



MONTGOMERY COUNTY DEPARTMENT OF PARKS
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB Item#3d
September 27, 2018

MEMORANDUM

DATE: September 20, 2018

TO: Montgomery County Planning Board and Park Commission

VIA: Michael F. Riley, Director, Department of Parks *MR*
John Nissel, Deputy Director, Department of Parks *JN*
Mitra Pedoeem, Deputy Director, Department of Parks *Mitra Pedoeem*
Michael Ma, Chief, Park Development Division (PDD) *Michael Ma*

FROM: Carl Morgan, CIP Manager, Park Development Division *Carl Morgan*

SUBJECT: Amendment to the Maryland-National Capital Park and Planning Commission's (M-NCPPC) FY19-24 Capital Improvements Program, and Special Appropriation to the FY19 Capital Budget, for **Minor New Construction - Non-Local Parks #P998763 (Maydale Nature Center subproject)**

Staff Recommendation

Transmit the attached materials to the Montgomery County Executive and Montgomery County Council, to amend the Department of Parks FY19 Capital Budget to include an additional \$180,000 in appropriation for GO bonds.

Background

The Minor New Construction - Non-Local Parks capital project allows the Parks Department to design and/or construct new and reconstruction projects such as picnic shelters, seating, walkways, exercise equipment, site amenities, dog exercise areas, trail amenities (parking, kiosks), maintenance storage buildings, etc.

In the FY17-22 CIP, the County Council expressed the desire to reopen the center and approved a subproject in Minor new Construction-Non-local capital project to make renovations and other improvements. During the Council's budget deliberations, the Parks Department prepared cost estimates for several alternatives at a highly conceptual level. No level of design had been done, and no due diligence activities had been completed. The estimated cost that produced the current budget was \$325,000 funded by a \$250,000 appropriation in GO Bonds and a \$75,000 State Bond Bill.

After the CIP funding became available on in July 2016, the Parks Department proceed with design and permitting. The project was substantially advanced when we first became aware of the major improvements that would be required for life safety from DPS and the fire marshal. We held several

meetings with DPS to finalize the scope of those improvements, which required re-design of the project and the addition of several costly elements. While the project schedule was significantly delayed, we are now within months of receiving all permits and regulatory authorizations to proceed with construction of the project.

The current cost estimate is \$664,000, or \$339,000 over the current budget. Of this, \$180,000 is due to fire marshal requirements, primarily the addition of a 30,000 gallon water tank and additional paving required for emergency vehicle access with associated increases in storm water treatment. This special appropriation request of \$180,000 is related specifically to the costs related to fire marshal requirements.

The Parks Department will absorb the remainder of the cost overrun of \$159,000 out of existing appropriations. These cost increases are due to increased consultant fees for redesign, additional staff charges due to the extended schedule, the need to move a playground to accommodate emergency vehicle access, and set-aside for project contingency during construction. Several small park projects will be delayed one year to create capacity to cover this portion of the cost overrun.

Given the unique history of Maydale Nature Center and the wide-spread community support to resume nature programming at this exceptional site, we hope to secure a favorable recommendation from the County Executive for the special appropriation. If approved by the County Council, we can break ground in November of this year, and open the nature center in 2019.

Attached you will find the Draft of the Council Resolution and the Project Description Form (PDF) for your review. Staff recommends approval of the CIP Amendment and Capital Budget Request and seeks direction from the Board to transmit the attached information to the Montgomery County Executive for recommendation, and to the County Council for their consideration and approval of the CIP Amendment and Special Appropriation.

Conclusion

Upon approval the attached materials will be forwarded to the County Executive and County Council.

