensation claims below the set deductible and stop loss limit. In exchange for a substantially lower premium versus a guaranteed cost plan, the City largely assumes more risk by having a higher deductible and the liability that may be associated with large or catastrophic claims. Under the City's plan, claims are billed as they are incurred, and as such, the City has been required to post collateral to offset the financial risks to the insurer of the outstanding claims which haven't yet been billed to or paid by the City. Since FY12, the City has posted \$1,788,000 in cash collateral with AIG and \$30,000 in cash escrow, for a total collateral on hand of \$1,818,000.

The City did not make the recommendation to renew coverage with AIG lightly, as PMA offered an extremely competitive quotation for the City's consideration. Aon advised the City that if the plan with AIG were to be cancelled, the City would be liable to make up the difference in extended security/collateral credits offered by AIG, which is currently valued at approximately

\$1,200,000. This amount equates to the total amount of actuarially-derived claim reserves and those claims which will be incurred but are not yet reported, plus the self-insured retention for the expiring policy period which may have not yet been paid by the City. With this in mind, if the City were to leave AIG for PMA for the FY21 policy period, the City would have to pay AIG \$1,200,000 and pay PMA a total of \$714,880 (\$355,000 collateral + \$50,000 escrow + \$309,880 premium) for a total amount of \$1,914,880 due on or about July 1, 2020. In addition to paying this amount, the City will also have to pay for all claims with AIG and those new claims with PMA that would still be billed as they are incurred, using FY21 funds. The City's FY21 budget for workers' compensation across all funds is \$1,448,380. The choice to pursue coverage with PMA for FY21 was ultimately determined as an untenable option. Currently, AIG is not requiring any additional collateral for the FY21 policy renewal, and therefore the City's total pay-in amount on or about July 1, 2020 would be the premium of \$424,728.

AIG continues to offer robust claims and loss control services, including an analytical Risk Information Management System platform. Its services, combined with the internal effort of the City, give confidence that the City can control the ultimate costs associated with the workers' compensation plan while realizing cost savings as claims are controlled and reach closure.

Mayor and Council History

The Mayor and Council first entered an agreement with AIG in FY12 to provide a high-deductible workers' compensation insurance plan for the City. The City has renewed this coverage with AIG each year since the policy became effective on July 1, 2011.

Options Considered

Aon, as the City's broker of record for workers' compensation insurance, provided the City with options to renew insurance with AIG or to change plans and secure insurance from PMA. A copy of Aon's Renewal Proposal for Workers' Compensation is enclosed.

Procurement

Aon was the successful proposer for RFP#18-16 for Insurance Broker Services for Property, Casualty and Associated Insurances. Aon is responsible for assisting in the completion of annual renewal applications, including an assessment of City exposures for the solicitation of insured/self-insured coverages and programs. Additionally, Aon is responsible for the placement and maintenance of all insurance policies applicable to the Contract #18-16.

Fiscal Impact

The FY21 adopted budget for workers' compensation insurance totals \$1,448,380. This amount will be sufficient to cover the premium and monthly losses incurred throughout the policy period, barring any substantial claims or collateral requirements.

Next Steps

The Safety and Risk Manager will work with the City Attorney to review and negotiate to sufficiency any required third-party brokered agreements with AIG, and/or its affiliates, if necessary, for the City Manager to execute. City staff will continue to work with our insurance broker to research appropriate insurance options to provide workers' compensation insurance coverage for the City.

Attachments

Attachment 8.E.a: Aon Renewal Proposal for Workers' Compensation (PDF)



Rob DiSpirito, City Manager

6/17/2020



City of Rockville

Renewal Proposal
Workers Compensation 07/01/2020-07/01/2021

June 06, 2020



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- Details of Payment Terms**
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- Commercial Risk Solutions U.S. Business Terms**
- Additional Business Terms for Programs Placed through Aon's Global Broking Center London (GBCL)**
- General Data Protection Regulation (GDPR)**
- Appendix**

This insurance document is furnished to you as a matter of information for your convenience. It only summarizes the listed proposed policy(ies) and is not intended to reflect all the terms and conditions or exclusions of such proposed policy(ies). Moreover, the information contained in this document reflects proposed coverage as of the effective date(s) of the proposed policy(ies) and does not include subsequent changes. This document is not an insurance policy and does not amend, alter or extend the coverage afforded by the listed proposed policy(ies). The insurance afforded by the listed proposed policy(ies) is subject to all the terms, exclusions and conditions of such policy(ies).

The services and placements outlined in this proposal will be provided in accordance with the terms of the notices and policies set forth in the Commercial Risk Solutions U.S. Business Terms.

Aon Service Team

Operational

Jean Cofield
 Account Executive
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 M 202.341.9815
 F 800-701-2549
 E jean.cofield@aon.com

Brokerage

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 M 470.885.6689
 E paul.young64@aon.com

Logan Kanai
 Associate Broker
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 M 813.233.6923
 E logan.kanai@aon.com

Aon Client Services

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 E robert.paar@aon.com



Executive Summary

Strategy

- For the 2020-21 policy year we approached our carrier partners to procure guaranteed cost and large deductible options. The intent was to validate that the current structure is valid and financially advantageous for the City of Rockville.
- Given that the current market for workers compensation is still favorable we targeted a flat renewal with pressure on the incumbent to deliver a rate decrease.

Market Conditions and Response

- The appetite for public entities is limited to a select few carriers; furthermore COVID -19 has had considerable impact on the current operating environment, further limiting the appetite for public entities needing coverage for first responders and law enforcement. We approached Travelers, Chubb, Safety National, PMA, and the incumbent AIG.
- The City of Rockville's workers compensation experience modification (EMOD) is 1.31. An EMOD above 1 coupled with the classification codes associated with the account prohibited us from securing a guaranteed cost option.
- Travelers declined to quote a large deductible option because of the COVID 19 pandemic and the target pricing. Chubb declined to quote because of our timeline and pricing. Safety National declined because they would have required a high self-insured retention.

Outcome

- We were able to secure competitive options from AIG and PMA. In our negotiations with AIG we convinced them to remain flat and emphasized the importance of debt management for the City Rockville.
- PMA has offered a 500K deductible option and a 350K deductible option with cash collateral.

Details of Coverage / Policy Term / Premium

AIG

Description	Form
Workers Compensation and Employers Liability Insurance Policy	WC 00 00 00 C (1/15)
Advance Notice of Cancellation By Us Extended	WC 99 00 39 (08/02)
Amendment of Your Duties if Injury Occurs	WC 99 00 08 A (10/03)
Catastrophe Premium Endorsement	WC 00 04 21 C (09/08)
Catastrophe Premium Endorsement	WC 00 04 21 D (01/15)
Employers Liability Coverage Endorsement	WC 00 03 03 C (10/04)
Experience Rating Modification Factor Endorsement	WC 00 04 03 (04/84)
Federal Employers' Liability Act Coverage Endorsement	WC00 01 04 A (10/04)
Foreign Coverage Endorsement	WC 60 90 4 (08/94)
Large Risk Rating Plan Endorsement	81461 (08/04)
Longshore and Harbor Workers' Compensation Act Coverage Endorsement	WC 00 01 06 A (04/92)
Loss Reimbursement Endorsement	WC 99 00 02 A (01/02)
Maritime Coverage Endorsement	WC 00 02 01 A (04/92)
Notification of Change in Ownership Endorsement	WC 00 04 14 (07/90)
Premium Due Date Endorsement	WC 00 04 19 (01/01)
Terrorism Risk Insurance Program Reauthorization Act Disclosure Endorsement	WC 00 04 22 B (01/15)
Audit Noncompliance Charge Endorsement	WC 00 04 24
Unintentional Errors & Omissions	WC 99 00 11 A (10/03)
Voluntary Compensation and Employers Liability Coverage Endorsement	WC 00 03 11 A (08/91)
Waiver of our Right to Recover From Others Endorsement	WC 00 03 13 (04/84)
Alternate Employer Endorsement	WC 00 03 01
Migrant and Seasonal Agricultural Worker Protection Act Coverage Endorsement	WC 00 01 11

PMA

Form	Description
WC 000106A	LONGSHORE & HARBOR WC ACT COVERAGE ENDTVOLUNTARY COMPENSATION
WC 000201B	MARITIME COVERAGE ENDT
WC 000301A	ALTERNATE EMPLOYER ENDT
WC 000311A	VOLUNTARY COMP AND EMPLOYERS LIAB COVG
WC 000316	WAIVER OF OUR RIGHT TO RECOVER (Available on specific name as required)
WC 990615	AMENDMENT OF CANCELLATION-90 DAYS
	FOREIGN COVERAGE ENDORSEMENT-\$25,000 REPATRIATION
	OTHER STATES
	STOP GAP LIABILITY
	ALL REQUIRED STATE MANDATORY ENDORSEMENTS
	ALL DEDUCTIBLE PROGRAM ENDORSEMENTS

Attachment 8.E.a: Aon Renewal Proposal for Workers' Compensation (3190 : Renewal of Workers'



Quote Comparison

Workers' Compensation

Primary Insurer: Policy Year Start	AIG 500K 2019 Renewal Option	AIG 500K 2020 Expiring (Scaled)	AIG 500K 2020 Renewal Option	yr-yr	PMA 500K 2020	Diff (PMA vs AIG)	PMA 350K 2020	Diff (PMA 500K vs 350K)
Workers Compensation								
Program Structure								
Program Type	LDD	LDD	LDD		LDD		LDD	
Deductible	500,000	500,000	500,000		500,000		350,000	-30%
Minimum Premium	90%		90%		100%		100%	
Deductible Aggregate- with current exposure	2,662,000		3,162,000		2,150,000		2,150,001	
Deductible Aggregate- Rate	5.5823		6.496		4.417		4.417	
Limits								
Workers Compensation	Statutory	Statutory	Statutory		Statutory		Statutory	
Employers Liability Limits	1,000,000	1,000,000	1,000,000		1,000,000		1,000,000	
Exposures and Losses								
Insured Payroll	47,686,044	48,673,530	48,673,530	2.1%	48,673,530	2.1%	48,673,530	
Ultimate Retained Losses - AIG	988,990	1,009,470	1,242,346		953,000		953,000	
Loss Rate per \$100 of Payroll	2.074	2.074	2.552	23.1%	1.958	-23.3%	1.958	
Premium								
Excess Premium	265,086	270,575	270,575		286,239		320,345	
	0.556	0.556	0.556	0.0%	0.588	5.5%	0.658	
WC Expenses	102,859		105,000		Included		Included	
	0.216		0.216	0.0%				
Terrorism Risk Insurance			6,889		4,867	-29.4%	5,451	
Total Premium	367,945	375,564	368,686	0.2%	291,106	-21.0%	325,796	12%
per \$100 of Payroll	0.7716	0.7716	0.7575	-1.8%	0.5981	-22.5%	0.6693	
Claims and Non Premium Costs								
Claims Service Fees	36,718		3,146		4,000	27.1%	4,000	
WC - Lost Time	28,308		24,310		7,960		7,960	
	1,348		1,430	6.1%	995	-30.4%	995	
WC- Medical Only	4,928		7,098		4,200		4,200	
	176		182	3.4%	150	-17.6%	150	
WC - Record Only	72		72		Waived		Waived	
	1		1	0.0%	0	-100.0%	0	
Taxes, Surcharges and Assessments	10,288	0	14,519		2,614		2,614	
Total Non-Premium	51,237	52,298	49,145		18,774		18,774	
per \$100 of Payroll	0.1074	0.1074	0.1010		0.0386		0.0386	
Total Estimated Cost	419,182	427,862	424,720	1.3%	309,880	-26.1%	344,570	11%
per \$100 of Payroll	0.8790	0.8790	0.8726	-0.7%	0.6366	-27.6%	0.7079	11%
Notes								
Medical does not include PPO								
Does not include Medical Bill Review								

Attachment 8.E.a: Aon Renewal Proposal for Workers' Compensation (3190 : Renewal of Workers'

Collateral Comparison

Primary Insurer: Policy Year Start:	AIG 500K 2019 Expiring Option	AIG 2020 Renewal Option	PMA 500K/350K 2020
Collateral Summary			
Total Collateral Required	1,818,000	1,818,000	405,000
Cash Collateral	1,223,000	1,788,000	355,000
Cash Collateral Renewal	565,000	0	NA
Escrow	30,000	30,000	50,000
Notes			

Attachment 8.E.a: Aon Renewal Proposal for Workers' Compensation (3190 : Renewal of Workers'



2020 – 2021 Renewal Highlights

Workers Compensation

2020-2021 Renewal Objectives

- Secure GC Option
- Secure additional deductible options
- Keep renewal rate as close to flat as possible

Results

- All markets declined GC option
- PMA offered 350K and 500K deductible
- Both AIG and PMA delivered aggressive rates

Key Accomplishments

- Secured Cash collateral option from PMA
- Kept AIG flat
- No collateral requirement from AIG

▪ Setting the 2020-2021 Marketing Strategy

▪ New Markets Considered

- AIG (Incumbent)
- PMA
- Travelers
- Chubb
- Safety National

- We knew that the COVID- 19 pandemic would impact the program because of the involvement of first responders. Our strategy was push our carrier partners to remain in line with marker conditions which for workers compensation were flat.



AIG Claims - Bundled

AIG Per Claim Information			
<u>PMA Per Claim Information</u>	<u>Estimated NewClaim Frequency</u>	<u>Per Claim Fees</u>	<u>Est. Total</u>
WC – Lost Time	17	\$1430	\$24310
WC – Medical Only	39	\$182	\$7098
WC – Record Only	1	72	\$72
Total	57		\$31,480

Attachment 8.E.a: Aon Renewal Proposal for Workers' Compensation (3190 : Renewal of Workers'



AIG Claims Bundled - Continued

Allocated Loss Adjustment Expenses	
Annual Administration Fee	\$3,146
Medical Management Fees For Claims Administered By AIG	
Provider Bill Audit Hospital Bill Audit	\$1.50 Per Line - 5 Line Minimum
Dental Program	Cost of Service Plus Administrative Fee
PPO Network	25 % Of savings
PPO Network Mapping	No charge
Telephonic Case Management	\$95/hour
Utilization Review (Pre-certification) Inpatient Outpatient	\$125 flat rate
Concurrent Review	\$95 flat rate
Retrospective Review	\$175 flat rate
Hospital Bill Review (desk audit)	25% Savings
Managed Care Coordination	No charge
Early Return-to-Work Development and Coordination	No charge
DME Benefit Management	Contracted rates at or below fee schedule and no administrative charges Capped rates on rentals
Peer Review	\$300 - \$600 per review depending on specialty, complexity, and geography
Field-Based Case Management: Voc. Rehab./Medical M	\$95/hour
Independent Medical Exam	\$250 to \$800 per review depending on specialty, complexity and geography
Pharmacy Benefit Program	No Program Access Fee Pharmaceuticals dispensed at contracted rates
Transitional Duty Placement	\$950 per referral (\$400 no-show fee)
Job Fit Accommodation	\$900 evaluation; Additional \$500 for successful outcome Total not to exceed \$1,400
Negotiated Fee Structures (Non-PPO Negotiated Fee Program Prompt Pay Discounts)	25% of savings

Attachment 8.E.a: Aon Renewal Proposal for Workers' Compensation (3190 : Renewal of Workers'



Services – PMA Third Party Administrator (TPA)

PMA Per Claim Information			
<u>PMA Per Claim Information</u>	<u>Estimated NewClaim Frequency</u>	<u>Per Claim Fees</u>	<u>Est. Total</u>
WC – Lost Time	8	\$995	\$7960
WC – Medical Only	28	\$150	\$4200
WC – Record Only	If any	0	0
Total	36	-	\$12,160

*For all Cradle-to-Grave quotes, upon termination of the contract, should claims remain open and unresolved and under the adjudication of PMA Management Corp., PMA Management Corp. shall charge the client an annual fee of \$4,000 to cover the costs of basic administrative services and fees which include account maintenance and incurred banking fees. Additional, PMA Management Corp. will charge an annual fee of \$4,000 to access PMA Management Corp.'s RMIS for up to 3 users.

*This pricing is for a 3-year contract. Years 4 and 5 are optional extension years, each subject to a 3% increase.

*Pricing is for new claims only.

*Claims handling fees are tentative based on estimated claim counts. Final claims handling fees will be determined by the actual number of claims received. Claims reconciliation will be performed 60 days after expiration to determine the actual number of claims received.



Services – PMA Third Party Administrator (TPA) Continued

Allocated Loss Adjustment Expenses	
Annual Administration Fee	\$4,000
Medical Management Fees for Claims Administered by PMA	
Cinch, 3 Users Included \$500 each Additional User	Included with Insurance
Telephonic Case Management, per hour if purchased	\$98
Case Management, per hour, if purchased	\$98
Cost Containment Fee (% All Savings)	18%
Subrogation Recovery	15%

Attachment 8.E.a: Aon Renewal Proposal for Workers' Compensation (3190 : Renewal of Workers'





Mayor & Council Meeting Date: June 22, 2020
 Agenda Item Type: Consent
 Department: PW - Traffic & Transportation
 Responsible Staff: Emad Elshafei

Subject

I-270 and I-495 Draft Letter to the Maryland Department of Transportation (MDOT)

Recommendation

Staff recommends that the Mayor and Council approve the attached letter to MDOT on the I-495 and I-270 Managed Lanes Project.

Discussion

In an effort to reduce congestion for Maryland drivers on both I-495 and I-270, the Maryland Department of Transportation (MDOT) announced in 2018 the Traffic Relief Plan under the name of the “I-495 & I-270 Public-Private Partnership (P3) Program.” The program incorporates many projects around the state by providing a “system of systems” for users, including improvements to highways and transit. The program considers transformative solutions to address congestion along these highways in Montgomery, Prince George’s, and Frederick Counties.

The program suggested fifteen (15) different alternatives in 2018 which were reduced to six (6) alternatives – including a no-build alternative - by early 2019. Each alternative proposes a different combination of priced-managed (toll) lanes and High-Occupancy (HOV) lanes for both I-495 and I-270.

On January 8, 2020, the Maryland Board of Public Works (BPW) voted to proceed with a competitive solicitation process. The BPW set a condition that the solicitation start with Phase 1 on I-495 from the vicinity of the George Washington Memorial Parkway in Virginia north to I-270 in Maryland, and on I-270 from I-495 to north of I-70. Within this first phase, the George Washington Memorial Parkway to I-370 will be delivered first.

This approval by the BPW allows the solicitation of a Phase Developer to assist the Maryland Department of Transportation (MDOT) with preliminary development and design activities allowable under federal regulations. The BPW approval does not authorize other activities, such as final design and construction. An environmental decision document under the National Environmental Policy Act (NEPA) must be approved before final design and construction

commences on any portion of Phase 1. This is in addition to any necessary future BPW approvals.

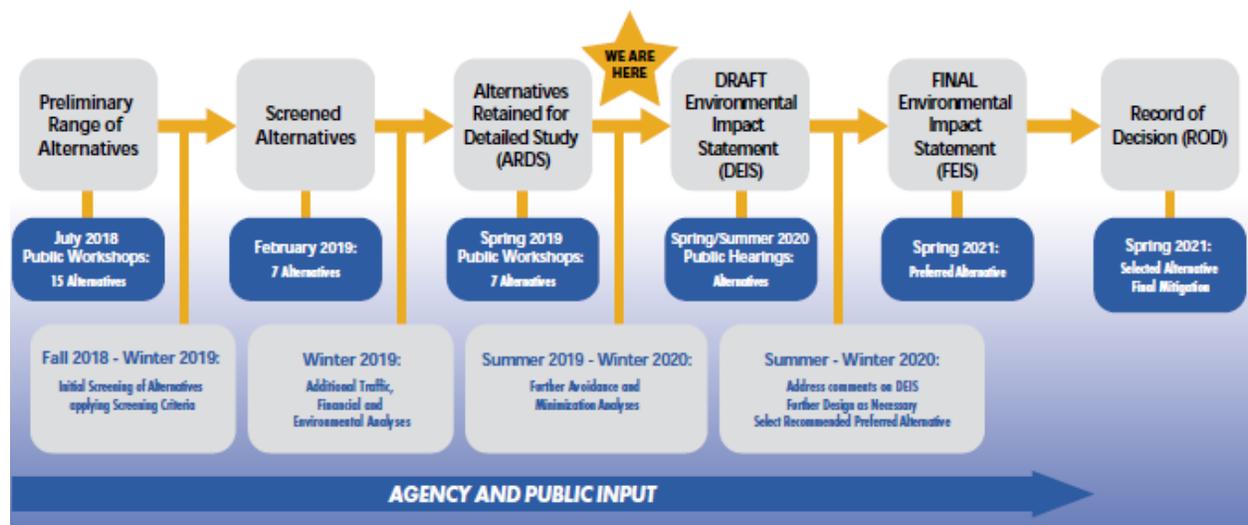
Phase 1 Developer Solicitation

On February 7, 2020, MDOT issued a Request for Qualifications (RFQ) to identify the most highly qualified teams seeking to be shortlisted as potential Phase Developers. Only these shortlisted teams will be eligible to respond to a Request for Proposals (RFP) later this year, which will lead to selection of a Phase Developer for Phase 1 of the P3 Program.

The Phase Developer’s initial tasks will involve performing preliminary development and design activities, such as supporting MDOT in community outreach and engagement; further minimizing impacts to property, communities and environmental resources; developing detailed cost estimates and traffic and revenue studies; creating financing arrangements; and incorporating the regional transit service that will be included in memoranda of understanding with affected counties.

The I-495 & I-270 Managed Lanes Study continues to analyze potential environmental impacts associated with the Alternatives Retained for Detailed Study (ARDS) along the entire 48 miles of the study corridor. The results of the analysis will be available in the Draft Environmental Impact Statement (DEIS), which includes detailed traffic, engineering, financial and environmental analyses for the six retained alternatives. The DEIS is anticipated to be published for public review and comment in spring/summer 2020.

Following the publication of the DEIS, a series of public hearings will be held to give the public additional opportunity to provide comments on the alternatives and the associated environmental impacts of the I-495 & I-270 Managed Lanes Study. Below is a timeline chart prepared by MDOT:



MDOT is seeking to sign an agreement with the City to establish the parameters of responsibilities and coordination between the two agencies throughout this process. City staff met with MDOT staff and their consultant on February 14, 2020, to begin coordination on a potential agreement. State staff provided preliminary findings related to the potential impacts of different alternatives on traffic, parks, bridges, utilities, and storm water facilities. More information will be needed to develop the parameters to be used for negotiating an agreement between the City and MDOT.

Staff Update

During the June 8th session, the Mayor and Council directed staff to prepare a draft letter (Attachment A) for their review prior to being sent to MDOT. The letter includes new concerns related to the COVID-19 implication on the project and about extending the public comment period for the DEIS document, in addition to previous concerns expressed by the City in the past.

Mayor and Council History

The Mayor and Council has sent several letters to MDOT expressing concerns of any widening and impacts on adjacent properties and reviewed a presentation from staff on June 8, 2020.

Public Notification and Engagement

MDOT plans to publish the Draft Environmental Impact Statement (DEIS), which includes detailed traffic, engineering, financial and environmental analyses for the six retained alternatives in spring/summer 2020. A series of public hearings will be held in fall 2020 to give the public additional opportunity to provide comments on the alternatives and the associated environmental impacts of the project.

Next Steps

There has been no impact to the project schedule due to COVID-19 pandemic. Below is the current program’s schedule:

Request for Qualifications to industry	February 2020
Shortlist of qualified teams announced	July 2020
Draft Request for Proposals	July 2020
DEIS Public Hearings	Fall 2020
Final Request for Proposals	December 2020
Selection of preferred offeror	March 2021
Seek BPW approval of Phase 1 of the P3 Agreement	May 2021

Attachments

Attachment 8.F.a: 1495- 1270 P3 letter Approved Draft (DOCX)


Rob DiSpirito, City Manager 6/17/2020

June 16, 2020

Maryland Department of Transportation
 Lisa B. Choplin, DBIA
 707 North Calvert Street, Mail Stop P-601
 Baltimore, Maryland 21202

Dear Ms. Choplin,

This letter is in response to the recent public announcement by the Maryland Department of Transportation (MDOT) that four private-sector teams had submitted statements of qualifications for the I-495/I-270 project alternatives. Rockville's Mayor and Council continue to be very concerned about this project, especially in the light of the COVID-19 pandemic and the many uncertainties we are facing.

The City of Rockville requests that MDOT put a pause on the project and process. It is not responsible to continue spending taxpayers' money on preliminary design, environmental studies, and hiring a developer while the country is facing significant economic changes due to the COVID-19 pandemic. It is also predicted that teleworking will be more acceptable and widely implemented in the future, which will likely lower traffic volumes on I-495 and I-270. Therefore, it only makes sense to hold off on next steps for this project until a new purpose and need is defined.

With respect to the current process, the City of Rockville requests the following:

- MDOT should provide a 90-day comment period for the public to have adequate time to review the Draft Environmental Impact Statement (DEIS), expected for release in July 2020. This 90-day period will be essential to allow the review of a large document, especially since open public meetings and workshops might not be feasible during this summer season.
- The City of Rockville would like to be involved in the request for proposals prepared by MDOT this summer to ensure that all concerns voiced by Rockville are included in the document, and that the developer will include their approach to addressing these concerns through their proposal.
- The recommended alternatives retained for detailed study do not include public mass transit. It is critical that MDOT reinstate transit as a key project element. Suggestions to improve Park & Ride lots and enhance current transit lines will not be acceptable, since the benefit of these transit improvements is expected to be negligible.

If MDOT continues to proceed with this project, the City of Rockville reiterates its major concerns as follows:

- The Mayor and Council urge MDOT and the Governor to protect the homes, businesses and infrastructure of the nine Rockville neighborhoods that abut I-270 from being affected. Many residents are anxious about the uncertainty surrounding their homes,

neighborhood and community, and the City remains strongly opposed to any alternative that will take residences, businesses, infrastructure, or any potential loss of City property in order to add lanes or widen I-270 in either direction through Rockville. It is essential that the State understands that leaving a home untouched, while potentially taking a portion of a yard, playground, park, or other amenity would damage our community.

- The City requests that MDOT include in their study the wider traffic impact of this project on city streets, such as Wootton Parkway and W. Gude Drive, up to the next state road in each direction; MD 355 to the east and MD 28 and MD 189 to the west. The impact should consider the new traffic patterns with projected rate of traffic volume, which are expected to be reduced with more implementation of teleworking in the future.
- The City requests that MDOT include a noise analysis in the study and commit to construct all sound walls necessary along the full section of I-270 within City limits, including the West End Park Noise Barrier in Rockville.

MDOT should consider rigorously-documented studies which conclude that adding lane capacity generates increased traffic and higher emissions, which directly conflict with congestion relief and environmental goals. Additionally, we believe it is crucial for MDOT to reinstate better solutions for traffic congestion relief, including transit options.

The City of Rockville requests that MDOT work with the City, and all impacted jurisdictions, to identify the best solution that would achieve our mutual goals of reducing traffic congestion and protecting our residents' quality of life. The Mayor and Council will continue to stay actively engaged in the public input process to ensure that our residents and businesses are protected from negative impacts. We respectfully ask that you give every possible consideration to our comments and concerns.

Sincerely,

Mayor and Council
City of Rockville

cc: Rockville City Manager
District 17 Delegation

This letter could be also sent to Governor Hogan, Comptroller Franchot, and Treasurer Kopp:

The Honorable Larry Hogan, Governor
The Honorable Peter Franchot, Comptroller
The Honorable Nancy Kopp, Treasurer

Maryland Board of Public Works
80 Calvert Street, Room 117
Annapolis, Maryland 21401



Mayor & Council Meeting Date: June 22, 2020
Agenda Item Type: Discussion
Department: Police
Responsible Staff: Victor Brito

Subject

RCPD Fair & Impartial Policing Strategies

Recommendation

Staff recommends that the Mayor and Council discuss Rockville City Police Department Fair and Impartial Policing Strategies.

Discussion

The Rockville City Police Department (RCPD) shares everyone's concerns regarding the tragic killing of Mr. George Floyd, and we welcome the opportunity to engage with our community members and answer their questions about how we, as an agency, can take steps to ensure our focus remains on effective, fair, impartial, and unbiased community policing. It is important to briefly focus on what steps are currently in place to ensure our department is meeting the expectations of both the law, as well as our Mayor and Council, and our Rockville community. Moreover, it is imperative that we discuss next steps, how we keep the Rockville City Police Department moving forward in a positive direction given the ever-changing developments in law enforcement.

The three most important responsibilities as Chief of Police are to ensure we: 1. Hire the right people for police officer positions, 2. Make sure every officer is properly trained, and 3. Hold officers accountable.

Hiring Process & Pre-Employment Testing

All Rockville City Police officer applicants must have at least a minimum of 60 college credits, or a 2-year Associates Degree, as part our agency's hiring requirement. In addition, the Maryland Police Correctional Training Commission (MPCTC) has strict stipulations in regards to an applicant's prior drug use and criminal history, which requires a thorough review of the applicant's initial application to ensure of no disqualifying factors which will prevent an applicant from being hired as a police officer in the State of Maryland. Applicants who pass the initial application screening process must participate in an entry-level written police examination, administered by the City's Human Resources Department, with a passing score of 70% or higher, as well as a physical fitness agility test. Upon successful completion of both tests, applicants are invited to participate in an oral interview hosted by a three-member panel of Commanders, where a series of 5 scenario-based police questions are given. Applicants are rated by the interview panel and only those who receive a minimum score of 70% or higher

continue in the process. The applicant's file is assigned to a background investigator from the RCPD Criminal Investigation Unit. The background investigator completes reference checks, in-person interviews, credit reviews, national, state and local vehicle and criminal history checks, etc. This process typically takes approximately 8-10 weeks. If an applicant is recommended by the investigator, the applicant is invited to attend an in-person hour-long interview with the Chief of Police. Should the Chief decide to extend a contingent offer of employment, the applicant is sent for a full medical examination, drug screen, polygraph exam and psychological exam. Should the applicant successfully complete all four stages of the pre-employment testing, a final letter of hire is given. The start-to-finish hiring process timeline ranges from three to six months prior to an applicant being onboarded.

RCPD Training

RCPD conducts our training and standards based on the requirements set forth by MPCTC. Our agency's trainings are based on the best practices developed by national law enforcement organizations, including the International Association of Chiefs of Police (IACP), the Police Executive Research Forum (PERF), Major Cities Chiefs Association, and the Commission on Accreditation for Law Enforcement Agencies (CALEA). We also employ lessons learned and facilitate team-level discussion based upon community input.

When an officer begins his/her career with our agency, they are sent to an entry-level police training program at the Montgomery County Police Department Training Academy. Throughout the 29-weeks of training, recruits participate and are evaluated in de-escalation training tactics that consist of several elements, including: problem solving, conflict resolution, crisis intervention, slowing down unsafe situations and creating distance, effective communication, and use of force. The training also includes a review of the legal principles relevant to the use of force. Recruits engage in discussions and instruction regarding whether force should even be used (even if a legal option). Recruits are then evaluated through written testing and reality-based scenario training. This training is bolstered by several courses: Dealing with People/Conflict Management, Mental Health First Aid, and Understanding Alzheimer's Disease, Dementia and Autism.

Reality-based scenarios are presented to the recruits requiring them to apply their knowledge learned throughout the academy on topics such as "Implicit Bias," and "Fair and Impartial Policing." Additionally, police recruits receive training on ethics in law enforcement and anti-discrimination. Part of these modules include field trips to the United States Holocaust Memorial Museum and National Museum of African American History and Culture, where recruits receive lectures and engage in discussions around history, its relevance to today's events, and its impact on various communities and the law enforcement field. Many of RCPD's performance objectives involve treating all members of the community with dignity and respect.

Upon graduation from the Academy, new officers enter the 14-week RCPD Field Training Program, where they are assigned to work with a Field Training Officer who evaluates them daily in numerous categories. If a new officer successfully navigates the Field Training Program, that individual becomes a solo police officer, serving in a probationary status for one year, where they continue to be evaluated.

In addition, the Maryland Police and Corrections Training Commission requires certified officers to complete a minimum of 18 hours of annual in-service (classroom and practical reality-based) training. In-service training topics include; but are not limited to: use of force, tactical judgment training, ethics in law enforcement and de-escalation training.

On average, RCPD officers participate in well over the minimum 18 hours of in-service training mandated by MPCTC. Additionally, RCPD now provides all officers with two nationally-acclaimed training programs. Fair and Impartial Policing (FIP) provides a science-based perspective training on implicit bias. This training is conducted through a training of trainers, command-community training, and community-based training. Just this past year, FIP training allowed for Rockville's police, Mayor and Council, and community representatives to meet and learn together. It provided an opportunity for discussion and scenario-based workshops in an open forum environment.

This was supplemented by PERF's Integrating Communications, Assessment and Tactics (ICAT) training program. These courses consist of classroom-based learning and practical application scenarios that combine the building blocks of critical thinking, crisis intervention, and communications into an integrated approach to help officers exercise critical decision-making. All of these training efforts are designed to provide officers with tools to de-escalate situations and make safe and effective decisions.

RCPD Police Policies

The Rockville City Police Department is firmly committed to ensuring that our policies are designed to achieve a high level of police accountability, and to ensure that we follow best practices nationally. You will find that RCPD is a leader in progressive policing efforts. Our policies, standards and training programs are regularly updated and legally reviewed to help assure that the public's civil rights are protected. For your reference, all the agency's policies and procedures can be found online at <https://www.rockvillemd.gov/1962/General-Orders>.

Policy is certainly a very important part of guiding officers in best practices, clarity in expectations, and for use, when necessary, in holding officers accountable. The RCPD use of force policy, known as "*General Order 4-1, Response to Resistance and Aggression*," is written so that officers use the least amount of force necessary. All use-of-force incidents are reviewed by the executive staff (including body-worn camera footage) to ensure the incident is in line with expectations, policy and law. Any use of force that is found to be outside of policy is sent to the Office of Professional Responsibility for further investigation, and if warranted, disciplinary action.

RCPD currently publicizes the data on our use-of-force events in the department's annual report, which is made public to the greater community, as well as provides an annual breakdown of use-of-force to the State of Maryland's Training Commission.

RCPD has had a body-worn camera (BWC) program in place for the past three years. All sworn members are issued a BWC and use it while on-duty and conducting law enforcement related activities. BWC are randomly reviewed to ensure there are no policy violations or training issues which need to be addressed, or to commend officers for exceptional interactions, which reinforces good practices.

Campaign Zero - #8CANTWAIT

To follow up and address the 8 issues raised by “Campaign Zero” in their #8CANTWAIT movement, the Rockville City Police Department currently utilizes the following policies and procedures in response to the 8 points raised in the campaign, as outlined below:

1. **Ban Chokeholds and Strangleholds:** *RCPD General Order 4-22*, expressly prohibits the use of any technique that can cause “positional asphyxia.” RCPD officers conduct entry-level and annual in-service training with the Montgomery County Police Department. The “Lateral Vascular Neck Restraint” has not been taught as a defensive tactic since 2002. In addition, *RCPD General Order 4-1*, requires officers to immediately summon medical assistance if a subject exhibits distress or complains of trouble breathing, becomes unresponsive, exhibits a reduced level of consciousness, or for any other reason that the officer believes the subject requires evaluation or medical treatment. After review and to add clarity, a revision to *General Order 4-1* clearly prohibits the use of a chokehold/ neck restraint unless it is a deadly force incident and used to defend the imminent death or serious injury of a person. The department prohibits use of “hog ties” or other devices that might cause positional asphyxia.
2. **Require De-escalation:** *RCPD General Order 4-1*, requires officers to only use what force is objectively reasonable to conduct their lawful duties. Additionally, this General Order requires officers to attempt to de-escalate when feasible, with the overall goal of being able to resolve encounters without any use of force. RCPD, through entry-level training at the Police Academy, annual in-service training, and focused additional training, has conducted various levels of de-escalation training for many years. Beginning in 2017, in-service training consisted of a focused refresher on de-escalation and has continued annually. In 2019, the RCPD contracted with the Police Executive Research Forum (PERF) and trained all sworn personnel in the Integrating Communications, Assessment, and Tactics (ICAT) training program. Further information about this training can be found at <https://www.policeforum.org/icat-training-guide>.
3. **Require Warning Before Shooting:** *RCPD General Order 4-1*, permits the use of deadly force only to protect self or others from the imminent threat of death or serious physical injury. Officers shall, whenever possible, identify themselves as a police officer and issue a verbal warning prior to using deadly force, unless such identification and warning would jeopardize their safety or the safety of another person. Officers are to use physical presence and verbal communication skills to resolve conflicts unless the situation requires the need for a higher level of force. Additionally, warning shots are strictly prohibited.

4. **Require Exhaust All Alternatives Before Shooting:** *RCPD General Order 4-1*, requires that officers only use force that is objectively reasonable. In situations where police officers are justified in using force, the utmost restraint should be exercised. Use of force should never be considered routine. In exercising this authority, officers must respect the sanctity of all human life, act in all possible respects to preserve human life, do everything possible to avoid unnecessary uses of force, and minimize the force that is used, while still protecting themselves and the public. This policy only permits the use of deadly force when there is an imminent threat of death or serious physical injury to self or others.
5. **Duty to Intervene:** *RCPD General Order 8-3*, requires officers to notify a supervisor if there is knowledge of an employee who violates any laws, rules, policies, or who disobeys orders. Each sworn officer is under an obligation of duty to preserve the public peace, protect life and property, and uphold the laws of the State of Maryland. Recognizing that this requirement needed to be more direct, *RCPD General Order 4-1*, has been updated to include the requirement that any officer who observes another officer using inappropriate, unnecessary, or unreasonable force shall intervene to stop the use of force.
6. **Ban Shooting at Moving Vehicles:** *RCPD General Order 4-1*, prohibits officers from intentionally placing themselves in the path of a moving vehicle where the use of deadly force would be a probable outcome. Shots from or at a moving vehicle are prohibited unless the circumstances would authorize the use of deadly force. For purposes of this order, a moving vehicle is not considered deadly force except when it is reasonable to believe that the moving vehicle is being used to conduct a vehicle ramming attack or to fatally or seriously injure a person.
7. **Require Use of Force Continuum:** *RCPD General Order 4-1*, requires officers to use only force which is objectively reasonable and as a last resort. Force situations are dynamic and require an officer to continually assess the subject's actions to ensure an objectively reasonable response. Officers may initiate and transition to levels or types of force, including attempts to de-escalate, in relation to the amount of resistance offered by the subject. RCPD does not use the "continuum" model as a matter of best practice. In 2016, the Police Executive Research Forum (PERF) published a paper titled "Guiding Principles of Use of Force". The paper outlines best practices and while the continuum model is outdated, it can be found here:
<https://www.policeforum.org/assets/30%20guiding%20principles.pdf>
8. **Require Comprehensive Reporting:** *RCPD General Order 4-1*, outlines the required extensive reporting requirements for all responses to resistance and aggression. RCPD officers are required to report all uses of force to include when a subject is injured or complaining of injury. In addition, supervisor notification and reporting are required

when a firearm is drawn and pointed at or in the direction of a person. While this general order outlines all the requirements for reporting, after review of the general order, additional reporting requirements were added in a recent revision. While a review of each use of force was already in place and practiced, the revision included additional command staff review requirements of completed reports regarding response to resistance and aggression.

Surplus Military Equipment

RCPD does not seek or accept surplus military equipment. There is no interest in “militarizing” our police operations. Additionally, RCPD has no SWAT team and does not have armored vehicles, tear gas, “flash bang” grenades, or other military-grade implements. Our preferred tools are compatible with our mission of community policing.

Accountability

Holding officers accountable is the most important aspect for any police agency. The Rockville City Police Department does not and will not tolerate excessive force. It goes against this department’s mission of "protecting the rights of all people." While the percentage of complaints involving excessive force within our agency is very small, any allegation is one too many. RCPD currently utilizes the Personnel Early Warning System (PEWS) which annually tracks any instances of inappropriate conduct/behavior which require departmental intervention, and the actions taken to address the problem. RCPD is required each year to send Serious Officer Incident and Disciplinary Reporting to the State of Maryland Police Corrections Training Commission.

Law Enforcement Officers Bill of Rights (LEOBR)

Maryland and the nation are grappling with how to restore the trust that law enforcement officers will treat all people they serve fairly and equally, but officers will also be held accountable for their actions. One critical component of reform locally must be the amendment of the Law Enforcement Bill of Rights (LEOBR).

Enacted in 1974, the Maryland Public Safety Code, Title 3, Law Enforcement, Subtitle 1 – Law Enforcement Officers Bill of Rights, Sections 3-101 – 3-113, which specifically focuses on the disciplinary process for police officers, is of great concern to Police executives.

As currently structured, the LEOBR grants police officers specific rights when they are investigated for misconduct, imposes significant impediments to conducting an adequate investigation, and takes responsibility for timely discipline away from police chiefs. Significantly, the LEOBR is a substantial barrier to transparency that precludes meaningful civilian oversight of the disciplinary process. Because of these flaws, a great many people have no faith that the officers who police our communities will be held accountable when they act improperly.

A brief overview of the most imperative sections of the LEOBR includes:

§ 3-106. Limitation on administrative charges: in general: a law enforcement agency may not bring administrative charges against a law enforcement officer unless the agency files the charges within 1 year after the act that gives rise to the charges comes to the attention of the appropriate law enforcement agency official. The 1-year limitation of this section does not apply to charges that relate to criminal activity or excessive force.

§ 3-107. Hearing by hearing board: a law enforcement officer has the right to hearing if the investigation or interrogation of a law enforcement officer results in a recommendation of demotion, dismissal, transfer, loss of pay, reassignment, or similar action that is considered punitive, the law enforcement officer is entitled to a hearing on the issues by a hearing board before the law enforcement agency takes that action. A law enforcement officer who has been convicted of a felony is not entitled to a hearing under this section.

§ 3-108. Disposition of administrative action: After a disciplinary hearing and a finding of guilt, the hearing board may recommend the penalty it considers appropriate under the circumstances, including demotion, dismissal, transfer, loss of pay, reassignment, or other similar action that is considered punitive. The decision of the hearing board then may be appealed in accordance with § 3-109 to the local jurisdictions circuit court and Court of Special Appeals. The recommendation of a penalty by the hearing board is not binding on the chief. The chief shall consider the law enforcement officer's past job performance as a factor before imposing a penalty.

The chief may increase the recommended penalty of the hearing board only if the chief personally:

- (i) reviews the entire record of the proceedings of the hearing board;*
- (ii) meets with the law enforcement officer and allows the law enforcement officer to be heard on the record;*
- (iii) discloses and provides in writing to the law enforcement officer, at least 10 days before the meeting, any oral or written communication not included in the record of the hearing board on which the decision to consider increasing the penalty is wholly or partly based; and*
- (iv) states on the record the substantial evidence relied on to support the increase of the recommended penalty.*

§ 3-112. Emergency suspension: The chief may impose emergency suspension with pay if it appears that the action is in the best interest of the public and the law enforcement agency. If a law enforcement officer is charged with a felony, the chief may impose an emergency suspension of police powers without pay.

