



MCPB  
Item No: 15  
06/08/2006

**DATE:** May 25, 2006

**TO:** Montgomery County Planning Board

**VIA:** Mary Bradford, Director of Parks *Mary Bradford*

**FROM:** Michael Riley, Chief, Park Development Division *MR*  
Mary Ellen Venzke, CIP Manager, Park Development Division *MEV*

**SUBJECT:** Parks Capital Improvements Program – Spending Plan for FY 2007 Program Open Space Funds

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**Staff Recommendation:**

Approval of Recommended Program Open Space Funded Projects for Transmittal to County Council as Requested Amendments to the FY 2007-2012 CIP

**Background:**

On May 4, 2006, the Department of Parks received notice from the Maryland Department of Natural Resources regarding Montgomery County's Program Open Space (POS) Local Share apportionment for FY 2007. The FY 2007 allocation of \$24,291,038 is significantly higher than prior years. Montgomery County is the State's largest recipient of POS funding at 18% of the total local share portion of POS. POS funding is generated by a percentage of the State's real estate transfer tax. In prior years, a portion of the transfer tax intended to fund POS was diverted to other uses. In FY 2007, the State's full funding of POS coupled with a booming real estate market produced record POS funding.

Program Open Space historically funds between 15% to 20% of the Parks CIP and is usually the second largest fund source, behind the county's General Obligation (GO) bonds. POS funding can be used to cover 100% of land acquisition costs and 75% of development costs. One-half of the annual POS allocation must be used for acquisition projects to preserve open space. The remaining half is dedicated to development projects or may be used for additional land acquisition projects. Approximately 16% of the POS funding is allocated to County municipalities based on population. The remainder is used to leverage funding for development projects in the Park CIP.

The generous FY 2007 POS apportionment allows the addition or acceleration of several projects in the Parks CIP. In preparing the FY07-12 CIP, staff projected future POS funding

based on the average of the last six fiscal year allocations. The annual Montgomery County POS allocations for the past six fiscal years are shown in the table below:

<b>Fiscal Year</b>	<b>Allocation</b>
2001	\$6,460,782
2002	\$7,710,686
2003	\$3,130,760
2004	\$3,484,639
2005	\$2,717,623
2006	\$8,125,622
<b>Total</b>	<b>\$31,630,112</b>

By comparison, the FY 2007 apportionment of over \$24 million approaches the level of the past six years combined. In order to promote future allocations of this magnitude in FY 2008 and beyond, our POS liaison has strongly encouraged that specific projects are identified that can spend the FY 2007 allocation (and any uncommitted allocation from prior years) in FY 2007 or shortly thereafter. Our POS liaison has stressed that the State would like the majority of FY 2007 POS allocation encumbered by the Board of Public works immediately after the start of the new fiscal year; in July 2006 or shortly thereafter. The State will begin accepting POS applications for staff review in June 2006. Future POS allocations may be influenced by expenditures of the FY 2007 allocation.

**POS Eligibility Criteria:**

In order to be eligible for POS funding, a project must meet the following criteria, per Maryland Department of Natural Resources guidelines. The project must meet at least one of the following requirements:

- Provide new recreational opportunities that conform to the county's Land Preservation and Recreation Plan
- Preserve open space
- Preserve historical structures
- Promote environmental stewardship
- Rehabilitate major capital improvements that are beneficial or necessary and provide general outdoor recreational opportunities

**Land Acquisition Projects:**

Local and Non-local Acquisition Projects

POS funding may be used for acquisitions of land or partial interests in land that are beneficial or necessary for providing general outdoor recreation or open space opportunities for the public. Two projects (PDFs) in the Parks CIP, "Acquisition: Local Parks" and "Acquisition: Non-Local Parks", rely solely on POS funding to acquire parkland. Local and non-local land acquisition projects are for park sites identified in adopted master plans, the Land Preservation, Parks and Recreation Plan, and other acquisitions deemed important to the management and operation of the park system. Unlike development projects, specific land acquisitions are not pre-determined at the time of appropriation of funds. Acquisitions

that have been identified in master plans may be listed on PDFs as candidate acquisitions, but the local and non-local acquisition PDFs permit "opportunity acquisitions" as land becomes available for sale. All parkland acquisitions are reviewed and approved by the Planning Board before a land sale contract can be executed.

For land acquisition, the available POS balance to program is \$13,103,367, including an uncommitted balance of \$957,849 from prior years and the FY 2007 allocation of \$12,145,519. The recently adopted FY07-12 CIP includes funding of \$1 million in FY 2007 for Acquisition: Local Parks and \$3 million in FY 2007 for Acquisition: Non-Local Parks. Staff is recommending the following changes to acquisition PDFs:

Recommendation: Acquisition: Local Parks – Increase project by \$2,036,000 for revised FY 2007 POS funding of \$3,036,000 in FY 2007.

Recommendation: Acquisition: Non-Local Parks – Increase project by \$2,509,000 for revised POS funding of \$5,509,000 in FY 2007.