Resolution No: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: County Council

SUBJECT: Amendment to the FY19-24 Capital Improvements Program and Special Appropriation to the FY19 Capital Budget Maryland-National Capital Park and Planning Commission Department of Parks
Minor New Construction - Non-Local Parks (P998763), \$180,000
Source of Funds: GO Bonds

Background

1. Section 308 of the County Charter provides that a special appropriation is an appropriation which states that it is necessary to meet an unforeseen disaster or other emergency, or to act without delay in the public interest. Each special appropriation must be approved by not less than six Councilmembers. The Council may approve a special appropriation at any time after public notice by news release. Each special appropriation must specify the source of funds to finance it.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.
3. Section 18-108 of the Maryland Land Use Code provides that after adoption of the M-NCPPC budget by the Council, the budget may be amended by resolution by the Council on their initiative or at the request of the Commission. Before adopting a budget amendment, the Council must receive recommendations from the County Executive and hold a public hearing on reasonable notice to the public.
4. Section 18-115, Section 18-116, and Section 18-117 of the Maryland Land Use Code provide that the Council may amend, revise, or modify the M-NCPPC 6-year capital improvements program by an affirmative vote of six of its members. An amendment, revision, or modification made to the capital improvements program may not become final until at least 30 days after it is submitted to the Commission for written comment.

- 5. On September 27, 2018, the Department of Parks of Parks requested an additional \$180,000 to the Minor New Construction - Non-Local Parks Project as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Minor New Construction - Non-Local Parks	#P998763	Site Improvements and Utilities	\$180,000	GO Bonds
Total			\$180,000	

- 6. This increase is needed to address additional major life safety improvements that include the addition of a 30,000 gallon water tank and additional paving required for emergency vehicle access with associated increases in storm water treatment. The recommended amendment is consistent with the criteria for amending the CIP because it addresses health and safety concerns and the plan is being amended for technical reasons that implement policy decisions by the Fire Marshal and Department of Permitting Services
- 7. The County Council declares this request is in the public interest, to be acted upon without delay, as provided for under special appropriation requirements described in Article 3, Section 308 of the Montgomery County Charter.
- 8. Notice of public hearing was given and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following resolution:

The FY19-24Capital Improvements Program of the M-NCPPC Department of Parks is amended as reflected on the attached project description form and a special appropriation is approved as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Minor New Construction - Non-Local Parks	#P998763	Site Improvements and Utilities	\$180,000	GO Bonds
Total			\$180,000	

This is a correct copy of Council action.

Megan Limarzi, Clerk of the Council



Minor New Construction - Non-Local Parks (P998763)

Category	M-NCPPC	Date Last Modified	09/13/18
SubCategory	Development	Administering Agency	M-NCPPC
Planning Area	Countywide	Status	Ongoing

Total	Thru FY18	Rem FY18	Total 6 Years	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	Beyond 6 Years
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EXPENDITURE SCHEDULE (\$000s)

Planning, Design and Supervision	320	10	20	290	33	33	52	52	60	60	-
Site Improvements and Utilities	3,785	966	1,139	1,660	192	298	298	340	340	-	
TOTAL EXPENDITURES	4,085	976	1,159	1,950	225	225	350	350	400	400	-

FUNDING SCHEDULE (\$000s)

G.O. Bonds	4,010	976	1,084	1,950	225	225	350	350	400	400	-
State Aid	75	-	75	-	-	-	-	-	-	-	-
TOTAL FUNDING SOURCES	4,085	976	1,159	1,950	225	225	350	350	400	400	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 20 Approp. Request	225	Year First Appropriation	FY01
Cumulative Appropriation	2,360	Last FY's Cost Estimate	4,085
Expenditure / Encumbrances	-	Special Appropriation FY19	180
Unencumbered Balance	2,360		

PROJECT DESCRIPTION

This project funds design and construction of new and reconstruction projects costing less than \$300,000. Projects include a variety of improvements at non-local parks, such as picnic shelters, seating, walkways, exercise equipment, site amenities, dog exercise areas, trail amenities (parking, kiosks), maintenance storage buildings, etc.

COST CHANGE

Increases beginning in FY20 to address higher construction costs. Addition of FY23 and FY24.

PROJECT JUSTIFICATION

2012 Parks, Recreation, and Open Space (PROS) Plan. 2005 Land Preservation, Park and Recreation Plan. Individual park master plans.

FISCAL NOTE

Prior year partial capitalization of expenditures through FY16 total \$2,703,000. Addition of a Bond Bill (\$75,000) in FY18 for Maydale Nature Center. Added \$250k in FY17 for Maydale Nature Center. In FY13, supplemental appropriation added \$200,000 in State Aid funding.

DISCLOSURES

Expenditures will continue indefinitely. M-NCPPC asserts that this project conforms to the requirement of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.