Under the current Maryland LEOBR as outlined above, a police chief may recommend termination or other form of discipline of an officer; however, if the officer fails to accept the recommendation from the chief, the officer has the right to request an Administrative Hearing Board comprised of other sworn officers. Regardless of the findings of an internal investigation, a police chief cannot summarily dismiss an officer for egregious misconduct as outlined in § 3-108. *Disposition of administrative action.* This process is not just a barrier to discipline but also

for misconduct. In summary, under LEOBR, a police chief does not have the ability to swiftly terminate the employment of an officer, even for conduct on the job that is identified as being clearly egregious. The most that can be done is a suspension with pay while all of the processes outlined in LEOBR commence.

Mayor and Council History

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

Next Steps

In addition to maintaining our ongoing community services programs, such as the Community, Senior and Teen Police Academies, “Coffee with a Cop,” National Night Out, Ride Along Program, etc. RCPD will be participating in agenda item presentations and discussions hosted by the Mayor and Council both tonight and at upcoming meetings to continue this dialogue. RCPD officers are assigned as a liaison to each community/homeowner’s association within the city, and we will continue to require they attend the scheduled meetings and events with residents.

The City Manager and I agree with the suggestions we have heard recently calling on the City to host a “Town Hall” virtual meeting, in the near future, for the purpose of having an open community discussion focused on social justice, racism and bias. We recommend that the Mayor and Council discuss this idea and provide staff with further direction.

The department is also in favor of creating a civilian Public Safety Community Advisory Council, while increasing the frequency of the Fair and Impartial Bias training in our communities.

The Rockville City Police Department continues to recruit the best possible applicants to hold the position of police officer, ensuring those individuals are a reflection of the wonderfully diverse community for whom we protect and serve.

Attachments

Attachment 9.a: 3194 Comments (DOC)



Rob DiSpirito, City Manager

6/17/2020

Discussion

The Rockville City Police Department (RCPD) shares everyone's concerns regarding the tragic killing of Mr. George Floyd, and we welcome the opportunity to engage with our community members and answer their questions about how we, as an agency, can take steps to ensure our focus remains on effective, fair, impartial, and unbiased community policing. It is important to briefly focus on what steps are currently in place to ensure our department is meeting the expectations of both the law, as well as our Mayor and Council, and our Rockville community. Moreover, it is imperative that we discuss next steps, how we keep the Rockville City Police Department moving forward in a positive direction given the ever-changing developments in law enforcement.

The three most important responsibilities as Chief of Police are to ensure we: 1. Hire the right people for police officer positions, 2. Make sure every officer is properly trained, and 3. Hold officers accountable.

Hiring Process & Pre-Employment Testing

All Rockville City Police officer applicants must have at least a minimum of 60 college credits, or a 2-year Associates Degree, as part our agency's hiring requirement. In addition, the Maryland Police Correctional Training Commission (MPCTC) has strict stipulations in regards to an applicant's prior drug use and criminal history, which requires a thorough review of the applicant's initial application to ensure of no disqualifying factors which will prevent an applicant from being hired as a police officer in the State of Maryland. Applicants who pass the initial application screening process must participate in an entry-level written police examination, administered by the City's Human Resources Department, with a passing score of 70% or higher, as well as a physical fitness agility test. Upon successful completion of both tests, applicants are invited to participate in an oral interview hosted by a three-member panel of Commanders, where a series of 5 scenario-based police questions are given. Applicants are rated by the interview panel and only those who receive a minimum score of 70% or higher continue in the process. The applicant's file is assigned to a background investigator from the RCPD Criminal Investigation Unit. The background investigator completes reference checks, in-person interviews, credit reviews, national, state and local vehicle and criminal history checks, etc. This process typically takes approximately 8-10 weeks. If an applicant is recommended by the investigator, the applicant is invited to attend an in-person hour-long interview with the Chief of Police. Should the Chief decide to extend a contingent offer of employment, the applicant is sent for a full medical examination, drug screen, polygraph exam and psychological exam. Should the applicant successfully complete all four stages of the pre-employment testing, a final letter of hire is given. The start-to-finish hiring process timeline ranges from three to six months prior to an applicant being onboarded.

RCPD Training

RCPD Training

RCPD conducts our training and standards based on the requirements set forth by MPCTC. Our agency's trainings are based on the best practices developed by national law enforcement organizations, including the International Association of Chiefs of Police (IACP), the Police Executive Research Forum (PERF), Major Cities Chiefs Association, and the Commission on Accreditation for Law Enforcement Agencies (CALEA). We also employ lessons learned and facilitate team-level discussion based upon community input.

When an officer begins his/her career with our agency, they are sent to an entry-level police training program at the Montgomery County Police Department Training Academy. Throughout the 29-weeks of training, recruits participate and are evaluated in de-escalation training tactics that consist of several elements, including: problem solving, conflict resolution, crisis intervention, slowing down unsafe situations and creating distance, effective communication, and use of force. The training also includes a review of the legal principles relevant to the use of force. Recruits engage in discussions and instruction regarding whether force should even be used (even if a legal option). Recruits are then evaluated through written testing and reality-based scenario training. This training is bolstered by several courses: Dealing with People/Conflict Management, Mental Health First Aid, and Understanding Alzheimer's Disease, Dementia and Autism.

Reality-based scenarios are presented to the recruits requiring them to apply their knowledge learned throughout the academy on topics such as "Implicit Bias," and "Fair and Impartial Policing." Additionally, police recruits receive training on ethics in law enforcement and anti-discrimination. Part of these modules include field trips to the United States Holocaust Memorial Museum and National Museum of African American History and Culture, where recruits receive lectures and engage in discussions around history, its relevance to today's events, and its impact on various communities and the law enforcement field. Many of RCPD's performance objectives involve treating all members of the community with dignity and respect.

Upon graduation from the Academy, new officers enter the 14-week RCPD Field Training Program, where they are assigned to work with a Field Training Officer who evaluates them daily in numerous categories. If a new officer successfully navigates the Field Training Program, that individual becomes a solo police officer, serving in a probationary status for one year, where they continue to be evaluated.

In addition, the Maryland Police and Corrections Training Commission requires certified officers to complete a minimum of 18 hours of annual in-service (classroom and practical reality-based) training. In-service training topics include; but are not limited to: use of force, tactical judgment training, ethics in law enforcement and de-escalation training.

On average, RCPD officers participate in well over the minimum 18 hours of in-service training mandated by MPCTC. Additionally, RCPD now provides all officers with two nationally-acclaimed training programs. Fair and Impartial Policing (FIP) provides a science-based perspective training on implicit bias. This training is conducted through a training of trainers, command-community training, and community-based training. Just this past year, FIP training allowed for Rockville's police, Mayor and Council, and community representatives to meet and learn together. It provided an opportunity for discussion and scenario-based workshops in an open forum environment.

This was supplemented by PERF's Integrating Communications, Assessment and Tactics (ICAT) training program. These courses consist of classroom-based learning and practical application scenarios that combine the building blocks of critical thinking, crisis intervention, and communications into an integrated approach to help officers exercise critical decision-making. All of these training efforts are designed to provide officers with tools to de-escalate situations and make safe and effective decisions.

RCPD Police Policies

The Rockville City Police Department is firmly committed to ensuring that our policies are designed to achieve a high level of police accountability, and to ensure that we follow best practices nationally. You will find that RCPD is a leader in progressive policing efforts. Our policies, standards and training programs are regularly updated and legally reviewed to help assure that the public's civil rights are protected. For your reference, all the agency's policies and procedures can be found online at <https://www.rockvillemd.gov/1962/General-Orders>.

Policy is certainly a very important part of guiding officers in best practices, clarity in expectations, and for use, when necessary, in holding officers accountable. The RCPD use of force policy, known as "*General Order 4-1, Response to Resistance and Aggression*," is written so that officers use the least amount of force necessary. All use-of-force incidents are reviewed by the executive staff (including body-worn camera footage) to ensure the incident is in line with expectations, policy and law. Any use of force that is found to be outside of policy is sent to the Office of Professional Responsibility for further investigation, and if warranted, disciplinary action.

RCPD currently publicizes the data on our use-of-force events in the department's annual report, which is made public to the greater community, as well as provides an annual break down of use-of-force to the State of Maryland's Training Commission.

RCPD has had a body-worn camera (BWC) program in place for the past three years. All sworn members are issued a BWC and use it while on-duty and conducting law enforcement related activities. BWC are randomly reviewed to ensure there are no policy violations or training issues which need to be addressed, or to commend officers for exceptional interactions, which reinforces good practices.

Campaign Zero - #8CANTWAIT

To follow up and address the 8 issues raised by “Campaign Zero” in their #8CANTWAIT movement, the Rockville City Police Department currently utilizes the following policies and procedures in response to the 8 points raised in the campaign, as outlined below:

1. **Ban Chokeholds and Strangleholds:** *RCPD General Order 4-22*, expressly prohibits the use of any technique that can cause “positional asphyxia.” RCPD officers conduct entry-level and annual in-service training with the Montgomery County Police Department. The “Lateral Vascular Neck Restraint” has not been taught as a defensive tactic since 2002. In addition, *RCPD General Order 4-1*, requires officers to immediately summon medical assistance if a subject exhibits distress or complains of trouble breathing, becomes unresponsive, exhibits a reduced level of consciousness, or for any other reason that the officer believes the subject requires evaluation or medical treatment. After review and to add clarity, a revision to *General Order 4-1* clearly prohibits the use of a chokehold/ neck restraint unless it is a deadly force incident and used to defend the imminent death or serious injury of a person. The department prohibits use of “hog ties” or other devices that might cause positional asphyxia.
2. **Require De-escalation:** *RCPD General Order 4-1*, requires officers to only use what force is objectively reasonable to conduct their lawful duties. Additionally, this General Order requires officers to attempt to de-escalate when feasible, with the overall goal of being able to resolve encounters without any use of force. RCPD, through entry-level training at the Police Academy, annual in-service training, and focused additional training, has conducted various levels of de-escalation training for many years. Beginning in 2017, in-service training consisted of a focused refresher on de-escalation and has continued annually. In 2019, the RCPD contracted with the Police Executive Research Forum (PERF) and trained all sworn personnel in the Integrating Communications, Assessment, and Tactics (ICAT) training program. Further information about this training can be found at <https://www.policeforum.org/icat-training-guide>.
3. **Require Warning Before Shooting:** *RCPD General Order 4-1*, permits the use of deadly force only to protect self or others from the imminent threat of death or serious physical injury. Officers shall, whenever possible, identify themselves as a police officer and issue a verbal warning prior to using deadly force, unless such identification and warning would jeopardize their safety or the safety of another person. Officers are to use physical presence and verbal communication skills to resolve conflicts unless the situation requires the need for a higher level of force. Additionally, warning shots are strictly prohibited.
4. **Require Exhaust All Alternatives Before Shooting:** *RCPD General Order 4-1*, requires that officers only use force that is objectively reasonable. In situations where police

officers are justified in using force, the utmost restraint should be exercised. Use of force should never be considered routine. In exercising this authority, officers must respect the sanctity of all human life, act in all possible respects to preserve human life, do everything possible to avoid unnecessary uses of force, and minimize the force that is used, while still protecting themselves and the public. This policy only permits the use of deadly force when there is an imminent threat of death or serious physical injury to self or others.

5. **Duty to Intervene:** *RCPD General Order 8-3*, requires officers to notify a supervisor if there is knowledge of an employee who violates any laws, rules, policies, or who disobeys orders. Each sworn officer is under an obligation of duty to preserve the public peace, protect life and property, and uphold the laws of the State of Maryland. Recognizing that this requirement needed to be more direct, *RCPD General Order 4-1*, has been updated to include the requirement that any officer who observes another officer using inappropriate, unnecessary, or unreasonable force shall intervene to stop the use of force.
6. **Ban Shooting at Moving Vehicles:** *RCPD General Order 4-1*, prohibits officers from intentionally placing themselves in the path of a moving vehicle where the use of deadly force would be a probable outcome. Shots from or at a moving vehicle are prohibited unless the circumstances would authorize the use of deadly force. For purposes of this order, a moving vehicle is not considered deadly force except when it is reasonable to believe that the moving vehicle is being used to conduct a vehicle ramming attack or to fatally or seriously injure a person.
7. **Require Use of Force Continuum:** *RCPD General Order 4-1*, requires officers to use only force which is objectively reasonable and as a last resort. Force situations are dynamic and require an officer to continually assess the subject's actions to ensure an objectively reasonable response. Officers may initiate and transition to levels or types of force, including attempts to de-escalate, in relation to the amount of resistance offered by the subject. RCPD does not use the "continuum" model as a matter of best practice. In 2016, the Police Executive Research Forum (PERF) published a paper titled "Guiding Principles of Use of Force". The paper outlines best practices and while the continuum model is outdated, it can be found here:
<https://www.policeforum.org/assets/30%20guiding%20principles.pdf>
8. **Require Comprehensive Reporting:** *RCPD General Order 4-1*, outlines the required extensive reporting requirements for all responses to resistance and aggression. RCPD officers are required to report all uses of force to include when a subject is injured or complaining of injury. In addition, supervisor notification and reporting are required when a firearm is drawn and pointed at or in the direction of a person. While this general order outlines all the requirements for reporting, after review of the general

order, additional reporting requirements were added in a recent revision. While a review of each use of force was already in place and practiced, the revision included additional command staff review requirements of completed reports regarding response to resistance and aggression.

Surplus Military Equipment

RCPD does not seek or accept surplus military equipment. There is no interest in “militarizing” our police operations. Additionally, RCPD has no SWAT team and does not have armored vehicles, tear gas, “flash bang” grenades, or other military-grade implements. Our preferred tools are compatible with our mission of community policing.

Accountability

Holding officers accountable is the most important aspect for any police agency. The Rockville City Police Department does not and will not tolerate excessive force. It goes against this department’s mission of "protecting the rights of all people." While the percentage of complaints involving excessive force within our agency is very small, any allegation is one too many. RCPD currently utilizes the Personnel Early Warning System (PEWS) which annually tracks any instances of inappropriate conduct/behavior which require departmental intervention, and the actions taken to address the problem. RCPD is required each year to send Serious Officer Incident and Disciplinary Reporting to the State of Maryland Police Corrections Training Commission.

Law Enforcement Officers Bill of Rights (LEOBR)

Maryland and the nation are grappling with how to restore the trust that law enforcement officers will treat all people they serve fairly and equally, but officers will also be held accountable for their actions. One critical component of reform locally must be the amendment of the Law Enforcement Bill of Rights (LEOBR).

Enacted in 1974, the Maryland Public Safety Code, Title 3, Law Enforcement, Subtitle 1 – Law Enforcement Officers Bill of Rights, Sections 3-101 – 3-113, which specifically focuses on the disciplinary process for police officers, is of great concern to Police executives.

As currently structured, the LEOBR grants police officers specific rights when they are investigated for misconduct, imposes significant impediments to conducting an adequate investigation, and takes responsibility for timely discipline away from police chiefs. Significantly, the LEOBR is a substantial barrier to transparency that precludes meaningful civilian oversight of the disciplinary process. Because of these flaws, a great many people have no faith that the officers who police our communities will be held accountable when they act improperly.

A brief overview of the most imperative sections of the LEOBR includes:

§ 3-106. Limitation on administrative charges: in general: a law enforcement agency may not bring administrative charges against a law enforcement officer unless the agency files the charges within 1 year after the act that gives rise to the charges comes to the attention of the appropriate law enforcement agency official. The 1-year limitation of this section does not apply to charges that relate to criminal activity or excessive force.

§ 3-107. Hearing by hearing board: a law enforcement officer has the right to hearing if the investigation or interrogation of a law enforcement officer results in a recommendation of demotion, dismissal, transfer, loss of pay, reassignment, or similar action that is considered punitive, the law enforcement officer is entitled to a hearing on the issues by a hearing board before the law enforcement agency takes that action. A law enforcement officer who has been convicted of a felony is not entitled to a hearing under this section.

§ 3-108. Disposition of administrative action: After a disciplinary hearing and a finding of guilt, the hearing board may recommend the penalty it considers appropriate under the circumstances, including demotion, dismissal, transfer, loss of pay, reassignment, or other similar action that is considered punitive. The decision of the hearing board then may be appealed in accordance with § 3-109 to the local jurisdictions circuit court and Court of Special Appeals. The recommendation of a penalty by the hearing board is not binding on the chief. The chief shall consider the law enforcement officer's past job performance as a factor before imposing a penalty.

The chief may increase the recommended penalty of the hearing board only if the chief personally:

- (i) reviews the entire record of the proceedings of the hearing board;*
- (ii) meets with the law enforcement officer and allows the law enforcement officer to be heard on the record;*
- (iii) discloses and provides in writing to the law enforcement officer, at least 10 days before the meeting, any oral or written communication not included in the record of the hearing board on which the decision to consider increasing the penalty is wholly or partly based; and*
- (iv) states on the record the substantial evidence relied on to support the increase of the recommended penalty.*

§ 3-112. Emergency suspension: The chief may impose emergency suspension with pay if it appears that the action is in the best interest of the public and the law enforcement agency. If a law enforcement officer is charged with a felony, the chief may impose an emergency suspension of police powers without pay.

Under the current Maryland LEOBR as outlined above, a police chief may recommend termination or other form of discipline of an officer; however, if the officer fails to accept the recommendation from the chief, the officer has the right to request an Administrative Hearing Board comprised of other sworn officers. Regardless of the findings of an internal investigation,

a police chief cannot summarily dismiss an officer for egregious misconduct as outlined in § 3-108. *Disposition of administrative action.* This process is not just a barrier to discipline but also for misconduct. In summary, under LEOBR, a police chief does not have the ability to swiftly terminate the employment of an officer, even for conduct on the job that is identified as being clearly egregious. The most that can be done is a suspension with pay while all of the processes outlined in LEOBR commence.

Mayor and Council History

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

Next Steps

In addition to maintaining our ongoing community services programs, such as the Community, Senior and Teen Police Academies, “Coffee with a Cop,” National Night Out, Ride Along Program, etc. RCPD will be participating in agenda item presentations and discussions hosted by the Mayor and Council both tonight and at upcoming meetings to continue this dialogue. RCPD officers are assigned as a liaison to each community/homeowner’s association within the city, and we will continue to require they attend the scheduled meetings and events with residents.

The City Manager and I agree with the suggestions we have heard recently calling on the City to host a “Town Hall” virtual meeting, in the near future, for the purpose of having an open community discussion focused on social justice, racism and bias. We recommend that the Mayor and Council discuss this idea and provide staff with further direction.

The department is also in favor of creating a civilian Public Safety Community Advisory Council, while increasing the frequency of the Fair and Impartial Bias training in our communities.

The Rockville City Police Department continues to recruit the best possible applicants to hold the position of police officer, ensuring those individuals are a reflection of the wonderfully diverse community for whom we protect and serve.



Mayor & Council Meeting Date: June 22, 2020
 Agenda Item Type: Adoption
 Department: PW - Traffic & Transportation
 Responsible Staff: Alyssa Roff

Subject

Adoption of Resolution to Adopt Vision Zero Action Plan to Move the City of Rockville Toward Zero Traffic Deaths by 2030

Recommendation

Staff recommends that the Mayor and Council approve the Resolution to Adopt Vision Zero Action Plan to Move the City of Rockville Toward Zero Traffic Deaths by 2030 (Attachment A)

Change in Law or Policy

This Action Plan would allow staff to take steps towards achieving the City's Vision Zero goals in the Vision Zero Resolution adopted on October 15, 2018.

Discussion

Staff Update since May 4, 2020

Before providing the background for this agenda item, staff would like to start with an update on the changes made to the Vision Zero Action Plan (Attachment B) document following the guidance of Mayor and Council during staff presentation on May 4, 2020. Changes were made to the Plan to include metrics for all Engineering, Education and Policy action items, as well as a "why we do this" section for each action item. Revisions were made to items 13, 23, and 30 based on comments received from City Attorney Office (which are included in the attached version but were not included in the copy provided by staff to the Mayor and Council last Friday, June 12th). Finally, the document includes reaching Rockville's entire population, such as the inclusion of the Senior Citizens Commission, to the Task Force. More details in the next few subsections:

a) Metrics: Staff revised the format of each action item to provide more clarity on the goals and benefits, as well as provided the duration. Each action item now has a "Why we do this..." section describing its purpose and why it is important to include in this action plan for achieving the City's Vision Zero goals. Additionally, the "metrics" section was replaced with an "Objective" section for each action item, which gives a better idea of the tasks and the

anticipated time needed to complete each action item. The metrics were then added to the actions under the objective section.

The City's main goal in adopting a Vision Zero Action Plan is to improve safety and reduce the number of crashes resulting in a severe injury or fatality. The October 15, 2018 Mayor and Council resolution aims to "reach the goal towards zero deaths and serious injuries by 2030," most of the action items are singular actions and do not have measurable goals, apart from the overall goal of eliminating deaths and serious crashes. Therefore, staff made an effort to include a metric for all action items. The metric is a way to measure progress and improvement for each action item. For example, if crashes were taking place due to the fact that a bus stop is not located near a crosswalk, the metric for "Review Transit Stops" would be to increase the percentage of transit stops with safe crossings and reduce the number of severe and fatal collisions related to going or leaving a transit stop. The number of serious injuries and fatalities due to bus stop locations should be reduced until it reaches zero.

Many other actions rely on the findings from Action #1 "*Crash Analysis*." This is a foundational step in the Action Plan's process, as it identifies areas and actions upon which the City needs to focus in order to reduce these types of crashes and eventually reach our Vision Zero goal. The analysis is needed to specify which tasks will truly help the cause. Metrics information is included in the objective section of each action item whenever applicable. However, key metrics may change as data becomes available or as driver and pedestrian behavior evolves. In adjusting these sections, it will ensure the focus is kept on the overall goal of moving towards zero fatalities and serious injuries by 2030.

b) Reaching Entire Population: Staff added language to recognize the ways the City's Vision Zero goals are reaching its entire population. The Fairness and Equality section of the document includes language acknowledging the cultural diversity of Rockville's population, and the need for flexible outreach and education strategies in order to engage everyone in the best way possible. Furthermore, staff revised this section to also highlight groups inherently and disproportionately at risk for transportation-related crashes involving severe injury and fatalities. This is carried over to specific action items as well, particularly for Action Item # 16 "*Create a Comprehensive Outreach Strategy*" and Action Item #20 "*Training in the Community*." Staff also met with the Senior Citizens Commission to gather their feedback, and then revised the document to show more attention to the needs of seniors. Going forward, Martha McClelland will serve on the Vision Zero Task Force to represent and advocate for the needs of the 55+ community, and to help with outreach as action items are implemented.

c) Other Edits: Staff identified action items to prioritize going forward in the implementation phase of the plan. Due to the interrelated nature of action items, the completion of this group will lay the foundation for other actions. For example, the results from Action Item #1 "*Crash Analysis/ Predictive Analysis*" will provide information on specific review criteria for Action #4 "*Evaluate Crossings and Unsignalized Intersections*." These action items are identified in the list on page 11 of the Action Plan. The timeline on page 10 was also adjusted to reflect the

prioritization of these foundational action items over the rest. Action items also show deadline dates for when staff anticipates completing tasks. Additionally, staff clarified how the action plan will ensure transparency through the webpage, and adjusted update briefings to the Mayor and Council from annually to every six months.

Below is the background provided for the Mayor and Council discussion on May 4, 2020:

What is Vision Zero?

Vision Zero is a transportation safety policy that seeks to eliminate all traffic crashes involving serious injuries and fatalities through crash data analysis and systematic action on characteristics that cause crashes. Originating in Sweden during the 1990s, Vision Zero has quickly gained traction internationally as the leading strategy for reducing transportation-related fatalities and serious injuries. Multiple jurisdictions in the United States have adopted and implemented Vision Zero initiatives, including Montgomery County (County) through their Two-Year Vision Zero Action Plan.

Action Plan Overview

The Action Plan identifies a series of action items that, through completion, help the City recognize and remedy factors that could contribute to future crashes. This is a new and fundamentally different way for the City to approach traffic safety. Ultimately, this Action Plan is an exploratory effort that will require flexibility in implementing actions and policies to determine what works for the City, and to rule out what will not help Rockville achieve Vision Zero. In the development of this plan, staff reviewed previous and existing roadway safety efforts in the city and reviewed practices from other Vision Zero communities (particularly Montgomery County's). While this Action Plan is tailored to the specific needs of the City, many of the action items outlined in the plan were taken directly from the County's Vision Zero initiatives. It should be also noted that while the main objective of Vision Zero is to eliminate all traffic crashes involving serious injuries and fatalities for all modes of transportation, the majority of this Action Plan's items emphasizes City efforts on pedestrian and bicycle crashes, as can be seen from the topics listed below under the Action Items section.

Crash Analysis

The Crash Analysis and Predictive Analysis (Action Item 1) will play an instrumental role in implementing the plan. By examining the factors involved with transportation-related crashes, staff will understand underlying trends and respond accordingly. Staff can then better utilize policies and resources that will directly prevent fatalities and severe injuries. Crash data is collected from the County's database and reflects crashes city-wide. The County has taken the lead in collecting crash data from police reports issued by both the County and the City. It also should be noted, this data represents all crashes involving non-motorists (pedestrians, bikes, scooters, etc.), regardless of injury severity and is taken county-wide. Staff will distill this data to include only the City of Rockville. While Rockville does not have many crashes involving severe injuries or fatalities, staff recognizes that the same factors contributing to these crashes also are present in crashes with minor or no injuries. While Vision Zero is about eliminating

crashes involving severe injuries and fatalities, staff will examine all crashes to look for patterns and trends related to crashes involving severe injuries and fatalities.

Action Items

To reach the goal of zero severe and fatal collisions, the Action Plan identifies specific action items with department responsibilities and metrics for completion. All action items are built around four key action areas: Engineering, Enforcement, Education, and Policy. Ten out of 30 action items involve partnering with the County. Many of the action items are nearly identical to action items the County is currently implementing. Since the County and the City are set to accomplish the same goal, it did not make sense for staff to “reinvent the wheel” for some of these initiatives. The City will support the County in these initiatives, as a partner, while also advocating for safety projects specific to Rockville. Additionally, the City may use County initiatives, such as ones involving Montgomery County Public Schools, as a starting point before tailoring each action item to the specific needs of Rockville based upon the findings in the data analysis. Action items help identify areas that we can explore, but generally don’t go into detail by design. This document is more open ended in order to be flexible to the results of the data analysis, which will show staff where we need to take specific actions in the future. The Traffic and Transportation Commission, Rockville Bicycle Advisory Committee (RBAC) and Rockville Pedestrian Advocacy Committee (RPAC) also provided suggestions for specific actions and concerns to be explored in the future.

The 30 action items are listed below:

Engineering

1. Crash Analysis /Predictive Analysis.
2. Update City Road Design Standards.
3. Review Transit Stops.
4. Evaluate Crossings and Unsignalized Intersections.
5. State/County/City Project Collaboration.
6. Improve Traffic Signals.
7. Accelerate Sidewalk Construction.
8. Create Pedestrian Master Plan.
9. Expand Network of Safe Bicycle Facilities.

Enforcement

10. Increase Enforcement Activities.
11. Explore Expanding Automated Enforcement.
12. Expand Traffic Law Enforcement and Distracted Driving Detection Program.
13. Collaboration with Court System.
14. Enhance Police Driver Training.
15. Temporary Traffic Control Devices.

Education

16. Create Comprehensive Outreach Strategy.

17. Collaborate with County on Safe Routes to School Activities.
18. On-bike Education Programs for Kids.
19. Safety Awareness Training for City Employees.
20. Training in the Community.

Policy

21. Appoint Vision Zero Coordinator.
22. Establish Cross Departmental Vision Zero Task Force.
23. Change Policies, Regulations, and Laws.
24. Ensure Fairness and Equality Throughout Vision Zero Projects.
25. Create Vision Zero Webpage.
26. Publish Collision Data.
27. Improve Crash Data Collection.
28. Coordinate with Peer Learning Opportunities.
29. Review Existing Traffic Safety Programs and Policies.
30. Procure Safer Vehicles.

Implementation

Staff from Rockville's Police Department, Public Information Office, and the Department of Public Works met internally to discuss the feasibility of action items and coordinate on how to accomplish Vision Zero goals within the city. Staff also met with Montgomery County's Vision Zero Coordinator to discuss how the City can partner with the County to implement action items similar to those already being implemented by the County.

Rockville's Action Plan seeks to bridge the gap between reacting quickly to individual crashes and the need to examine all crashes in a thorough way, as to provide information to support a long-term proactive approach. One way this plan seeks to do this is by appointing a Vision Zero Coordinator (Action Item 21) to oversee implementation of this plan and champion Vision Zero throughout the city. The City's Pedestrian/Bicycle Coordinator, Alyssa Roff, was appointed to be the City's Vision Zero Coordinator. This Action Plan also will establish a cross-departmental Vision Zero Task Force (Action Item 22) comprising Rockville's Police Department, Public Information Office, Department of Public Works, and Department of Recreation and Parks that will work to implement Vision Zero Action Items. The task force will also review each serious injury and fatal crash (within the City of Rockville) as soon as possible after the event to identify potential actions the City can take to address safety issues. Staff expects to give regular updates on the progress of action items and performance measures to committees within the City, and briefings to the Mayor and Council.

This Action Plan will require aligning policies and practices at all levels of government (City, County, State) and across City departments, making safety the highest priority for all roadways. Staff will establish regular communication with the County through its Vision Zero Steering Committee and Vision Zero Coordinator. The City's Vision Zero Task Force will appoint a liaison to the County's Collision Review Team to review crashes accordingly.

Because not all streets within Rockville are under the jurisdiction of the City, staff will work closely with the Maryland Department of Transportation's State Highway Administration and the County to ensure that we all have a consistent approach to transportation safety while also advocating for the specific Vision Zero Action Items outlined in this plan. City staff has already begun this effort through the February 5, 2020 meeting, hosted by the City, with SHA and Montgomery County Vision Zero Coordinator. Staff also attended a follow up meeting with the same parties on May 6, 2020.

It is important to note that while the Vision Zero Action Plan is a major step in improving safety in Rockville, other efforts and strategies have been and continue to be made to improve pedestrian safety in the city. For example, streetlight improvement is a very important component of improving safety. City staff recently investigated more than one thousand streetlights and generated a map that was submitted to Pepco that included several hundred streetlights that were either out or need an upgrade. Several other projects to improve pedestrian safety have been initiated in Twinbrook, including new sidewalks, new crosswalks, and pedestrian-safety intersection improvements at several locations. A separate memorandum detailing FY 2020 and FY 2021 spending on pedestrian safety initiatives was submitted to the Mayor and Council for the May 4th session.

Mayor and Council History

The Mayor and Council adopted a resolution endorsing the development and adoption of a Vision Zero policy for the City of Rockville on October 15, 2018. Staff provided a presentation and received guidance from the Mayor and Council on the Vision Zero Action Plan on May 4, 2020.

Boards and Commissions Review

Staff worked with the Traffic & Transportation Commission, the Rockville Bike Advisory Committee (RBAC), the Rockville Pedestrian Advocacy Committee (RPAC) and the Senior Citizens Commission, on the review of Vision Zero Action Plan and action items.

Fiscal Impact

While most of the proposed action items are expected to be implemented by City staff, additional resources, such as funding for education, training and consultants may be needed. Some costs will be mitigated by partnering with Vision Zero actions already implemented by Montgomery County. Finally, infrastructure improvement resulting from the Plan, such as adding new traffic control devices, performing intersection improvements, or constructing new sidewalks, will require additional operational and capital improvement funds to be appropriated in future fiscal years.

Next Steps

The Vision Zero Action Plan implementation is anticipated to begin on July 1, 2020.

Attachments

- Attachment 10.a: Vision Zero Resolution - 2020 (DOCX)
- Attachment 10.b: Vision Zero Action Plan_061720-Final (PDF)

Jenny Kimball
Jenny Kimball, Deputy City Manager 6/17/2020

Resolution No. _____

RESOLUTION: To adopt Vision Zero Action Plan to move the City of Rockville toward zero traffic deaths by 2030

WHEREAS, road safety is a top public safety priority in the City of Rockville; and

WHEREAS, death and injury on our streets is unacceptable and serious crashes could be preventable; and

WHEREAS, Vision Zero is an international movement to put an end to fatal traffic crashes that relies on data-driven approaches to improve the engineering of roads, to conduct targeted education and enforcement, and to change laws to improve driver behavior and increase penalties for dangerous conduct on the roads; and

WHEREAS, Vision Zero provides a framework for reducing traffic deaths and serious injuries toward zero, while increasing safe, healthy, equitable mobility for all; and

WHEREAS, Vision Zero focuses on safety as a primary objective for our transportation systems; and

WHEREAS, the City works towards eliminating pedestrian and bicycle related deaths and serious injuries in Rockville; and

WHEREAS, successful Vision Zero programs are a result of both a complete government approach (i.e. interdepartmental, coordinated initiatives) and community support of Vision Zero objectives and guidelines;

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

1. The City of Rockville adopts a Vision Zero Action Plan with the goal of moving the City of Rockville toward zero traffic deaths and serious injuries; and endorses Vision Zero as a comprehensive and holistic approach to achieving this goal.
2. The Director of Public Works will work with the Traffic & Transportation Commission, Rockville Bicycle Advisory Committee, and Rockville Pedestrian Advocacy Committee to implement Vision Zero Action Plan consisting of a combination of equitable engineering, enforcement, education, and policy along with associated funding needed for the City to reach the goal toward zero deaths and serious injuries by 2030.
3. This resolution shall take effect immediately upon its adoption.

* * * *

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

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



VISION ZERO ACTION PLAN



Attachment 10.b: Vision Zero Action Plan_061720-Final (3033 : Resolution to Adopt Vision Zero Plan)



CITY OF ROCKVILLE VISION ZERO ACTION PLAN ACKNOWLEDGEMENTS



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This action plan was prepared by the City of Rockville Department of Public Works, Traffic and Transportation Division. Internal assistance was provided by the Public Information Office, Department of Human Resources, the Rockville City Police Department, and the Department of Recreation and Parks Department. The Rockville Pedestrian Advocacy Committee, the Rockville Bicycle Advisory Committee and the Traffic, Transportation Commission and the Senior Citizens Commission also provided input throughout the process. Special thanks to Montgomery County for laying out the framework of this action plan.

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Attachment 10.b: Vision Zero Action Plan_061720-Final (3033 : Resolution to Adopt Vision Zero Plan)

MAYOR AND COUNCIL RESOLUTION

Adopted by Mayor and City Council: October 15, 2018

A RESOLUTION endorsing Vision Zero to move the City of Rockville toward zero deaths by 2030

WHEREAS, road safety is a top public safety priority in the City of Rockville; and

WHEREAS, death and injury on our streets is unacceptable and serious crashes could be preventable; and

WHEREAS, Vision Zero is an international movement to put an end to fatal traffic crashes that relies on data-driven approaches to improve the engineering of roads, to conduct targeted education and enforcement, and to change laws to improve driver behavior and increase penalties for dangerous conduct on the roads; and

WHEREAS, Vision Zero provides a framework for reducing traffic deaths and serious injuries toward zero, while increasing safe, healthy, equitable mobility for all; and

WHEREAS, Vision Zero focuses on safety as a primary objective for our transportation systems; and

WHEREAS, the City works towards eliminating pedestrian and bicycle related deaths and serious injuries in Rockville; and

WHEREAS, successful Vision Zero programs are a result of both a complete government approach (i.e. interdepartmental, coordinated initiatives) and community support of Vision Zero objectives and guidelines;

NOW, THEREFORE, the mayor and council of Rockville do hereby proclaim:

1. The City of Rockville adopts a goal of moving the City of Rockville toward zero traffic deaths and serious injuries; and endorses Vision Zero as a comprehensive and holistic approach to achieving this goal.
2. The city mayor and council directs the Director of Public Works to work with the Traffic and Transportation Commission to develop Vision Zero Guidelines which would identify a combination of equitable engineering, enforcement, education, and evaluation along with associated funding needed for the City to reach the goal toward zero deaths and serious injuries by 2030.
3. This resolution shall take effect immediately upon its adoption.

WHAT IS VISION ZERO?

Vision Zero is a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, fair mobility for all. First implemented in Sweden in the 1990s, Vision Zero has proven successful in reducing fatal and severe injury crashes across Europe — and is now gaining momentum in major American cities.

Vision Zero recognizes that people will sometimes make mistakes, so the road system and related policies should be designed to ensure those inevitable mistakes do not result in severe injuries or fatalities. Vision Zero also recognizes non-motorists are intrinsically more vulnerable in collisions with vehicles. This means that system designers and policymakers are expected to improve the roadway environment,

policies and other related systems to lessen the severity of crashes for all users. At the core of Vision Zero is a commitment to protect human life, and a recognition that all transportation-related deaths and severe injuries are preventable and unacceptable.

Vision Zero is a multidisciplinary approach, bringing together diverse stakeholders through cross-disciplinary collaboration among local traffic planners, engineers and policymakers to address this complex problem. Vision Zero acknowledges that many factors contribute to safe mobility, including roadway design, speeds, behaviors, technology and policies, and sets clear goals to achieve the shared goal of zero fatalities and severe injuries.

Traditional Approach

Traffic deaths are **INEVITABLE**
PERFECT human behavior
 Prevent **COLLISIONS**
INDIVIUAL responsibility
 Saving lives is **EXPENSIVE**

VS.

Vision Zero

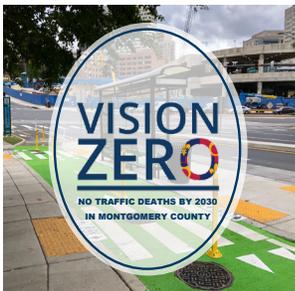
Traffic deaths are **PREVENTABLE**
 Integrate **HUMAN FAILING** in approach
 Prevent **FATAL AND SEVERE CRASHES**
SYSTEMS approach
 Saving lives is **NOT EXPENSIVE**

ACTION PLAN DEVELOPMENT

Given the nature of the metropolitan region, transportation users in Rockville are likely to experience other places in Montgomery County and/or the state, where Vision Zero is already moving forward. Washington, D.C. was amongst the first jurisdictions in the region to adopt a Vision Zero strategy, in 2015. Montgomery County was one of the first county jurisdictions in the United States to adopt a Vision Zero strategy in 2017 and represents a variety of communities, neighborhoods and land uses. The Maryland General Assembly passed a bill establishing Vision Zero in 2019. The State Highway Administration followed up with a strategy to systematically implement transportation safety elements to match the land-use context surrounding state-owned roadways. This document builds on their success and functions as a local counterpart recognizing the specific needs of the Rockville community. It is essential that Rockville work with other jurisdictions to not only utilize their best practices, but also the lessons

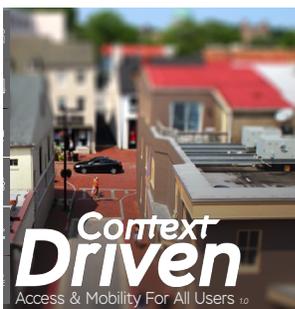
they have learned along the way to make the process in establishing a Vision Zero strategy within Rockville as efficient as possible. By working together, we can also establish a consistent and coordinated approach to transportation safety that has the potential to impact people across the region.

This is a new and fundamentally different way for the city to approach traffic safety; it will require some flexibility in actions and policies to succeed. Ultimately, it will require aligning policies and practices at all levels of government and across city departments, making safety the highest priority for roadways. Committing to Vision Zero in Rockville means building and sustaining leadership, collaboration, and accountability, especially among a diverse group of stakeholders, including transportation professionals, policymakers, police and community members.



Montgomery County Vision Zero 2020

Montgomery County developed and released the 2020 Vision Zero Action Plan to expand on the work completed during the 2018-2019 Two-Year Action Plan by implementing recommendations from completed studies, advancing on-going initiatives, and completing open action items. While work on these action items is underway, outreach will start in spring 2020 to develop the long-range strategic plan to further guide the county towards elimination of traffic fatalities by 2030.



SHA Context Driven

In November 2019, the State Highway Administration (SHA) released the Context Driven – Access and Mobility for All guidelines. SHA created these standards to establish new context zones that better match the differing land uses around state-maintained roadways across the state. Within each of the six new context zones, the guide provides a toolkit for the leading practices that would best improve safety for each context. Rockville is designated as “Urban Core” zone under these guidelines.

FAIRNESS AND EQUALITY

The most important component of crash data is that it represents people whose lives, as well as the lives of their loved ones, can potentially change as the result of a failure to provide a transportation system that is forgiving of human error. Through this Vision Zero Action Plan, Rockville recognizes safe mobility as a basic right, based on the premise that all people have the right to safe transportation regardless of mode. This means collecting, analyzing and using data to understand trends and potential disproportionate impacts of traffic deaths on certain populations, and prioritizing needs accordingly.

This action plan commits to an equitable approach in three main ways. First, the Rockville population represents a variety of cultures and community groups. Not all community groups may be aware of or how to participate with Vision Zero. This action plan recognizes the diversity of communities and their unique educational needs. This action plan will provide flexible messaging and work with community leaders so that information reaches Rockville's entire

population and is engaging in the best way possible. Second, this action plan recognizes the inherent and disproportionate risk posed to certain groups within the roadway¹. Vulnerable groups could include: children, the 55+ community, transit riders, non-motorists, people with disabilities, etc. The crash data analysis will give attention to these groups and advocate for the remedy of their disproportionate risk during the implementation of projects and policies. And finally, strategies from around the world show Vision Zero policies are most effective when they are firmly driven by reliable and consistent data, and when traffic safety concerns are seen as a multidisciplinary issue in which everyone in the community has a stake. City stakeholders must commit to gather, analyze, utilize and share reliable data to understand traffic safety issues and prioritize resources based on the empirical evidence of the greatest needs and impact. In this way, Vision Zero looks to proactive measures which impact the roadway system citywide over reactive measures which may only seek to benefit specific areas of the city.

Crash Not Accident

Words matter. Deaths and serious injuries in traffic are not inevitable “accidents,” but preventable crashes that can be ended through engineering, enforcement and education.