### Legacy Open Space

The Legacy Open Space PDF acquires lands of countywide significance as identified in the Legacy Open Space Master Plan. County GO bonds and contributions are the primary fund source for this \$100 million program. As a local initiative, this priority program has not been tied to POS funding due to uncertainty of POS allocations, and the necessity of POS funding to support the local and non-local acquisitions that do not qualify as Legacy sites. However, staff recommends a one-time exception to utilize POS funding to make a pending land purchase in order to demonstrate our ability to spend POS in the short term at significantly increased levels. Due to the uncertain timing of acquisitions anticipated in the local and non-local acquisition projects, we would be unlikely to spend our entire FY 2007 POS balance in those programs alone.

Recommendation: Legacy Open Space – Replace approved local funding of \$3,600,000 with POS funding for an anticipated land purchase that meets POS eligibility requirements. This would make County Current Revenue available for other projects.

### **Development Projects:**

The drastic increase in POS funding for FY 2007 will allow the department to accelerate or add park development projects that are ready for implementation, or replace appropriated county funds with POS funds. Staff has historically favored allocation of POS to local park projects eligible for Park & Planning Bonds as opposed to non-local projects eligible for GO bonds, primarily due to the relatively small spending affordability limit on Park & Planning Bonds that can be used to provide the 25% match for development projects.

Staff has used the following criteria select projects from those eligible for POS funding.

### Selection Criteria for Development Projects

Staff used the following screening criteria to select POS eligible projects for allocation of FY 2007 POS funding:

- **Established Need** – The project’s need is supported by adopted plans or policies.
- **Capital Rehabilitation** – The project replaces or upgrades recreational facilities with identified deficits in the Land, Preservation, Parks, and Recreation Plan.
- **New Recreational Facilities** – The project provides new recreational facilities with identified deficits in the Land, Preservation, Parks, and Recreation Plan.
- **Readiness to Implement** – The project’s scope is presently clear so that a reliable program, cost estimate, and schedule can be determined and submitted as a POS application in June 2006. The project is in position to have the majority of its construction funding spent the early years of the six-year CIP. The project will ideally have completed the facility planning stage or be in a design stage. Funds can be spent in FY 2007, FY 2008, or FY 2009.

Prioritization Criteria for Selected Development Projects:

1. Adds or Accelerates Local Park Projects
2. Adds or Accelerates Non-Local Park Projects
3. Replaces GO Bond or County Funds in Approved Projects

For development, the available POS to program is \$15,846,934, consisting of a balance of \$3,701,415 from prior years and the FY 2007 allocation of \$12,145,519. Of the \$15,846,934, the municipality’s share is \$5,270,705, leaving the remainder of \$10,576,229 to program for park development projects.

Recommended Development Projects

Staff has identified eight development projects for POS funding based on the criteria described above. A table with project name, description, status, budget, and requested Planning Board action is attached. Revised PDFs reflecting the staff recommendations will be provided as a handout at the June 8, 2006 Planning Board meeting.

**Conclusion**

Staff requests approval of the land acquisition and development projects for POS funding. With the Board’s approval, staff will submit the projects to the Department of Natural Resources for Board of Public Works approval, and also to the County Executive and County Council for FY 2007 special appropriation requests, as required.

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PROGRAM OPEN SPACE  
ANNUAL PROGRAM FOR DEVELOPMENT  
FISCAL YEAR 2007  
MONTGOMERY COUNTY, MARYLAND