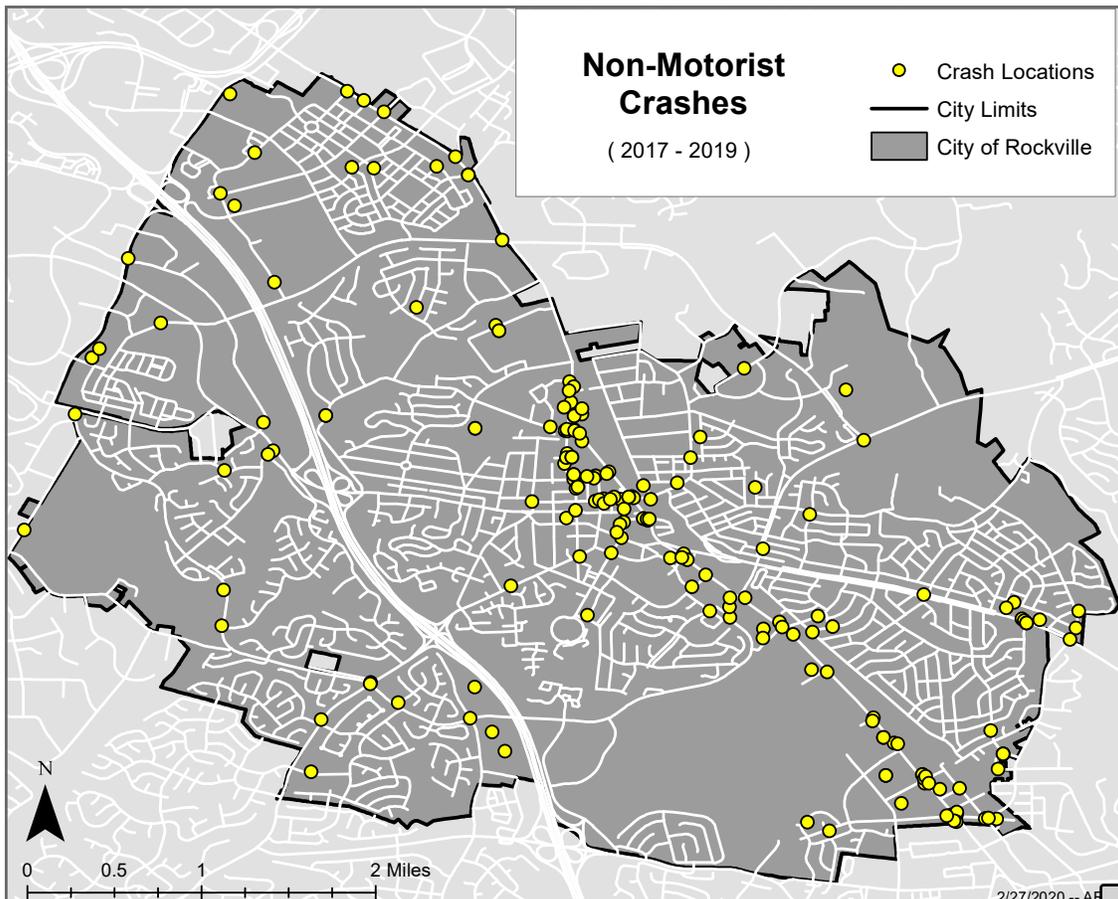
¹ Roadways include transportation infrastructure for a variety of users including cyclists and pedestrians by way of bike lanes, shared roadways, crosswalks, intersections etc.

CRASH DATA ANALYSIS

The city gathered data from reports by Montgomery County and Rockville City Police Department. While this shows a significant number of crashes, these reports exclude Maryland State Police reports. Below is a map showing crash locations throughout the city as an example of the data staff initially gathered. It should be noted that data presented does not include every severe and fatal collision that occurred in Rockville during the analysis period. Data for interstate 270 was omitted in order to focus on areas where the city can best use its resources to address incidents in a localized setting, i.e., roadways where the city either maintains or works closely with those maintaining these roadways. Partnerships are therefore vitally important for achieving Vision Zero for all parties. It should be noted that this data represents all crashes involving non-motorists regardless

of injury severity. While Rockville does not have a large number of crashes involving severe injuries or fatalities, we recognize the same factors contributing to these crashes are also present in crashes with minor to no injuries. In examining the whole picture of potential crashes and looking at patterns, we are able to better understand these factors and respond accordingly.

Engineering, education and enforcement are most effective when targeting the environmental and behavioral factors that contribute to a collision. Below is a map showing crash locations throughout the city. A component of the data analysis action item (proposed as action item #1 on page 12) will further analyze contributing factors, similar to the ones highlighted below, to frame the elements needed for a systematic approach to provide safe mobility citywide.



ACTION PLAN SUMMARY

Rockville's Action Plan seeks to bridge the gap between reacting quickly to individual crashes and the need to examine all crashes in a thorough way as to provide information to support a long-term proactive approach. The action items in this plan lay the foundation for what the city hopes will be a long-term strategy for reducing and eliminating transportation related crashes involving serious injuries and fatalities. Ultimately, this is a systematic approach to examining data in order to focus on the factors that contribute to crashes so that the city can react to not only a singular crash, but to the transportation system as a whole. This plan identifies a series

of action items that, through completion, help the city recognize and remedy factors that could contribute to future crashes. As such, this action plan should be seen as an exploratory effort of trial and error to determine what works for the city and to rule out what will not help Rockville achieve Vision Zero. In doing so, these action items will build a strong foundation for future Vision Zero initiatives that will fully eliminate collisions involving severe injuries and fatalities. The plan also builds on the success of existing county and state programs and their initiatives related to traffic safety and forms a consistent approach.

The Action Plan is the result of a process that includes several critical sources of input:

1. Review of previous and existing roadway safety efforts in the city.
2. Review of practices from other Vision Zero communities and particularly Montgomery County.
3. Analysis of collision data gathered from Montgomery County's dataset to identify trends and significant issues to inform the plan.
4. Consultation with city departments and agencies, the Traffic and Transportation Commission, the Rockville Bicycle Advisory Committee and the Rockville Pedestrian Advocacy Committee, as well as with other stakeholders and interested parties

VISION ZERO PROJECT TIMELINE

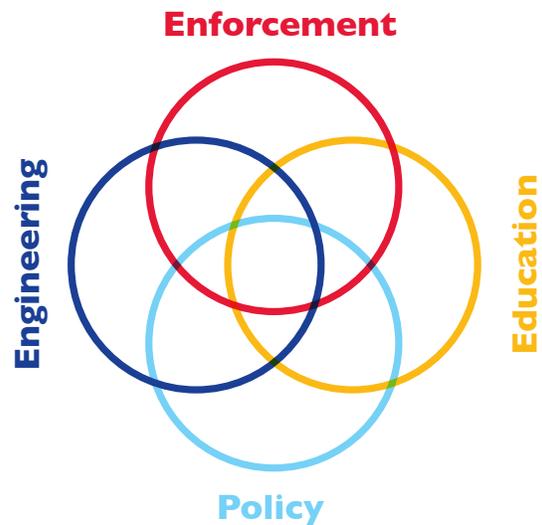


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**Action items identified as foundational steps will be prioritized during the implementation process of the Vision Zero Action Plan per the guidance of Mayor and Council.*

ACTION PLAN ITEMS

To reach the goal of zero severe and fatal collisions, the action plan identifies specific action items with departments responsible and metrics for completion. All action items are built around four key action areas: engineering, enforcement, education and policy. The action items are listed in the table below.



Engineering

1. Crash Analysis /predictive analysis* †
2. Update City Road Design Standards
3. Review Transit Stops
4. Evaluate Crossings and Unsignalized Intersections
5. State/Montgomery County/ City Project Collaboration* †
6. Improve Traffic Signals*
7. Accelerate Sidewalk Construction
8. Create Pedestrian Master Plan†
9. Expand Network of Safe Bicycle Facilities

Enforcement

10. Increase Enforcement Activities
11. Explore Expanding Automated Enforcement
12. Expand Traffic Law Enforcement and Distracted Driving Detection Program
13. Collaboration with Court System
14. Enhance Police Driver Training
15. Temporary Traffic Control Devices

Education

16. Create Comprehensive Outreach Strategy†
17. Join Montgomery County on Safe Routes to School Activities* †
18. Join Montgomery County on On-bike Education Programs for Kids* †
19. Safety Awareness Training for City Employees
20. Training in the Community* †

Policy

21. Appoint Vision Zero Coordinator †
22. Establish Cross Departmental Vision Zero Task Force †
23. Change Policies, Regulations, and Law*
24. Ensure Fairness and Equality Throughout Vision Zero Projects †
25. Create Vision Zero Webpage †
26. Publish Collision Data*
27. Improve Crash Data Collection
28. Coordinate with Peer Learning Opportunities*
29. Review Existing Traffic Safety Programs and Policies
30. Procure Safer Vehicles

*Montgomery County is currently working on these items. The city will support Montgomery County in these initiatives as a partner while also advocating for safety projects specific to Rockville. Additionally, the city may use these initiatives as a starting point before tailoring each action item to the specific needs of Rockville based upon the findings in the data analysis.

† These action items are identified as foundational steps and will be prioritized during the implementation process of the Vision Zero Action Plan per the guidance of Mayor and Council.

ENGINEERING

Engineering focuses on the design, planning, and construction of transportation infrastructure with a safe systems approach, ensuring severe injuries and fatalities are not the result of human error.

ACTION 1 **Crash Analysis / Predictive Analysis**

Lead Traffic and Transportation Division

Support Montgomery County², Rockville City Police Department (RCPD) Department, State Highway Administration (SHA)

Action Undertake a detailed, citywide crash study to provide a comprehensive understanding of traffic crash causes, contributing factors, locations, and roadway characteristics. This study should identify the High Injury Network (HIN) as well as prioritize projects and provide the foundation for future Vision Zero initiatives.

Why we do this... Vision Zero is data driven. The analysis will provide a starting point for the city's goals by identifying the number of crashes to reduce to zero as well as the unsafe behaviors to change, vulnerable transportation user types, and outreach needs of different community groups.

Objective Complete the crash analysis and identify areas in the HIN.

End date: July 1, 2021

Identify projects to improve safety at areas in the HIN.

End date: July 1, 2022

Metrics: Identify number of prioritized projects following the results of the crash analysis.

ACTION 2 **Update City Road Design Standards**

Lead Traffic and Transportation Division

Support Engineering Division, Planning and Development Services (PDS) Department

Action Review, revise, and develop roadway design standards and complete street guidelines utilizing road code and leading practices from groups such as National Association of City Transportation Officials (NACTO), Institute of Transportation Engineers (ITE), and American Association of State Highway Transportation Officials (AASHTO) for various right-of-way³ within the city. The review should prioritize reducing opportunities for high-speed collisions through physical separation, reducing motor vehicle speeds where separation cannot be achieved, and developing proper environmental countermeasures for all new and retrofitted right-of-way within the city.

Why we do this... Updating the roadway design standards and complete street guidelines will bring these standards in line with Vision Zero goals and principles.

Objective Complete the review of the city's existing road design standards

End date: July 1, 2021

Develop and publish new/revised road design standards utilizing best practices.

End Date: July 1, 2023

Metrics: Identify minimum sidewalk widths, presence of buffers in between sidewalks and travel lanes, etc.)

² The city gathered data compiled from both Montgomery County and Rockville Police Departments' reports. More information can be found in the Crash Data Analysis section.

³ "Right-of-way" typically includes infrastructure for all modes, including sidewalks/ shared use paths, landscaping zones, parking, areas for biking, and general-purpose lanes.

ACTION 3 Review Transit Stops

Lead Traffic and Transportation Division

Support WMATA, Ride-On

Action Conduct a comprehensive review of transit stop locations and conditions to ensure safety and accessibility. Develop a program for reviewing the stops every 5 years.

Why we do this... Many pedestrian crashes are associated with transit users crossing to/from transit stops. Reviewing transit stop locations will identify opportunities for increasing safety. A continual review will allow the City to keep up with changing needs and behavior.

Objective Complete comprehensive review of transit stops per the findings of the crash analysis including.

End date: July 1, 2022

Evaluate the review process and develop a program for reviewing stops every five years.

End date: July 1, 2023

Metrics: Increase the percentage of transit stops with safe crossings and reduce the number of severe and fatal collisions related to going or leaving a transit stop. The number of serious injuries and fatalities due to bus stop locations should be reduced until it reaches zero

ACTION 4 Evaluate Crossings and Unsignalized Intersections

Lead Traffic and Transportation Division

Support Recreation and Parks Department

Action Evaluate existing crossings and unsignalized intersections with safety as a priority. Crossings identified as high risk will be transformed first with improvements such as flashing beacons, etc. as applicable.

Why we do this... Crossings and unsignalized intersections create conflict points between multiple user types (pedestrians, bicyclists, motor vehicles, etc.). Evaluation will identify opportunities for improvements that can lead to better and safer experiences for all users at these types of intersections.

Objective Develop a list of priority crossings and intersections for modification per the findings of the crash analysis including; Identify all high-risk crossings within the city and increase the percentage of safe crossings and intersections using the number of severe and fatal collisions at crossings and intersections.

End date: July 1, 2022

Apply best practices to improve safe crossings (such as bump-outs, medians, traffic control devices like paddles and rectangular rapid flashing beacons)

End date: July 1, 2023

Metrics: Identify a number of improvements and prioritize projects. The number of serious injuries and fatalities due to unsafe crossings and unsignalized intersections should be reduced until it reaches zero.

ACTION 5 State/Montgomery County/City Project Collaboration

Lead Traffic and Transportation Division, Montgomery County, State Highway Administration (SHA)

Support N/A

Action Identify high injury areas where the city, Montgomery County and state can jointly implement safety improvement projects.

Why we do this... Crashes involving serious injury and fatalities can occur on roadways maintained by any jurisdiction. Building positive working relationships will help the city lay a foundation of collaboration by working with others in advance of needed projects especially on roadways operated and maintained by SHA.

Objective Improve safety on roadways operated and maintained by SHA.
End date: July 1, 2022

Continue to advocate for identified project areas on roadways operated and maintained by SHA.

Metrics: Identify a number of potential project areas and reduce the number of severe and fatal collisions occurring in the high injury network on city owned roads until it reaches zero.

ACTION 6 Improve Traffic Signals

Lead Traffic and Transportation Division, Montgomery County, State Highway Administration (SHA)

Support N/A

Action Complete a comprehensive review of the City's traffic signals to ensure the use of the latest technology and standards to implement innovative pedestrian and bicycle signals (such as Lead Pedestrian Intervals (LPI) and Pedestrian Recall, etc.) to provide effective and safe crossings.

Why we do this... Signalized intersections can create conflict points between multiple user types (pedestrians, bicyclists, motor vehicles, etc.). Evaluation will identify opportunities for improvements that can lead to better and safer experiences for all users at these types of intersections.

Objective Complete a review of traffic signals per the findings of the crash analysis.
End date: July 1, 2022

Identify improvements and implement projects on signals owned/operated by the City and advocate for improvements on signals owned/operated by SHA/Montgomery County.

End date: July 1, 2023

Metrics: Identify the number of projects on signals owned/operated by the City utilizing best practices (such as Lead Pedestrian Intervals (LPI) and Pedestrian Recall, no turn on red, etc.). The number of serious injuries and fatalities due to unimproved traffic signals should be reduced until it reaches zero.

ACTION 7 Accelerate Sidewalk Construction

Lead Traffic and Transportation Division

Support Montgomery County, State Highway Administration (SHA)

Action Using the Sidewalk Prioritization Map as a guide, accelerate the sidewalk construction program with priority projects in the high injury network.

Why we do this... The map of missing sidewalks created in 2014 identified missing sidewalk priorities. Providing a complete network of sidewalk connections ensures safe spaces for pedestrians to travel.

Objective Develop a list of high priority projects per the findings of the crash analysis.

End date: July 1, 2022

Complete priority projects and expand the city's bicycle network by providing additional sidewalk.

End date: July 1, 2026

Metrics: Identify the number of priority projects and increase the number of linear feet of new sidewalk.

ACTION 8 Create Pedestrian Master Plan

Lead Traffic and Transportation Division

Support Planning and Development Services (PDS) Department, Recreation and Parks Department

Action As proposed in the 2040 Comprehensive Plan, build on the existing Pedestrian Policies and Sidewalk Prioritization Map to complete a Pedestrian Master Plan for the city to address the unique issues faced by pedestrians and people with disabilities.

Why we do this... A pedestrian masterplan provides an overview of the pedestrian network and identifies improvements that will encourage safe behavior and enhance the experience. This action item lays the foundation for prioritizing pedestrian infrastructure

Objective Complete the review of the city's existing pedestrian policies.

End date: July 1, 2021

Conduct public outreach, communication to stakeholder groups (such as the Rockville Pedestrian Advocacy Committee) develop and approve the new pedestrian masterplan.

End date: July 1, 2024

Metrics: Complete and adopt the new pedestrian masterplan.

ACTION 9 **Expand Network of Safe Bicycle Facilities**

Lead Traffic and Transportation Division

Support Recreation and Parks Department, Montgomery County,
State Highway Administration (SHA)

Action Using the Bikeway Master Plan as a guide, construct new bikeway facilities to create a safe, highly connected, convenient, and low-stress bicycling network.

Why we do this... Providing a completed bikeway network ensures cyclist have a safe space to travel by bike. Low stress connections can encourage more people to use biking as a transportation option.

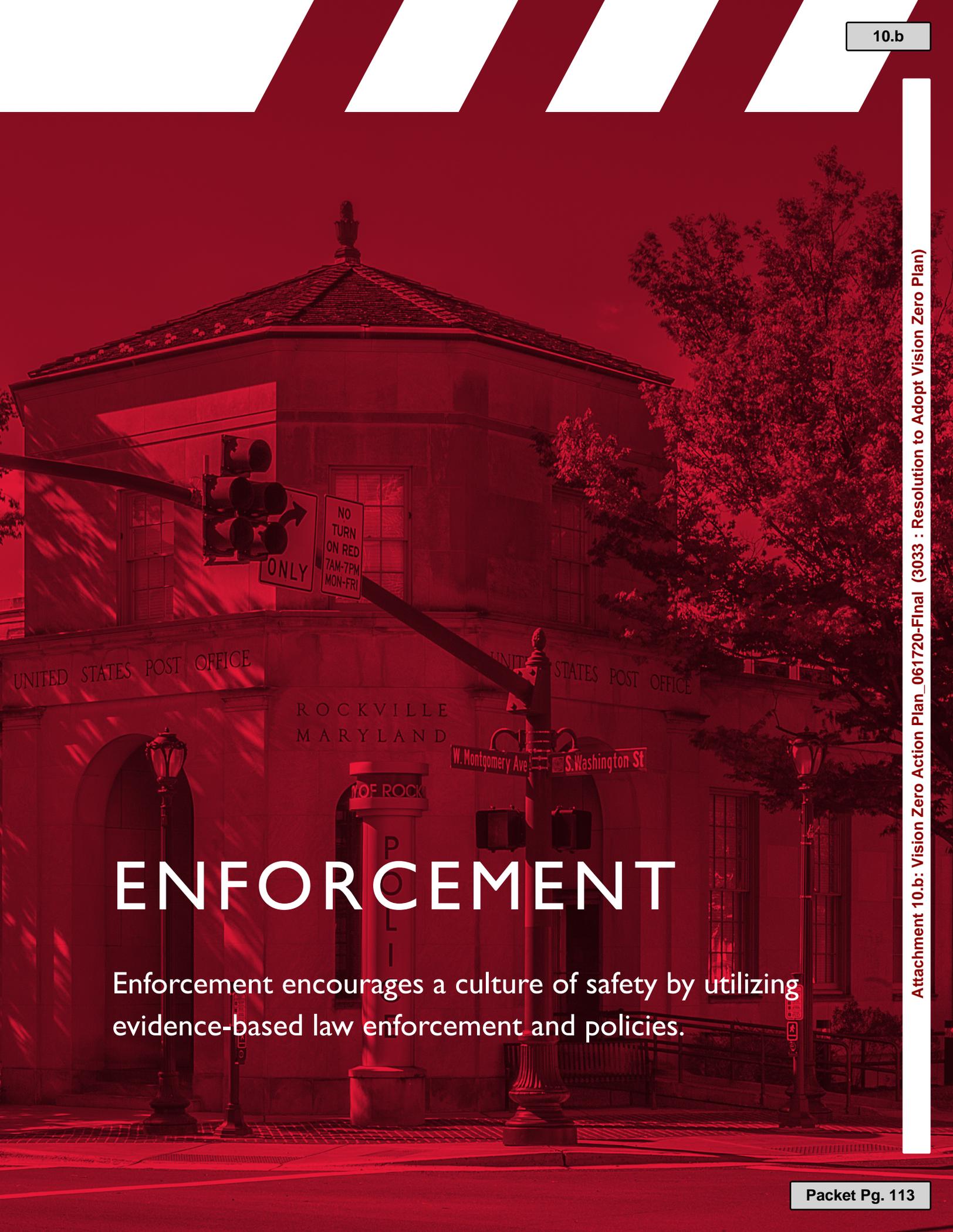
Objective Develop a list of high priority projects per the findings of the crash analysis, the guidelines of the Bikeway Masterplan and the consultation of stakeholder groups (such as the Rockville Bike Advisory Committee).

End date: July 1, 2022

Complete priority projects and expand the city's bicycle network by providing additional linear feet of bicycle infrastructure.

End date: July 1, 2028

Metrics: Identify the number of additional linear feet of bicycle infrastructure.



ENFORCEMENT

Enforcement encourages a culture of safety by utilizing evidence-based law enforcement and policies.

ACTION 10 Increase Enforcement Activities

Lead Rockville City Police Department (RCPD)

Support Traffic and Transportation Division, Public Information Office

Action Increase enforcement of distracted, impaired, occupant protection, and aggressive driving behaviors, as well as violations of pedestrian and bicycle safety laws. Enforcement activities should concentrate in the high injury network, during peak seasons, and specific times of day. Enforcement should be performed in conjunction with education campaigns.

Why we do this... In keeping with Vision Zero principals of reducing and eliminating fatal traffic crashes; using data that includes the location of the incidents as well as violations of the traffic and pedestrian laws that are often associated with the crash to allow for a targeted approach. This data allows RCPD to be deployed to specific high incident areas and address violations that lead to serious crashes through citations, warnings and educational material.

Objective Develop the list of high incident areas for collisions and violations associated with the crashes. Use multiple enforcement techniques to target and change behavior. The efforts will be ongoing and reevaluated when new crashes occur to ensure we continue to use resources in the most effective and impactful manner.

ACTION 11 Explore Expanding Automated Enforcement

Lead Rockville City Police Department (RCPD)

Support Traffic and Transportation Division

Action Increase the use of automated enforcement to address excessive speed and red-light violations if determined to be feasible in next contract with vendor.

Why we do this... Excessive speeds and failure to obey traffic lights are driver behaviors that can lead to serious and fatal crashes. Both violations can be enforced through RCPD's automated enforcement to change driver behavior and lead to safer streets in the City. The use of automated enforcement devices also provides enforcement benefits while not requiring the use of the valuable and limited sworn workforce which can be used for other designed activities.

Objective Both speed and red-light cameras are a part of the ongoing and continued efforts at promoting safe driving in the City. These efforts will include maximizing the impact to driver behavior through placement of existing portable speed cameras in line with violation and crash data while ensuring the location is in compliance with legal statutes. When a new contract is executed with the vendor RCPD will explore the feasibility of increasing the number of automated devices to deployed at more locations allowing for greater impact on driving behavior and promoting safe driving.

ACTION 12 Expand Traffic Law Enforcement and Distracted Driving Detection Program

Lead Rockville City Police Department (RCPD)

Support N/A

Action Expand existing traffic focused programs, such as usage of decoy police officers/vehicles and speed indicator radars. Increase diverse methods used to assist with aggressive and distracted driving enforcement.

Why we do this... Using diverse and multiple resources to increase the effectiveness of RCPD in changing driver and pedestrian behavior to reduce and eliminate serious and fatal crashes.

Objective Develop the list of high incident areas for collisions and violations associated with the crashes. Use multiple enforcement techniques to target and change behavior. The efforts will be ongoing and reevaluated when new crashes occur to ensure we continue to use resources in the most effective and impactful manner.

ACTION 13 Collaboration with Court System

Lead Rockville City Police Department (RCPD)

Support MD/Montgomery County Courts

Action When possible and practical, inform judicial system regarding high visibility enforcement and its connection to traffic safety. For violations that occur in High Injury Network (HIN) or other safety-sensitive areas, request the imposition of more stringent penalties so enforcement actions are supported and reinforced.

Why we do this... To maximize the effectiveness of reducing serious crashes the efforts have to be followed through the entire process to include the court system. While education and citations are an important part of changing behavior it is also important for the judicial system to have all applicable information to determine appropriate sanctions. Officers' providing information to judges when violations occur in high incident areas allow for the court system to be a more effective component in the effort to improve driver and pedestrian behavior.

Objective Initial education of the judicial system to the Vision Zero efforts has already occurred. As cases go to court, officers will ensure that judges are aware of violations occurring in high incident areas prior to imposing a sanction for the violation.

ACTION 14 Enhance Police Driver Training

Lead Rockville City Police Department (RCPD)

Support N/A

Action Develop a strategy for identifying employees in need of remedial training and provide additional hours of a driver training program.

Why we do this... It is without a doubt extremely important and a part of the RCPD policy that police employees' model good driving and pedestrian behavior. This not only has an impact on potential crashes but sets a standard for the Rockville community on driving expectations. RCPD does not have currently have an issue of serious crashes involving police employees but properly monitoring minor collisions for training needs will lessen the chance of a serious collision occurring in the future.

Objective While not currently an issue for the Police Department, will monitor for any severe or fatal collisions involving police vehicles and continue to identify and provide remedial drivers training as needed.

ACTION 15 Temporary Traffic Control Devices

Lead Rockville City Police Department (RCPD)

Support N/A

Action Provide the Police Department with additional temporary traffic controls (e.g. portable stop signs / traffic cones) and suitable training to deploy these devices during emergency responses, traffic details and other events.

Why we do this... Secondary crashes frequently occur when traffic is being controlled at the original crash location, a detail, or an event. Increased officer training and the use of temporary traffic control devices will assist with visibility to drivers and prevent avoidable secondary crashes.

Objective Procure additional temporary traffic control devices as they are identified as being needed. Continue to partner with the County and State when additional devices are needed at crash scenes. This increased visibility and direction at incidents on the streets will reduce the number of severe or fatal collisions occurring on the roadway impacted by an unexpected event.

SCHOOL

SPEED
LIMIT

EDUCATION

Education engages the public using a variety of outreach methods to instill safe behaviors and increase awareness of dangerous driving, biking, and walking behaviors.

ACTION 16 Create Comprehensive Outreach Strategy

Lead Public Information Office

Support Traffic and Transportation Division, Rockville City Police Department (RCPD), Montgomery County

Action Develop a communication and outreach strategy to share the city's Vision Zero goals with Rockville's entire population. Outreach strategies should reflect the needs of Rockville's culturally diverse population. Provide outreach for specific groups most at risk⁴ of being involved in a severe or fatal collision per the results of the data analysis.

Why we do this... Vision Zero is for everyone. This action item lays the foundation for communicating Vision Zero principles and will ensure everyone understands the city's goals and realizes everyone has a stake. Some groups are more likely to be involved in a crash involving a fatality or severe injury and will require specialized outreach.

Objective Create a comprehensive outreach strategy for the general population.

End date: July 1, 2021

Evaluate the effectiveness of our outreach efforts and create a communication strategy targeting specific groups per the findings of the crash analysis.

End date: July 1, 2022

Metrics: Evaluate the increase in the number of participants, materials distributed, etc.

ACTION 17 Join Montgomery County on Safe Routes to School Activities

Lead Montgomery County, Montgomery County Public Schools (MCPS)

Support Traffic and Transportation Division, Public Information Office, Rockville City Police Department (RCPD)

Action Join Montgomery County on the expansion of Safe Routes to School (SRTS) activities to all schools within Rockville and comprehensive traffic safety education for pedestrian, bicycle, and driver safety at appropriate ages.

Why we do this... Montgomery County led programs can provide safety education to the most vulnerable users and encourage them to use best practices for remaining safe. As this education and outreach focuses on kids, it lays the foundation for building safe transportation habits.

Objective Join Montgomery County by developing a collaboration agreement with Montgomery County and MCPS.

End date: January 1, 2021

Evaluate the effectiveness of our outreach efforts, reevaluate actions per the findings of the crash analysis, and continue to coordinate with Montgomery County and Montgomery County Public Schools (MCPS).

End date: July 1, 2022

Metrics: Evaluate the increase of the number of participants, materials distributed etc.). The number of serious injuries and fatalities due to unsafe routes to school should be reduced until it reaches zero.

⁴ Specific groups could include individuals who are disproportionately and inherently more at risk for experiencing a severe injury or fatality during a transportation related crash. These groups can include: children, the 55+ community, transit riders, non-motorists, people with disabilities, etc.

ACTION 18 Join Montgomery County on On-bike Education Programs for Kids

Lead Montgomery County, Montgomery County Public Schools (MCPS)

Support Traffic and Transportation Division, Public Information Office, Rockville City Police Department (RCPD)

Action Join Montgomery County in establishing an on-bike education program to teach bike safety skills to all school aged children.

Why we do this... Montgomery County led bike education, such as bike rodeos, provide safe places where kids can learn safe bicycle riding skills. As this education and outreach focuses on kids, it lays the foundation for building safe transportation habits.

Objective Join Montgomery County by developing a collaboration agreement with Montgomery County and MCPS.

End date: January 1, 2021

Evaluate the effectiveness of our outreach efforts, reevaluate actions per the findings of the crash analysis, and continue to coordinate with Montgomery County and Montgomery County Public Schools (MCPS).

End date: July 1, 2022

Metrics: Evaluate the increase of the number of participants, materials distributed etc.

ACTION 19 Safety Awareness Training for City Employees

Lead Human Resources

Support Public Works, Rockville City Police Department (RCPD), Recreation and Parks Department

Action Educate key staff in Human Resources Department, Department of Public Works, Rockville City Police Department (RCPD), Recreation and Parks Department on the fundamentals of Vision Zero. These fundamentals should be passed down to frontline employees through training sessions, to make them aware of Vision Zero in order to build a culture of safety and accountability.

Why we do this... Providing education for staff allows for more communication channels in multiple city departments to amplify the safety message to the public.

Objective Develop education materials and provide information to city staff.

End date: July 1, 2021

Metrics: Increase the percentage of city staff who are aware of the principles and fundamentals of vision zero

ACTION 20 Training in the Community

Lead Vision Zero Coordinator

Support Traffic and Transportation Division, Recreation and Parks Department, Public Information Office, Montgomery County

Action Identify major employers, TDM programs, civic associations, 55+ centers and living facilities, religious institutions, HOAs, PTA's and other community stakeholders to receive Vision Zero training and messaging. Training materials, messaging and strategies should be flexible so they can be utilized by a variety of cultures and community groups.

Why we do this... Not all community groups may be aware of or how to participate in the city's Vision Zero efforts. Identifying partners within the community lays the foundation for ensuring Vision Zero information is reaching Rockville's culturally diverse population and is engaging in the best way possible.

Objective Create outreach materials and identify community partners.

End date: July 1, 2021

Evaluate the effectiveness of our outreach efforts and reevaluate actions per the findings of the crash analysis.

End date: July 1, 2022

Metrics: Evaluate the increase of the number of participants, materials distributed etc.

ROCKVILLE CITY HALL
111 MARYLAND AVENUE

POLICY

Policy lays the foundation for the city's future vision zero initiatives and seeks to improve the way traffic safety is managed throughout the city by advocating for the vital tools to fully enact the Vision Zero strategy.

ACTION 21 Appoint Vision Zero Coordinator

Lead Traffic and Transportation Division

Support N/A

Action Appoint a Vision Zero Coordinator to oversee implementation of this plan and champion Vision Zero throughout the city.

Why we do this... Vision Zero involved multiple city departments. The Vision Zero Coordinator provides an initial point of contact to ensure all projects are moving forward.

Objective Serve as an initial point of contact and overseer of action item implementation.

End date: N/A

Metrics: Increase the number of completed Vision Zero projects and tasks.

ACTION 22 Establish a Cross-Departmental Vision Zero Task Force

Lead Traffic and Transportation Division

Support Rockville City Police Department (RCPD), Recreation and Parks Department, Public Information Office

Action Create opportunities for communication across departments participating in Vision Zero. Work towards implementing Vision Zero Action items. This task force will also review each serious injury and fatal crash (within the City of Rockville) as soon as possible after the event to identify potential actions the city can take to address safety issues. The task force will also appoint a liaison to Montgomery County's Collision Review Team.

Why we do this... This group ensures the city department responsible for implementing Vision Zero actions are collaborating directly on initiatives. This is the first step to implementing many action items and lays the groundwork for collaboration among city departments.

Objective Provide coordination among city departments while implementing action items.

End date: N/A

Metrics: Increase the number of completed Vision Zero projects and tasks.

ACTION 23 Change Policies, Regulations, and Laws

Lead Vision Zero Task Force, Montgomery County, State

Support City Manager's Office, City Attorney's Office

Action Identify city, Montgomery County and state laws, policies, and regulations that are hindering the city's progress towards Vision Zero and develop strategies to update them. Emphasis should be on laws that allow for innovative engineering and ability to lower speed limits to align with leading Vision Zero practices. Collaborate with Montgomery County's Vision Zero Steering Committee.

Why we do this... While the city does not have the ability to change Montgomery County or State laws directly, the goal is to identify and lobby for changes to laws that affect the city's progress towards Vision Zero goals. Targeting the policies, regulations, and laws that slow the city's progress towards Vision Zero systemwide and exploring innovative updates will bring these strategies in line with Vision Zero goals and principles.

Objective Review existing laws, policies, and regulations and identify specific changes per the findings of the crash analysis.
Coordination with Montgomery County's Vision Zero Steering Committee is necessary throughout the process, but especially to begin the process for successful passage of new laws, policies, and regulations beyond the city's jurisdiction.

End date: July 1, 2022

Metrics: Increase the number of policies, regulations, or laws that utilize best practices that accelerates the city's progress towards Vision Zero (such as no turn on red, no U-turn policies, lower speed limits etc.).

ACTION 24 Ensure Fairness and Equality throughout Vision Zero Projects

Lead Vision Zero Task Force

Support City Manager's Office, Traffic and Transportation Division, Public Information Office, Rockville City Police Department (RCPD), Recreation and Parks Department

Action Work with community to ensure that Vision Zero strategies, approaches, messaging and projects prioritize safety, ensures fairness and are distributed equally and equitably among a variety of diverse stakeholders.

Why we do this... Vision Zero is for everyone. Rockville's population represents a variety of cultures and community groups and should be engaged in the best way possible to ensure everyone understands and practices safe behaviors. This action item is the first step in making sure the city's Vision Zero goals are engaging to Rockville's culturally diverse population.

Objective Review all Vision Zero projects and strategies during the entirety of implementation to ensure fairness and equality are met.

End date: N/A, On-going action

Metrics: Increase the number of Vision Zero projects that consider fairness and equality.

ACTION 25 Create Vision Zero Webpage

Lead Public Information Office

Support Vision Zero Coordinator

Action Create a Vision Zero webpage that contains Vision Zero related information including tracking information for action items.

Why we do this... The Vision Zero webpage provides a space where the city can communicate its goals while remaining transparent and accessible to the public. This is also the first step in tracking the city's progress of action items and crash data analysis findings.

Objective Finalize the design of the Vision Zero webpage.

End date: January 1, 2021

Metrics: Provide continuous updates to track progress of data and status of action items.

ACTION 26 Publish Collision Data

Lead Vision Zero Coordinator

Support Public Information Office, Rockville City Police Department (RCPD)

Action Collaborate with Montgomery County to publish collision data on the city's Vision Zero webpage and distilling data for easier consumption and analysis by the public.

Why we do this... Publishing collision data makes the city's goals transparent and accessible to the public. Data also provides a way to measure how effective actions are to reach the city's Vision Zero goals.

Objective Publish crash data findings and analysis on the city's Vision Zero webpage upon the completion of the crash data analysis.

End date: N/A

Metrics: Provide updated information annually as data changes.

ACTION 27 Improve Crash Data Collection

Lead Vision Zero Coordinator

Support Rockville City Police Department (RCPD), Montgomery County, State Highway Administration (SHA)

Action Improve collision data collection by the city through collaboration with Montgomery County and SHA.

Why we do this... Many Vision Zero initiatives are data driven. Providing the best data means the city's actions are accurately working towards the city's goals. As the City uses Montgomery County's crash data, coordination is necessary.

Objective Review crash data collection following the initial crash analysis. Provide initial outreach with Montgomery County, and continue coordination throughout data collection.

End date: October 1, 2021

Metrics: Increase the percentage of accurate data utilizing best practices in crash attribute identification (such as turning movements, distracted drivers and pedestrians, etc.).

ACTION 28 Coordinate with Peer Learning Opportunities

Lead Vision Zero Coordinator

Support Traffic and Transportation Division, Rockville City Police Department (RCPD), Public Information Office, Montgomery County, State

Action Collaborate with Montgomery County to establish links with peer Vision Zero communities to create a shared learning community.

Why we do this... Working with other Vision Zero communities allows the city to learn best practices and lessons-learned for implementing strategies for Vision Zero.

Objective Provide initial outreach to other Vision Zero Communities and organizations.

End date: N/A

Metrics: Increase the number of annual meetings staff attends to discuss best practices.

ACTION 29 Coordinate with Peer Learning Opportunities

Lead Vision Zero Coordinator

Support Traffic and Transportation, Rockville City Police Department (RCPD), Public Information Office

Action The review is the first step in bringing the city's existing traffic safety programs and policies in line with Vision Zero goals and principles.

Why we do this... The review is the first step in bringing the city's existing traffic safety programs and policies in line with Vision Zero goals and principles.

Objective Complete the review of the city's existing traffic safety programs and policies per the findings of the crash analysis.

End date: July 1, 2022

Identify and prioritize specific changes.

End date: July 1, 2023

Metrics: Increase the number of programs and policies that will align with Vision Zero principles.

ACTION 30 Procure Safer Vehicles

Lead Fleet Services

Support Vision Zero Coordinator

Action Adopt new vehicle fleet purchasing policy to include purchasing specifications for crash avoidance systems, side and under-run guards, mirrors and lighting.

Why we do this... Updating the city's fleet will provide more up-to-date technology that can provide safer vehicles.

Objective Adopt new fleet purchasing policy.

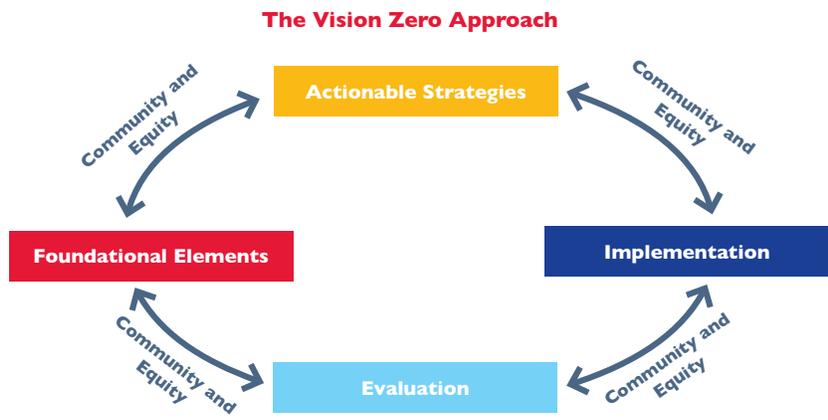
End date: July 1, 2021

Metrics: Increase the number of vehicles in the city's fleet that employ safer technologies for preventing crashes. Will monitor for any severe or fatal collisions involving the city's fleet vehicles and continue to identify and provide proactive safety measures as needed.

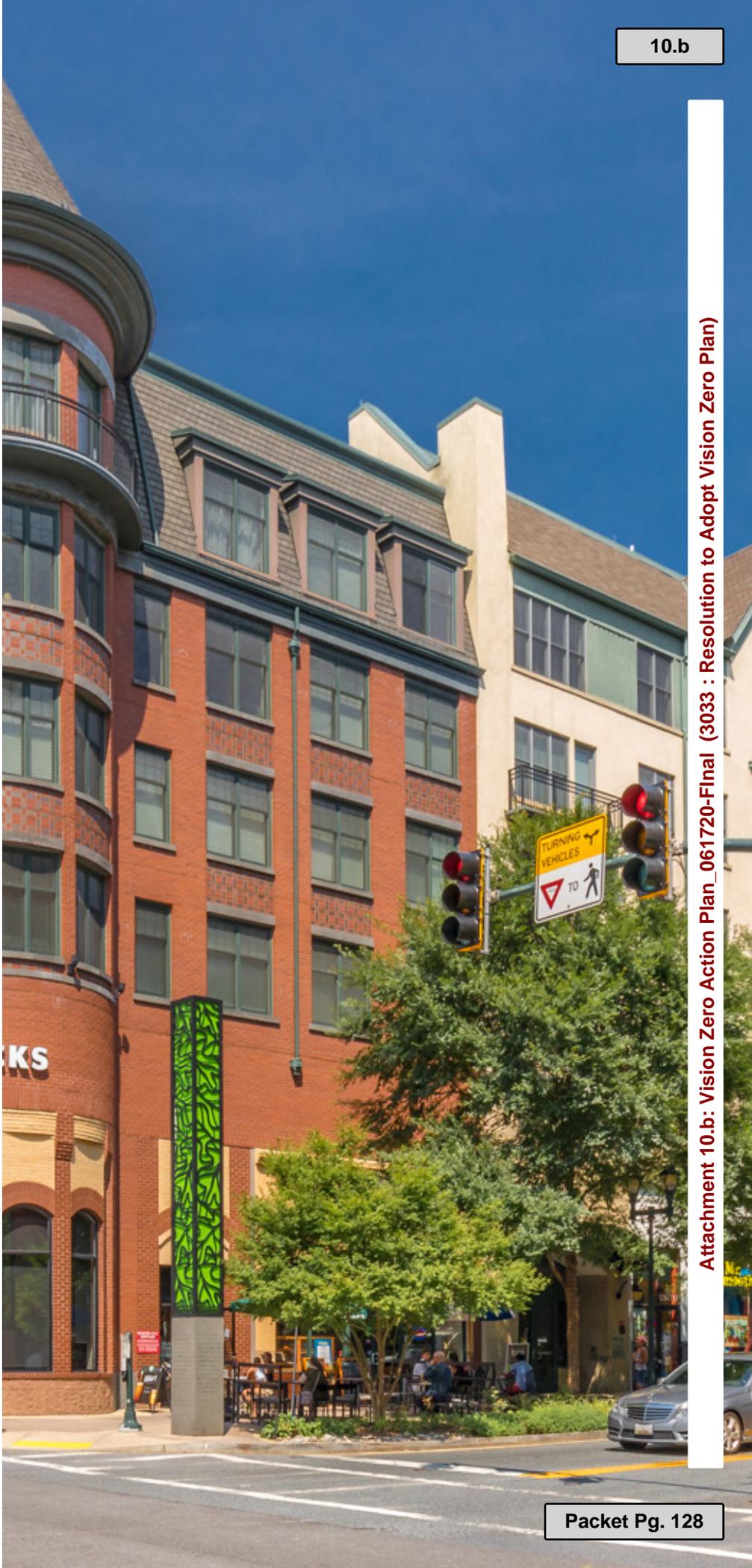
TRANSPARENCY AND ACCOUNTABILITY

Comprehensive and strategic communications are essential to a successful Vision Zero effort. The best results come from understanding how to move individuals and institutions toward cultural change, taking a targeted, data-driven approach to how and where messaging will be deployed; and testing and evaluating approaches to ensure their effectiveness. Rockville is committed to maintaining transparency with the public by frequently and clearly communicating data on progress towards the goal of zero collisions resulting in severe injuries and fatalities. Staff will utilize the Vision Zero webpage on the city’s website to communicate the progress of action items, publish crash data, and other information related to the city’s Vision Zero goals. This action plan will ensure regular updates to committees within the City on the progress of action items and performance measures, and a briefing to the Mayor and Council every six months from the implementation start date. By providing transparent progress tracking to determine what works and weed out what does not work, Rockville will lay the groundwork for the city’s future Vision Zero initiatives. This Vision Zero Action Plan also commits to encouraging meaningful cooperation

in establishing a framework for multiple stakeholders to set shared goals and focus on coordination and accountability. The city acknowledges that our Vision Zero goals cannot be accomplished without collaboration among relevant governmental agencies, departments, and community stakeholders. By establishing the Rockville Vision Zero Task Force, this plan creates opportunities for collaboration and communication among city departments. The city also ensures regular communication with Montgomery County through its Vision Zero Steering Committee and Vision Zero Coordinator. Because not all streets within Rockville are under the jurisdiction of the city, we will work closely with the Maryland State Highway Administration and Montgomery County to ensure our goals of Vision Zero are considered and that we all have a consistent approach to transportation safety. Montgomery County and state are already in the process of accomplishing similar action items and Vision Zero strategies as described in this action plan. Rockville commits to supporting the Montgomery County and State in these initiatives as a partner while also advocating for safety projects specific to the city.



Attachment 10.b: Vision Zero Action Plan_061720-Final (3033 : Resolution to Adopt Vision Zero Plan)



Attachment 10.b: Vision Zero Action Plan_061720-Final (3033 : Resolution to Adopt Vision Zero Plan)





Mayor & Council Meeting Date: June 22, 2020
 Agenda Item Type: Presentation and Discussion
 Department: Recreation & Parks
 Responsible Staff: Tim Chesnutt

Subject

Redgate Park Planning Strategy

Recommendation

Staff requests that Mayor and Council review, discuss, and approve the proposed process for the re-imagining of RedGate Park.

Discussion

On March 30, 2020, the Mayor and Council discussed the process for determining the future of the RedGate Park property. Following this discussion, they directed staff that the entire site should be retained as a park, with elements of both active and passive recreation. The Mayor and Council further indicated a desire for areas of open green space, and for additional community input to help identify and prioritize the elements that will ultimately be included.

The Recreation and Parks Department is the lead agency for this project, with an Executive Team made up of the Directors of Public Works (DPW), Planning and Development Services (PDS), and Recreation and Parks (R&P) providing the overall project management. A Project Team/Technical Committee made up of staff from DPW, PDS and R&P will be tasked with the ultimate implementation of the process.

There will be several key components of the process:

- Compilation of the best practices and community interest information gathered through the Recreation & Parks Strategic Plan and the 200+ emails and comments submitted by community members (completed).
- Community engagement meetings, facilitated by staff, to solicit additional input from residents of Rockville as to the possible elements to be included in the park. These meetings would be in a structured format and result in:
 - A prioritization of the possible elements based on community input.
 - Creation of 3-4 concept renderings by a consultant showing options for locating the prioritized elements within the park.
 - Community response to initial concepts.

- Mayor and Council final direction as to which elements to include and their preferred locations within the park.

Mayor and Council History

The Mayor and Council have received updates on and discussed the RedGate property on many occasions. At the presentation on June 17, 2019, an extensive history, dating back to 2006, of Mayor and Council discussions was provided with the staff report for that meeting agenda. The report can be accessed at the City's agenda webpage at:

<https://www.rockvillemd.gov/agendacenter>.

Most recently, at the February 3, 2020 meeting, the Mayor and Council discussed whether to proceed with a master planning process for the property. At the March 30, 2020 meeting, the Mayor and Council accepted the City Manager's recommendation to have the Recreation and Parks staff lead the planning process, with a consultant being hired to assist with concept renderings, and for the park concepts to reflect the entire property being developed as parkland.

Options Considered

Several options have been considered, including master planning the property and conducting a staff-led and community-driven planning process.

Public Notification and Engagement

The community has engaged extensively in the consideration of the future of the RedGate property. Specifically, the Mayor and Council and staff have received input from users about the benefits of continuing to use RedGate as a park, though input has been received in support of other uses as well.

Use of the input gathered to date and the planned community engagement meetings will be a key component of the planning process.

Boards and Commissions Review

The most recent input from the Recreation and Parks Advisory Board is a recommendation to keep the property as a park. The Planning Commission has been reviewing the land use policies for the Rockville 2040 update to the Comprehensive Plan. The current Planning Commission draft designates the site as a Public Park.

Procurement

If the Mayor and Council authorizes staff to proceed with the proposed planning process, staff will begin working with Procurement to identify one of the pre-approved consultants under contract with the City for architectural and engineering services that would be capable of and interested in working on the concept design renderings.

Fiscal Impact

The Mayor and Council committed \$100,000 in General Fund unassigned fund balance as part of the FY21 adopted budget ordinance for planning of the RedGate property. After the close-out of FY20, the committed funds for a consultant could be appropriated via a FY21 budget amendment.

Next Steps

A tentative timeline would include conducting the community engagement process during the Fall of 2020 and completing the review and approval process by late Spring/early Summer of 2021.

Attachments

Attachment 11.a: Redgate Project Charter (DOCX)



Rob DiSpirito, City Manager

6/17/2020

RedGate Park Project Charter

Introduction

Developing a conceptual plan for the use of RedGate Park involves engagement and support from staff members within multiple City departments. This multi-department project will require an agreed-upon plan to unify staff in dedicating the time and working effectively together to support the Mayor and Council in deciding the appropriate uses for RedGate Park. This Project Charter, a roadmap for completing the initiative, describes who, what, when, where, why, and how the City will complete this important project. The Mayor and Council endorsement of a Project Charter will be helpful to the staff and public in successfully completing this project.

Project Charter

The first step to initiate this project is to establish a “plan to do the project” or a Project Charter. This document contains information on:

1. Reason and purpose, and targeted outcomes for the project;
2. Organizational structure with roles, responsibilities, decision-making authority, and project assignments;
3. Description of the community outreach and engagement strategy; and
4. Reasonable schedules for project components.

1. Reason and Purpose

At the March 30, 2020 meeting, the Mayor and Council directed Recreation and Parks staff to lead the planning process, with a consultant being hired to assist with the concept renderings, and for the park concepts to reflect the entire property being developed as parkland. Specifically, the Mayor and Council has directed that the process have a significant community engagement component, as well as to use the Recreation and Parks Strategic Plan to inform the needs of the community.

Goal and Objectives:

Overall Goal

Develop and receive approval of a conceptual plan for RedGate Park.

Objectives

1. Develop priorities for park features, amenities and facilities using data collected through:
 - a. The Recreation and Parks Strategic Plan development (completed)
 - b. The more than 200 community comments already received (completed)
 - c. Additional community engagement processes
2. Develop and implement a public engagement process to gain further input on priorities.

3. Brief and receive feedback from Mayor and Council on priorities.
4. Aided by consultants, develop alternative conceptual plans for active and passive uses, including costs, based on public input and Mayor and Council direction.
5. Develop and implement a public engagement process to gain input on conceptual plans.
6. Revise plans based upon public engagement.
7. Brief and receive feedback and direction from Mayor and Council on alternatives.

Project Name:

The RedGate Park site represents a significant opportunity to provide for the future recreation and parks needs for our City. The project calls for envisioning what this former golf course could be. For this reason, we are recommending that the project name be "Reimagining RedGate Park."

2. Organizational Structure

The organizational structure is composed of:

- **Mayor and Council (M&C)** – The Mayor and Council provides the overall purpose of this project and endorses the process and approves the final outcomes. M&C must be kept informed of our efforts and progress. The Mayor and Council must ultimately decide the final plan for RedGate Park.
- **City Manager (Rob DiSpirito)** – The City Manager helps develop the Project Charter and provides overall direction to the Executive Team and Project Manager at key points throughout the project.
- **Executive Team** – This team is composed of the Directors of Recreation and Parks, Public Works, and Planning and Development Services. Tim Chesnutt, Craig Simoneau, and Ricky Barker are responsible for the development and execution of the Project Charter, making executive decisions for the Project Team when appropriate, providing overall communication to staff within their departments, providing resources, encouragement, and support for staff working on the project. The Executive Team, in conjunction with the City Manager, will have final say over the recommendations, actions, and implementation schedule. This Team will also play a critical role in establishing an effective process for making key decisions among competing objectives. This Team will also provide progress reports to the Mayor and Council.
- **Project Manager (PM)** – The project manager is the Director of Recreation and Parks, Tim Chesnutt. Tim is accountable to the Executive Team and the City Manager to ensure that the Project Charter is implemented, progress reports are provided, and recommendations are acted upon. Tim will promote engagement, collaboration, and accountability among the Project Team and Technical Work Teams. He is also accessible and available to each Team and Team Leaders for support, guidance, and direction.
- **Project Team** – Project Team Members – Steve Mader (R&P), Dianne Fasolina (R&P), Chris Henry (R&P), Diron Baker (PW), Larissa Klevan (PDS), Andrea Gilles (PDS). The Project Team should bring in subject matter experts for advice and assistance as needed.

3. Community Outreach and Engagement Strategy

Three (3) initial outreach meetings

- a. Community outreach meetings will be open to the public to encourage inclusive participation.
- b. Meetings will focus on identifying the appropriate uses for RedGate Park, prioritizing the desired features and discussing potential layouts.
 - i. Each meeting will build on the work completed at the previous meeting but will be open and accessible for those who were unable to attend to a prior meeting.
- c. Information gathered at the meetings will be coupled with background information from City plans (including but not limited to the Recreation & Park Strategic Plan and Rockville 2040) as well as previously received public feedback.
- d. An additional open meeting will be held to solicit community input on the consultant-developed concepts.
- e. Possible meeting formats include (but are not limited to): small group discussions, an open house and surveys.

4. Schedule

A tentative timeline would include conducting the community engagement process during the Fall of 2020 and completing the review and approval process by late Spring/early Summer of 2021.



Mayor & Council Meeting Date: June 22, 2020
 Agenda Item Type: Presentation
 Department: PDS - Development Review
 Responsible Staff: Brian Wilson

Subject

Briefing on Project Plan PJT2020-00012, Key West at Fallsgrove, for an Amendment to the Fallsgrove Planned Development (PD) to Permit Up to 350 Multifamily Dwellings in Place of the Approved Office Development at 1800 Research Boulevard; Key West Center Fallsgrove LLC, Applicant

Recommendation

Staff recommends that the Mayor and Council receive the briefing, ask questions and provide comments on the proposed development.

Subject

Briefing on Project Plan PJT2020-00012, Key West at Fallsgrove, for an Amendment to the Fallsgrove Planned Development (PD) to Permit Up to 350 Multifamily Dwellings in Place of the Approved Office Development at 1800 Research Boulevard; Key West Center Fallsgrove LLC, Applicant

Recommendation

Staff recommends that the Mayor and Council receive the briefing, ask questions and provide comments on the proposed development.



Overview

Case: Key West Center at Fallsgrove – Project Plan PJT2020-00012

Location: 1800 Research Boulevard

Staff: Brian Wilson, AICP
Planning and Development Services
240.314.8227
bwilson@rockvillemd.gov

Applicant: Keywest Fallsgrove, LLC, c/o Lerner Enterprises

Filing Date: February 5, 2020

Discussion

Pursuant to Section 25.07.07 of the Zoning Ordinance, Keywest Fallsgrove, LLC, c/o Lerner Enterprises (the “Applicant”) submitted a proposal to amend the Fallsgrove Planned Development (PD), initially approved by the Mayor and Council by Resolution No. 1-00 (see Attachment B - Project Narrative, and Attachment C - Concept Plan), which set forth the development pattern and amount and type of development approved for the Fallsgrove project. The Concept Plan approved 210,981 square feet of new office development for this site. Although site plans for office development on this property have also been approved by the Planning Commission, they have expired without implementation.

The site is approximately 7.03 acres in size and located on the southwest corner of West Gude Drive and Research Boulevard, within the Fallsgrove Planned Development. The west side of the property abuts the Fallsgrove Stream Valley Park.

The application proposes to amend the existing concept approval to allow for the development of up to 350 multi-unit dwellings rather than the approved office use. The building would provide five stories of apartments over structured parking and measure up to 120 feet in height. The floor plan is in the shape of an “E” with projecting wings framing semi-enclosed courtyards.

The Applicant states that a single residential use for this property is appropriate due to the overall mixed-use nature of the Fallsgrove development and the limited marketability of office space in office parks within Montgomery County. However, the Applicant proposes to retain the ability to construct office on the site should market conditions prove more favorable. This is similar to a request made by Foulger Pratt for the Rockville Metro Plaza development in Town Center.

In accordance with Section 25.07.07 of the Zoning Ordinance, the Mayor and Council and Planning Commission are required to be briefed on Project Plan applications. The purpose of

the briefing is for the Applicant to inform officials about the proposal, including information such as a project overview and review schedule.

Public Notification and Engagement

Following the required notifications, the Applicant held a pre-application area meeting on July 29, 2019 (one member of the public was in attendance) and a post-application area meeting on March 9, 2020 (no members of the public were in attendance).

Boards and Commissions Review

The briefing for the Planning Commission was held on April 8, 2020. The applicant's development team presented and explained the design for the project.

The Planning Commission asked questions about a number of items, including about the pocket park on the site, which will provide an opportunity for bikers to rest. Commissioner Anne Goodman asked about the range of sizes for the units, to which the response was that there will be a mix ranging from studio to two-bedroom with den or three-bedroom units (560 square feet to 1,200 square feet).

Commissioner Don Hadley asked about the use of the courtyards, and applicant James Policaro responded that they will be passive recreation areas, including a potential children's play area. Chair Littlefield asked whether the park should be located at the southern portion of the site, and Mr. Policaro answered that the 50-foot wide gas easement prevented development at the northern part of the site, which presented an opportunity for locating the parkland here.

The Commission was generally supportive of the application and expressed no particular concerns with the proposal as presented.

Next Steps

Following the Mayor and Council briefing, the Applicant should make any revisions to the proposal as needed based on comments received at the briefing sessions. Such plan revisions must be made before the request is scheduled for consideration by the Planning Commission at a regularly-scheduled meeting. The Planning Commission must review the project plan application, as revised, at a public meeting and provide an opportunity for public comment. After its review, the Planning Commission will prepare and transmit its comments and recommendation on the application to the Mayor and Council.

After a recommendation has been forwarded by the Planning Commission, the project plan application will be scheduled for a public hearing by the Mayor and Council. At this stage, the

Applicant is encouraged to revise plans based on comments and recommendations received from the Planning Commission. If directed by the Mayor and Council, the Applicant must hold another area meeting and receive comments on the proposed plan. Upon hearing all such evidence from the public hearing and area meeting, the Mayor and Council will render a final decision on the proposed project plan amendment via adoption of a resolution, incorporating the findings, as required by Section 25.07.01.b.2 of the Zoning Ordinance. If the application is approved, the Mayor and Council will establish a time period in which construction of the approved project plan must commence. Following Project Plan approval, the applicant would then submit an application to the Planning Commission for site plan approval.

Attachments

- Attachment 12.a: Aerial Photo - Key West Center at Falls Grove (PDF)
- Attachment 12.b: Justification Statement - Project Plan Amendment (PDF)
- Attachment 12.c: Concept Site Plan (PDF)
- Attachment 12.d: Concept Building Elevations and Floor Plans (PDF)


Rob DiSpirito, City Manager

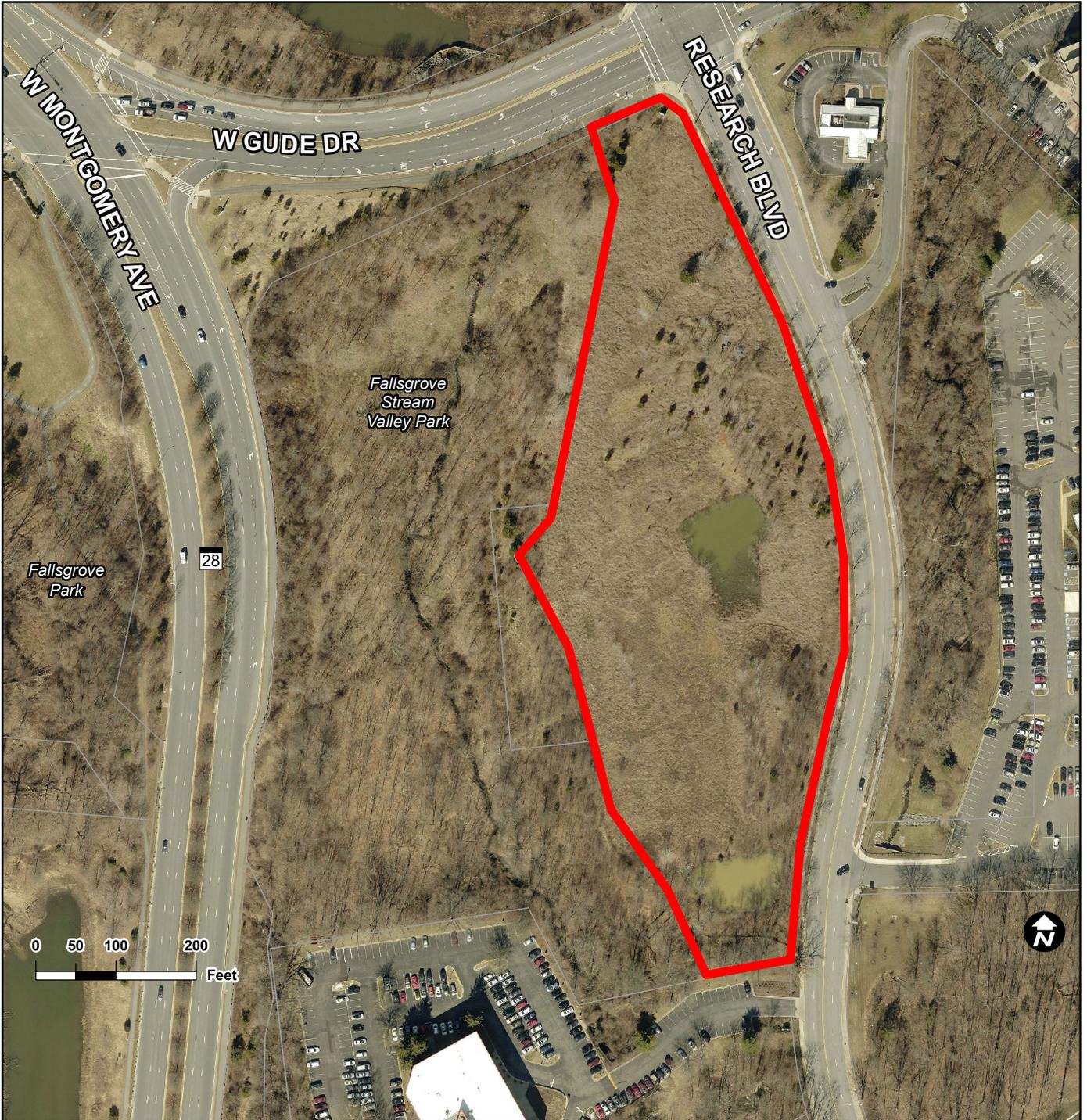
6/17/2020



Case Number: PJT2020-00012

Address: 1800 Research Boulevard

Project Name: Key West Center at Fallsgrove



Attachment 12.a: Aerial Photo - Key West Center at Fallsgrove (2982 : Briefing - Keywest at Fallsgrove PJT2020-00012)

JUSTIFICATION STATEMENT

**FG Office Group, LLC
Parcel 37, Grassland ETC Subdivision
Fallsgrove Planned Development
Comprehensive Planned Development Concept Plan Application CPD99-0004**

PROJECT PLAN AMENDMENT APPLICATION

JANUARY 10, 2020

On behalf of FG Office Group, LLC (a Lerner Enterprises affiliate) (the “Applicant”) the attached application proposes to amend the current Comprehensive Planned Development Concept Plan Application CPD99-0004 (“CPD”) (Resolution No. 1-00) pursuant to a Project Plan Amendment, for the property known as Parcel 37, Grassland ETC Subdivision, at the southwest corner of West Gude Drive and Research Boulevard (with no designated address) (the “Property”). The Project Plan Amendment seeks approval to develop the Property to accommodate up to 350 residential units (the “Project”). As part of this application, the Applicant requests that the current commercial office designation be retained, in the remote chance that there is a future resurgence of the commercial office market.

I. PROPERTY DESCRIPTION, ZONING AND BACKGROUND

The Property consists of 6.53 acres (284,779 square feet) and is part of the 254 acre Fallsgrove development that involved the comprehensive redevelopment of the Thomas Farm. The Property is zoned PD-FG (planned development, Fallsgrove) and was designated for 210,981 square feet of office development, pursuant to an amendment to the CPD (Resolution No. 21-05). As discussed in greater detail below, the Applicant has determined that the commercial real estate office market cannot support an office building at this location and thus has decided to pursue approval to accommodate residential development on the Property. The Property’s assigned “equivalent zoning” is MXE (mixed use employment). Pursuant to Zoning Ordinance Section 25.14.07, Project Plan Amendment approval by the Mayor and Council is required in order to amend the Fallsgrove Planned Development Governing Documents to accommodate the requested residential development on the Property. As discussed below, the proposed residential development is consistent with the development standards of the MXE Zone.

The Property is located immediately to the east of the City owned forested open space, to the north of the Westat office complex, to the west across Research Boulevard from various

office buildings and to the south across West Gude Drive from City owned open space.

II. PROPOSED PLAN

A. Architecture

The Applicant is proposing the development of a multi-family building with up to 350 units (365,000 gross square feet). The building will be five stories provided over podium parking with a maximum height of 120 feet. Approximately 525 parking spaces will be provide with approximately 309 garage spaces and approximately 141 surface parking spaces. Two substantial amenity spaces will be provided within the courtyards of the building. The open space facing west will include a pool and the courtyard facing east will be improved with a patio, picnic area, passive recreational spaces and green space. The Project will provide moderately priced dwelling units in accordance with the Zoning Ordinance requirements.

The building footprint is made up of a series of bars organized around two distinct outdoor courtyards, with primary frontage along Research Boulevard. Proposed façade materials will include a combination of brick veneer, metal panel, cementitious panel, and glass. The building's design frames the street in an effective manner, without concentrating all of the density along the Research Boulevard frontage of the building. In this way, the building delineates the open space provided along the frontage of the Property, including the shared use path, while maintaining an open feeling.

The building architecture seeks to be human-scaled, contextual, walkable, and integrated with the landscape, both within and surrounding the site. Multiple building entry points promote walkability throughout the site and connection to the adjacent trail network. The architectural style mediates between the highly glazed and contemporary office buildings in the immediate context of Research Boulevard and the Neo-Traditional design principals of Falls Grove. The architecture employs many of the strategies of traditional design, such as special attention to the detailing and materiality of the building base, a clear delineation between the base and top, and a strong rhythm of window organization and patterning.

B. Parking and Access

The main entrance to the building will be along the northern façade so that visitors may easily be dropped off, with an adjacent surface parking area for visitor and future resident parking. The two vehicular access points to the Property will be located to align with the existing curb-cuts on the opposite side of Research Boulevard. A driveway loop connecting the two vehicular entry points and wrapping behind the building will be provided which provides for required fire access. This driveway is lined with parking spaces that will be concealed from the

public street, given the building location and the forested City-owned open space to the west of the Property. The operational components of the building (*i.e.*, the loading docks, utility services, transformers and trash areas) will be located along the south and west-sides of the building, and screened from view.

To further promote the use of public transportation, the Applicant will install a standardized city bus shelter in place of the bus stop located along the Research Boulevard frontage of the Property.

C. Public Open Space

In accordance with the Zoning Ordinance requirements, a minimum of 20 percent of the Property will be open space, of which 5 percent will be public open space. More specifically, the Project will provide 142,668 square feet of open space (46.6 percent) and 59,540.5 square feet of public open space (19 percent). The public open space will be located in the northern portion of the Property where an approximate 19,000 square foot pocket park improved with pathways and pedestrian-scale plantings is located. In addition, public open space will also be located along a portion of the Property's Research Boulevard frontage, where the shared use path is located partially on the property and partially within the right of way.

III. JUSTIFICATION FOR EXCLUSIVELY RESIDENTIAL USE

Fallsgrove is a thriving, integrated mixed-use community and comprised of approximately 1,500 residences, approximately 275,000 square feet of office, almost 600,000 square feet of retail and a hotel. These integrated uses are all located within the land area bounded by Shady Grove Road to the west, Montgomery Avenue to the north and east and Darnestown Road to the south. Outside of this area there are three "satellite" sites – the Property and two sites north of Gude Drive and east of West Montgomery Avenue, all of which are designated for office/research and development and remain vacant. Given the existing mixed use nature of Fallsgrove, the request for a Project Plan Amendment to accommodate residential on the Property, in no way compromises the overall mixed use environment.

The Applicant's request for the residential designation is to allow for a viable use to be developed on the Property. Ideally, if there were a sustainable office market, the Applicant would develop the Property for an office use. It is for this reason, that, in the remote event the office market were to rebound, the Applicant requests the preservation of the office designation. However, the Applicant's unsuccessful efforts to market the Property for office use for more than a decade due to the lack of market interest, coupled with the challenges the Applicant has had in leasing their two office buildings in Fallsgrove proper, are the driving forces behind the subject Project Plan Amendment. More specifically, the relatively new (completed in 2014)

Fallsgrove office building along Shady Grove Road (14995 Shady Grove Road) has a 63 percent vacancy rate while the office building located at 14955, that was constructed in 2002, has a vacancy rate of 28 percent. Notably, the Applicant has actively tried to lease the space in these two buildings since before the buildings were even completed.

In connection with the Project Plan Amendment, the Applicant consulted with Avison Young, a commercial real estate firm, to assess the viability of the office market in the vicinity of the Property. The Avison Young reports confirmed that the office market overall in Montgomery County is not strong; Avison Young's Montgomery County Office Overview for December 31, 2018 showed a 15% vacancy rate, while the Montgomery County Office Overview for September 30, 2019 shows a 14.6% vacancy rate with a negative net absorption, meaning that the market is essentially flat. The office market for the I-270 Corridor was comparable to the County's with the I-270 Corridor Office Overview for December 31, 2018 indicating a vacancy rate of 15.8% and for September 30, 2019, a vacancy rate of 15.2%. Avison Young noted that the statistics substantiate that the office market is flat and that landlords along the I-270 are having to upgrade their buildings to retain any existing tenants. While the vacancy rates for the County and the I-270 corridor were somewhat anemic, what was most striking for the Applicant was the vacancy rates in close proximity to the Property. For the period ending June 2019, the overall vacancy rate for commercial buildings along Research Boulevard, Shady Grove Road and King Farm is 32.47 percent.

It would be one thing if the vacancy rates cited above were an aberration from the historical trends, but unfortunately, they are reflective of the state of the office market for over the past decade outside major urban areas and the central business districts. Given this decade long historical trend and the fact that there is nothing to indicate a change in market, the Applicant determined that the only fiscally prudent option available was to pursue the Project Plan Amendment that will accommodate residential development on the Property.

IV. COMPLIANCE WITH COMPREHENSIVE PLAN

A. City of Rockville November 12, 2002 Comprehensive Master Plan

The November 12, 2002 Approved and Adopted City of Rockville Comprehensive Master Plan (the "Master Plan") locates the Property within Planning Area 15, Research/Piccard/King Farm/Fallsgrove Neighborhood. The Master Plan recognizes the overall mixed use nature of Fallsgrove and at the same time notes that the Fallsgrove Concept Plan designated the Property for office development.

The Master Plan provides that the Fallsgrove development is intended to reduce automobile traffic by providing a mixture of complementary land uses within walking distance

of each other. The Master Plan further provides that access to transit will be necessary to reduce vehicular trips. The Project will be the *only* residential project within a reasonable walking distance of the more than 3 million square feet of office development located along Research Boulevard. Development of a residential building at this location helps to create a mixed use corridor in this area. In regard to access to transit, the Property is conveniently served by three Ride-on bus lines: the 54 (Rockville Station to Lakeforest Transit Station); 63 (Rockville Station and Shady Grove Station); and 66 (Shady Grove Station and Traville Transit Center), thus promoting the Master Plan recommendation of developing in areas with easy access to transit.

The Project will further a number of the Master Plan’s overall goals and objectives, including the following:

- Encourage multi-family housing in mixed-use areas of development (page 10-1)
- Create a balance between different housing types (page 10-1)
- Promote policies and practices that are non-discriminatory in the rental housing stock and that preserve neighborhoods, recognize historical significance, encourage affordable and accessible housing and consider the impact of land use (page 10-1)
- Continue to support the MPDU program (page 10-9)
- Minimize the impact on the natural environment (page 4-32)
- Implement Rockville’s Bicycle Master Plan to provide recreational and commuter opportunities (11-1)

B. Draft 2040 Comprehensive Plan

The 2040 Comprehensive Plan (Vision 2040) is still in draft form, with the Elements volume (i.e. Part 1) having been made available to the public for comment. The recommendations for the individual Planning Areas has not, as of the date of submission of this Project Plan Amendment, been made available to the public. Although the Vision 2040 Plan is a draft not yet adopted by the City, we nonetheless address it herein. Perhaps most importantly, is the Vision 2040s recognition that the population of Rockville alone is expected to grow by almost 20,000 people between 2020 and 2040. To this end, the Vision 2040 Plan recommends allowing more diversification in the land use pattern to meet the increasing need for residences in Rockville.

The Vision 2040 Plan’s Land Use Policy Map designates the Property as ORRM, Office Residential Retail Mix. As the Vision 2040 Plan provides, the mixed use categories are intended to be “inclusive and flexible.” The ORRM designation is described as “the most flexible category allowing property owners a wide choice in mixing office, retail and residential uses.” The draft Plan provides that retail frontage may be required where mapped. The draft Land Use

Policy Map designates portions of the West Gude Drive and Research Boulevard frontages as retail. The Applicant is very concerned about this designation for the following reasons:

1. As the Project Plan Amendment indicates, a 50 foot wide easement to accommodate the Transcontinental Gas pipeline runs across the northern portion of the Property, precluding any development over the pipeline easement. As a result, it is not possible to provide retail uses (let alone any other type of use) along the West Gude Drive frontage.

2. Even in the best locations (e.g. Rockville Pike or downtown Bethesda) accommodating viable sustainable retail uses has become increasingly difficult in the age of internet retail. This challenge is only exacerbated in “one off” areas such as the Property that lack a critical mass of other retail and, have limited foot traffic. Where retail is viable, developers will most always opt to provide it. However, in questionable locations, the requirement to provide retail often results in vacant ground floor space, which is detrimental to the Project as well as the surrounding area.

It is the Applicant’s intent to further explain to the Planning Commission in connection with its review of the Planning Areas and to the Mayor and Council during its review of the overall Vision 2040 Plan why requiring retail uses in this location is not appropriate. Importantly, the ORRM designation does not mandate mixed use, but instead provides for the ability to provide a mix of uses.

V. COMPLIANCE WITH MXE DEVELOPMENT STANDARDS

The project complies with the development standards set forth in Section 25.13.05, as described below.

A. Subsection 25.13.05b(1)

The Project complies with the applicable development standards for the MXE Zone set forth in Section 25.13.05.b:

	Required/Permitted	Proposed
Maximum Height (in feet)	120'	100'
Total Open Area Required	20%	20%
Public Use Space Required w/in Open Area	5%	5%

	Required/Permitted	Proposed
Minimum width at frontline	10'	10'
Setbacks Abutting Public Right-of-Way	None, 10' min. if provided	25' from Research Blvd.* 350' from W. Gude Drive *
Side Setback Abutting Residential	25' or 1/2 height of building, whichever is greater	N/A
Side Setback Abutting Non-Residential Land	None; 10' min. if provided	199' on south side *
Rear Setback Abutting Residential	25' or 1/2 height of building, whichever is greater	N/A
Rear Setback Abutting Non-Residential Land	None; 10' min. if provided	37' *

* Subject to change at Site Plan

B. Subsection 25.13.05c – Other Standards and Requirements for New Development

Summary of Applicable Requirements	Proposed
MPDUs – Residential development must comply with MPDU requirements	Project will comply with the MPDU requirement of City Code Section 13.5
Public Use Space – must be provided consistent with Section 25.17.01	Public Use Space consistent with Section 25.17.01 will be provided.

C. Subsection 25.13.06 - Additional Design Guidelines

1. Architectural and Visual Character for all Zones

The Project’s design provides visual interest. The building concept includes three east-west oriented residential bars, each anchored by a corner element. The east-west bars are tied together by the residential “connectors” running north-south. The result is a diffusion of the building mass, with generous courtyards in both the front and back of the building. The majority of each façade is glass with other building materials including brick veneer and metal and

cementitious panels, consistent with the design guidelines. The entry way of the building along its northern façade will be improved with a porte cochère.

All mechanical equipment will be screened and there will be no prohibited items facing the street.

2. Site Design and Relationship to Surrounding Community Façade and exterior walls.

Access to the Property will be provided from two driveways on Research Boulevard that are aligned with the entrances across the street. The entrance locations will provide for convenient access to both the structured and surface parking. Generous landscaping will be provided around the surface parking area to screen the parking from Research Boulevard.

The Project includes the construction of a shared use path along the Research Boulevard frontage of the Property that ties into the Carl Henn Millennial Trail along the West Gude Drive frontage of the Property and a sidewalk to the south.

D. Subsection 25.13.07.c – Special Design Regulations for MXE Zone

1. Building location – The Comprehensive Plan does not recommend a building location. The building is located 25 feet from the front Property line along Research Boulevard.

2. Uses by Floor – The building is devoted exclusively to residential use. The ground floor will contain a lobby, and residential amenities.

3. Façade – The building is 70'-85' feet tall along the front line. The first floor as it meets the grade is composed of durable brick masonry in a variety of colors to add interest and scale for the pedestrian. The footprint of the building also varies to break up the massing and reinforce the architectural tower elements facing the street. Brick coursing details will also be added for an additional layer of human scaled detail.

4. Sidewalks – The sidewalk/shared use path will comply with Section 25.17.05 and will provide a seven-foot wide planting area, a ten-foot wide shared use path and a one-foot wide amenity/safety area.

5. Parking – Parking will be provide in accordance with Article 16 of the Zoning Ordinance and will be relocated along the side or rear. The majority of the parking will be located in structured parking.

VI. ADEQUATE PUBLIC FACILITIES

The Applicant's analysis indicates that there are adequate public facilities with respect to transportation, schools, fire and rescue, and water and sewer to accommodate the proposed Project.

The Project is located in the Richard Montgomery High School cluster and the Julius West Middle School and Ritchie Park Elementary School districts. Based on 350 residential units, the Project is projected to generate 10 High School students, 8 middle school students and 18 elementary school students. In accordance with the FY20 Annual Schools Test, as well as the preliminary FY21 Annual School Test, there is sufficient school capacity to accommodate the Project.

In terms of transportation the previously approved development for general office was projected to generate 227 AM trips and 234 PM trips. The proposed residential will generate significantly less trips, with 117 AM trips and 147 PM trips. An on-site transportation analysis is submitted as part of the Site Plan application.

The traffic mitigation improvements required by in CPD99-0004 were constructed many years ago in connection with the Falls Grove buildout.

VII. COMMUNITY OUTREACH

The Applicant held a Pre-Application Meeting ("PAM") on July 29, 2019. Only one couple attended the meeting. Details of the meeting were submitted in connection with the PAM application.

VIII. PDP/PROJECT PLAN STANDARDS

In accordance with Zoning Ordinance Section 25.14.07.d.4.e.2, any amendments to a Planned Development Governing Documents requires the approval of a Project Plan Amendment.

The Project satisfies the required findings for Project Plans set forth in Section 25.07.01, as follows:

The Project will not:

- (a) *Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.*

The Project will introduce a residential building into an area that is almost exclusively developed with office buildings, introducing the concept of “live where you work” to this area of Rockville. The building will not adversely affect the employees in the neighborhood of the Project.

(b) Be in conflict with the Plan.

As discussed in Section IV the Project complies with the approved City Comprehensive Plan.

(c) Overburden existing and programmed public facilities as set forth in Article 20 of this Chapter and as provided in the adopted Adequate Public Facilities Standards.

As found in the original PDP, water and sewer service are available and sufficient. In addition, there is school capacity to accommodate the anticipated number of students that the Project will generate. As noted above, the proposed residential use generates significantly less traffic than the previously approved office use on the Property.

(d) Constitute a violation of any provision of this Code or other applicable law.

The Project will comply with all applicable provisions of the Zoning Ordinance and all other applicable laws.

(e) Adversely affect the natural resources or environment of the City or surrounding areas.

The Project will in no way adversely affect the natural resources or environment. The Project will be providing on-site stormwater management including micro bio-retention areas and planters. The overall forest conservation requirements for Falls Grove, and hence the forest conservation requirements for the Property, have been met and include 5,762.8 square feet of forest conservation easement located in the southern portion of the Property.

IX. CONCLUSION

The Project Plan Amendment provides the opportunity to develop the longstanding vacant parcel into viable and desirable residential uses that address the growing population in Rockville. The residential uses in this location help to create a mixed use corridor along that portion of Research Boulevard between West Montgomery Avenue to the south and West Gude Drive to the north. As discussed herein, the Project meets the requirements of the Project Plan Amendment, and we respectfully request that the Mayor and Council approve this application.



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KEY WEST AT FALLSGROVE
RESEARCH BOULEVARD, ROCKVILLE, MD 20852
LERNER COPRATON
2000 TOWER OAKS BOULEVARD, ROCKVILLE, MD 20852
PARCEL 37 & 39 L17906, F.0211 & L178920, F.470 WSSC GRID 220NW09
4TH ELECTION DISTRICT
CITY OF ROCKVILLE, MARYLAND

SEAL
PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
LANDSCAPE ARCHITECT UNDER THE LAWS OF THE
STATE OF MARYLAND.
LICENSE NO. 3108
EXPIRATION DATE: 10.03.20

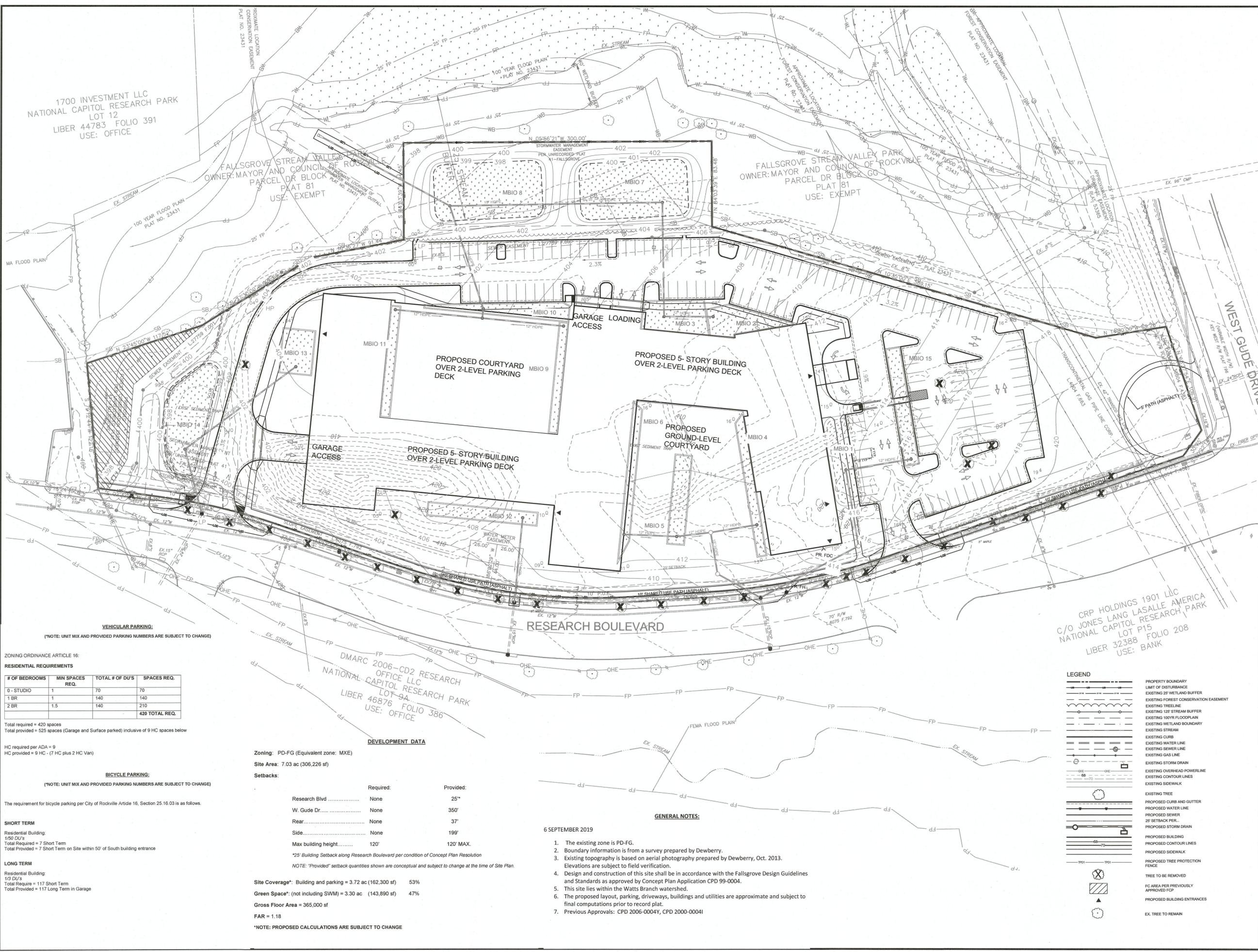


SCALE
0' 20' 40' 80'

No.	DATE	BY	Description
1	1.10.2020	DV	1st Project Plan Submission

REVISIONS
DRAWN BY: DMV
APPROVED BY: MLB
CHECKED BY: MLB
DATE: 1/10/2020

TITLE
CONCEPT SITE DEVELOPMENT PLAN
PROJECT NO. 50116243



1700 INVESTMENT LLC
NATIONAL CAPITOL RESEARCH PARK
LOT 12
LIBER 44783 FOLIO 391
USE: OFFICE

FALLSGROVE STREAM VALLEY PARK
OWNER: MAYOR AND COUNCIL OF ROCKVILLE
PARCEL DR BLOCK GO
PLAT 81
USE: EXEMPT

FALLSGROVE STREAM VALLEY PARK
OWNER: MAYOR AND COUNCIL OF ROCKVILLE
PARCEL DR BLOCK GO
PLAT 81
USE: EXEMPT

CRP HOLDINGS 1901 LLC
C/O JONES LANG LASALLE AMERICA
NATIONAL CAPITOL RESEARCH PARK
LOT P15
LIBER 32388 FOLIO 208
USE: BANK

DMARC 2006-CD2 RESEARCH
OFFICE LLC
NATIONAL CAPITOL RESEARCH PARK
LOT 9A
LIBER 46876 FOLIO 386
USE: OFFICE

VEHICULAR PARKING:
(NOTE: UNIT MIX AND PROVIDED PARKING NUMBERS ARE SUBJECT TO CHANGE)

ZONING ORDINANCE ARTICLE 16:
RESIDENTIAL REQUIREMENTS

# OF BEDROOMS	MIN SPACES REQ.	TOTAL # OF DU'S	SPACES REQ.
0 - STUDIO	1	70	70
1 BR	1	140	140
2 BR	1.5	140	210
			420 TOTAL REQ.