POS Balance Forward from Prior Years Montgomery County's FY07 Allocation POS Available to Program in FY07	\$3,701,415 \$12,145,519 \$15,846,934
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Priority	Match Source	Project Name and Description	Project Status	Recommended Planning Board Action	Total Project Cost	Local	Program Open Space
1	P&P Bonds	<b>Elmhurst Local Park</b> - Development of this local park will include a new playground, benches, parking and pedestrian bridge access from the adjacent community.	Project already approved in adopted CIP with 75% POS funding & 25% P&P Bond funding in adopted CIP. Construction scheduled for FY 2008 - 2009. No change proposed.	No action required.	\$478,000	\$119,500	\$358,500
2	P&P Bonds	<b>Takoma-Piney Branch Local Park</b> - Expansion of this existing park will provide a new playground, picnic shelter, portable toilets, paved loop path, pedestrian connectors, natural surface trails, entrance plaza, parking lot, skateboard facility, and storm water management facilities.	Project already approved in adopted CIP with 75% POS funding & 25% P&P Bond funding in adopted CIP. Construction scheduled for FY 2009 - 2010. No change proposed.	No action required.	\$3,484,000	\$871,000	\$2,613,000
3	P&P Bonds	<b>Greenbriar Local Park</b> - A new 25-acre local park will provide a soccer/football field, spectator areas, multi-use court, grass volleyball court, a playground, paved loop path and pedestrian connections, central seating and entrance feature, picnic areas, gazebo, parking, portable toilets, storm water management facilities, landscaping and other amenities.	Project already approved in adopted CIP with 75% POS funding & 25% P&P Bond funding in adopted CIP. Construction scheduled for FY 2011 - 2013.	Approve revised Greenbriar Local Park PDF to accelerate completion date by four years from FY 2013 year to FY 2009.	\$3,755,000	\$988,750	\$2,816,250
4	GO Bonds	<b>South Germantown SoccerPlex: Construction of Field C</b> - This project builds a new community-use softball field at South Germantown Recreational Park. This field will provide a replacement to an existing softball field at South Germantown Recreational Park that will be lost if and when Phase 3 of the SoccerPlex proceeds.	This project is not funded in the current CIP. Preliminary design was accomplished with design of the SoccerPlex. Per the SoccerPlex PDF and lease, this field must be built and opened before Phase III of the SoccerPlex can proceed.	Approve revised SoccerPlex PDF to add 75% POS funding and 25% GO bond funding to construct Field C in FY 2008 - 2009.	\$700,000	\$175,000	\$525,000
5	GO Bonds	<b>Ballfield Initiatives: Construction of Synthetic Turf Fields</b> - Convert two natural grass fields to synthetic turf. Candidate sites have been approved by Montgomery County Planning Board. Community meetings have occurred. Final site recommendation will be presented to the Board in June or July 2006.	The adopted CIP includes \$750,000 in GO bonds in the Ballfield Initiatives PDF to construct one synthetic turf athletic field in FY 2007-2008. Staff is finalizing recommended sites for Planning Board approval.	Approve revised Ballfield Initiatives PDF to add an additional synthetic turf field funded by 75% POS and 25% GO bonds; and replace GO bond funding for the first field with 75% POS.	\$1,500,000	\$375,000	\$1,125,000
6	GO Bonds	<b>Planned Lifecycle Asset Replacement: Non-local Parks</b>  1) <b>Replacement of Tennis Court Lighting at Olney Manor Recreational Park</b> - Replace tennis court lighting that serves 18 tennis court at Olney Manor. The tennis courts lighting is over 30 years old, inadequate, and is not energy efficient. The poles are well beyond their lifecycle.  2) <b>Wheaton Adventure Playground Renovation</b> - replace and expand play opportunities for children visiting Wheaton Regional Park. New play structure will be designed for all age groups. The current playground has old wooden equipment and requires high maintenance and frequent inspections.	These projects are funded in the PLAR/Non-local Parks PDF, but implementation would not occur until the later years of the CIP due to competing priorities and inadequate infrastructure funding. Design is underway.	Approve revised PLAR/ Non-local Parks PDF to add 75% POS funding and 25% GO bond funding in FY 2007 - 2008.	\$1,000,000	\$250,000	\$750,000

Priority	Match Source	Project Name and Description	Project Status	Recommended Planning Board Action	Total Project Cost	Local	Program Open Space
7	GO Bonds	<b>Restoration of Historic Structures: Seneca Stone Barn Restoration</b> - This project restores a historic stone structure at Woodstock Equestrian Park. Work will include stabilization and repair of stone walls and foundation, repair or replacement of the metal roof, and restoration of interior structure and floors. The barn stands as an important and rare example of stone barn construction in Montgomery County during the late 18th or early 19th century, and may be the only stone barn of this specific type in the county. Presently, the building is in a very unstable condition and is experiencing major settlement.	This project is not funded in the current CIP. It would be accomplished through a design-build RFP.	Approve revised Restoration of Historic Structures PDF to add 75% POS funding and 25% GO bond funding in FY 2007-2008.	\$250,000	\$62,500	\$187,500
8	GO Bonds	<b>Black Hill Trail Renovation and Extension</b> - This PDF funds two distinct projects. The renovation project funds and upgrades an existing 2.38 mile trail along the eastern shore of Little Seneca Lake. The extension project is a 1.2 mile new trail that connects the Churchill Town Sector to the picnic area in Black Hill Regional Park.	Both projects already approved in adopted CIP with GO bond funding. Construction of the renovation project is scheduled for FY 2008-2009, and the extension project is funded for FY 2111-2112.	Approve revised Black Hill Trail Renovation and Extension PDF to replace GO bond funding for the renovation project with 54% POS funding. Accelerate extension project to construction in FY 2008-2009 and replace GO bond funding with 54% POS funding.	\$4,105,000	\$1,904,021	\$2,200,979
<b>TOTAL M-NCPPC PARK DEVELOPMENT PROGRAM</b>					<b>\$15,272,000</b>	<b>\$4,695,771</b>	<b>\$10,576,229</b>
<b>TOTAL MONTGOMERY COUNTY MUNICIPALITIES PROGRAM</b>					<b>\$26,058,391</b>	<b>\$20,787,686</b>	<b>\$5,270,705</b>
<b>TOTAL FY 2007 MONTGOMERY COUNTY PROGRAM</b>					<b>\$41,330,391</b>	<b>\$25,483,457</b>	<b>\$15,846,934</b>