Total required = 420 spaces
Total provided = 525 spaces (Garage and Surface parked) inclusive of 9 HC spaces below

HC required per ADA = 9
HC provided = 9 HC - (7 HC plus 2 HC Van)

BICYCLE PARKING:
(NOTE: UNIT MIX AND PROVIDED PARKING NUMBERS ARE SUBJECT TO CHANGE)

The requirement for bicycle parking per City of Rockville Article 16, Section 25.16.03 is as follows.

SHORT TERM
Residential Building:
1/50 DU's
Total Required = 7 Short Term
Total Provided = 7 Short Term on Site within 50' of South building entrance

LONG TERM
Residential Building:
1/3 DU's
Total Required = 117 Short Term
Total Provided = 117 Long Term in Garage

DEVELOPMENT DATA
Zoning: PD-FG (Equivalent zone: MXE)
Site Area: 7.03 ac (306,226 sf)
Setbacks:

	Required:	Provided:
Research Blvd	None	25'
W. Gude Dr	None	350'
Rear	None	37'
Side	None	19'
Max building height	120'	120' MAX.

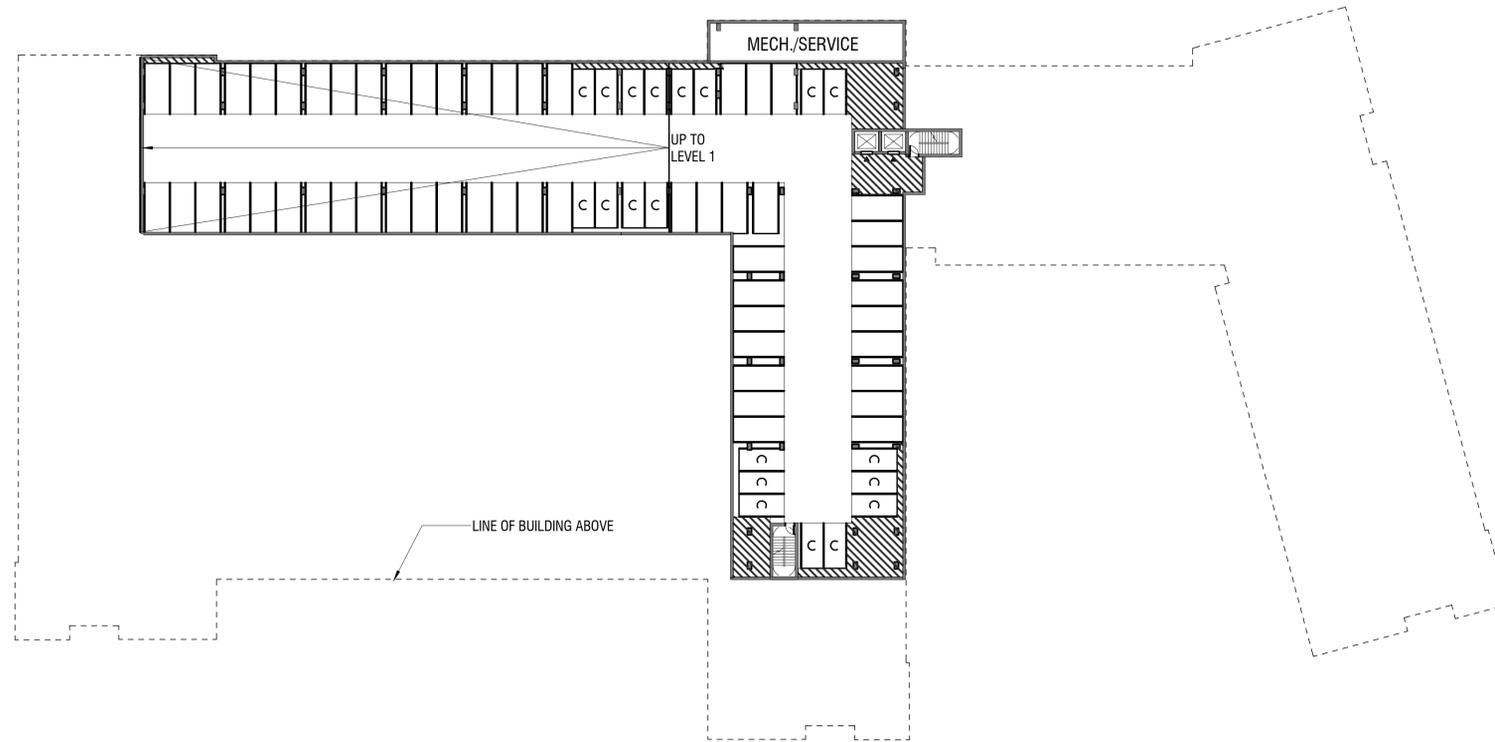
*25' Building Setback along Research Boulevard per condition of Concept Plan Resolution
NOTE: "Provided" setback quantities shown are conceptual and subject to change at the time of Site Plan.

Site Coverage*: Building and parking = 3.72 ac (162,300 sf) 53%
Green Space*: (not including SWM) = 3.30 ac (143,890 sf) 47%
Gross Floor Area = 365,000 sf
FAR = 1.18
*NOTE: PROPOSED CALCULATIONS ARE SUBJECT TO CHANGE

- GENERAL NOTES:
- The existing zone is PD-FG.
 - Boundary information is from a survey prepared by Dewberry.
 - Existing topography is based on aerial photography prepared by Dewberry, Oct. 2013. Elevations are subject to field verification.
 - Design and construction of this site shall be in accordance with the Falls Grove Design Guidelines and Standards as approved by Concept Plan Application CPD 99-0004.
 - This site lies within the Watts Branch watershed.
 - The proposed layout, parking, driveways, buildings and utilities are approximate and subject to final computations prior to record plat.
 - Previous Approvals: CPD 2006-0004Y, CPD 2000-0004I

LEGEND

- PROPERTY BOUNDARY
- LIMIT OF DISTURBANCE
- EXISTING 25' WETLAND BUFFER
- EXISTING FOREST CONSERVATION EASEMENT
- EXISTING TREELINE
- EXISTING 125' STREAM BUFFER
- EXISTING 100YR FLOODPLAIN
- EXISTING WETLAND BOUNDARY
- EXISTING STREAM
- EXISTING CURB
- EXISTING WATER LINE
- EXISTING SEWER LINE
- EXISTING GAS LINE
- EXISTING STORM DRAIN
- EXISTING OVERHEAD POWERLINE
- EXISTING CONTOUR LINES
- EXISTING SIDEWALK
- EXISTING TREE
- PROPOSED CURB AND GUTTER
- PROPOSED WATER LINE
- PROPOSED SEWER
- 25' SETBACK PER...
- PROPOSED STORM DRAIN
- PROPOSED BUILDING
- PROPOSED CONTOUR LINES
- PROPOSED SIDEWALK
- PROPOSED TREE PROTECTION FENCE
- TREE TO BE REMOVED
- FC AREA PER PREVIOUSLY APPROVED FCP
- PROPOSED BUILDING ENTRANCES
- EX. TREE TO REMAIN




GARAGE LEVEL 1 PLAN
 1" = 30'-0"

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ISSUED FOR	DATE
PROJECT PLAN	01/10/2020

CONSULTANT

OWNER / DEVELOPER
LENER

PROJECT NAME
KEY WEST

PROJECT ADDRESS

PROJECT MANAGEMENT

DCI Project No.
Owner Project No.

Drawn By: NA Checked By:

SEAL

SHEET TITLE
BASEMENT PLAN

SCALE
1" = 30'-0"

SHEET NUMBER

A2.0

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PROJECT MANAGEMENT

DCI Project No.
Owner Project No.

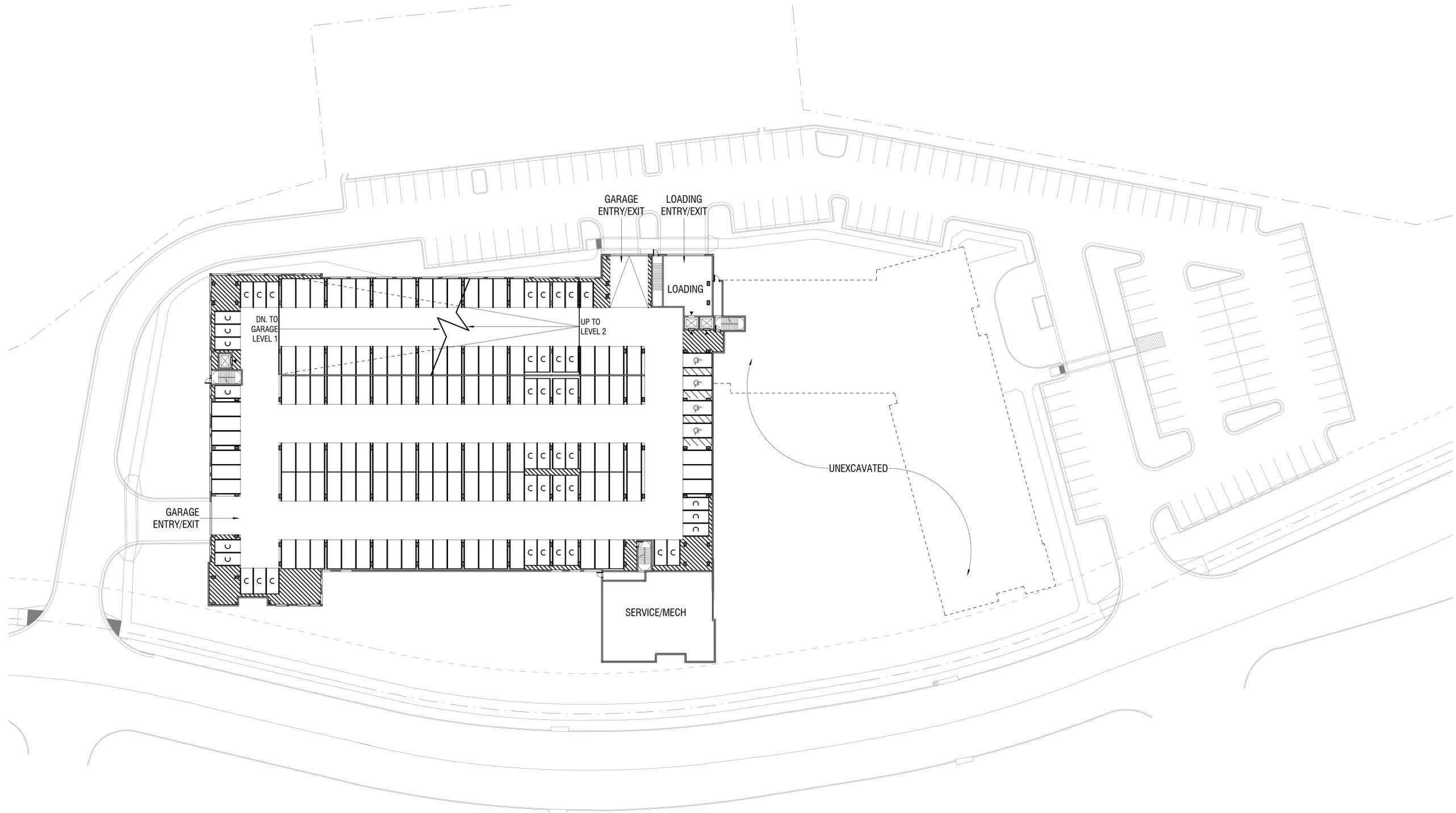
Drawn By: NA Checked By:

SEAL

SHEET TITLE
LEVEL 1 PLAN

SCALE
1" = 30'-0"
SHEET NUMBER

A2.1



LEVEL 1 PLAN
1" = 30'-0"

Attachment 12.d: Concept Building Elevations and Floor Plans (2882 : Briefing - Keywest at Falls Grove PJ2020-00012)

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PROJECT PLAN	01/10/2020

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LERNER

PROJECT NAME

KEY WEST

PROJECT ADDRESS

PROJECT MANAGEMENT

DCI Project No.

Owner Project No.

Drawn By: NA

Checked By:

SEAL

SHEET TITLE

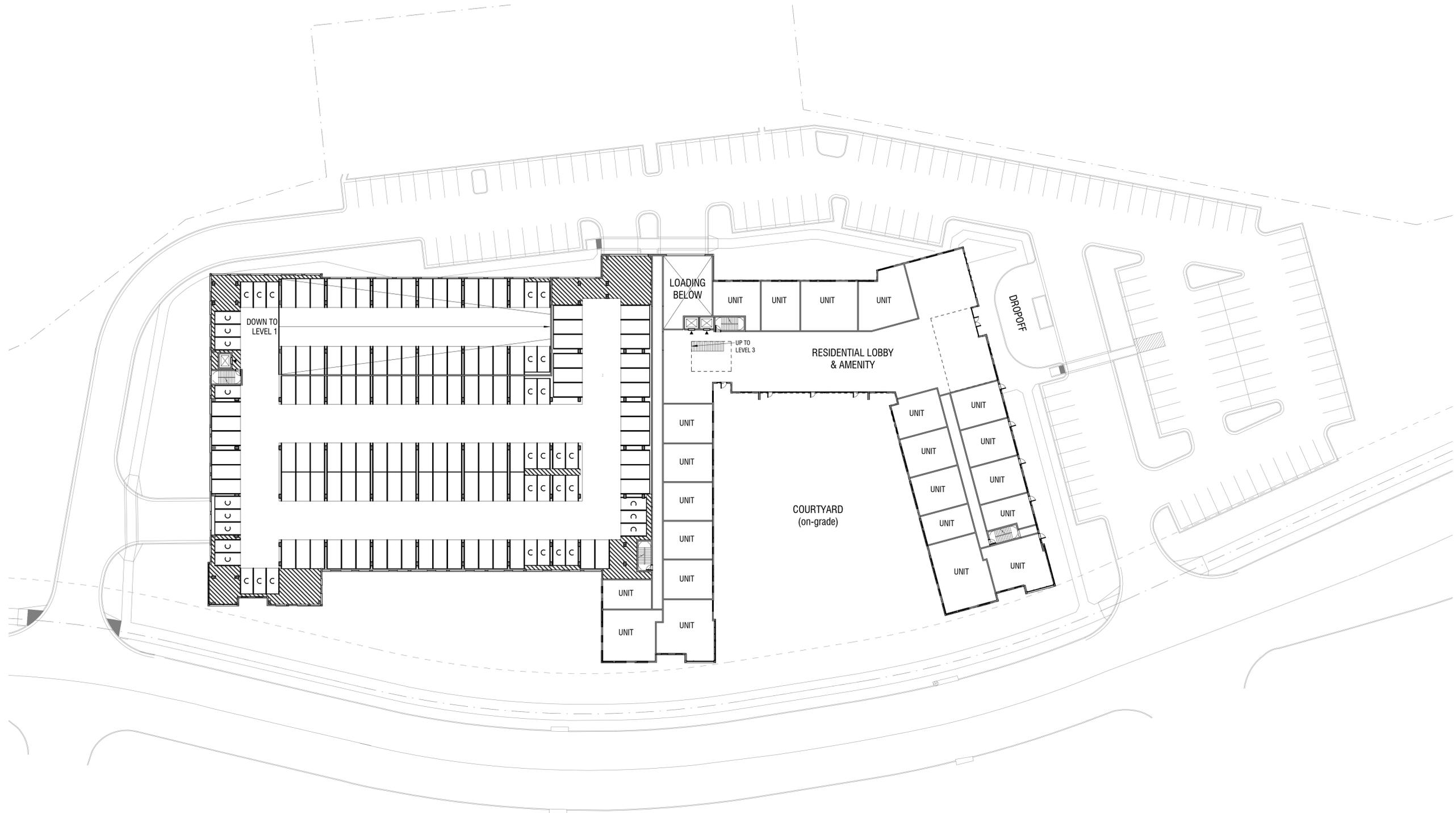
LEVEL 2 PLAN

SCALE

1" = 30'-0"

SHEET NUMBER

A2.2



1
ACQ422
LEVEL 2 PLAN
1" = 30'-0"

Attachment 12.d: Concept Building Elevations and Floor Plans (2882 : Briefing - Keywest at Falls Grove PJ2020-00012)

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PROJECT PLAN	01/10/2020

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OWNER / DEVELOPER

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PROJECT NAME

KEY WEST

PROJECT ADDRESS

PROJECT MANAGEMENT

DCI Project No.

Owner Project No.

Drawn By: NA

Checked By:

SEAL

SHEET TITLE

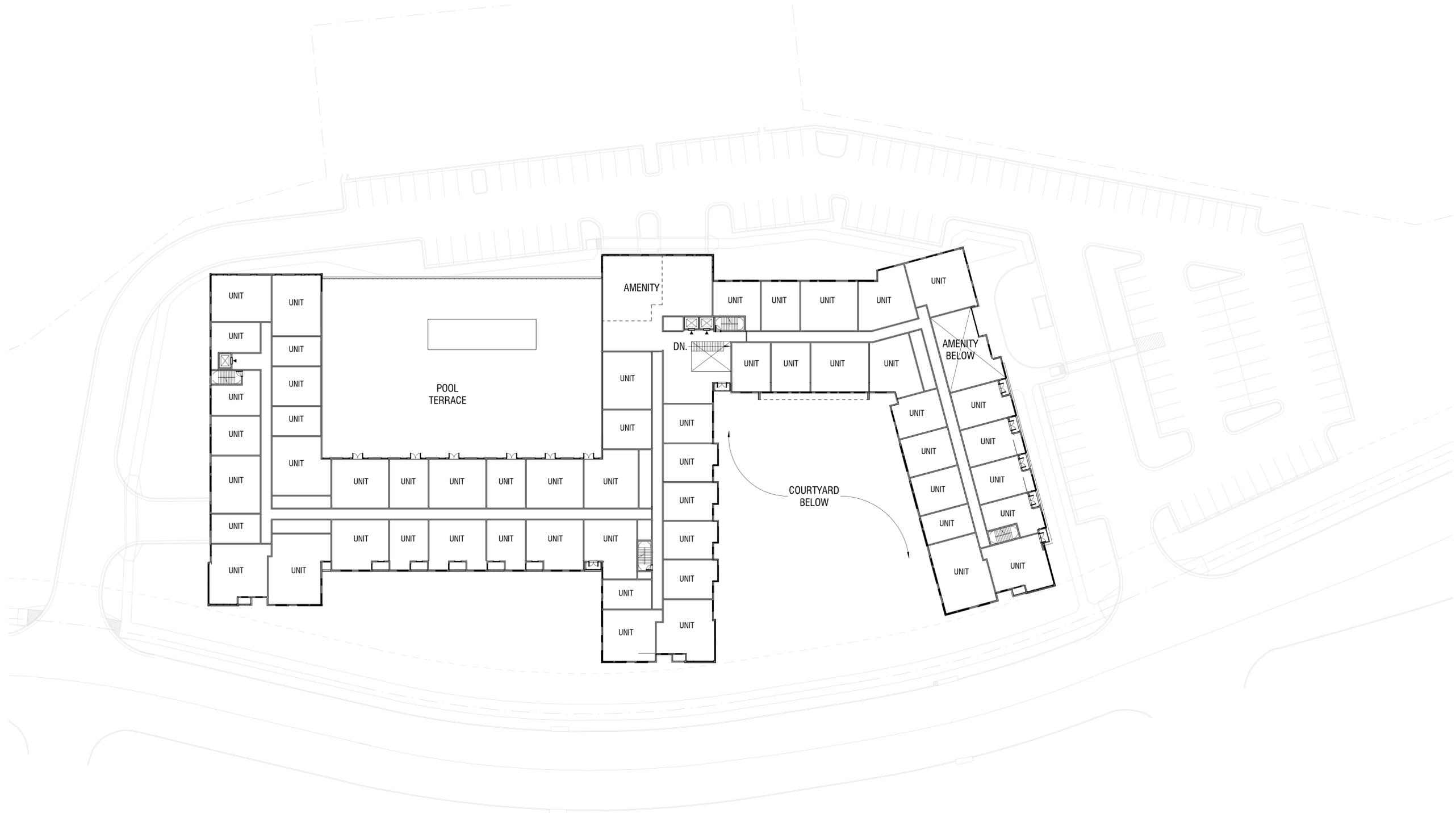
LEVEL 3 PLAN

SCALE

1" = 30'-0"

SHEET NUMBER

A2.3



1 Level 3
 ACQ023 1" = 30'-0"

Attachment 12.d: Concept Building Elevations and Floor Plans (2882: Briefing - Keywest at Falls Grove PJ2020-00012)

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PROJECT PLAN	01/10/2020

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KEY WEST

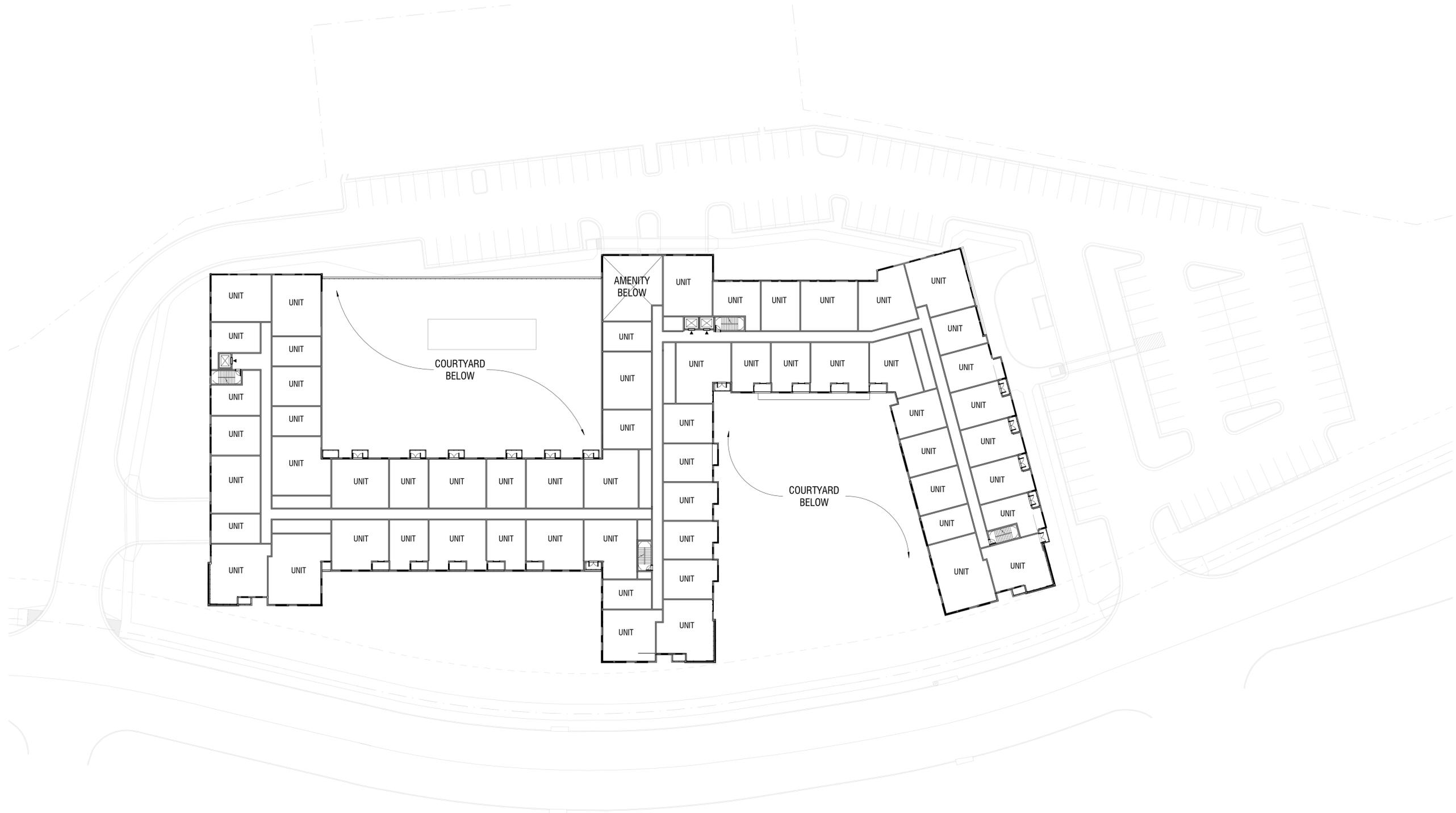
PROJECT ADDRESS

PROJECT MANAGEMENT
DCI Project No.
Owner Project No.
Drawn By: NA Checked By:
SEAL

SHEET TITLE
LEVEL 4 PLAN

SCALE
1" = 30'-0"
SHEET NUMBER

A2.4



LEVEL 4 PLAN
1" = 30'-0"

Attachment 12.d: Concept Building Elevations and Floor Plans (2882 : Briefing - Keywest at Falls Grove PJ2020-00012)

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PROJECT PLAN	01/10/2020

CONSULTANT

OWNER / DEVELOPER
LERNER

PROJECT NAME
KEY WEST

PROJECT ADDRESS

PROJECT MANAGEMENT

DCI Project No.
Owner Project No.

Drawn By: NA Checked By:

SEAL

SHEET TITLE
LEVEL 5-7 PLAN

SCALE
1" = 30'-0"

SHEET NUMBER

A2.5



LEVEL 5-7 PLAN
1" = 30'-0"

Attachment 12.d: Concept Building Elevations and Floor Plans (2882 : Briefing - Keywest at Falls Grove PJ2020-00012)



1 EAST ELEVATION
1" = 20'-0"



2 NORTH ELEVATION
1" = 20'-0"



3 WEST ELEVATION
1" = 20'-0"



4 SOUTH ELEVATION
1" = 20'-0"

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PROJECT PLAN	01/10/2020

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PROJECT NAME
KEY WEST

PROJECT ADDRESS

PROJECT MANAGEMENT
DCI Project No.
Owner Project No.
Drawn By: NA Checked By:
SEAL

SHEET TITLE
BUILDING ELEVATIONS

SCALE
1" = 20'-0"

SHEET NUMBER
A4.0



Mayor & Council Meeting Date: June 22, 2020
 Agenda Item Type: Presentation
 Department: Housing and Community Development
 Responsible Staff: Asmara Habte

Subject

Organizational Structure for the Department of Housing and Community Development

Recommendation

Staff recommends that the Mayor and Council receive the presentation on the proposed organizational structure of the Department of Housing and Community Development.

Discussion

EXECUTIVE SUMMARY

At the May 11, 2020, Mayor and Council meeting, the City Manager presented a proposal of creating the City's first Department of Housing and Community Development (HCD). This new department would address the affordable housing and social services needs of city residents more effectively, particularly during the COVID and post-COVID environment in Rockville. The department would be the combination of the City's Housing, Community Services and Human Rights and Community Mediation divisions currently housed within the City's Planning and Development Services Department (PDS), Recreation and Parks Department (RP), and the City Manager Office (CMO), respectively. The creation of the new department is simply the repositioning of existing City infrastructure. The Mayor and Council approved the conceptual plan. The City Manager offered to provide detailed information on the organizational structure, services, and implementation timeline for Mayor and Council discussion and feedback in June.

The following sections provide preliminary mission statement, organizational structure, staffing plan, services and programming areas, budget, and implementation timeline of the new department, HCD.

MISSION, CORE VALUES, AND GUIDING PRINCIPLES

Exacerbated by the COVID crisis, the needs of city residents for affordable housing, food, utility assistance, and many other basic human necessities have risen sharply. Individually, two City divisions currently provide critical housing and community service needs. Combining these two divisions into a single department will allow for greater focus and resources needed as the City responds to the current COVID-19 crisis, and the challenging post-COVID future. It is anticipated that these needs will increase in the coming years due to an expected long-term impact on local and national economies. This organizational realignment will help the City respond in a more

coordinated, seamless, and effective manner by building on the City's existing infrastructure and talented and dedicated staff.

The following sections provide the preliminary mission statement, organizational structure, staffing plan, and services and programming areas, budget, and implementation timeline of the new department.

Mission Statement

Through its programs and services, the Department of Housing and Community Development seeks to maximize access to opportunities that enable all persons to fully develop their capabilities, achieve individual self-sufficiency, and live in human dignity.

Core Values

Respect, Integrity, Compassion, Commitment, and Strong Work Ethic

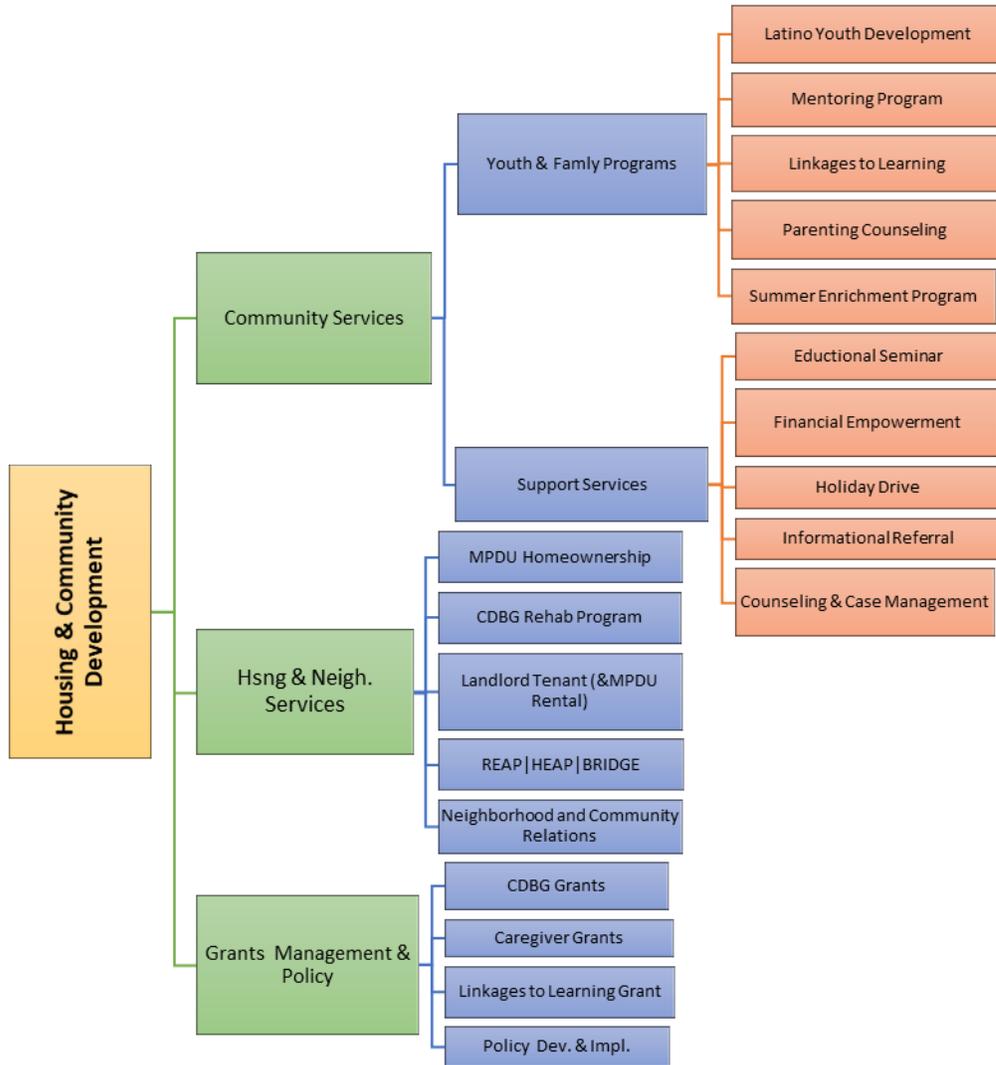
Guiding Principles

Outreach, Openness, Ownership, Professionalism, Sense of Urgency and Customer Service

ORGANIZATIONAL STRUCTURE

The department's proposed organizational structure resembles many successful Housing and Community Development departments throughout the country. The structure is based on program areas and how each area supports and interacts with another. The overarching goal of the structure is to enhance and capitalize on the synergy from the complimentary services and functions that these program areas currently deliver. The organizational structure also seeks to maximize staff's expertise, training, load capacity, and background to support a seamless service delivery process by grouping functions and staff accordingly within and between the services areas. Below is an illustration of the proposed programming structure.

Figure 1. Organizational Structure: Programs and Services¹



¹ These are existing programs and services currently housed within the Planning and Development Services and Recreation Parks departments. The report includes programming area for future consideration.

As illustrated above, the department is proposed to be structured with three main service and program categories, including Housing and Neighborhood Services, Community Services, and Grants Management and Policy. Under Housing and Neighborhood Services, the Moderately Priced Dwelling Unit (MPDU) program, Community Development Block Grant (CDBG) Rehab program, Rental and Utility assistance program, and community mediation services are grouped together. Under Community Services, the social and human service functions that support family stability and self-sufficiency programs are grouped together. Lastly, the Grants Management and Policy group will deliver grantees and sub-grantees support, grants management and administration and policy.

All three areas are interrelated and interdependent, and staff will work collaboratively to administer and deliver services cohesively and collaboratively. For example, the Community Services group may identify a family in need of rental assistance during a meeting with a family, at which point the staff member can connect that family with the appropriate staff under Housing Services' BRIDGE or REAP programs, and vice versa. The Grants Administration and Policy group will be responsible for grant writing, reporting and compliance (reporting and compliance requirements are extensive under the CDBG program), as well the development and implementation of program policy initiatives.

STAFFING

The Department of Housing and Community Development is being created through the merger of two divisions, the Housing Division within PDS and Community Services Divisions within RP. Within these two divisions, there are currently 14 existing full-time equivalent (FTE) positions, including the two vacant positions of the Community Services Manager and Housing Specialist. The Mayor and Council approved the position of the Housing Specialist at the May 11 meeting. The recruitment process for the Community Services Manager and the Housing Specialist positions will commence over the next several months. Of the 14 positions, 13 are existing and 12 are occupied positions, currently residing within PDS, RP, CMO. Of the 14 positions, the Director is realized through the reclassification of an existing position, Chief of Housing Programs.

Table 1 below summarizes the proposed realignment of the positions followed by the organizational structure depicted in Figure 2.

Table 1. Positions² Realignment

Position Title	FTE	Previous Position Location	New Position Location
Rehabilitation Specialist	1	PDS	HCD
Landlord-Tenant Specialist	1	PDS	HCD
Director of Housing and Community Development	1	PDS	HCD
Housing Specialist (New. Vacant) ³	1	N/A	HCD
Community Services Program Coordinator	2	RP	HCD
Human Rights & Community Mediation	1	CMO	HCD
Community Services Outreach Worker	1	RP	HCD
Administrative Assistant	1	RP	HCD
Linkages to Learning Specialist	1	RP	HCD
Community services Program Analyst	1	RP	HCD
Youth & Family Counselor	1	RP	HCD
Linkages to Learning Site Coordinator	1	RP	HCD
Community/Social Services Manager (Vacant) ⁴	1	RP	HCD
	14		

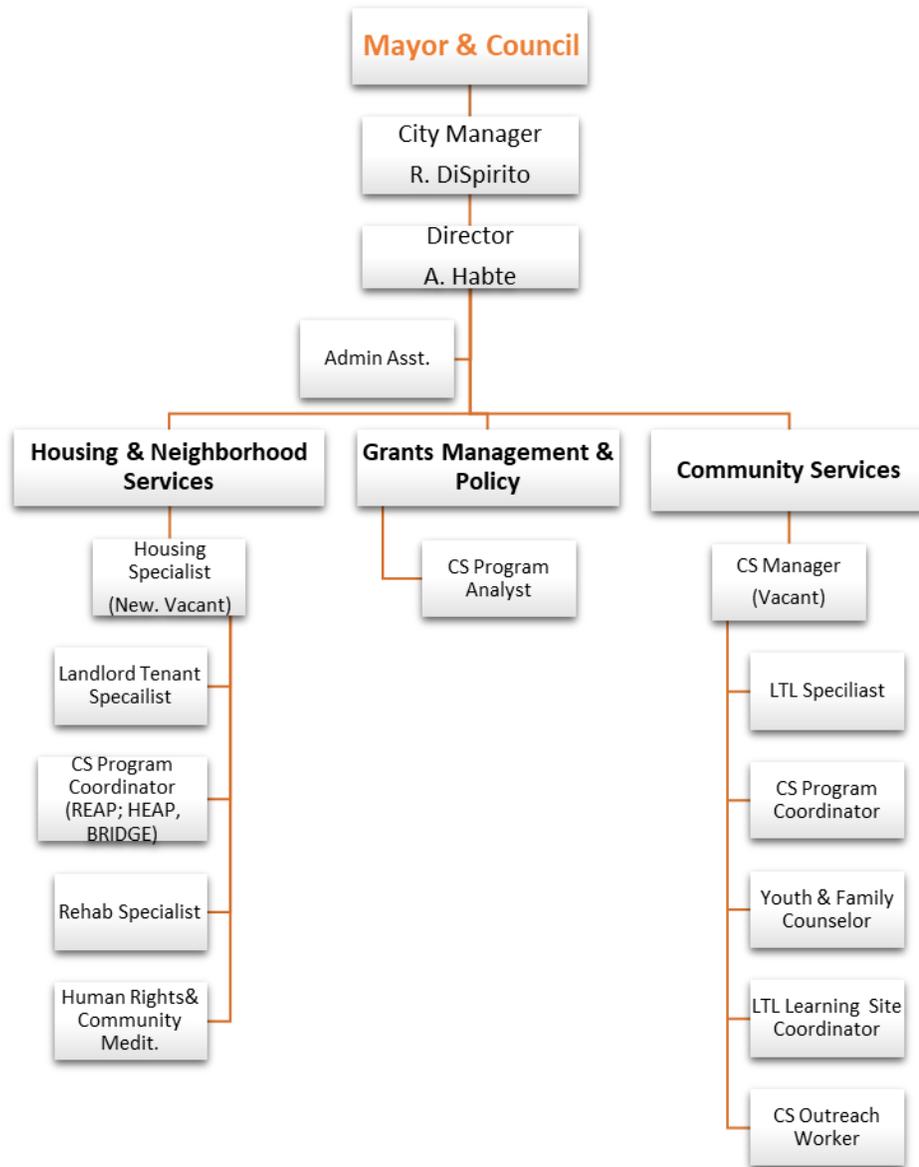
Source: City of Rockville Departments of Finance and Human Resources, 2020.

² Of the 14 positions, 13 of the positions existed prior to May 11. The Mayor and Council approved one position at the May 11, 2020 Mayor and Council meeting.

³ This is the only new position that is being created for the new department. The Mayor and Council approved this position at the May 11, 2020 Mayor and Council meeting. Recruitment for this position will commence over the next several months.

⁴ This position became vacant in April 2020. Recruitment for this position will commence over the next several months.

Figure 2. Proposed Organizational Chart⁵ for the Department of Housing and Community Development



⁵ Of the 14 positions reflected in the proposed organizational chart, 13 are existing positions, including the currently vacant—Community Services Manager position. The Community Services Manager position became vacant in April 2020. The Housing Specialist is a newly created position as approved by the Mayor and Council at the May 11, 2020 Mayor and Council meeting. Recruitment for these two positions will commence over the next several months.

Below is a table listing of FTEs and brief position descriptions for each position.

Table 2. Staff Positions and Job Descriptions

Position Title	Position Description
Community Services Program Coordinator (2)	This position is responsible for performing intermediate paraprofessional and administrative work providing information and referral to community and social services relative to youth and family programs and development. The work requires sufficient knowledge to perform and deal with work situations; and, outside and inside contacts to carry out programs requiring cooperation, explanation and persuasion. Youth & Family Services REAP BRIDGE HEAP Holiday Food drive
Community Services Outreach Worker	This position is responsible for performing intermediate human services and administrative tasks in support of various programs within the division/department with moderate consequences. The work requires a reactive approach supplying direct serves and seeking information on specialized matters related to clients, residents and the division/department. Youth & Family Services Holiday Food Drive
Rehabilitation Specialist	This position is responsible for performing intermediate professional and administrative work and the difficult technical work involved in managing the Owner-occupied Rehabilitation Program under the City's Community Development Block Grant (CDBG) Program. This includes gathering and distributing information and funds, and explaining the rehabilitation component of the CDBG program. The work requires a proactive approach with outside and inside contacts to carry out the programs and to explain specialized matters to the general public, with occasional contacts with higher level officials. CDBG
Administrative Assistant	This position is responsible for performing clerical and intermediate administrative work supporting the department. The work requires a reactive approach involving regular contact within the department and periodic contacts with other departments, outside agencies, and the general public supplying or seeking information on specialized matters. CS Division Support Caregiver Grants Holiday Food Drive

Position Title	Position Description
Linkages to Learning Specialist	<p>This position is responsible for performing intermediate professional work in providing social services and individual, family, and group guidance and referral services. This work is proactive and involves some outreach into the community and advising members of the community as to the availability of local resources to prevent or alleviate social problems. Staff offers a family needs assessment to clients facing problems such as personal and family adjustments, finances, employment, food, clothing, housing, and physical and mental impairments to determine eligibility and to provide appropriate referral sources.</p> <p>Youth & Family Services Holiday Food Drive</p>
Landlord Tenant Specialist	<p>This position is responsible for performing intermediate professional and administrative work involving landlord and tenant affairs, including complaint intake, mediation and investigation. Incumbent serves as staff representative to the Landlord/Tenant Commission and administers all facets of the program to ensure compliance with the Landlord/Tenant Ordinance of the City of Rockville. The work is proactive, requiring daily interaction with residents of the City of Rockville, landlords, tenants and Commission members.</p> <p>MPDU Rentals Landlord Tenant</p>
Community Services Program Analyst	<p>This position is responsible for performing intermediate, paraprofessional and administrative work assisting in researching, coordinating and managing community and social service programs for the City. Staff independently handles a variety of assignments and problems dealing effectively with normally- encountered work situations.</p> <p>Youth & Family Services Caregiver Grants</p>
Youth & Family Counselor	<p>This position is responsible for performing individual, family and group counseling, as well as providing guidance and referral services. This work is proactive and involves some outreach into the community. The work requires the employee to be licensed to provide counseling services in the State of Maryland.</p> <p>Youth & Family Services Holiday Food Drive</p>

Position Title	Position Description
Linkages to Learning Site Coordinator	<p>This position is responsible for performing intermediate professional work and responsible administrative work involved in the planning and coordination of activities and services in the Linkages to Learning Program (LTL). This program assists elementary students and their families with services to help children be successful in school, at home and in the community. The incumbent participates with others in program development, implementation and service delivery; and, provides on-site coordination of resources, services and volunteers in support of the program. The work requires proactive contacts both within and outside the school community and the City to facilitate communication between the school administration and staff of the host school(s) and the on-site LTL team; and, to coordinate service provision to participating students and families. Youth & Family Services Holiday Food Drive</p>
Homeownership Coordinator (.5 FTE)	<p>This position is responsible for the administration of the homeownership component of the MPDU program. At 50% capacity, the position is currently limited to the review of sales contracts; provide technical assistance to developers and sellers seeking to sell MPDUs; Review and process resale requests and establish resale values; Review MPDU applications; work with lenders to ensure applicants to address issues related to pre-approval letters; and manage the waiting list. At full capacity, this position would perform program-monitoring duties, which would include building and maintaining a database of all homeownership units and proactively monitoring resale activities of MPDUs to ensure that profit-sharing provisions are appropriately followed. The position resides in PDS and will continue to reside in PDS while 50% of the position's time will continue to be detailed to HCD in the interim, until there is adequate staffing capacity available to accommodate that need. MPDU Homeownership Program</p>

Position Title	Position Description
Community/Social Services Manager (Vacant)	The Social Services Manager performs administrative, supervisory, and management work of a highly responsible nature in directing, managing, planning, coordinating, and implementing human services initiatives and community outreach programs and efforts in conjunction with an array of internal and external stakeholders and partners. Youth & Family Services Holiday Food Drive Caregivers Grant Youth & Family Services REAP BRIDGE HEAP
Human Rights and Community Mediation Administrator	This position is responsible for performing intermediate to difficult professional and responsible administrative work in the processing and referral of matters related to community engagement, diversity, human rights, and community mediation. The work requires a proactive approach involving contacts with other City departments and outside contacts with residents, volunteer mediators, board and commission members, and outside agencies on various matters requiring cooperation, explanation and persuasion. This position also serves as the ADA Coordinator, including responding to inquiries regarding ADA, providing information to other employees about ADA and updating ADA information in the city's website. MLK Day Celebration Lunar New Year Celebration
Housing Specialist (newly created and approved by Mayor and Council. Vacant)	This position will be responsible for a variety of program management and administration of the City's housing programs, including MPDU, REAP, HEAP, CDBG and BRIDGE programs and participate in the development of policy initiatives. Examples of duties review of developer application submission for completion and accuracy; Assist in drafting written reports and presentations on proposed and ongoing projects related to housing; program development; implementation of policies and regulations.

Source: City of Rockville Department of Human Resources, 2020.

PROGRAM AND SERVICE AREAS: HOUSING & NEIGHBORHOOD SERVICES

The City provides various housing assistance programs in the form of privately-owned and operated units with below-market rental rates and sales prices through its Moderately Priced Dwelling Units (MPDU) program. In addition, the City provides home repair grants and energy assistance to low and moderate-income homeowners and housing providers whose clients are low- and moderate-income households. Lastly, the City's housing program provides mediation services to landlord and tenant through its Landlord Tenant Affairs and larger community mediation services in its Human Rights and Community Mediation group. Below is a summary of the City's housing programs and services.

MPDU Rental Program—Rental and Homeownership Programs

The MPDU program requires a set-aside of 12.5 percent to 15 percent of all new residential developments with 50 or more dwelling units as moderately priced units. Residential developments in the MXTD and MXCD Zones are required to designate 15 percent of the total dwelling units as MPDUs. Developments in other zoning districts are required to have 12.5 percent of the overall dwelling units as MPDUs. The program has generated approximately 900 rental units and 420 homeownership units throughout the city since 1990, the inception of the program. The dwelling units have an affordability restriction period of 30 years, meaning that the dwelling units must remain as affordable for 30 years following initial occupancy, effectuated through the recordation of a Declaration of Covenants. The Declaration of Covenants runs with the land, and the property remains subject to the covenants, regardless of subsequent sales transactions or transfers.

In 2019, the City of Rockville turned over the tasks of application screen and eligibility determination to property managers. This delegation of duty has enabled City staff to monitor the program and provide landlords with technical support and assistance. This has also enabled residents the opportunity to apply for the MPDU program and for an available unit all at once. Applying at the property eliminated the extra step of applying for the MPDU program at City Hall, not knowing if a unit is available and whether the applicant will meet the property's additional screening criteria, such as credit and rental history background.

On the homeownership component of the program, staff has delegated the verification of income to the lender community, who will conduct an extensive financial due diligence to ensure that the applicant has the necessary income and meets other factors to secure a loan. However, staff still must process the MPDU application and manage the waiting list to provide to sellers when units become available.

CDBG- Multifamily and Single-Family/Owner-Occupied Rehabilitation

Each year, the City of Rockville receives federal Community Development Block Grant (CDBG) funds through a cooperative agreement with Montgomery County. CDBG funds must be used for housing and community development projects that primarily benefit low- and moderate-income persons or neighborhoods. The City receives approximately \$260,000 in CDBG funding annually and funds two programs—Multifamily and Single-Family Rehabilitation Programs.

The Multifamily/Group Home component of the program has provided funding to area nonprofit housing providers. In each of the past five years, the City has assisted one (1) to two (2) housing providers serving low-income households, including public housing residents or those in permanent and supportive housing programs. Projects undertaken by these grantees have included, but have not been limited to, major kitchen and bathroom repairs; installation of fire and carbon monoxide detectors; and roof replacement.

The City's Single-Family (owner-occupied) Rehabilitation Program has assisted many low-income homeowners in addressing repair issues. It is intended to correct code deficiencies, rather than make other property improvements. Typical repairs include roof replacement, plumbing and electrical upgrades, furnace replacement, and kitchen and bathroom repairs. The program staff prioritizes code deficiencies to address the most serious problems. The per-unit home repair cost has averaged approximately \$31,000 and typically assists five (5) to seven (7) households annually.

Rockville Emergency Assistance Program (REAP)

Emergency assistance is available for Rockville residents who are experiencing financial crisis, eviction, or utility shut-off, suffering from a natural disaster, or need a referral to food and medical resources. City staff conducts an in-depth intake screening and coordinates with Community Partner funding to address resident arrearages. Those seeking to apply to this program will have already undergone eviction proceedings and this program is the last resort to averting eviction. The City funds this program annually and for FY2021, the Mayor and Council approved a budget of \$50,000. These funds are leveraged with county and other partner funds.

Bridge Rental Assistance Program (BRIDGE)

The Rockville Bridge Rental Assistance Program ("BRIDGE") provides one-time financial assistance to eligible City of Rockville residents in need of assistance due to loss of employment or other temporary emergencies. BRIDGE aims to prevent eviction proceedings, as they pursue efforts to regain financial stability. BRIDGE funds may be utilized for the payment of the first month's rent. This program is a preventative measure before an applicant reaches eviction proceedings. The program also provides intensive case management services aimed at achieving long term self-sufficiency. It should be noted that this program is currently on hold due to COVID as applicants and staff cannot meet onsite to develop a self-sufficiency plan as required under the program. This program has only been in existence over the last several years and is funded with City funds. City funds are leveraged with sources from the County and partner organizations.

Home Energy Assistance Program (HEAP)

The City launched the Rockville Home Energy Assistance Program (HEAP) in 2018. This assistance program was conceived and envisioned to promote a greener community and increased economic stability for all its residents. The mission of HEAP is to increase energy efficiency in the City's low-income households by providing support to assist with making energy-efficient home upgrades. HEAP offers one-time financial assistance in supplementation

of local and statewide residential energy programs of up to \$5,000 for utility efficiency retrofits. HEAP funds can be leveraged with CDBG funds to expand the scope of rehabilitation services that a household may need.

Landlord-Tenant Affairs

The City's Landlord-Tenant service informs the public of the general rights and responsibilities of tenants and landlords, and helps to resolve disputes amicably, free of charge, without having to go through the District Court process. Landlord-Tenant enforces City of Rockville Chapter 18, Landlord-Tenant Ordinance, along with parts of Title 8, Landlord-Tenant of the Real Property Article, Annotated Code of Maryland, the State of Maryland Landlord-Tenant law.

The service aims to provide residents and landlords as much information as possible to help navigate landlord-tenant relationships as efficiently as possible. Placing the City's housing and social services under one department will enable City residents to access and leverage various related services to minimize evictions due to non-payment of rent and utilities for their rental unit.

Community Mediation

The City's Community Mediation program is designed to assist in resolving conflicts that arise in our community. Mediation is a process in which individuals, groups or organizations in conflict try (with the help of mediators) to reach a mutually acceptable agreement that will resolve their dispute.

PROGRAM AND SERVICE AREAS: GRANTS⁶ ADMINISTRATION AND POLICY

Grants Administration

The City administers two grant programs, the Community Development Block Grant (CDBG), a federal grant program, and a County grant, Linkages to Learning, and a City funded grant program totaling \$615,070 in the FY2021 budget. In addition, the City awards grants through its Caregivers Grant program to area non-profit housing and community services providers. The Mayor and Council approved \$710,020 for the Caregivers grant program for FY2021. Below is a summary of the services under the Grants Administration group.

City of Rockville Community Services Grant Application

The City provides grants to local private non-profit agencies for housing, health care, and other supportive services to Rockville residents. City staff coordinate the annual grant application process, receive and process reimbursement requests, compile quarterly service utilization reports, and conduct formal site visits with the Human Services Advisory Commission (HSAC). Available on the main page of the City's website in December of every year, the annual grant application is usually due in mid-January.

City of Rockville CDBG Grant Application

The City issues a Notice of Funding Availability (NOFA) every July. Once the NOFA is released, local non-profits are encouraged to apply for grant funding. City staff hosts a housing providers forum to answer questions and provide guidance on the grant applications and requirements. Consistent with HUD rules, the City holds a public hearing in the fall. Grant applications are due at City Hall in September. Through a selection committee, staff ranks the grant application for funding recommendations to the Mayor and Council. The grant application is submitted to the County following the Mayor and Council approval.

Grant Administration and Reporting

As with any federal funding, the CDBG program comes with substantial reporting and monitoring requirements. The City is required to provide various reports on a quarterly and semi-annual basis. Also, the City is subject to both federal and County audits. The audits generally focus on expenditures and funded activities, documentation of eligibility of assistance recipients, and contractor qualifications. The County must approve any changes to the grant amounts, re-programming and expenditures.

Needs Assessment

Through the completion of neighborhood studies and analysis of socioeconomic data from the US Census and other local community service coordination mechanisms, the department assesses the human service needs of Rockville residents, availability of relevant resources, and service gaps. A demographic profile, *Our Changing City*, is available to increase awareness of the trends and issues shaping the needs of Rockville residents.

⁶ Detailed grant information is provided below under the "Fiscal Impact" discussion of this report.

Technical Assistance, Accountability and Program Evaluation

The team provides caregiver agencies with guidance on outcome measurements to help track and evaluate the use of allocated taxpayer dollars. The team emphasizes quality assurance measures to ensure the proper tracking of outputs and outcomes, as well as client satisfaction by staff. This will also include pre-grant technical assistance services to housing providers seeking to apply for CDBG funds.

Policy Development and Implementation

Policy Development & Implementation

Policy development and implementation tasks will look at innovative approach to make the City's housing programs function in ways that continually improve services and delivery of services to residents. Similarly, City staff will continue to explore best practices and creative paths to increase the City's housing stock. Examples of policy development and implementation-related work could include necessary amendments to MPDU code and regulation, especially the homeownership component of the MPDU program, and the other housing-related policies. As part of this charge, staff will also explore potential incentives, such as reduced parking requirements or increases in building envelope in exchange for more affordable units.

Development Review

Under development review, staff will review residential development proposals to ensure that proposed projects meet the City's MPDU code and work with developers to negotiate MPDU unit count and agreements.

Strategic Planning

The repositioning of the Housing and Community Development divisions into a unified department will enable the City to engage in strategic planning as part of an effort to increase housing opportunities for all income levels through new construction and preservation. Examples of strategic initiatives may include working with RHE on potential redevelopment of its sites, the County, non-profit developers or any other joint venture opportunities that leads to the creation of housing opportunities.

PROGRAM AND SERVICE AREAS: COMMUNITY SERVICES

The City's Community Services programming and staff provide vital social services to city residents. The Community Services programs fall under two major service categories—Youth and Family, and Support Services. The services are wide-ranging, covering a spectrum of programs focusing on family stability and self-sufficiency by helping address the housing, financial, food, and mental health needs through direct and referral services. The Department of Recreation and Parks serves as an entry point for families in accessing the City's Community Services programs and will continue to serve as such. Other programs such as the TERRIFIC Bike program, which was housed within the Community Services division, will remain within the larger Recreation and Parks department.

Below is a summary of the specific program areas within the Community Services program that will reside in the new Department of Housing and Community Development.

Youth and Family Services

Latino Youth Development Program

The Latino Youth Development Program helps address the high incidence of high school dropouts among Latino youth in Montgomery County schools. The program seeks to engage Latino males in grades seven (7) through ten (10) in the educational process by combining personal relationships and sports with weekly meetings. City staff facilitates the meeting and emphasizes individual responsibility in both school and extracurricular activities. Discussions at these meetings reinforce healthy behaviors while raising awareness of the consequences of substance abuse, teen pregnancy, school suspension, and dropout. Adolescents participate in after-school programming to foster self-esteem, community involvement, leadership and positive peer support. Programming may also provide service-learning credits, field trips and other social activities.

Mentoring

In partnership with local elementary schools, the City's mentoring program coordinates volunteers to mentor students in grades kindergarten through fifth grade. The volunteer mentor meets at the school for one hour each week to work on study skills with his/her assigned child, play educational games, and, most importantly, to share a caring relationship. Programs are currently available at three elementary schools: Twinbrook, Meadow Hall, and Beall Elementary Schools.

Linkages to Learning

The Linkages to Learning Program (LTL) is a collaborative effort between Montgomery County Public Schools, the Montgomery County Department of Health and Human Services, and local community partners to provide social and mental health services to low-income elementary school and middle school children. LTL programs' broad mission is to provide school-based wraparound services that improve the well-being of children and their families by addressing the social, economic, health, and emotional issues that act as a barrier to the academic success

of a child. Currently, the City of Rockville operates a Linkages to Learning Program to Rockville's Maryvale Elementary School students. City staff is open to exploring opportunities to provide this programming at other schools such as Twinbrook Elementary school if City funding becomes available and MCPS is willing to leverage City funds for additional sites.

Parent Education

In partnership with area providers, the City offers eight-week parenting classes. This series emphasizes the prevention of harsh physical discipline and child abuse through education in child development, realistic expectations settings, and positive parenting. Previously, this program was funded by the Governor's office geared towards providing parenting tools and skills to previously incarcerated parents who are returning home. The program is no longer funded by the Governor's office. Nonetheless, the City has been providing parenting education services to families currently enrolled in the LTL program.

Summer Enrichment Program

The Summer Enrichment program seeks to address the academic retention loss that occurs during the summer months, known as the "summer slide." The program supports underperforming and failing students and helps them reach academic expectations in school. It focuses on educational foundations while having fun.

Supportive Services

Educational Seminars

Educational seminars are available for city residents on financial and housing issues, including money management and locating affordable housing.

Financial Empowerment Program

The City of Rockville envisions a more financially literate community with increased economic stability for all its residents. It acknowledges the need to provide pathways out of poverty for its most economically vulnerable residents. In line with other local jurisdictions and in supplementation to Montgomery County Services to End and Prevent Homelessness programs (SEPH), and Montgomery County Public Schools curriculum, the City offers financial literacy and life skills and coaching to low and moderate-income Rockville students and residents, to meet educational needs across age demographics.

Holiday Drive

A collaborative effort on the part of the City and the community, this program provides food and toys to Rockville families in need of extra support during the Thanksgiving and December holiday season. The Holiday Drive provides citizens an opportunity for volunteer service, and students can earn student service-learning credits for their school requirements. City staff offers human resources and referrals for this initiative. Approximately 700 Rockville families have assisted annually during the Thanksgiving and December distributions.

Information and Referral

City staff helps locate human service resources that provide financial assistance, housing and temporary shelter, emergency food, childcare, treatment for drug and alcohol abuse, health care, and other services.

Counseling and Case Management Services

The City's licensed social worker provides counseling services to young people and their families in need of mild mental health counseling. School personnel, community social service staff, and individuals may refer themselves. Community Services offers both formal counseling, which involves short-term meetings with a staff member for a specified period, and informal counseling, whereby youth can drop by informally to speak with the counselor. City staff works with families to address a variety of complex issues through coordination with other local agencies and programs.

FUTURE PROGRAM AREAS

Down-payment Assistance Program

Members of the Mayor and Council have periodically suggested the creation of a down-payment assistance program. In the 1990s, the City provided seed money for a down-payment program, REACH. The REACH program offers up to \$12,000 for down-payment to residents purchasing units within the Rockville city Limits. The program is currently limited to households at 100% of AMI. Staff is exploring the restructuring of the down-payment program so that MPDU buyers can also benefit from the program. An external entity, HCII, currently manages the REACH program. Staff is also exploring applying for down-payment assistance funding through the Federal Home Loan Bank and other grant opportunities that become available.

Tax Abatement Program for Large Multi-family Landlords

At the initial stages of the MPDU program, the affordability restriction period was 20 years and later changed to 30 years. The first set of MPDU units, approximately 110 units at King Farm, have 20 years of control, and all those units will age out of the program by 2022, resulting in the City losing 110 affordable units. The County has previously offered owners of such developments with a form of a tax abatement program to incentivize the extension of the affordability period. Staff will explore and strategically seek plans for an extension of the affordability terms of MPDUs set to expire over the next ten to 15 years, for the Mayor and Council's consideration. This process is time-consuming and requires extensive coordination with the County, City and owner.

Build the City's Housing Opportunity Funds

Staff will explore funding and budgeting opportunities to help build the City's Housing Opportunities Fund. The fund currently has a balance of approximately \$2.1 million, mainly from a large payment resulting from the restructuring of an MPDU agreement. On occasions, the City has received sales proceeds from MPDU sales. Potential changes to the MPDU requirements of condominium developments with high Condo Association fees could also be a source of future funding. The funds can be used to support the City's affordable housing endeavors (i.e., down-payment assistance, rental assistance and pre-development loans to developers).

INTERACTION WITH INTERNAL DEPARTMENTS, BOARDS AND COMMISSIONS, EXTERNAL ENTITIES, AND PARTNERS

Internal City Departments

Like other City departments, HCD services and programs are interdependent with other City departments, especially the Department of Recreation and Parks (RP) and the Department of Planning and Development Services (PDS) and the Police Department. The interactions with RP will be primarily related to the department's social services activities and programming. Specifically, Parks and Recreation activities are the links to the service recipients and the HCD team on the social services side. For example, under the Latino Youth Development programming and other mentoring-related programs, the City of Rockville sports activities are feeders to those programs. The interactions with the Police Department will be focused largely in situations dealing with public safety and housing emergencies resulting from fires and other disasters.

HCD will be on the chain of reviewers on all development proposals and projects containing residential development. Specifically, PDS is the entry point for all development projects, and PDS is the responsible entity for circulating project plans for a compliance review under each discipline, including housing. As with the current process, staff in the newly-created HCD department will continue to provide feedback and work with developers to ensure that the proposed projects are code compliant. Also, from to time, the two departments may embark on opportunities for collaboration in joint venture projects such as short-term rentals, Accessory Dwelling Units (ADUs), and other land use and zoning projects that impact housing.

Board and Commissions

The City's Boards and Commissions are an essential advisory body that assist and enhance the City's Housing and Community Development programming. Board and Commission members are appointed by the Mayor and confirmed by the Council. There are currently three active Commissions on Housing and Community Development. Each Board and Commission has a staff liaison and a Mayor and Council liaison. Additionally, the City is an active participant in other non-City Housing and Community Development related advisory bodies. Below is a brief description of each advisory body.

Human Services Advisory Commission

Consistent with the City of Rockville Human Services Policy, the Human Services Advisory Commission, an eleven-member body, provides advice and guidance to the Mayor and Council on human service needs. The Commission also submits an annual report to the Mayor and Council on human service needs in Rockville. The position of Community Services Manager serves as liaison to this Commission.

Landlord-Tenant Commission

The Commission on Landlord-Tenant Affairs consists of ten members who reside within the city, or the case of landlords and operators, who own or operate rental facilities within the city. The purpose of the Commission on Landlord-Tenant Affairs is to resolve disputes between landlords and tenants. This Commission meets ad hoc based on the number of cases. The Landlord-Tenant Specialist position serves as the staff liaison for this Commission.

Rockville Housing Enterprises (RHE) Board of Commissioners

The RHE Board of Commissioners is composed of five (5) members and meets monthly. The Commission serves as the overseer of RHE's operations, management, and real estate activities. This Commission also holds special meetings, as necessary. Unlike the other boards and commissions, this Commission has fiduciary responsibilities and must also adhere to HUD rules and policies for commissioners. The former staff position of Chief of Housing, now the HCD Director, serves as the staff liaison to this Commission.

Interagency Council on Homelessness (ICH)

ICH was established by the County to act on behalf of county residents experiencing homelessness and to provide advice, counsel, and recommendations to the County Executive and County Council. The Commission's responsibilities involve matters influencing provisions of services, County government policies and procedures, development and implementation of State and Federal laws, and other issues affecting the lives, rights, and welfare of people experiencing homelessness in Montgomery County. The former staff position of Chief of Housing served as the staff liaison to this Commission.

Interagency Fair Housing Coordinating Group (IAFHCG)

The Montgomery County Interagency Fair Housing Coordinating Group was established by Chapter 27, Section 27-26H of the Montgomery County Code. The purpose of the coordinating group is to facilitate and promote the County's efforts to prevent discrimination in housing. The coordinating group consists of county employees from various county departments and agencies. The City of Rockville and the City of Gaithersburg both have representation in the group. The former position of Chief of Housing represented the City of Rockville.

Non-profit Community

This group was initially organized by Community Reach, a non-profit housing and health services provider. The Coalition has not met for about a year. However, it is an essential link to the non-profit partners, and as part of the Caregiver Fund Task Force implementation, staff plans to reconstitute the meetings for Rockville providers. These meetings would be organized and managed by City staff rather than one agency.

Other External Entities and Partners

Given the scope and all that encompasses housing, HCD will interact with a wide range of external entities and partners, including the Rockville Economic Development Inc. (REDI), the Rockville Chamber of Commerce, various county agencies and departments, including the County's Department of Health and Human Services (HHS), Department of Housing and

Community Affairs (DHCA), the Montgomery County Public Schools, and the Housing Opportunities Commission (HOC). In addition, HCD will interact with a number of local and national non-profit communities and faith-based Housing and Community Development organizations, including, but not limited to a number of Caregiver entities, such as EveryMind, Community Reach of Montgomery, Montgomery County Coalition for the Homeless, the Red Cross, and Habitat for Humanity.

IMPLEMENTATION TIMELINE

Staff anticipate an implementation timeline of six months or less. Of the 14 positions that are currently slated to move into the new department, two positions, Landlord-Tenant Specialist and Rehabilitation Specialist, worked closely in the housing division prior to the creation of the department and thus, transition into the new department is simple. The remaining positions that currently reside in the Community Services Division within Recreation and Parks and City Manager Office are likely to require additional time to ensure smooth transition within the six months window.

Mayor and Council History

The Mayor and Council discussed the City Manager's proposal to create a new department, at the May 11, 2020 Mayor and Council meeting, agreeing to this in concept and providing the necessary funds in the Fiscal Year 2021 Budget. The City Manager committed to providing to provide an organizational structure and a detailed description of the responsibilities of the new department at a June 2020 Mayor and Council meeting.

Fiscal Impact

Expenditure

As noted above, the Housing and Community Development department is being created through the merger of three (3) divisions, Housing, Community Services and the Human Rights and Community Engagement Divisions within PDS, RP, and the CMO, respectively.

The total operating budget for the new department is \$2,891,100, which includes 14 positions, of which 13 are existing positions and 12 are occupied and currently reside within PDS, RP, and CMO. The Mayor and Council approved one new position, Housing Specialist, at the May 11 Mayor and Council meeting. The budgetary impact is net zero.

The tables below show the current and proposed expenditure budgetary alignment resulting from the merger.

Table 3. FY 2021 Current Expenditure Budget Alignment

FUND	110						350		110	360	110	110	TOTAL
Division Name	Community Services						Management & Support			Planning & Code Enforcement	Public Information and Community Engagement		
Unit Name	CS Admin	Caregivers Grant	Youth & Families	Linkages to Learning	Holiday Drive	REAP Endowment	Housing & CDBG	Admin Support	CDBG	Code Enforcement	Human Rights & Community Mediation		
Personnel	303,290	-	439,500	184,300	-	-	320,040	126,140	-	101,490	124,320	1,599,080	
Operating	9,210	-	29,080	66,450	-	-	18,650	-	263,000	150	12,080	398,620	
Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	
Other	55,000	710,020	-	5,050	26,000	50,000	46,730	-	-	-	600	893,400	
	367,500	710,020	468,580	255,800	26,000	50,000	385,420	126,140	263,000	101,640	137,000	2,891,100	

Source: Adopted FY 2021 budget as adopted by the Mayor and Council on May 11, 2020.

Table 4. FY 20201 Proposed Expenditure Budget Alignment

FUND	110	110				350	110	350	360	110	TOTAL
Division Name	HCD Admin	Community Services Programs				Housing & Neighborhood Services			Grants Management & Policy		
Unit/Cost Ctr Name	HCD Admin	Caregivers Grant	Youth & Families	Linkages to Learning	Holiday Drive	Housing programs	REAP Endowment	CDBG	Grants Management		
Personnel	437,670	-	439,500	184,300	-	446,550	-	-	91,060	1,599,080	
Operating	27,860	-	29,080	66,450	-	12,230	-	263,000	-	398,620	
Other	101,730	710,020	-	5,050	26,000	600	50,000	-	-	893,400	
TOTAL	567,260	710,020	468,580	255,800	26,000	459,380	50,000	263,000	91,060	2,891,100	

Revenue

The FY 2021 revenue for the department is \$615,070, consisting of federal, local and general funds. The FY 2021 revenue were adopted by the Mayor and Council on May 11, 2020. Of the \$615,070, PDS currently oversees \$272,000, which consists of \$263,000 in CDBG funds and \$9,000 in Special Activities Funds. The remaining \$343,070 is currently managed by RP consisting of \$316,820 in General Funds and \$26,250 in Special Activities Funds. The new department would manage all these funds. The tables below show the current and proposed revenue budgetary alignment resulting from the merger.

Table 5. FY 2021 Current Revenue Budget Alignment

Dept.	RP			PDS		
FUND #	110 ⁷	350	350 ⁸	350	360 ⁹	TOTAL
	Linkages to Learning	Holiday Drive	REAP Endowment	Housing Opps.	CDBG	
Other Gov't	316,620	-	-	-	263,000	579,620
Use of Money/Prop	-	-	-	9,000	-	9,000
Charges for Services	200	-	-	-	-	200
Other Revenue	-	26,000	250	-	-	26,250
TOTAL	316,820	26,000	250	9,000	263,000	615,070

Source: Adopted FY 2021 budget as adopted by the Mayor and Council on May 11, 2020.

Table 6. FY 2021 Proposed Revenue Budget Alignment

Dept.	HCD					
FUND #	110	350	350	350	360	TOTAL
	Linkages to Learning	Holiday Drive	REAP Endowment	Housing Opps.	CDBG	
Other Gov't	316,620	-	-	-	263,000	579,620
Use of Money/Prop	-	-	-	9,000	-	\$9,000
Charges for Services	200	-	-	-	-	200
Other Revenue	-	26,000	250	-	-	26,250
TOTAL	316,820	26,000	250	9,000	263,000	615,070

Next Steps

The next step is for the Mayor and Council to provide staff with feedback and direction.

⁷ General Fund

⁸ Special Activities Fund

⁹ CDBG Fund


Rob DiSpirito, City Manager 6/17/2020



Mayor & Council Meeting Date: June 22, 2020
 Agenda Item Type: Discussion and Possible Approval
 Department: Recreation & Parks
 Responsible Staff: Tim Chesnutt

Subject

Support for Federal COVID-19 Health and Medical Benefits Legislation

Recommendation

Staff recommends that the Mayor and Council consider the Human Services Advisory Commission's request to send a letter to the City's federal delegation and the County Council in support of the Medicare Crisis Program Act and the Health Care Emergency Guarantee Act.

Discussion

The Human Services Advisory Commission recommends that the Mayor and Council send a letter to the City's federal delegation and the Montgomery County Council encouraging their support for the Medicare Crisis Program Act and the Health Care Emergency Guarantee Act. Human Services Advisory Commission members prepared a draft letter (Attachment A) for the Mayor and Council's review and discussion.

Both federal bills will help ensure access to affordable health care during the COVID-19 pandemic. Given the high rate of unemployment and the high cost of medical care, the Commission is concerned that, without federal action, individuals will forego critical medical care and increasing numbers of uninsured will further overburden the County's public health insurance program.

In sum, the complementary federal bills:

- "empower Medicare to pay all of the costs of treatment for the uninsured, and cover all out-of-pocket costs for those with public or private insurance, for as long as this pandemic continues" and
- "bans surprise billing, empowers Medicare to purchase pharmaceuticals at the same prices as the VA, and prevents private insurance companies from increasing copayments and deductibles, or decreasing coverage, for the duration of the health care crisis."

The Commission does not support the Worker Health Coverage Protection Act, which would expand COBRA subsidies for six additional months, because COBRA is prohibitively expensive for most Rockville families.

Mayor and Council History

This is the first time that the Mayor and Council has taken up advocacy for the Medicare Crisis Program Act and the Health Care Emergency Guarantee Act.

Boards and Commissions Review

During their May 12, 2020 meeting, the Human Services Advisory Commission approved reaching out to the Mayor and Council about advocating for the two bills. The Commission wrote to the Mayor and Council on May 24 and prepared the attached draft letter for Mayor and Council consideration the week of June 8.

Next Steps

Staff will make any requested revisions to the letter and send it to the federal and county elected officials upon direction from the Mayor and Council.

Attachments

Attachment 14.a: Approved Draft Letter Health Care Legislation (PDF)



Rob DiSpirito, City Manager

6/17/2020



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

240-314-5000
TTY 240-314-8137

June XX, 2020

The Honorable Senator Benjamin Cardin
509 Senate Hart Office Building
Washington, D.C. 20510

The Honorable Senator Christopher Van Hollen
110 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Congressman Jamie Raskin
412 Cannon House Office Building
Washington, D.C. 20515

Dear Senator Cardin, Senator Van Hollen, and Congressman Raskin,

The City of Rockville Mayor and Council appreciate all of your efforts to support our community during the COVID-19 pandemic. Local governments, like Rockville, and other municipalities are committed to leading the way forward through this unprecedented public health crisis.

The Mayor and Council are concerned about access to affordable healthcare during the COVID-19 pandemic. Given the recent surge in unemployment claims, we worry that millions will lose their employer-based health insurance. This is in the midst of a devastating pandemic, adding to the already high insurance rates for those persons who were amongst the pre-pandemic uninsured and underinsured in the United States. We also worry that the cost of caring for the newly uninsured will be transferred to our already over-burdened county public health insurance program.

We thank you, Congressman Raskin, for co-sponsoring the Medicare Crisis Program Act H.R. 6674 and the Health Care Emergency Guarantee Act H.R. 6906 to ensure that all Americans have access to affordable health care during the Covid-19 pandemic. We urge you, Senators Cardin and Van Hollen, to sign on to the corresponding Senate bill S. 3790. These complementary bills “empower Medicare to pay all of the costs of treatment for the uninsured and cover all out-of-pocket costs for those with public or private insurance, for as long as this pandemic continues.” The legislation would take effect immediately on passage and also “bans surprise billing, empowers Medicare to purchase pharmaceuticals at the same prices as the VA, and prevents private insurance companies from increasing copayments and deductibles, or decreasing coverage, for the duration of the health care crisis.”

We ask you not to sign on to Worker Health Coverage Protection Act (H.R. 6514), which would expand COBRA subsidies for six additional months. However, because COBRA is prohibitively expensive for most Rockville families, this would not improve access to affordable health insurance.

The members of the Rockville Mayor and Council strongly believe that every resident of Rockville should have access to affordable healthcare during this global health emergency. There is no economic, ethical, or rational reason that health insurance should be tied to one’s employer; this is merely a consequence of history and not a reason to deny health insurance to Americans unemployed due to COVID-19 pandemic.

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

The Honorable Senator Cardin, Senator Van Hollen, and Congressman Raskin
June XX, 2020
Page Two

14.a

Please contact us if you have any questions. Thank you for your consideration. We look forward to your response.

Sincerely,

Rockville Mayor and Council

Attachment 14.a: Approved Draft Letter Health Care Legislation (3178 : Advocacy for Federal COVID-19 Health and Medical Benefits



Mayor & Council Meeting Date: June 22, 2020
Agenda Item Type: Review and Comment
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 15.A.a: MC Action Report Master 2020 _REVISED 061520 (PDF)

A handwritten signature in black ink, appearing to read "Rob DiSpirito", is written over a horizontal line.

Rob DiSpirito, City Manager

6/17/2020

Blue - new items to the list.

Red - latest changes.

Mayor and Council Action Report

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2014-23	9/8/11	R&P	Future agenda	<p>King Farm Farmstead</p> <p>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. As a next step, staff will work with stakeholders to develop the scope of a request for thorough and detailed proposals for future uses of the Farmstead. During the May 4th discussion of the FY21 budget, the Mayor and Council directed staff to fund a fire suppression system for the Dairy Barns and the house in FY21 and to fund a security system for those buildings in FY20.</p>	Ongoing
2015-14	7/13/15	CMO	Future agenda	<p>Purchasing Study Response</p> <p>Status: An update on the Procurement Action Plan was shared on January 27, 2020. Another update will be provided on July 13, 2020.</p>	July 13, 2020
2016-12	9/26/16	HR	Future agenda	<p>Vacancy Report/Hiring Freeze Update</p> <p>Provide a Vacancy Report to the Mayor and Council at the first meeting of each month.</p> <p>Status: The next report will be on the July 6, 2020 agenda. A note on recruitment status will be included for each position, rather than just those vacant over 90 days.</p>	July 6, 2020
2016-16	10/10/16	PDS	Future agenda	<p>Global Issues on BRT</p> <p>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.</p> <p>Status: County transportation is determining a recommended alternative for design of the MD 355 route. City staff attended a meeting with Montgomery County DOT on April 30, 2020 to review an update on the 6.7 mile Veirs Mill Rd (MD 586) BRT project. The project team is advancing Alternative 2.5 at this time, and the limit of the project has been extended to Montgomery College. A new station has been added at Atlantic Avenue. Public outreach will take place in the next few months.</p>	Ongoing

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2016-18	10/24/16	PDS	Future agenda	<p>FAST – Faster, Smarter, More Transparent (Site Plan/Development Review Improvements) Provide regular updates on the status of the work.</p> <p>Status: A FaST update was provided to the Mayor and Council on November 18, 2019. The next update is scheduled for July 13, 2020.</p>	July 13, 2020
2017-6	2/27/17	CMO	Email	<p>Minority-, Female- & Disabled-Owned Businesses Provide updates on the Procurement Division’s activities to engage and support minority-, female- and disabled-owned businesses.</p> <p>Status: The MFD Report for FY19 and the first half of FY20 was shared with the Mayor and Council by email on May 1, 2020. A Mayor and Council discussion of the City’s MFD outreach program is scheduled for July 6, to include topics such as program metrics, program successes and potential program adjustments. A local preference approach for City procurement also will be discussed with the Mayor and Council on a future agenda.</p>	July 6, 2020
2017-11	6/12/17	R&P	Agenda item	<p>Deer Population in Rockville Continue to monitor the deer population. Consider action steps and gather community input.</p> <p>Status: On June 1, 2020, Mayor and Council discussed City Code changes required to implement the deer culling pilot and re-locating the fall 2020 pilot from RedGate Park to the John Hayes Forest Park. The Mayor and Council will provide further direction on the pilot and Code changes during the June 22 meeting.</p>	January 2021
2018-1	1/22/18	Finance	Action Report	<p>Utility Billing System Provide updates on the replacement of the Velocity Payment System, powered by Govolution.</p> <p>Status: Implementation with the system vendor is underway and is scheduled to be completed in September 2020. To date, server set up, software installation, and data conversion has been completed. Testing and data validation is underway.</p>	September 2020

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2018-7	6/18/18	CMO	Agenda Item	<p>LGBTQ Initiatives Identify and implement Mayor and Council suggestions.</p> <p>Status: Signs directing users to the gender-neutral bathrooms in City Hall were ordered and temporary signs are currently up. The Adopted FY21 budget includes a new family/gender neutral bathroom at Dogwood Park, to be constructed in FY22. The Human Rights Campaign sent Rockville's draft 2020 Municipal Equality Index (MEI) scorecard on June 2 for review and comment by July 31.</p>	Ongoing
2018-8	6/18/18	CMO/RCPD /R&P	Town Meeting	<p>Opioid Town Meeting Schedule a Town Meeting on the opioid crisis, to include prevention, enforcement and treatment.</p> <p>Status: Staff reached out to our County addiction services partners to inquire about ways the City could support their efforts during the COVID emergency. Staff will coordinate with the planning committee to develop a proposed Rockville Goes Purple plan for FY21 to present to the Mayor and Council on July 13, 2020.</p>	July 13, 2020
2018-11	8/1/18	PDS	Agenda Item	<p>Neighborhood Shopping Centers Discuss mechanisms to encourage neighborhood shopping center revitalization and explore additional zoning and uses.</p>	TBD
2018-15	10/8/18	PDS	Future Agenda	<p>Short-Term Residential Rentals Discuss how to manage short-term residential rentals' (e.g., Airbnb) impact on city neighborhoods and explore options for taxing users.</p> <p>Status: Short-term residential rentals was discussed on January 13. Staff emailed the results of additional research requested by the Mayor and Council on January 23, 2020. The Mayor and Council also requested that a public hearing be held at a future date.</p>	Fall 2020
2018-19	10/15/18	HR	Future Agenda	<p>Volunteer Program Discuss whether the Mayor and Council want to direct the City Manager to create a centralized volunteer program.</p> <p>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. The next update will be on the August 3, 2020 agenda.</p>	August 3, 2020

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2019-1	10/29/18	PDS	Future Agenda	<p>Accessory Structures</p> <p>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 schedule an additional public hearing in the Fall 2020.</p>	Fall 2020
2019-2	2/25/19	R&P/PDS/ CMO	Future Agenda	<p>RedGate Park Planning</p> <p>Status: Staff is examining the condition of the walking paths to make critical repairs where safety is a concern. Staff will present the strategy for engaging the public in a planning process for a new destination park at Redgate on June 22, 2020.</p>	June 22, 2020
2019-4	3/25/19	PDS	Future Agenda	<p>Business Improvement Districts (BIDs) and Tax Increment Financing (TIF) Discussion of potential City uses of BIDs and TIFs.</p>	TBD
2019-7	4/1/19	R & P	Memo	<p>Child Care Services Discuss city provision of child care services (history of the current program, community need for the service, private sector market, expansion to additional Rockville locations).</p> <p>Status: Staff is preparing follow up on the Mayor and Council’s November 25, 2019 worksession discussion of early childhood education services, for a Mayor and Council agenda in summer 2020. Staff emailed information about childcare needs and services during the COVID-19 emergency to the Mayor and Council on May 4, 2020, and will continue to monitor Montgomery County’s activities and data on re-opening childcare facilities through the phases of COVID recovery.</p>	Summer 2020
2019-9	4/1/19	HR	Memo	<p>Reduction in Force (RIF) Policy Prepare a Reduction in Force (RIF) policy, to be incorporated in the Personnel Policy and Procedures Manual update.</p> <p>Status: Mayor and Council will consider this policy in the context of the ongoing review of the proposed Personnel Policies and Procedures Manual (PPM), which will be on the Mayor and Council’s July 20, 2020 agenda.</p>	July 20, 2020

Attachment 15.A.a: MC Action Report Master 2020 _REVISED 061520 (3153 : Action Report)

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2019-10	4/1/19	HR	Email	<p>Personnel Policy and Procedures Manual Update Share an update on the status of this effort.</p> <p>Status: In follow up to the Feb. 24 presentation of the updated PPM, the Mayor and Council will discuss it on July 20, 2020.</p>	July 20, 2020
19-11	4/1/19	HR	Future Agenda	<p>Retirement Incentive/Employee Buyout Program Provide information about employee buyout programs and discuss the potential for a Rockville program.</p> <p>Status: Director of Finance provided an update to the Mayor and Council via email on May 3, 2019.</p>	Fall 2020
2019-12	4/1/19	Police	Future Agenda	<p>Parking Enforcement at Street Meters Share an overview of Rockville’s current program and how other local jurisdictions handle parking enforcement at street meters, including hours of enforcement.</p> <p>Status: Town Center parking meter spaces have been signed as 15- minute curbside pick-up during COVID-19 response. On June 1, 2020, the Mayor and Council approved a FRIT-requested system for special food pick up spaces in Town Square to further support food service establishments during the COVID recovery.</p>	Ongoing
2019-19	12/16/2019	City Clerk/Director of Council Operations	Worksession	<p>Boards and Commissions Task Force Work Session Continue the Mayor and Council’s discussion of the Boards and Commission Task Force (BCTF).</p> <p>Status: On July 6, 2020, the Mayor and Council will discuss the BCTF’s top four recommendations and the CC/DCO will share progress on implementing other recommendations.</p>	July 6, 2020
2019-20	12/16/2019	City Clerk/Director of Council Operations	Meeting	<p>Post-Election Presentation</p> <p>Status: The Board of Supervisors of Elections presented the 2019 Election Report to the Mayor and Council on May 11. The Board is revising the report and preparing responses to questions posed during the discussion.</p>	June 2020

Attachment 15.A.a: MC Action Report Master 2020 _REVISED 061520 (3153 : Action Report)

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2020-01	1/6/2020	Police	Future Agenda	<p>Emergency Management Program Receive an update from the Emergency Manager on the city’s emergency management program and activities.</p> <p>Status: Staff is briefing the Mayor and Council on the COVID-19 pandemic weekly on Monday evenings and Friday mornings. A comprehensive update on the emergency management program is on the July 6, 2020 agenda.</p>	July 6, 2020
2020-02	1/13/2020	CMO	Memo and Future Agenda	<p>5G Wireless Technology</p> <p>Status: On March 18, 2020, the Mayor and Council discussed Zoning Text Amendment TXT2019-00251 on regulating the Installation of Small Cell Antennas. Introduction and Possible Adoption of an Ordinance to Grant Text Amendment Application TXT2019-00251 -To Adopt Regulations for the Installations of Small Cell Antennas was on the May 11, 2020 agenda. Staff is researching additional topics and questions raised by the Mayor and Council, in order to schedule adoption of the Ordinance on an upcoming agenda.</p>	June/July 2020
2020-03	1/13/2020	DPW	Memo and Future Agenda	<p>Climate Change Efforts Brief the Mayor and Council on City efforts related to climate change.</p> <p>Status: Discussion and Instructions on a Climate Action Plan is scheduled for the Mayor and Council’s July 13 meeting.</p>	July 13, 2020
2020-04	1/13/2020	Police	Memo and Future Agenda	<p>Drones and Public Safety Explore potential public safety issues associated with drones and how the City could consider monitoring, regulating and penalizing criminal activity.</p>	Fall 2020

Attachment 15.A.a: MC Action Report Master 2020 _REVISED 061520 (3153 : Action Report)

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2020-07	1/13/2020	PDS	Future Agenda	<p>Affordable Housing Goals Discuss Rockville’s strategy to meet the affordable housing goals established by the Metropolitan Washington Council of Governments (COG).</p> <p>Status: Under the purview of the new Department, future agenda items will explore paths that the city could take to meet the COG housing allocation. In addition, staff will conduct a forum with stakeholders in the development community and building trade association to solicit feedback on the following items, then bring the feedback to the Mayor and Council on agenda:</p> <ol style="list-style-type: none"> 1. Affordable Housing Fee for Small Residential Developments (tentatively in 2021) 2. In-Lieu Fee for Condominium Development (tentatively in Nov 2020) 3. Require Developments with 50 or More Units to Provide 15% MPDUs (tentatively in 2021) <p>Tentatively in Nov 2020, the Mayor and Council will discuss addressing annual MPDU rent increases that could be set at a rate higher than the voluntary guideline (e.g., 8% increase between 2019 and 2020).</p>	Ongoing
2020-08	1/27/2020	CMO/PDS/ Finance/ DPW	Worksession	<p>Town Center Follow up on Mayor and Council direction from the Town Hall meeting and Urban Land Institute (ULI) report. Status: A status update and discussion of Town Center initiatives will be provided to the Mayor and Council in the fall 2020.</p> <p>Parking – Explore improvements to parking in Town Center Status: Staff is preparing a proposal on parking improvements to present to the Mayor and Council.</p> <p>Town Center Road Diet – Study and report to Mayor and Council on suggestions in the TAP report and Mayor and Council’s discussion. Status: A kick off meeting with the consultant was held on May 6, 2020. The study is underway.</p> <p>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</p> <p>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.</p>	Ongoing

Attachment 15.A.a: MC Action Report Master 2020_REVISED 061520 (3153 : Action Report)

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2020-09	1/27/2020	DPW	Future Agenda	<p>Corridor Cities Transitway Provide back ground information to facilitate the current Mayor and Council taking an official position on the CCT route.</p> <p>Status: Discussion will be scheduled for late summer 2020.</p>	TBD
2020-10	1/27/2020	DPW	Future Agenda	<p>I-270 widening Establish a strategy for negotiating with the State.</p> <p>Status: The Mayor and Council received an update and discussed strategy on June 1, 2020. A draft letter to the State expressing Rockville’s concerns is on the Mayor and Council’s June 22, 2020 agenda for comment and approval. The Mayor and Council will seek support from Rockville’s representatives at all levels of government and will participate in identifying City concerns and mitigations. A discussion of the MOU with the State will be planned.</p>	Ongoing
2020-11		PDS	Future Agenda	<p>Annexation Options Discuss annexation options.</p>	TBD
2020-12	4/27/20	R&P	Future Agenda	<p>Resident Company Briefing Include on a fall 2020 Mayor and Council agenda a briefing from the resident companies to share information about their plans to resume operations and their business plans to support ongoing operations.</p>	Fall 2020

Attachment 15.A.a: MC Action Report Master 2020 _REVISED 061520 (3153 : Action Report)

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2020-13	4/27/20	CMO	Email	<p>Census Outreach Update Provide an update on the efforts completed, underway and planned to continue encouraging Rockville residents to complete the 2020 Census.</p> <p>Status: A memo on Census outreach efforts was emailed to the Mayor and Council on May 17, 2020. Additional activities include:</p> <ul style="list-style-type: none"> • Added a Census signature block image across the City’s email system. • Installed yard signs in areas of the community with lower response rates. Signs are in English, Chinese and Spanish. • Distributed information from the state on "Census myths" in English, Chinese and Spanish. • Shared Census information at food distribution sites. • Participating in a Census Challenge to challenge community members to encourage neighbors to fill out the Census. This is being distributed on the city's social email and in city news. • Participating with Montgomery County on ongoing efforts to raise the count. 	Ongoing
2020-14	4/20/20	CMO/CAO	Future Agenda	<p>Smoking Prohibition on Public Rights-of-Way Research options to expand the City’s current prohibitions on smoking in public to include on sidewalks or public rights-of-way.</p> <p>Status: Research is underway and the Mayor and Council will take up this topic during the July 20, 2020 meeting. Mayor and Council discussion on June 1, 2020, provided further direction about focusing on a public awareness campaign about the impacts of smoking, including on people with underlying health conditions.</p>	July 20, 2020

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2020-16	6/1/20	RCPD	Future Agenda	<p>Social Injustice, Racism and Bias Prepare suggestions for Mayor and Council discussion of ways to further engage with and educate our community .</p> <p>Status: On June 22, 2020, the Mayor and Council will receive a briefing and discuss the Rockville City Police Department’s (RCPD) fair and impartial policing strategies. A follow up discussion and planning of future community engagement on this topic is scheduled for July 6, 2020. The discussions will include potential enhancements to policing in the City and establishing a public safety commission/committee. Frequently Asked Questions will be prepared to help educate the community about RCPD fair and impartial policing practices.</p>	June 22 and July 6, 2020
2020-17	6/1/20	CMO	Email	<p>Spanish Language Article in Rockville Reports 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.</p> <p>Status: Staff shared the requested information by email on June 16, 2020.</p>	June 2020
2020-18	6/8/20	CC/DCO	Future Agenda	<p>New Education Commission/Committee Discuss on a future agenda establishing a new commission or committee on education.</p>	TBD

CLOSED/COMPLETED

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2020-15	5/11/2020	CMO/CAO	Future Agenda	<p>Food Delivery Service Fees Research what other communities have done to control the fees that food delivery services charge restaurants and to ensure the delivery staff are fairly compensated.</p> <p>Status: Letters were sent to food delivery companies requesting that they voluntarily cap fees charged to restaurants during the COVID emergency and provide 100% of tips to the drivers and restaurants. A letter supporting these actions was also sent to the County Executive, County Council and District 17 Delegation. The City will continue to engage with MML on this topic for potential advocacy during the 2021 state legislative session.</p>	Completed

Attachment 15.A.a: MC Action Report Master 2020_REVISED 061520 (3153 : Action Report)



Mayor & Council Meeting Date: June 22, 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 16.A.a: 07.06.2020 Mock Agenda (DOC)
Attachment 16.A.b: Future Agendas 6.22.2020 (XLS)

A handwritten signature in black ink that reads "Sara Taylor-Ferrell".

Sara Taylor-Ferrell, City Clerk/Director of Council Operations 6/17/2020



MAYOR AND COUNCIL

MEETING NO.
Monday, July 6, 2020 – 7:00 PM

MOCK 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 2:00 p.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, July 13 from 5:30-6:30 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 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. **Presentation**
- A. **Boards and Commissions Task Force Priority Recommendations**
- 8:10 PM 9. **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.
10. **Mayor and Council's Response to Community Forum**
- 8:30 PM 11. **Consent**
- A. **Sports Lighting at Dogwood Park**

Mayor and Council

July 6, 2020

- 8:35 PM **12. Discussion of Social Justice, Racism,, and Bias in Rockville**
- 9:35 PM **13. Emergency Management Update**
- 10:35 PM **14. Vacancy Report/Hiring Freeze Status**
- 10:45 PM **15. Review and Comment - Mayor and Council Action Report**
- A. Action Report**
- 16. Review and Comment - Future Agendas**
- 17. Old/New Business**
- 11:00 PM **18. Adjournment**

The Mayor and Council Rules and Procedures and Operating Guidelines establish procedures and practices for Mayor and Council meetings, including public hearing procedures. They are available at: <http://www.rockvillemd.gov/mcguidelines>.

Future Agendas
Tentative as of 06/22/2020

Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 07/13/20 07:00 PM (9 items)		
Proclamation and Recognition	5	Proclamation Recognizing Peace Day 2020 in Honor of Mattie J. Stepanek
Public Hearing	30	Public Hearing on Scope of Review of the Rockville City Charter by the Charter Review Commission
Discussion	20	Mayor and Council Discussion - Holding Meetings by Conference Call or Other Media Platforms
Presentation and Discussion	20	Rockville Goes Purple Update
Review and Comment	10	Action Report
Discussion and Possible Approval	10	MML Legislative Action Request
Discussion, Instructions and Possible Adoption	45	Park Road and North/South Stonestreet Ave Area Master Plan Amendment Discussion, Instruction, and Possible Adoption
Presentation	30	Status Report on the Faster, Accountable, Smarter and Transparent (FAST) Project – Improvements to the Development Review and Permitting Processes - Update
Presentation and Discussion	30	Climate Action Plan Presentation, and Discussion and Instructions to Staff
Total Meeting Time (In Hours)	3 HR 20 MINS	
Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 07/20/20 07:00 PM (10 items)		
Discussion, Instructions and Possible Adoption	30	Discussion on the 2020 Charter Review Commission Scope of Work
Appointments	30	Proposed Appointment Selection 2020 Charter Review Commission
Appointments and Reappointments	5	Boards and Commissions Appointments and Reappointments
Discussion and Possible Approval	20	Smoking Prohibition in Public Rights-of-Way
Review and Comment	10	Action Report
Discussion	30	Follow-Up Discussion on MFD FY19 and 6 Mos FY20 Report
Presentation	15	Procurement Action Plan Update 48-Month
Discussion and Instructions	45	Discussion of the Personnel Policies and Procedures Manual
Discussion	30	Reduction in Force Policy

Future Agendas
Tentative as of 06/22/2020

Discussion, Instructions and Possible Adoption	30	Map Amendment HDC2020-00119 Discussion and Instruction
Total Meeting Time (In Hours)	4 HR 05 MINS	
Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 08/03/20 07:00 PM (8 item)		
Presentation	30	Volunteer Program Update
Review and Comment	10	Action Report
Presentation and Discussion	20	COVID Staffing Update
Proclamation	5	Proclamation Declaring National Hispanic Heritage Month
Discussion	10	Vacancy Report/Hiring Freeze Status
Introduction and Possible Adoption	15	Park Road and North/South Stonestreet Avenue Area Plan Amendment Introduction and Possible Adoption
Consent	5	Award IFB #08-20, Middle Lane 54-Inch Diameter CMP Storm Drain Renewal, to (Vendor), in the Amount Not to Exceed (\$Xxx)
Consent	5	Award of Sourcewell (NJPA) Rider Contract #081716-NAF, Rear Loader Refuse Truck, to National Auto Fleet Group in the Amount Not to Exceed (\$Xxx)
Total Meeting Time (In Hours)	1 HR 35 MINS	

Attachment 16.A.b: Future Agendas 6.22.2020 (3204 : Future Agendas)



Mayor & Council Meeting Date: June 22, 2020
Agenda Item Type: Approval
Department: Human Resources
Responsible Staff: Karen Marshall

Subject

Face Covering Policy for COVID-19 Pandemic

Recommendation

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

Discussion

The City is planning for incremental re-opening of City facilities following the March 2020 COVID-19 state of emergency declared by the Governor. The City will require that all employees at their work places to wear face coverings to protect the workforce and the public with the goal of reducing potential COVID-19 exposures. Any visitors who enter a City office building or facility also will be required to wear face coverings at all times. The City will provide employees with face coverings and will have coverings available for visitors who do not have one.

The attached policy provides instructions, exceptions to the policy, and implications for failure to follow the policy. This policy may be updated periodically, with approval by the Mayor and Council, and will remain in effect until Governor Hogan rescinds the state of emergency associated with COVID-19.

Mayor and Council History

The Mayor and Council received the draft Face Covering Policy by email on June 9, 2020 and discussed the draft during the June 12, 2020 COVID Update meeting.

Next Steps

Upon Mayor and Council approval of the Policy, staff will distribute copies to employees and will prepare instructions and signage informing visitors to City facilities of the face covering Policy.

Attachments

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

Jenny Kimball
Jenny Kimball, Deputy City Manager 6/19/2020



Face Covering Policy for COVID-19 Pandemic

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.
- 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 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, or intimidating.
- 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

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: June 22, 2020
Agenda Item Type: Approval
Department: Human Resources
Responsible Staff: Karen Marshall

Subject

Wellness Policy for COVID-19 Pandemic

Recommendation

Staff recommends that the Mayor and Council approve the Wellness Policy for COVID-19 Pandemic.

Discussion

The City is planning for incremental re-opening of City facilities following the March 2020 COVID-19 state of emergency declared by the Governor. The City has developed a policy based on documents from the Centers for Disease Control, the Occupational Safety and Health Administration (OSHA), the Maryland Occupational Safety and Health (MOSH), the State of Maryland, and other governments. This policy is meant to create consistent safety procedures and an understanding of what is expected at City facilities to mitigate the risk of contracting as well as transmitting COVID-19.

The attached policy outlines requirements and approaches to reduce risk and support wellness. It includes procedures for required temperature checks of employees and visitors. It also outlines required actions in response to a positive COVID-19 test result of a City employee. This policy may be updated periodically, with approval by the Mayor and Council, and will remain in effect until Governor Hogan rescinds the state of emergency associated with COVID-19.

Mayor and Council History

The Mayor and Council received the draft Wellness Policy by email on June 10, 2020 and discussed the draft during the June 12, 2020 COVID Update meeting.

Next Steps

Upon Mayor and Council approval of the Policy, staff will distribute copies to employees and will prepare instructions and signage informing visitors to City facilities about the Wellness Policy requirements.

Attachments

- Attachment B.a: Wellness Policy for COVID-19 Pandemic (PDF)
- Attachment B.b: Employee Sick or Exposed Guidelines (PDF)

Jenny Kimball

Jenny Kimball, Deputy City Manager 6/19/2020



Wellness Policy for COVID-19 Pandemic

Purpose

The City's Wellness Policy for COVID-19 Pandemic was developed after consideration and review of documents from the Centers for Disease Control, the Occupational Safety and Health Administration (OSHA), the Maryland Occupational Safety and Health (MOSH), the State of Maryland, neighboring jurisdictions, and other governments throughout the country.

This policy is meant to create consistent safety procedures for employees and provide those employees who may be returning to work with an understanding of what is expected of them to mitigate the risk of contracting COVID-19 while at work and steps they can take to remain safe at home.

Scope

This policy applies to all City employees, interns, temporary or seasonal employees, and volunteers engaged in business on behalf of the City. 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.

General Requirements

- Follow the requirements contained in this document.
- Follow the City's Face Covering Policy for COVID-19 Pandemic.
- Practice physical distancing of at least 6 feet from others.
- Use face coverings in public spaces, including buildings, on public transportation, as well as at work pursuant to the City's Face Covering Policy for COVID-19 Pandemic.
- Perform frequent handwashing (or use of hand-sanitizer when handwashing is not feasible).
 - All employees will be required to wash their hands hourly or use hand-sanitizer when handwashing is not feasible.
 - Hand-sanitizer is available in the City's Stockroom, at the Gude Drive Maintenance Facility.
- Cover coughs and sneezes appropriately.

Risk Mitigation Approaches

The following general principles should be applied to reduce the spread of COVID-19:

- Telework – wherever possible, those employees who are currently teleworking should continue to do so, and technology should be used to facilitate working from home, replacing in-person communication, while still providing services.
- Staying home when sick
 - Monitor your own health prior to arriving to work each day as well as throughout the workday.
 - If already at work and begin to feel ill, notify your supervisor and leave the workplace immediately.
 - Such employees will be afforded leave pursuant to the City’s Policy on Leave
- Engineering Controls
 - The City will install physical barriers such as Plexiglas guards at all customer service windows.
 - To the extent feasible, the City’s Facilities Division has increased the number of air exchanges and has increased the frequency of preventive maintenance on the replacement of HVAC air filters.
 - Signage will be posted in conspicuous locations advising employees and visitors of various requirements, including wearing cloth face coverings and floor markings outlining waiting areas.
 - The City will provide resources and a work environment that promotes enhanced personal hygiene.
 - For example, provide tissues, no-touch trash cans, hand soap, alcohol-based hand sanitizers containing at least 60 percent alcohol, disinfectants, and disposable towels for employees to clean their work surfaces. Hand sanitizer dispensers will be located in public areas of buildings (lobbies, waiting rooms, counters, etc.).
- Administrative Controls (changing the way people work)
 - Restructure responsibilities to minimize the numbers of workers who need to be physically present for tasks.
 - Reconfigure space to enable people to be at least 6 feet apart throughout the day, as feasible.
 - Alternate remote and in-person work, where feasible, to reduce contact between individuals.
 - Reduce the number of simultaneous clients seen or in-person services performed to prevent crowding. This can be done by providing “appointment only” services.
 - When feasible, encourage patrons or staff to wait in their cars until their expected arrival times to avoid crowds.
 - Clean and disinfect high-touch surfaces in addition to routine cleaning and disinfection.
 - Discourage sharing work desks, equipment, and other supplies among multiple staff. If necessary, disinfect shared equipment between uses.

- Travel:
 - All out of state City-paid travel remains suspended, until further notice.
 - All employees previously approved to travel out of state for a conference, seminar, training, etc., are advised to pursue a full refund or work with the airline for a credit toward future travel. Additionally, employees are encouraged to check to see if it's possible to apply the registration fee to a future conference, seminar, training, or virtual training, etc. In the event the cost is not refunded or not allowed to be deferred, the City will absorb the cost.
 - Exceptions to the work-related travel restriction may be granted by the Department Director or Appointed Official to allow employees to travel for small group meetings, following social distancing guidelines, located within 50 miles of the City limits.

Limiting Group Gatherings

Physical distancing of at least 6 feet from others remains the most effective means to prevent the spread of the COVID-19 Coronavirus. As such, in-person meetings should only occur out of a business necessity when virtual meetings are infeasible. Examples of acceptable in-person meetings may include, but are not limited to: meeting to share large and/or numerous documents, meeting employees outside to conduct regularly-scheduled meetings, hosting meetings in large open spaces where physical distance can be maintained, such as in the Heated Storage Bay at the Gude Drive Maintenance Facility.

Conference rooms should be avoided to host in-person meetings. Smaller conference rooms will be closed with signage posted indicating that they are not to be used for meetings. If in-person meetings are required, consider meeting outdoors.

Employees are discouraged from congregating in common areas, including break rooms and other employees' offices.

Employees are also discouraged from participating in group gatherings outside of working hours as the more people an individual interacts with at a gathering and the longer that interaction lasts, the higher the potential risk of becoming infected with and spreading COVID-19.

Employees are prohibited from bringing in food to share with other employees or leaving food out in common areas for others to take and eat. In the occasional instances where the City purchases food for employee's, the food should not be arranged in a buffet-style and instead must be packaged individually.

Restrooms will have signage posted on the entrance to the restroom indicating the maximum occupancy, which will be calculated to allow one person per every two available stalls. In the event a restroom has only one stall, only one person will be permitted in at a time.

Temperature Checks

Employees are required to check their temperature upon arrival to work each day. While employees will be required to check their temperature upon arrival to work, it is strongly encouraged that employees also check their temperature at home before beginning their commute to work.

For larger facilities with more staff reporting, including City Hall, Gude Drive Maintenance Facility, and Police Department Operations Building, employees will be required to have their temperature taken by the Seek Scan temperature screening station, hereafter referred to as Temperature Check Station.

Additionally, City Hall will require visitors to check their temperature before being permitted to conduct business or interact with staff. In the procedure below, visitors will only be retested using the Temperature Check Station and will not have their body temperature taken with a single-use disposable thermometer. Visitors whose estimated body temperature is above the alarm temperature for two consecutive tests (spaced at least 10-minutes apart) will be refused service and will be advised to contact the City by phone or email.

Visitors who, upon arriving to City Hall, are properly wearing their face covering will proceed to the Temperature Check Station and will be advised to sign-in. The sign-in sheet will gather the visitor’s name, the staff person/department with whom they are doing business, and their time in and out of the building.

Procedure for Temperature Checks:

1. Immediately upon arriving to work, or as close as practical, employees are expected to have their temperature taken at the Temperature Check Station.
2. Employees must follow the City’s Face Covering Policy for COVID-19 Pandemic and maintain physical distancing of at least 6 feet from others.
3. The employee will stand on the floor marking, at the prescribed distance away from the thermal imaging camera, to have their skin temperature taken – a process which takes seconds to complete.
 - a. A blue square will show on the display screen indicating that the face is being detected and temperature measured, as shown in Figure 1 below.

Fig. 1 – Blue Square on Screen means Face Detected and Measuring Temperature



Face detected. Seek Scan is measuring skin temperature.

4. In the event the employee's estimated body temperature is within acceptable ranges as established by the Human Resources Department, the display monitor will show a green square and a checkmark indicating that the estimated body temperature is acceptable; as shown below.
 - a. Employee may begin or resume work.

Fig. 2 – Green Square and Checkmark means Estimated Body Temperature is Below Alarm Temperature



**Estimated body temperature is
below the alarm temperature.**

5. In the event the employee's estimated body temperature is above the alarm temperature, a red square and "X" will appear on the display and a visual alarm will sound. If this occurs, the employee shall immediately follow either procedure a. or b. below:
 - a. Take their body temperature using a single-use disposable thermometer, which will be available at the Temperature Check Station along with instructions for their use.
 - i. If the employee receives two consecutive readings of less than 100° Fahrenheit, the employee may begin/resume work.
 - ii. If the employee receives a reading of 100° Fahrenheit or above, the employee must inform their supervisor and the employee will be directed to go home. If an employee is sent home, Daisy Harley and Karen Marshall must be notified as soon as reasonably practical, but no later than the same day in which this occurs.
 - b. Wait 10-minutes and have their temperature rechecked at the Temperature Check Station.

- i. Employee should isolate themselves from others during this waiting period and practice strict physical distancing.
- ii. If the employee's estimated body temperature is above the alarm temperature again, the employee is to report this to their supervisor and the employee will be directed to go home. If an employee is sent home, Daisy Harley and Karen Marshall must be notified as soon as reasonably practical, but no later than the same day in which this occurs.

Fig. 3 – Red Square and “X” means Estimated Body Temperature is Above Alarm Temperature



Estimated body temperature is above the alarm temperature.

For those employees who report to worksites without a Temperature Check Station, handheld infrared thermometers will be used to take the employee's approximate body temperature. If an employee's temperature is 100° Fahrenheit or greater, they must recheck their temperature immediately. If the employee receives two consecutive results below 100° Fahrenheit, the employee will be permitted to begin/resume work. If that employee's temperature remains 100° Fahrenheit or greater, they must check their body temperature using a single-use disposable thermometer. If the results of the thermometer indicate that the employee's temperature is 100° Fahrenheit or greater, they must inform their supervisor and the employee will be directed to go home. If an employee is sent home, Daisy Harley and Karen Marshall must be notified as soon as reasonably practical, but no later than the same day in which this occurs.

Overall Health Checks

Supervisors are also responsible, where possible, to monitor their employees for observable changes in health condition during their shift. This does not require direct physical contact between the supervisor and employee. Changes in health condition may be observed with proper social distancing including observations related to cough, fever (sweating), or changes in voice due to potential illness. Supervisors should maintain in contact with employees and

consider action based upon observations, including directing the employee to recheck their temperature.

All employees must self-monitor for the signs and symptoms of COVID-19.

Employees are required to self-monitor using the following questions. Since your last day of work, have you developed?

- fever (100° Fahrenheit or greater) or feeling of having a fever?
- cough that you cannot attribute to another health condition?
- shortness of breath that you cannot attribute to another health condition?
- sore throat?
- flu-like symptoms?

Symptomatic employees will be directed to go home.

Cleaning

To assist with regular cleaning by City custodial staff and/or cleaning contractors, City staff may be asked to assist with cleaning frequently-touched surfaces in your workspace and City vehicle.

Further guidance regarding an employee's responsibility for assisting with cleaning will be distributed and assigned when you return to work.

Vehicle/Equipment Usage

Employees should avoid sharing tools, equipment, and vehicles to the extent feasible throughout the workday. Pursuant to the City's Face Covering Policy for COVID-19 Pandemic, if more than one person is in a City vehicle, all occupants are required to wear approved face coverings. Additionally, 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.

Additionally, employees are required to wipe-down all frequently-touched surfaces on the interior of vehicles and equipment; including door handles, steering wheel, seat belt, dashboard, gear shifter, arm rest, etc.

Each vehicle should be equipped with a container of disinfectant wipes.

Employees should not share headsets or other objects that are near their mouth or nose.

Following a Confirmed Positive Test Result of an Employee

This Section Supplements the What to do if an Employee Becomes Sick or Exposed to COVID-19 - Employee and Supervisor Guidelines (attached).

To ensure continuity of operations and to mitigate the likelihood of transmission or COVID-19, the following actions and considerations will be taken if an employee in the workplace has tested positive for COVID-19.

City Actions:

Upon notification of either “presumed positive” through consultation with a healthcare provider or by a confirmed positive test result, the City will immediately:

1. Verify that the employee who tested or has been deemed as presumed positive has been removed from the workplace.
2. Human Resources will work with the employee to request appropriate medical documentation, authorize paid sick leave pursuant to the Families First Coronavirus Response Act, and gather information necessary to perform contact tracing.
3. Conduct contact tracing to determine which other employees, visitors, or contractors may have had a potential exposure to the employee.
 - a. A potential exposure means being a household contact or having close contact within 6 feet of an individual with confirmed or suspected COVID-19. The timeframe for having contact with an individual includes the period of time of 48 hours before the individual became symptomatic.
4. Provide notice to those who may have had a potential exposure.
 - a. Employees will be advised of their individual risk based upon information gathered during contact tracing.
 - i. Employees will be directed to contact their own physician or the City’s nurse screening provider for further direction on their individual risk and whether it is safe for them to continue working, or if they need to isolate/self-quarantine.
 - ii. Non-employees will be advised of their individual risk based upon information gathered during contact tracing, and will be directed to contact their physician to determine their individual risk factors and for directives on care.
5. Cleaning and Disinfecting – the Safety & Risk Manager, with input from the Emergency Manager, will work with the Parks and Facilities Superintendent and Facilities Manager to follow [CDC recommendations](#) regarding the cleaning and disinfecting protocols for our buildings/facilities if someone is sick or has tested positive. Considerations affecting how the City cleans and disinfects may include:
 - a. Closing off areas used by the person who has tested positive.
 - b. Wait 24 hours before you clean or disinfect. If 24 hours is not feasible, wait as long as possible.
 - c. Open outside doors and windows to increase air circulation in the area.

- d. Clean and disinfect all areas used by the person who is sick, such as offices, bathrooms, common areas, shared electronic equipment like tablets, touch screens, keyboards, remote controls, and vehicles.

The City may rely on a third-party cleaning contractor to clean and disinfect buildings, facilities, or vehicles. Employees in affected areas will be notified of the steps taken to clean and disinfect the area, as well as provide notification when the area is reopened.

Failure to Follow

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.



What to Do If an Employee Becomes Sick or Exposed to COVID-19

Employee and Supervisor Guidelines

April 23, 2020

Questions may be directed to:

Karen Marshall
Director of Human Resources
kmarshall@rockvillemd.gov
240-314-8472

Or

Daisy Harley
Benefits Manager
धारley@rockvillemd.gov
240-314-8474

The following guidance is for employees and their supervisors/managers.

There are four levels of COVID-19 circumstances that require specific actions for employees and supervisors/managers:

LEVEL 1: An employee is out sick with COVID-19 like symptoms, but either has not seen a healthcare provider, or a healthcare provider has not referred him or her for testing.

LEVEL 2: An employee is exposed or suspects exposure to someone with COVID-19.

LEVEL 3: An employee is diagnosed positive (either “presumed positive” through consultation with a healthcare provider or by a confirmed positive test result).

LEVEL 4: An employee is cleared to return to work following a diagnosis as positive for COVID-19.

LEVEL 1

An employee is out sick with COVID-19 like symptoms, but either has not seen a healthcare provider, or a healthcare provider has not referred him or her for testing.

EMPLOYEE:

- Notify your supervisor that you are sick and are staying home.
- Contact your healthcare provider.
- Stay home until you are symptom-free.
- Remain in contact with your healthcare provider if your symptoms change.
- Notify your supervisor if your healthcare provider directs you for testing for COVID-19. Ask your healthcare provider for documentation of the visit and any instructions. Send the medical documentation to Karen Marshall and Daisy Harley.

SUPERVISOR/MANAGER:

- Generally, keep track of how many employees are out sick and monitor for any trends.
- Encourage social distancing and work to limit use of common areas to the extent practicable.
- Notify Karen Marshall and Daisy Harley when employees notify you that their healthcare provider has directed them to get tested for COVID-19.

LEVEL 2

An employee is exposed or suspects exposure to someone with COVID-19.

EMPLOYEE:

If you think you may have been exposed to COVID-19:

- The CDC defines exposure as being within approximately six feet of a confirmed COVID-19 case for a prolonged period of time, such as attending a gathering, party, concert, or meeting. Exposure can occur through close contact while caring for, living with, visiting, or sharing a healthcare waiting area with a confirmed COVID-19 case.
- Call your healthcare provider immediately and follow their guidance.
- If advised by your healthcare provider to leave work, notify your supervisor as soon as possible by phone or email.
- Asymptomatic employees may continue to work, but must adhere to the following practices:
 - Must continue to complete daily pre-shift temperature check to ensure you are not exhibiting signs of a fever, which the City defines as a temperature of 100° Fahrenheit or greater.
 - Continue ongoing self-monitoring for the signs and symptoms, including but not limited to fever, cough, and shortness of breath, of COVID-19.
 - Continue to wear City-supplied cloth face covering at all times while at work for 14 days after last exposure.
 - Practice social distancing by maintaining at least 6-feet between other people, as practicable.
- Answer questions from your supervisor, Karen Marshall, or Daisy Harley regarding your movements and people you've been in contact with while at work.
- Be prepared to follow the directives of Karen Marshall or Daisy Harley, which may include calling the City's third-party COVID-19 screening provider.
- Promptly report any changes in your health, including if you begin exhibiting COVID-19 like symptoms, to your supervisor or Karen Marshall or Daisy Harley immediately.

SUPERVISOR/MANAGER:

If an employee tells you that they may have been exposed to COVID-19:

- If the employee is at work, and becomes sick during the day, direct the employee to go straight home and contact his or her healthcare provider immediately.
 - After sending the employee home, immediately notify your Department Director and Karen Marshall.
- Department Director should provide initial guidance regarding management of affected workspaces, which may include:
 - Isolate potentially affected workspaces.
 - Notify Facilities Division of the need for cleaning a potentially contaminated area.
 - Relocate operations and employees to a safe area so work can continue (such as telework, if possible).
 - Advise directly affected employees of any actions they may need to take.
- If an employee is sent home sick with COVID-19 like symptoms after previously being exposed to someone with or suspected with COVID-19 the Department Director should draft notification to all affected employees, a sample of which is below.
 - If needed, contact Karen Marshall or Colette Anthony for guidance on messaging.
 - Provide a copy of final messaging to Karen Marshall.
- Employees who may have been exposed to COVID-19 and remain asymptomatic may continue to work following the procedures identified above, or may continue to, or commence, telework if approved.
 - In the event the department is unable to accommodate allowing the employee to remain at work, and the employee is unable to telework, the employee will receive Administrative Leave.

LEVEL 3

An employee is diagnosed positive (either “presumed positive” through consultation with a healthcare provider or by a confirmed positive test result).

EMPLOYEE:

If you receive confirmation of a positive or negative diagnosis:

- If positive, follow the guidance given by your healthcare provider.
- Contact Karen Marshall and Daisy Harley and provide them with an update.
- Submit medical documentation of your diagnosis, including your health care provider's guidance about whether you should not work, can telework or can return to work, to Karen Marshall and Daisy Harley, upon request.

SUPERVISOR/MANAGER

- Upon notification from Karen Marshall or Daisy Harley of a diagnosed positive COVID-19 case, follow the steps outlined in Level 2 for SUPERVISOR/MANAGER.
- In the event you are informed by one of your employees that they have been diagnosed as positive for COVID-19, immediately inform Karen Marshall and Daisy Harley.
- Employees who are presumptive positive or confirmed to be positive for COVID-19 will be placed on Emergency Sick Leave subject to the provisions of the Family First Coronavirus Response Act, or may continue to, or commence, telework, as allowed by their healthcare provider for the duration of their period of quarantine/isolation.

LEVEL 4

An employee is cleared to return to work following a diagnosis as positive for COVID-19.

EMPLOYEE:

- Follow all directives from your healthcare provider, including any orders to quarantine.
- Notify your supervisor of your intention to return to work and the anticipated return to work date.
- Provide Karen Marshall and Daisy Harley with documentation evidencing that you have successfully completed/been released from quarantine or isolation.

SUPERVISOR/MANAGER:

- Obtain clearance from Karen Marshall or Daisy Harley before permitting the employee to return to work.
 - Employee is not permitted to work onsite until clearance is received from Karen Marshall or Daisy Harley.



Mayor & Council Meeting Date: June 22, 2020
Agenda Item Type: Approval
Department: Human Resources
Responsible Staff: Karen Marshall

Subject

Telework Policy for COVID-19 Pandemic

Recommendation

Staff recommends that the Mayor and Council approve the Telework Policy for COVID-19 Pandemic.

Discussion

Teleworking, or working remotely, is a critical element of the City's continued provision of services through the pandemic. Many City employees are able, with support from the Department of Information Technology, to continue all of their job duties from home. Services across all City departments have continued through this method of working. While the City's Personnel Policies and Procedures Manual includes a policy and procedure on teleworking, the attached policy further addresses City telework operations during the COVID pandemic.

Mayor and Council History

This is the first time that the Mayor and Council have discussed the Telework Policy for COVID-19 Pandemic.

Next Steps

Upon approval by the Mayor and Council, the Policy will be distributed to employees to support their continued telework activity until returning to their workplace.

Attachments

Attachment C.a: Telework Policy for COVID-19 Pandemic (PDF)

Jenny Kimball

Jenny Kimball, Deputy City Manager

6/19/2020



Telework Policy for COVID-19 Pandemic

Purpose

The City's telework policy, during the COVID-19 pandemic, was developed based on guidance from the CDC, State of Maryland, and consideration of telework practices implemented by neighboring jurisdictions and other governments throughout the country. The purpose is to provide for a consistent understanding and application of this policy by employees and supervisors. The telework policy is not intended to replace, but rather to supplement the City's telework policy in the Personnel Policies and Procedures Manual, during the COVID-19 pandemic. To better assist supervisors and employees in managing the COVID-19 pandemic challenges, this temporary city-wide telework policy is being implemented to enact and encourage social distancing strategies in the workplace.

Under the COVID-19 telework (working remotely) policy, employees will essentially perform the same work that they would in the workplace, in accordance with performance expectations and other terms determined by their supervisors.

Remote work arrangements will not be feasible in all cases and should not compromise the continuity of operations and essential functions of each office and department. Teleworking is neither a right nor an entitlement, but a tool to allow flexible work options during this health emergency.

Scope

This policy will allow employees to work from home while ensuring the continuity of City business operations. 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.

Requirements

Telework is effective immediately for employees whose positions are telework eligible ("eligible employees"), meaning employees whose work can be effectively performed remotely and who have received supervisor approval.

- Employees' obligations, duties, responsibilities, and terms and conditions of employment are unchanged.
- Employees shall perform all job duties at a satisfactory level or above.
- Employees must comply with all City and departmental policies and procedures while working a telework schedule.
- Employees will maintain the agreed-upon work schedule and be accessible via telephone, email, and virtual platforms as required during telework hours.
- Employees' performance will continue to be monitored and evaluated as stated in the existing telework policy.

- Employees should work with the Department of Information Technology (IT) to ensure that they have access to 1) Outlook, 2) all the documents they need on OneDrive and SharePoint, i.e., Office 365, IT systems and networks as may be necessary, and 3) Virtual Private Network (VPN), if needed. The hours of support to teleworkers are based on the regular business hours of the Department of Information Technology, 8:30 AM to 5:00 PM, Monday – Friday.
- Employees may take home their work-issued laptop and technology accessories for the purpose of telework.
- A limited number of laptops and technology accessories are available to employees who require them for teleworking; contact the Department of Information Technology.
- All “loaned” equipment will be tracked in the IT Asset Management System and checked out to employees. A printed copy of the “checked out” receipt may require employees’ signature.
- Use of personal computers for Telework is currently permitted.
- Teleworkers should have a minimum bandwidth of at least a 100/100 Mbps subscription with their service provider.
- Teleworkers will be expected to communicate with their supervisors if anything occurs during teleworking that prevents them from completing their assigned work and/or working within the agreed-upon work schedule.
- Requests to work overtime or use leave balances (i.e., sick, vacation, compensatory time, or other types of leave) must be pre-approved by the teleworkers’ supervisor in the same manner as when working in the office.
- Teleworkers will be accessible during the agreed-upon work hours, regardless of telework location, and/or as may be defined by the teleworker and his/her supervisor.
- Teleworkers will provide a contact number to their supervisor, as well as to other department and City staff.
- Employees’ salary, retirement, benefits, and City-sponsored insurance coverage will remain unchanged during telework.
- Employees and their supervisor remain obligated to comply with all Federal, State and City of Rockville rules, regulations, policies and procedures, including the Fair Labor Standards Act (FLSA).
- Teleworkers should consult with their tax advisor for information and advice regarding the ability to write off expenses for working at home.

Hours of Work

The amount of time and work hours that an employee is expected to work will not change due to temporary remote work. Hours of work should remain the same unless a change is agreed upon with an employee’s supervisor. The employee agrees to conduct work and be available to communicate with their co-workers, supervisor(s), and others during work hours. Normal procedures will be followed for the approval of overtime, compensatory time, and the use of leave.

City Policies

Employees must comply with City policies and understand that violation of such may result in the termination of the temporary remote work arrangement and/or disciplinary action, up to and including dismissal.

Security of Information and Records

Employees approved for telework are responsible for the security of information, documents, and records in their possession or used during teleworking. Restricted-access material should not be accessed or removed from the worksite without written consent from the employee’s supervisor. Employees approved for telework must apply appropriate safeguards to protect confidential information from unauthorized disclosure or damage. They must comply with all privacy and security protocols and requirements implemented by the City.

Equipment, Software and Supplies

- The employee is responsible for the maintenance and care of the equipment they use. When City equipment is used at the City or at a remote workplace, the employee is financially responsible for that equipment if it is lost, stolen or damaged because of that employee's negligence, misuse, or abuse.
- Equipment provided by the City for the purpose of facilitating teleworking may be used: 1) only by employee; and 2) only for City business.
- The employee is responsible for maintaining and repairing employee-owned teleworking equipment at personal expense and on personal time. The City is not responsible, unless other arrangements are approved in advance.
- Equipment and materials provided by the City for use at the teleworking location remain the property of the City. The City is responsible for maintaining, repairing, and replacing City-owned equipment issued to teleworkers.
- In the event of equipment malfunction, the teleworker must notify his/her supervisor immediately. Teleworkers must take the necessary steps and precautions to safeguard City equipment and materials.
- In the event of any delay in repair or replacement of City equipment, or other circumstances that would make it impossible for the employee to telework, departments may assign other work, request that employee be moved to another work location, or request that employee return to his or her primary work location.
- Employees will "check out" all supplies needed for the teleworking assignment by contacting the appropriate office staff.

Expenses

The City will not pay for, or reimburse, the following expenses:

- Operating costs (such as electric bills, internet, etc.), home maintenance, or other costs incurred by employees in the use of their homes as alternate work locations.
- Costs associated with the occupation of the home/offsite work location.
- Out-of-pocket expenses for supplies that are regularly available at the City office (unless approved in advanced and in writing by the employee's supervisor).

Questions

Questions about this policy may be directed to Colette Anthony, Deputy Director of Human Resources, at canthony@rockvillemd.gov or 240-314-8473.



Mayor & Council Meeting Date: June 22, 2020
Agenda Item Type: Approval
Department: Human Resources
Responsible Staff: Karen Marshall

Subject

Leave Policy for COVID-19 Pandemic

Recommendation

Staff recommends that the Mayor and Council approve the Leave Policy for COVID-19 Pandemic.

Discussion

The Leave Policy for COVID-19 Pandemic is based on the Families First Coronavirus Response Act (FFCRA), guidance from the U.S. Department of Labor, and consideration of employee leave practices implemented by other governments. The policy is not intended to replace, but rather to supplement, the City's policy on leave in the Personnel Policies and Procedures Manual, during the COVID-19 pandemic.

The policy includes:

- eligibility requirements to receive fully- or partially-paid sick leave and/or expanded family and medical leave under the FFCRA. It also describes the process to request paid sick leave or expanded family and medical leave under the FFCRA;
- provisions regarding leave for an employee who has a preexisting disability that puts them at higher risk from COVID-19;
- a temporary adjustment to the annual leave and compensatory time carryover limits; and
- considerations and requirements for Stage 2 of the City's re-opening process.

This policy may be updated periodically, with approval by the Mayor and Council. This policy will remain in effect until the FFCRA changes or expires. If there is any conflict between this document and the FFCRA, the FFCRA prevails.

Mayor and Council History

This is the first time that the Mayor and Council has discussed the Leave Policy for COVID-19 Pandemic.

Next Steps

Upon Mayor and Council approval, staff will distribute copies of the policy to employees.

Attachments

Attachment D.a: Leave Policy for COVID-19 Pandemic (PDF)

Jenny Kimball
Jenny Kimball, Deputy City Manager 6/19/2020



Employee Leave Policy for COVID-19 Pandemic

Purpose

The City's Employee Leave Policy for COVID-19 Pandemic ("Policy") was developed based on the Families First Coronavirus Response Act (FFCRA), guidance from the U.S. Department of Labor, and consideration of employee leave practices implemented by neighboring jurisdictions and other governments throughout the country. The purpose is to provide for consistent understanding and application of these requirements by employees and supervisors. The Policy is not intended to replace, but rather to supplement, the City's policy on leave in the Personnel Policies and Procedures Manual, during the COVID-19 pandemic.

Scope

This Policy applies to all eligible employees. This policy may be updated periodically, with approval by the Mayor and Council. This policy will remain in effect until the FFCRA changes or expires. If there is any conflict between this document and the FFCRA, the FFCRA prevails.

General Requirements (Not Limited to Specific Stages of Recovery)

Medical Documentation

Employees should only submit medical documentation to Human Resources, not to supervisors. Email to benefits@rockvillemd.gov or fax to 240-403-9486.

Families First Coronavirus Response Act (FFCRA)

Paid leave provisions under the FFCRA took effect April 1, 2020 and apply to COVID-19 related leave taken between April 1, 2020 and December 31, 2020. Eligible employees may receive fully- or partially-paid sick leave and/or expanded family and medical leave if they meet the requirements of the FFCRA and:

- 1) are subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- 2) have been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- 3) are experiencing symptoms of COVID-19 and are seeking medical diagnosis;
- 4) are caring for an individual who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or an individual who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- 5) are caring for their child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons; or
- 6) are experiencing any other substantially similar condition that may arise, as specified by the Secretary of Health and Human Services.

- If taking paid sick leave for reasons 1, 2, or 3 above, an employee may receive their regular rate of pay, to a maximum of \$511 per day or a total of \$5,110 for a ten-day period.
- If taking paid sick leave for reasons 4, 5, or 6 above, an employee may receive 2/3 of their regular rate of pay, to a maximum of \$200 per day or a total of \$2,000 for a ten-day period. The 2/3 pay may be supplemented with 1/3 of accrued leave.
- If taking expanded family and medical leave, the first ten workdays are unpaid (but may be substituted with accrued leave; or 2/3 of paid sick leave, which may be supplemented with 1/3 of accrued leave). A maximum of twelve weeks of expanded family and medical leave may be used in a twelve-month period, in combination with (not in addition to) time taken under the regular Family and Medical Leave Act (FMLA).
- To request paid sick leave or expanded family and medical leave under the FFCRA, you must provide the following information to the Human Resources Department (email to benefits@rockvillemd.gov or fax to 240-403-9486):
 - Your name;
 - The date(s) for which you request leave;
 - The reason for leave;
 - A statement that you are unable to work because of the above reason; and
 - The name of the health care provider who advised self-quarantine, if applicable.

If you request leave to care for your child whose school or place of care is closed, or childcare provider is unavailable, you must also provide:

- The name of your child;
- The name of the school, place of care, or child care provider that has closed or become unavailable; and
- A statement that no other suitable person is available to care for your child.

Additional information is available by contacting the Department of Human Resources.

Americans with Disabilities Act (ADA)

- An employee who has a preexisting disability that puts them at higher risk from COVID-19, and whose job may only be performed at the workplace, may request a reasonable accommodation to eliminate possible exposure.
- The City will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, as long as that individual can perform the essential functions of the job and provided that such accommodation does not constitute an undue hardship on the City.
- For any questions about accommodations or to make a request, contact Daisy Harley at dharley@rockvillemd.gov or 240-314-8474.

Annual Leave Carryover Limit

Per the Personnel Policies and Procedures Manual, there is a maximum carryover limit of 375 hours of Annual Leave for employees working a normal schedule of 37.5 hours per week and 400 hours for employees working a normal schedule of 40 hours per week. Employees may not carry more than this amount into any subsequent year. In light of the COVID-19 pandemic, the City will temporarily increase this limit to 450 hours for employees working a normal schedule of 37.5 hours per week and 480 hours for employees working a normal schedule of 40 hours per week. Hours in excess of the pre-COVID-19 limit should be used by December 31, 2021 and will not be carried over into 2022. Any hours in excess of the pre-COVID-19 limits will be handled in accordance with the Personnel Policies and Procedures Manual.

Compensatory Time Carryover Limit

In light of the COVID-19 pandemic, essential employees will be allowed to carry over up to 120 hours of compensatory time into 2021. By December 31, 2021, all employees must again follow the pre-COVID-19 limit, which will be handled in accordance with the Personnel Policies and Procedures Manual.

Stage-Specific Use of Leave

The City's reopening and return to the worksite will occur in stages. Different considerations and requirements may apply at each Stage.

Pre-Stage 1 (March 14, 2020 through May 23, 2020)

- Non-essential employees whose jobs could not be performed remotely were provided with paid administrative leave at their normal rate of pay. These employees were not required to use any of their accrued leave during this time.
- Temporary employees were provided with paid administrative leave for the hours that they were normally scheduled to work.
- Employees who were unable to work onsite or remotely due to illness that was not related to COVID-19 were required to use their accrued leave.
- Essential employees with an underlying health condition or a non-medical concern about reporting to the worksite were instructed to contact Human Resources. Those employees who were approved to remain at home for these reasons were allowed to receive paid administrative leave.
- Prior to the enactment of the FFCRA, employees who were presumed positive or confirmed to be positive for COVID-19 and were not able to telework received paid administrative leave for the duration of their period of quarantine.

Stage 1 (Effective May 24, 2020)

- Temporary employees no longer receive paid administrative leave and are only compensated for hours worked. They may still be eligible for leave pursuant to the Maryland Healthy Working Families Act and the FFCRA, according to the eligibility and provisions of those laws.

- Once the FFCRA took effect April 1, 2020, employees who were presumed positive or confirmed to be positive for COVID-19 and were not able to telework were able to use paid sick leave under the FFCRA. If they needed to remain off work for more than the ten-day maximum under the FFCRA, they received paid administrative leave for the additional time, prior to being released to return to work. This may also apply to employees who have been exposed to a presumed positive or confirmed positive COVID-19 case, or to anyone else who meets the requirements of the FFCRA.

Stage 2

- Employees who are not comfortable returning to the workplace due to underlying health conditions or concern for other reasons, and telework is not an option, will no longer receive paid administrative leave and will instead be required to use their accrued personal leave. As described above in the Americans with Disabilities Act (ADA) section, employees may request an accommodation under the ADA. If an employee is not comfortable returning to work, and teleworking is not an option, but the employee does not have a disability according to the ADA, they may request to use their accrued personal leave. Any requests should be submitted to Daisy Harley at dharley@rockvillemd.gov.
- Employees who are presumed positive or confirmed to be positive for COVID-19 and are not able to telework may be able to use paid sick leave under the FFCRA, subject to the requirements of the FFCRA. If they need to remain off work for more than the ten-day maximum under the FFCRA, they may use their accrued leave for the additional time, prior to being released to return to work. This may also apply to employees who have been exposed to a presumed positive or confirmed positive COVID-19 case, or to anyone else who meets the requirements of the FFCRA.

Questions

Questions about this Policy should be directed to Daisy Harley, Benefits Manager, at dharley@rockvillemd.gov or 240-314-8474.



Mayor & Council Meeting Date: June 22, 2020
Agenda Item Type: Additional Information
Department: City Clerk/Director of Council Operations Office
Responsible Staff: Sara Taylor-Ferrell

Subject

Community Forum - June 22, 2020

Recommendation

Attachments

Attachment E.a: 6.22.20 Speakers Only List (PDF)

Attachment E.b: Community Forum Written Comments June 22, 2020 (PDF)

A handwritten signature in black ink that reads "Sara Taylor-Ferrell".

Sara Taylor-Ferrell, City Clerk/Director of Council Operations 6/22/2020

Community Forum Speakers List
Monday June 22, 2020
6:00 PM

	Name Address/Phone	Topic
1.	Speaker by Computer Laura Kaplan Weisman laura.m.kaplan@gmail.com 551-206-1680	Human Services Advisory Commission
2.	Speaker by Phone Emily Pearce ekepearce@gmail.com 301-217-0461	Human Services Advisory Commission
3.	Speaker by Computer Senator Cheryl Kagan Cheryl.Kagan@senate.state.md.us 301-858-3134	Police de-escalation
4.	Speaker by Computer Matt Perkins Mattperkins68@gmail.com 301-775-4853	Fair and Impartial Policing Strategies
5.	Speaker by Phone Sandra Crowe sc@pivpoint.com 301-442-7818	Implement Black Lives Matter
6.	Speaker by Computer Irfan Murtuza imurtuza@gmail.com 301-523-7314	RCPD Fair & Impartial Policing Strategies
7.	Speaker Peter Altman 240 Watts Branch Parkway Rockville, MD 20850 petealtman13@gmail.com	RCPD Fair and Impartial Policing Strategies
8.	Speaker by Phone Alexandra Dace Denito 240-353-8030 alex.dacedenito@gmail.com	RCPD Fair and Impartial Policing Strategies
9.	Speaker by Computer Chidera Nwosu Chiderao.nwosu@yahoo.com 561-502-3401 Human Rights Commission	Reiterating Human Rights Commission comments on encouraging methods of expression that create a deep understanding of the disproportionate injustices experienced by people of color;

Community Forum Speakers List
Monday June 22, 2020
6:00 PM

		Advocating support of Fair and Impartial Bias training in the community
10.	Speaker by Phone James "Jim" Garrant 301-972-4314 jjgarrant11@gmail.com	RCPD Fair and Impartial Policing Strategies
11.	Speaker by Computer Nancy Breen nancy.breen@yahoo.com Rockville Bicycle Advisory Board	Joining RBAC and Vision Zero
12.	Speaker by Computer Connie Bertka cbertka@gmail.com Rockville Bicycle Advisory Board	RBAC and Vision Zero
13.	Speaker by Phone Anne Goodman communitywildlifehabitat@gmail.com 301-642-2785 1109 Clagett Drive Rockville, MD	RedGate Planning Strategy
14.	Speaker by Phone Fred Evans Fredevans1970@gmail.com 301-706-3993	School Resource Officers

Community Forum
Written Comments
(Monday June 22, 2020)
6:00 PM

	Name Address/Phone	Topic
1.	Chizobam Nwagwu chizobamnwagwu@gmail.com	Institutional racism, prejudice and protect human rights for the citizens in our city.
2.	Brian Von Fossen Fraternal Order of Police Lodge 117, Rockville, MD	The Rockville City Police Department and the FOP
3.	Deborah Moore Moore.deborah55@gmail.com	Black Lives Matter – Institutional racism
4.	Andrea Hall 115 Columbia Ave Rockville, MD andoshops@yahoo.com	De-escalation Training
5.	Matt Perkins Mattperkins68@gmail.com 301—775-4853	RCPD Fair and Impartial Policing Strategies
6.	Alexandra Dace Denito 128 Moore Drive Rockville, MD 20850 301-424-1004 240-353-8030 Alex.dacedenito@gmail.com	RCPD Fair and Impartial Policing Strategies
7.	Donna Breslyn The Village at Rockville Rockville, MD 20850	Support – RedGate Park Agenda Item #11
8.	Adeline Louie Kensington, MD louie.accts@gmail.com	Support – RedGate Park Agenda Item #11
9.	Bob Dixon-Gumm drophatsausage@gmail.com	Support – RedGate Park Agenda Item #11
10.	Wendolyn Trozzo wendofish@yahoo.com	Support - RedGate Park Agenda Item #11
11.	Wayne Danzik	Support – Redgate Park Agenda Item #11

Community Forum
Written Comments
(Monday June 22, 2020)
6:00 PM

12.	Kelli Banfield 9 Bel Pre Ct Rockville, Md 20853	Support – RedGate Park Agenda Item #11
13.	Stevie Ney 711 Smallwood Road, Rockville MD 10850	Support – RedGate Park Agenda Item #11
14.	Susan D. Wexler susandwexler@gmail.com	Support – RedGate Park Agenda Item #11
15.	Wayne Breslyn 1916 Stanley Avenue Rockville, MD	Support – RedGate Park Agenda Item #11
16.	Deborah Landau, President East Rockville Civic Association Rockville, MD	Support – RedGate Park Agenda Item #11
17.	Carlos Landau Rockville, MD Carlos.landau@gmail.com	Support – RedGate Park Agenda Item #11
18.	George Sushinsky 908 Wade Ave Rockville, MD 20851 240-361-7883	Deer Culling Program
19.		
20.		
21.		
22.		
23.		
24.		
25.		
26.		

Jacqueline Mobley

From: Chizobam Nwagwu <chizobamnwagwu@gmail.com>
Sent: Monday, June 8, 2020 4:29 PM
To: cityclerk
Subject: Testimony - Written for Council Meeting

Dear Rockville City Council,

My name is Chizobam Nwagwu and I am a resident of Rockville, Maryland. I am writing to share action items for the City of Rockville to adopt to combat institutional racism, prejudice, and protect human rights for the citizens in our city.

The brutal, senseless, and violent murder of George Floyd at the hands of police officers derelict in their duties to protect and serve is deeply disturbing. We, as a nation, are in need of a drastic overhaul in policing. Systems of oppression must be undone, and reallocating much of the budget for the Rockville PD to programs and city-led initiatives that support education, rehabilitation, public health, and community-oriented initiatives is a goal that must be achieved.

Rockville's Police are not exempt from racial issues. There is story after story of Black people being harassed, searched, and arrested for simply being Black.

How many of you have been arrested for helping a drunk neighbor home? What about standing outside of a McDonalds? What about walking down the street?

This is not acceptable behavior for people expected to uphold the law and keep all members of the community safe. There are consequences to actions. Even if you wear a badge.

1. Defund the Police: This idea simply asks that policymakers redirect funds a portion of the city's proposed FY2021 budget of \$13,000,000+ to community-enriching initiatives instead. Opportunities for local investment include the expansion of public housing, mental health services, and sexual violence services. Instead of simply basing budget tallies on previous years, the City must reimagine what the benefits of the policing as is to the public safety of Rockville citizens. Are we really any safer and from who are we trying to keep ourselves safe from? Defunding the police recognizes that communities are safer when individuals are able to access opportunities to reach their full potential. With that, it is important that the city identify ways in which current policing practices and [funding embraces opportunities for racial profiling and unwarranted police brutality](#).

2. Establish an African American and African Task Force: So much where we stand with racism in this country stems from the lack of awareness and education among those around us. Seeing as the City already has an Asian American and Pacific Islander Taskforce, I recommend the city move to establish one for the African American and African (AAA) community. This task force should operate similarly to the AAPI task force in that it provides a platform for the AAA community to establish formal links with the City of Rockville and provide an important platform for supporting local Black-Owned Businesses in the City of Rockville. I am confident that outlining formal spaces such as these provide this community a platform to not only engage with local policymakers directly but also serves as a valuable opportunity to [invest in businesses and professionals in our communities](#). Undoing racism is not a magic switch: it will require re-

educating ourselves and members of our community about the other-side of American and global history.

Best,
Chizobam Nwagwu

Jacqueline Mobley

From: Chizobam Nwagwu <chizobamnwagwu@gmail.com>
Sent: Monday, June 15, 2020 2:04 PM
To: cityclerk
Subject: Re: Testimony - Written for Council Meeting

Hi,

I am writing to reiterate my initial testimony submitted last week that did not make it into the agenda for last week's meeting.

On Mon, Jun 8, 2020 at 4:29 PM Chizobam Nwagwu <chizobamnwagwu@gmail.com> wrote:
 Dear Rockville City Council,

My name is Chizobam Nwagwu and I am a resident of Rockville, Maryland. I am writing to share action items for the City of Rockville to adopt to combat institutional racism, prejudice, and protect human rights for the citizens in our city.

The brutal, senseless, and violent murder of George Floyd at the hands of police officers derelict in their duties to protect and serve is deeply disturbing. We, as a nation, are in need of a drastic overhaul in policing. Systems of oppression must be undone, and reallocating much of the budget for the Rockville PD to programs and city-led initiatives that support education, rehabilitation, public health, and community-oriented initiatives is a goal that must be achieved.

Rockville's Police are not exempt from racial issues. There is story after story of Black people being harassed, searched, and arrested for simply being Black.

How many of you have been arrested for helping a drunk neighbor home? What about standing outside of a McDonalds? What about walking down the street?

This is not acceptable behavior for people expected to uphold the law and keep all members of the community safe. There are consequences to actions. Even if you wear a badge.

1. Defund the Police: This idea simply asks that policymakers redirect funds a portion of the city's proposed FY2021 budget of \$13,000,000+ to community-enriching initiatives instead. Opportunities for local investment include the expansion of public housing, mental health services, and sexual violence services. Instead of simply basing budget tallies on previous years, the City must reimagine what the benefits of the policing as is to the public safety of Rockville citizens. Are we really any safer and from who are we trying to keep ourselves safe from? Defunding the police recognizes that communities are safer when individuals are able to access opportunities to reach their full potential. With that, it is important that the city identify ways in which current policing practices and [funding embraces opportunities for racial profiling and unwarranted police brutality](#).

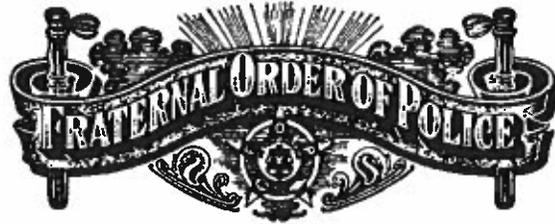
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for supporting local Black-Owned Businesses in the City of Rockville. I am confident that outlining formal spaces such as these provide this community a platform to not only engage with local policymakers directly but also serves as a valuable opportunity to invest in businesses and professionals in our communities. Undoing racism is not a magic switch: it will require re-educating ourselves and members of our community about the other-side of American and global history.

Best,
Chizobam Nwagwu

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Chizobam Nwagwu
MS Public Policy and Management
Heinz College, Carnegie Mellon University
U.S Fulbright Researcher '18-19
P. +1 408 843 0032



*Fraternal Order of Police (FOP) Lodge 117
Rockville, Maryland*

MEMORANDUM

DATE: June 17, 2020

TO: Bridget Donnell Newton, Mayor
Monique Ashton, Council Member
Beryl L. Feinberg, Council Member
David Myles, Council Member
Mark Pierzchala, Council Member

FROM: Brian Van Fossen, FOP Lodge 117 President

SUBJECT: The Rockville City Police Department and the FOP

Madam Mayor and City Council Members,

I would first like to acknowledge that the death of George Floyd at the hands Minneapolis Police Officers is tragic and deeply disturbing. The actions taken by those officers were not justified.

We, Rockville FOP Lodge 117, align ourselves with the position of our Police Chief, Victor Brito, and the National FOP on this matter. The actions taken by the Minneapolis Police Officers do not represent the men and women of the Rockville City Police Department. Unfortunately, there is no doubt that this incident has somewhat diminished the trust and respect for the men and women in law enforcement, not just in Rockville, but nationwide.

We ask for your continued support of the Rockville City Police Department and the men and women who serve our community. We, as the FOP, are committed to rebuilding the trust of our community and will continue to protect and serve our community with pride and in a professional manner.

Nationally, there have been significant discussions related to police use of force, racial bias and defunding police departments. While we can assert that events in Minneapolis, Atlanta and elsewhere do not and have not taken place in Rockville, we understand that an examination of police practices is warranted. We ask that we are able to participate in these discussions as they have a direct impact on our department, our members and our community.



*Fraternal Order of Police (FOP) Lodge 117
Rockville, Maryland*

MEMORANDUM

DATE: June 22, 2020

TO: Bridget Donnell Newton, Mayor
Monique Ashton, Council Member
Beryl L. Feinberg, Council Member
David Myles, Council Member
Mark Pierzchala, Council Member

FROM: Brian Van Fossen, FOP Lodge 117 President

SUBJECT: RCPD Impartial Policing Strategies

Madam Mayor and City Council Members,

We, as the FOP, understand the importance of engaging with our community and answering their questions on how the Rockville City Police Department takes steps to ensure effective, fair, impartial and unbiased community policing. We very much welcome these discussions.

After reading the posted agenda for tonight's meeting, I expect you to hear that our Chief of Police, Victor V. Brito has taken extensive and continuous steps to keep our department moving forward in a positive direction. I agree, the Rockville City Police Department is an exceptional organization and employs some of the best men and women around.

Unfortunately, I also have to share some concerns with you.

In our department, police officers do not have the benefit of a Collective Bargaining Agreement (CBA); rather we have a "meet and confer" relationship with the City. That "relationship" has proven to be ineffective. There has not been a signed meet and confer agreement since FY2015. In fact, the City's Legal Department has determined the City does not have to honor previous meet and confer agreements. The City's Legal Department also determined because of "The Law Enforcement Officers Bill of Rights" (LEOBR) Police Officers are not entitled to the protections under Rockville City Code that benefit every other City employee.

Tonight there will be discussions regarding LEOBR and it will be portrayed negatively. I encourage all of you to read the entire subtitle of LEOBR: <https://law.iustia.com/codes/maryland/2019/public-safety/title-3/subtitle-1/>.

It is important you understand the following regarding LEOBR:

- LEOBR does not prohibit the Chief of Police from taking swift disciplinary action against a police officer.
- LEOBR does not prohibit disciplinary transparency.
- LEOBR does not prohibit the suspension of an officer **without** pay.
- LEOBR has not prevented the Chief of Police from holding police officers accountable after they have been accused of misconduct.
- LEOBR affords police officers fewer rights than criminals accused of crimes.
- LEOBR does not hurt the Rockville City Police Department or the community we serve.

LEOBR not only outlines procedural law in regards to disciplinary actions, but LEOBR guarantees police officers may engage in political activity (off duty), obtain secondary employment, not be forced to disclose personal financial information (outside of a formal investigation) and prohibits adverse actions against a police officer for disclosing evidence of gross mismanagement, a gross waste of government resources, a substantial and specific danger to public health or safety, or a violation of law committed by another law enforcement officer. LEOBR is practical and reasonable for police officers.

Our members do not seek to use force against our community. Unfortunately, it is not possible to de-escalate every negative encounter; our use of force is a direct result of resistance, aggression or assault on us. Fortunately, the overwhelming majority of police contacts are handled peacefully and professionally by our members. Police Officers and their profession are under serious attack. Our members deserve to be treated fair, impartial and unbiased as well. We ask for your continued support of the Rockville City Police Department and the men and women who serve our community. I encourage you to engage me and our fellow members in your future discussions.

Thank You.

Jacqueline Mobley

From: donna breslyn <dbreslyn@yahoo.com>
Sent: Wednesday, June 17, 2020 4:29 PM
To: mayorcouncil
Subject: Community Forum: Keep RedGate the way it is!

Dear Mayor & Council,

I understand that RedGate will be discussed again on June 22nd. As a senior citizen at the Village at Rockville, RedGate Park is an accessible and valuable place to walk and enjoy the outdoors and nature. Please keep the park the way it is (but do fix some of the bumps on the trails, and a restroom would be very, very nice). I cherish the serene, large open areas of RedGate, and "wild" feel.

Thank you for saving RedGate from townhomes and McMansions!

Donna Breslyn
Rockville resident since 1968
Veirs Drive, The Village at Rockville
Rockville, MD 20850

Jacqueline Mobley

From: Adeline Louie <louie.accts@gmail.com>
Sent: Wednesday, June 17, 2020 5:11 PM
To: mayorcouncil
Cc: Save@RedGatePark.org
Subject: save Redgate from development

I am a multi decade resident of MoCo, and have always been grateful for the parks in the County.

Just this month, I have just discovered Redgate as a wonderful place for birdwatching. Please save it as a park for County residents to enjoy. Dogwalkers, ambulators, bikers, joggers, and birders all enjoy the peace, the beauty and the contact with nature.

Sincerely yours,

Adeline Louie
Kensington

Jacqueline Mobley

From: Bob Dixon-Gumm <drophatsausage@gmail.com>
Sent: Wednesday, June 17, 2020 5:36 PM
To: mayorcouncil
Subject: Redgate Park

Keep it a park!

Attachment E.b: Community Forum Written Comments June 22, 2020 (3209 : Community Forum - June 22, 2020)

Jacqueline Mobley

From: Wendolyn Trozzo <wendofish@yahoo.com>
Sent: Thursday, June 18, 2020 11:14 AM
To: mayorcouncil
Cc: David Myles; Melissa Wiak
Subject: Community Forum

Dear Mayor and City Council,

I am writing for two reasons - one, to thank you for saving Redgate Park, and two, to request that it remain a passive park. Its current use seems effective to me, as a Rockville resident. I have frequently gone to Redgate this spring to run in a natural setting, and I've noted that the parking lot has always had several cars (8-10), even on weekdays. I wear a mask when near people but I've met and talked to families with kids playing in the sand dunes, seen people doing partner boot-camp workouts and flying kites by the pond, and met people walking dogs or enjoying the trails.

Personally, I've gotten to know a bluebird that I see almost every time I go, and people have pointed out to me where the owl often is. Being able to enjoy these acres of land, with its wildlife, and the sounds of nature even while being so close to civilization, has been wonderful and healthy. I've also noticed different species of butterflies and pollinators, especially where grass cutting has been minimized, and recognize how important these are for our community as a whole.

I hope there is not a rush to monetize the park's resources and that you will support its passive setting, so that it can remain a gift to our community - a natural gem right in the heart of Rockville.

Peace,
Wendolyn Trozzo

"If we have no peace, it is because we have forgotten that we belong to each other." Mother Theresa

Jacqueline Mobley

From: D M <moore.deborah55@gmail.com>
Sent: Thursday, June 18, 2020 8:19 AM
To: mayorcouncil
Subject: Community Forum Testimony For June 22, 2020 Meeting

June 18, 2020

To the Mayor and Council of the City of Rockville

First of all, I wish to thank you for this opportunity to give my input on recent events that are important to our city, the nation, and the world. I am pleased to be a Consumer Representative on the Human Services Advisory Commission. However, here, I wish to address you as a citizen of Rockville.

To start, I wish to sincerely thank you for your joint statement condemning the death of George Floyd in Minneapolis on May 25th of this year.

How do I begin talking about the police-involved death of George Floyd? Do I begin by saying I'm not shocked something like this happened in a city with a tradition of liberalism and where I lived for three years? I could start out talking about how the sorrow the Floyd family is feeling now is something I can relate to because this kind of sorrow has personally touched my family. I could start with how I have relived deep emotions recently when seeing "non-peaceful" protesting and remembering seeing U.S. military troops stationed on the streets of the neighborhood I grew up in after the assassination of Dr. King.

I could start with any of these things; but I will start elsewhere. I will try to just simply lend a voice to those not just saying that Black Lives Matter, but demanding a true devotion to this with constructive and meaningful change to rid this society of its original and oldest pandemic--structural/institutional racism.

To you, Mayor and Council, as an African-American citizen of Rockville, I express my appreciation for all that you have done to promote, encourage, and protect diversity and inclusion in our city. My hope and request is that, in spite of challenges on all fronts that will come in the days ahead, that you continue to engage fiercely in that protection—I believe this will hasten a moment where everyone can truly say they made it *because* of instead of having some who must continue to say they made it *in spite of* . . .

Again, I thank you for your time.

Deborah Moore

Jacqueline Mobley

From: wayne.danzik@verizon.net
Sent: Thursday, June 18, 2020 2:05 PM
To: mayorcouncil
Subject: Community Forum

Mayor and Council,

I am a resident of Rockville, living on Grosvenor Place in the Grosvenor/Strathmore neighborhood.

I would like to thank you for your decision to maintain RedGate Park as parkland. I understand that you are now considering what this park will look like in the future. I'd like to suggest that the park be kept as it is today, a "passive" park where folks can simply enjoy the outdoors in a natural setting. I walk in the park nearly every day, and am thrilled to see the wide range of people enjoying it. Families with children playing and having picnics, people frolicking with their dogs, folks walking, jogging, and simply enjoying nature. It is a real gift to have this natural oasis so close to us. In terms of fiscal stewardship, a low-cost and low-maintenance option like leaving the park as is would certainly be preferable to the immediate and long-term expenses of building and maintaining infrastructure.

I urge you to please let RedGate Park remain the beautiful and peaceful sanctuary that it is today.

Thank you.

Wayne Danzik

Jacqueline Mobley

From: Andrea Hall <andoshops@yahoo.com>
Sent: Friday, June 19, 2020 12:04 PM
To: mayorcouncil
Subject: de-escalation training

Dear Mayor Newton and City Council Members,

The death of George Floyd at the hands of Minneapolis police, in a long saga of the murder of Black people by police around the country, was a wake-up call to all of us. No police department is immune to this type of incident and it has become clear that the training of officers, whether here in the U.S. or at the invitation of foreign countries, is inadequate, and in some cases dangerous.

One element of training that has been identified as helpful is de-escalation. This cannot be a short module in a weeks-long course but rather integrated throughout the training period and beyond. I hope that Rockville's leadership will seriously consider reforms to all of the training police receive, with an emphasis on de-escalation.

In addition, the City of Rockville should examine how response to 911 calls can be structured so that other professionals, including social workers or mental health professionals, can be deployed where appropriate, in lieu of calling armed officers to the scene of incidents that are not violent or an immediate threat to public safety.

Thank you for your careful consideration of these important issues,

Andrea Hall
1515 Columbia Ave
Rockville, MD

Jacqueline Mobley

From: Kelli Banfield <kcbanfield@yahoo.com>
Sent: Friday, June 19, 2020 1:46 PM
To: mayorcouncil
Subject: Community Forum

Hello Mayor and council!

I am writing to express my concern for the final outcome of RedGate Park.

As lifetime citizens of Rockville, my husband and I have been enjoying our walks at the old golf course. We were so delighted to finally see our beautiful state bird the Oriole, on several of our trips to the park.

It would be great if Redgate stays as is so that walkers, joggers and fishermen and women can enjoy nature in a peaceful setting.

Thank you for your time,
Kelli Banfield
9 Bel Pre Ct
Rockville, Md
20853
Sent from my iPhone

Jacqueline Mobley

From: Stevie Ney <spney@vorklift.com>
Sent: Friday, June 19, 2020 2:06 PM
To: mayorcouncil
Subject: Community Forum -RedGate Park

Dear Mayor and Council,

I am so relieved that RedGate will remain a park. Thank you for taking this action.

At the same time, I am concerned that a developed park with ball fields, tennis courts and other developments will change forever the rolling natural beauty of the area. Keeping the park in a natural state will encourage wildlife and give Rockville's residents an escape from the busyness of their lives. We all need that, especially now.

Thank you,

Stephana Ney
711 Smallwood Road, Rockville MD 10850

Jacqueline Mobley

From: Susan Wexler <susandwexler@gmail.com>
Sent: Sunday, June 21, 2020 3:54 PM
To: mayorcouncil
Subject: Red Gate Park

Dear Mayor & Council,

I am a resident of Montgomery County and visited Red Gate Park today, for the first time, with my family.

As a Montgomery County Master Gardener I was delighted to see all the native grasses and perennials teeming with bees, butterflies and birds. It is rare to find a park that has the aspect of a curated wildness. Yet there were also accessible paths and open areas of grass for games and picnics. I had the impression of the Red Gate as a great example of a peaceful, multi use , park. It is refreshing different than typically groomed city parks and offers another important way for residents to appreciate nature.

I strongly recommend that the park be maintained in it's current form and urge you to approve that status for the future.

Sincerely,

Susan D Wexler

Jacqueline Mobley

From: Wayne Breslyn <waynebreslyn@gmail.com>
Sent: Sunday, June 21, 2020 7:57 PM
To: mayorcouncil
Subject: Community Forum: Keep RedGate a Passive Park

Dear Mayor and Council:

As you discuss how to proceed with planning for RedGate Park, I urge you to focus on keeping RedGate a passive park as it is being used and enjoyed by residents right now.

Planning should focus on the use of existing structures, including the cell phone tower on the property, to provide revenue to maintain the park.

The last six months have clearly demonstrated that RedGate Park is much loved and used just the way it is. Please keep RedGate a passive park.

Thank you,

Wayne Breslyn
1916 Stanley Avenue

Jacqueline Mobley

From: President ERCA <president.erca@gmail.com>
Sent: Sunday, June 21, 2020 8:21 PM
To: mayorcouncil
Subject: Comments on RedGate Park for 6/22/20 Mayor & Council meeting

Dear Mayor and Council,

I am writing as President of the East Rockville Civic Association, to share the thoughts and desires of the East Rockville community about future plans for RedGate Park. As I expressed back in March, we treasure our access to RedGate Park, with its walkable trails, open fields, and incredible bird diversity. As you move forward with "Reimagining RedGate Park," I hope you will focus more on maintaining its open character and unassuming paths, and less on thinking up something new and different, certainly nothing that would entail removing the paths and adding infrastructure to a green space that has quickly become a favorite destination, as it, to Rockville residents near and far.

Thank you, as always, for your time and consideration,

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

Jacqueline Mobley

From: Carlos Landau <carlos.landau@gmail.com>
Sent: Sunday, June 21, 2020 9:08 PM
To: mayorcouncil
Subject: RedGate Park

Dear Mayor and Council,

I am a resident of Rockville and I am writing to urge you to preserve RedGate Park as a passive park, just as it is now. My running partner and I discovered this treasure several months ago, and have returned many times since. In addition to runners, RedGate Park has attracted bicyclists, birdwatchers, and nature-lovers of all ages. This is exactly the kind of oasis that Rockville needs right now.

Please save RedGate Park from development.

Thank you for your attention.

Sincerely,

Carlos Landau

Jacqueline Mobley

From: George Sushinsky <gsushinsky@yahoo.com>
Sent: Sunday, June 21, 2020 9:39 PM
To: mayorcouncil
Cc: Tim Chesnutt; Robert DiSpirito; George Sushinsky
Subject: Citizen's Forum - 6/22/20 Deer Culling Program

Thank you for the proposal to adjust the dates of the proposed pilot deer culling program to remove the originally scheduled dates in September.

I still have concerns that the killing of deer in the Hayes Memorial Forest (Hayes) will not likely impact the real problem of deer in the residential areas. I believe that the concerns expressed by Council member Myles about the use of lethal methods over other methods needs more study by staff.

My concerns cover areas in the deer culling program that allow killing of other than female deer. The bag limits in the program allow for killing unantlered deer which could all be young males. That would not have much impact on future births of deer to adult does.

In my limited perusal of deer fertility, female deer in the wild have an average lifespan of 6.5 years. That would allow them to reproduce for 5 seasons giving birth of up to 10 fawns. Sterilizing female deer would result in up to 10 less deer in the population for each female deer sterilized. Killing unantlered deer in Hayes may not eliminate any female deer. Furthermore, killing even female deer in Hayes is not likely to impact the nuisance deer in residential areas.

Sterilization of female deer could be accomplished where it is most needed in the Rockville and in the long run have a bigger impact than any that might be seen from the pilot program or its future expansion. The downside of sterilization is budgetary. In the 2010s, sterilization studies cited costs of about \$1000 for each deer sterilized.

There is an upside too. Sterilization instead of culling will produce far better public relations with members of the Rockville community and other groups. Outside agitation over culling, as seen in the not too distant past, will be minimized.

I urge Mayor and Council to request staff to research sterilization and other non lethal methods to control deer populations.

Thank you.

George Sushinsky
 908 Wade Ave
 Rockville, MD 20851
 240-361-7883

Jacqueline Mobley

From: Alexandra Dace Denito <alex.dacedenito@gmail.com>
Sent: Monday, June 22, 2020 1:29 PM
To: cityclerk
Subject: Tonight's Mayor & Council. 6/22/20
Attachments: Mayor&council-6-22-20.docx

Hello:
Please find in attachment, the statement for Open Forum, Item #9.
Thank you,

Alexandra Dace Denito, PhD
128 Moore drive
Rockville, MD 20850
Phone: 301-424 1004
Cell: 240-353 8030

Monday, June 22, 2020

Mayor & Council

Open Forum Testimony

Ref: Item #9 "RCPD Fair and Impartial Policing Strategies"

Good evening Mayor Newton and Councilmembers:

I am Dr. Dace Denito and am the President of Lincoln Park Civic Association in Rockville. As you well know, Lincoln Park is a Historic African American Neighborhood which is growing more and more diverse every year. The Civic Association is involved in not only caring and preserving the quality of Life of Lincoln Park residents, but also tries hard to preserve its History when possible.

However, there are parts of History in Rockville that are no longer in need of preservation: institutional racism is one of those things that we can let go of. With a rise in consciousness of every American during this Pandemic season and overt Racism exposed from different Police Departments around the Country, we , here in Rockville, would like to do more in order to prevent such exactions in our community.

It is true that we, in Lincoln Park, currently enjoy good relationship with the Rockville City Police Department. We are grateful for having a Police Chief such as Chief Brito, who is "avant-gardist" and consistently shows up at our meetings, bridging the gap between Police and Community. We were impressed by the invitation and professionalism of Chief Brito and its Police officers during the "Fair and Impartial Policing Training" last December. We were treated fairly and listened to, and very much enjoy the two-day session. While this should be the norm, we consider ourselves lucky to have such Police Department in Rockville.

However, despite of our Police Chief's enthusiasm for this training, there were some, less enthusiastic, voicing concerns about the utility of such sessions. This fact alone, should be reason enough to continue Chief Brito's efforts toward better community policing. We support any new strategy to implement and reach this goal.

More things need to happen in order to restore the Public trust in Police Departments across this country. Accountability is one of them. We need to give our Police Department directives that will be truly Fair and Impartial. And it seems to us obvious that Rockville should be among the leaders in Change, not the followers, not the opportunists who act and speak out only when it is too late.

Among things that we find disturbing in the 2017 Maryland Code of Public Safety, Title 3 Law Enforcement, Subtitle 1: Law Enforcement Officer's Bill of Rights, we find the paragraph 3-107 and 3-110 most uncomfortable, and likely to be used in favor of the Police force against the Public in case of misconduct. These sections have been written "so loosely", that it allows Police Departments to "police" themselves with little input from the Public.

Paragraph 3-107 gives the Chief of Police “discretion” to include 1 or 2 voting or nonvoting members of the Public in the Hearing Board Membership, while 3 Police officers would be appointed automatically. This fact alone, will give the Police Department officers an advantage over the Public. To be truly Fair, 3 voting members from the Public should be automatically appointed to all hearing boards. Diversity among the members of the Public on that board, socioeconomic, gender and ethnicity should be the rule.

Also, the paragraph 3-110 relative to the Expungement of Record of Formal Complaint raises concern. This chapter gives the right to the Police officer to have his/her records expunged based on being exonerated by a panel of his/her peers, basically, since the choice of voting members are at the discretions of the Police Chief. This is the reason why certain officers around the Country are repeat offenders.

Basically, the same officer can change position, get promoted, go into a different department, be involved in shootings without his/her background ever being taken into considerations for punishment in any other case.

This needs to change. The Police Department should be a beacon for Law and Order. The officers should be held to a higher standard than the Public.

We the Public, pay taxes in order to pay for the Protection of Police officers. But times and times again, we see that this Protection is not equitable and depends mainly on the color of one’s skin.

With laws and rules like these on the books, you will never get complete Public trust, as it permits Institutionalization of Inequity and Racism.

It is important to change these rules to truly reach “Fair and Impartial Policing”. Now is the time to make changes that will outlive us and make Life better for all our children. We support Chief Brito in his efforts to make further changes and enhance Fair and Impartial Policing Strategies.

Thank you for your time.

Jacqueline Mobley

From: Matt Perkins <mattperkins68@gmail.com>
Sent: Thursday, June 18, 2020 2:01 PM
To: mayorcouncil
Subject: Participation in June 22 Community Forum

I am writing to express my desire to speak on issues related to RCPD Fair & Impartial Policing Strategies at the June 22nd Mayor and Council meeting.

I will be joining via webex

I also plan to submit a written statement if both are an option, and would like to know if there are limits on the length of written statements.

Thank you and best regards,

Matt Perkins
301-775-4853

I am submitting this statement because of the upcoming discussion of Fair and Impartial Policing trainings held for the Rockville Police Department and separately for Rockville residents. In my 25 year career I have worked to enable community members to be equal partners with police in co-producing community safety. It is impossible to ignore that this conversation is happening in an unusual time, but one which is all too common.

To be clear, I am talking about systemic racism laid bare, again, by the murder of George Floyd and others.

I feel the need to point out that systemic racism is about outcomes, regardless of intent. It's about systems which have racist impact regardless of the desires of those working within them.

I want to caution anyone that has great hope for the impact of Fair and Impartial policing training on the department. Research casts great doubt on the long-term impact of implicit bias training. Why would we expect a discreet training to be a fix? I do believe that the training can be an important resource, when it is part of an overall culture that values and prioritizes equity and diversity.

I have seen police change, at a glacial pace, and the systems in which they work remain largely unchanged. Incremental steps will be taken by insiders, and I'm confident that Chief Brito is a leader committed to equity, diversity and institutional change. True reform will come from outside though, driven by city government and the expectations of residents.

There are many potential reforms. But to get the Rockville Police Department that we want, changes must respond to the specific challenges of Rockville. I am submitting a written statement as well, which provides specific principles for change focusing on;

- Greater civilian oversight – Including a focus on outcomes related to equity and greater oversight of police strategies and tactics
- Promoting a culture of equity and justice – Ensuring a representative department and revising employee performance measures and incentives
- Re-connecting police officers to community – Ending the professional and social isolation of police and promoting neighborhood-based governance
- Police organizational structure and systems change – Review of hiring and training systems, skill building, promoting officer wellness and increased reliance on non-sworn personnel
- Reducing our dependence on policing and punitive control – Review of use and impact of punitive measures such as fines including those that are not police-driven and promotion of county and state reforms

My greatest fear is that police reform will be the latest cause to salve white souls and assuage white guilt – to focus on a convenient symbol that allows us to avoid confronting our larger culpability for a society in which privilege and racism are baked in. Structural racism is endemic and repeatedly shown throughout the criminal justice system. Montgomery County routinely shows disparities in educational outcomes and COVID-19 has highlighted racist health outcomes. This is the tip of the iceberg.

We work within institutions and systems 400 years in the making. For most of that time, racist outcomes were a desired end.

It is a feature not a bug.

Fixing this will be a challenge that requires hard work, constant attention, and continuous self-assessment – both institutionally and personally. A willingness to question our most basic assumptions about governance. There will be no magic pill.

Within the priority areas listed above, more specific recommendations include;

Greater civilian oversight

- City Manager, Mayor, and Council holding Police Department accountable to outcomes related to safety, justice, and equity
- Greater capacity, not just within the Police Department, but throughout City government to collect, analyze, and report on data related to equity
- Maximum transparency
- Establishment of a resident oversight body, including authority to review complaints against officers

Promoting a culture of equity and justice

- Continue to aggressively pursue diverse staff, including older recruits
- Performance evaluations for all staff including a focus on desired behaviors (including development of quantifiable and objective measures) to reduce reliance on enforcement activity for internal rewards and promotion
- Greater focus on structural and environmental contributors to crime and disorder, utilizing Crime Prevention Through Environmental Design (CPTED) and partnership-based Problem Oriented Policing practices

Re-connecting Police Officers to the community

- Increased foot and bike patrol
- End physical isolation of police staff by physically locating department employees with other city agencies
- Establish neighborhood-based municipal service centers that include police staff but provide full range of municipal services
- Regular, extended, officer details for non-policing work in other city agencies

Police organizational structure and systems change

- Independent review and assessment of recruiting and training tools and systems
- Increased training for communication skills, de-escalation techniques, developmental psychology (related to adolescents and young adults), and other ‘soft skills’
- Reduction of hierarchical organizational structures
- Reduced time on patrol
- Increased resources and opportunities devoted to officer wellness

- Increase in the proportion of non-sworn staff including analysts, victim advocates and mental health clinicians on patrol with officers

Reduce dependence on policing and punitive control

- Increased resources for primary and targeted prevention, including health, mental health, substance abuse and homelessness resources
- Comprehensive review of use and impact of city laws, regulations and ordinances especially those resulting in citations and fines
- Emphasis on non-punitive responses to city problems (e.g. lane narrowing and/or speed bumps rather than fines for speeding control)
- Support public forums and discussion of systemic racism, possibly including Truth and Reconciliation Commission
- 911 education initiative
- Actively promote adoption of county and state reforms to improve equity and justice

I am eager to assist the city in exploring reform efforts or policy changes and am happy to provide further detail for these or insights into other suggested strategies. I look forward to continued discussion and city activity.

Thank you for your attention.

Matt Perkins

mattperkins68@gmail.com

301-775-4853

Jacqueline Mobley

From: Pete Altman <petealtman13@gmail.com>
Sent: Friday, June 19, 2020 10:00 AM
To: mayorcouncil
Subject: Defund the Police

Dear Mayor and Councilmembers:

It is well past time that we do everything possible to make our community as safe and as inclusive as possible for our black friends, neighbors and visitors. Police shootings of black people have occurred here in Rockville as well as the rest of the country.

I'm writing to urge you to take every step possible to prevent any further loss of black life, starting with our Police Department. While I appreciate the June 5th statement condemning George Floyd's death, it made no mention of what you will do to make black lives safer in Rockville. Since 2015, 79 people have been killed by police shootings in Maryland, according to the Washington Post's Police Shooting database, and Rockville has been a contributor to that number.

We need to commit to do more than just the same. In unprecedented moves, local leaders across the country have made commitments to reassess how money is funneled to police departments. After all, many of the roles police are called to do don't require a gun, but do require specialized training and knowledge police officers don't have.

We should also invest in our black communities, focused on what keeps people safe, like investments in schools, jobs, affordable housing, parks, mental health services, community centers and libraries.

I'm glad that you will have an opportunity to ask questions of the Chief of Police on June 22nd. I sincerely hope that is only the very beginning of a process and not the final response of the Council.

Please respond and let me know what actions you plan to take.

Thank you for your time,

Peter Altman
240 Watts Branch Parkway
Rockville, MD 20850