



MCPB Agenda Item:
February 9, 2023

MEMORANDUM

Date: February 6, 2023

TO: Montgomery County Planning Board

VIA: Michael F. Riley, Director of Parks ^{MR}
Miti Figueredo, Deputy Director, Administration ^{MF}
Andrew Frank, Chief, Park Development Division ^{AF}

FROM: Ron Peele, CIP Manager, Park Development Division ^{RP}

SUBJECT: Response to County Executive Recommended Biennial FY23-28 Capital Improvements Program (CIP) and FY24 Capital Budget

Planning Board Recommendation

Approve non-recommended delay of \$1.5M in County General Obligation (GO) Bonds to Beyond Six Years (BSY) for Legacy Open Space PDF #018710 and transmit to County Executive and County Council.

Background and County Executive Recommendation

- On May 26, 2022, the County Council adopted the Montgomery Parks FY23-28 CIP with a total 6-year budget of \$274,747,000.
- On November 29, 2022, the County Council approved a Supplemental Appropriation to the FY23-28 CIP for the new **Bethesda Lots 10-24 Parks** PDF P872302 with a total 6-year budget of \$9,432,000 funded with a combination of State aid, intergovernmental contributions, and Bethesda Park Impact Payments.
- On 1/17/23 the County Executive issued his Recommended CIP, which added an Affordability PDF that decreased GO Bonds by \$500K each year between FY26 and FY28, for a total reduction of \$1.5M.

Staff Response to County Executive Recommendation

The Parks Department reviewed this requested funding reduction and did not find any projects that could be reduced without impacting our intended work program. However, to be responsive to the County Executive's request, we have identified a non-recommended reduction in Legacy Open Space (PDF P018710) of \$500k per year of County GO Bonds in FY26, FY27, and FY28, and shifted that funding into the Beyond Six Years (BSY) to balance the FY23-28 CIP with the Affordability PDF. The impact of this reduction constrains the amount of funding we will have for this land acquisition program and reduces our ability to execute acquisition transactions as opportunities arise. This may require Parks to request a future Supplemental Appropriation if an important timely acquisition occurs, and available funds are not sufficient. The Legacy Open Space Functional Master Plan



was approved and adopted in 2001 to help preserve the best remaining open spaces in the County to serve our growing population. Since its start, the Legacy Open Space program has protected over 3,850 acres through acquisition into parkland to preserve watersheds, significant ecosystems, heritage resources, trail and wildlife corridors, rural lands, and important urban open spaces.

What is next?

If PB approves this request, Staff will prepare formal response transmittal from the Planning Board Chair to the County Executive and Council President. The Council has scheduled public hearings on the County Executive Recommended CIP for 2/7/23 and 2/9/23 and will proceed with deliberations this Spring. Please note that the Parks Department has also been working with the County State delegation to request additional funding through the LBI and LPPI programs, which we expect to include in the FY23-28 CIP prior to Council adoption. Council adoption of the FY24 Capital Budget and amended FY23-28 CIP is expected to occur in late May.

Attachments

- FY23-28 Affordability PDF
- Redlined LOS PDF

M-NCPPC Affordability Reconciliation (P871747)

Category	M-NCPPC	Date Last Modified	12/22/22
SubCategory	Development	Administering Agency	M-NCPPC
Planning Area	Countywide	Status	Ongoing

	Total	Thru FY22	Rem FY22	Total 6 Years	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	Beyond 6 Years
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EXPENDITURE SCHEDULE (\$000s)

Construction	(1,500)	-	-	(1,500)	-	-	-	(500)	(500)	(500)	-
TOTAL EXPENDITURES	(1,500)	-	-	(1,500)	-	-	-	(500)	(500)	(500)	-

FUNDING SCHEDULE (\$000s)

G.O. Bonds	(1,500)	-	-	(1,500)	-	-	-	(500)	(500)	(500)	-
TOTAL FUNDING SOURCES	(1,500)	-	-	(1,500)	-	-	-	(500)	(500)	(500)	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 24 Request	-	Year First Appropriation	FY16
Cumulative Appropriation	-	Last FY's Cost Estimate	-
Expenditure / Encumbrances	-		
Unencumbered Balance	-		

PROJECT DESCRIPTION

This project reconciles the Maryland National-Capital Park and Planning Commission's CIP request with the County Executive's recommendation based on affordability considerations.



Legacy Open Space (P018710)

Category	M-NCPPC	Date Last Modified	10/25/22
SubCategory	Acquisition	Administering Agency	Redlined on 2/3/23
Planning Area	Countywide	Status	M-NCPPC Ongoing

	Total	Thru FY22	Rem FY22	Total 6 Years	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	Beyond 6 Years
EXPENDITURE SCHEDULE (\$000s)											
Land	91,491	72,118	2,851	5,344	570	700	724	1,313	1,124	913	11,367
				6,655				1,750	1,561	1,350	9,867
Other	8,509	6,399	610	1,311	250	250	250	187,250	187,250	187,250	-
				1,500							
TOTAL EXPENDITURES	100,000	78,517	3,461	6,655	820	950	974	1,500	1,311	1,100	11,367
				8,155				2,000	1,811	1,600	9,867

FUNDING SCHEDULE (\$000s)											
Contributions	938	938	-	-	-	-	-	-	-	-	-
Current Revenue: General	11,934	10,494	610	530	50	150	115	115	100	-	300
G.O. Bonds	54,274	36,076	2,502	4,859	500	500	559	1,100	1,100	1,100	10,837
				6,359				1,600	1,600	1,600	9,337
M-NCPPC Bonds	10,796	8,951	349	1,266	270	300	300	285	111	-	230
PAYGO	17,855	17,855	-	-	-	-	-	-	-	-	-
POS-Stateside (M-NCPPC Only)	200	200	-	-	-	-	-	-	-	-	-
Program Open Space	4,003	4,003	-	-	-	-	-	-	-	-	-
TOTAL FUNDING SOURCES	100,000	78,517	3,461	6,655	820	950	974	1,500	1,311	1,100	11,367
				8,155				2,000	1,811	1,600	9,867

APPROPRIATION AND EXPENDITURE DATA (\$000s)			
Appropriation FY 24 Request	950	Year First Appropriation	
Cumulative Appropriation	82,798	Last FY's Cost Estimate	
Expenditure / Encumbrances	78,517	FY01	
Unencumbered Balance	4,281	100,000	

PROJECT DESCRIPTION

The Legacy Open Space initiative identifies open space lands that should be acquired and interpreted because of exceptional natural or cultural value to current and future generations of Montgomery County residents. The project funds acquisition (in-fee and easement) of open-space lands of countywide significance. Priorities are updated during each CIP cycle but remain flexible to allow the Montgomery County Planning Board to address development threats, opportunity acquisitions, and joint funding opportunities. The County Council encourages the Commission to seek supplemental appropriations if approved CIP funding is insufficient. Non-County funding sources are expected to contribute significantly to the Legacy Open Space program. Contributions will appear in the PDF Expenditure and Funding Schedules only if the contribution is spent by the County or M-NCPPC. Donations of land or non-County funded payments that go directly to property owners are not included. The combination of these non-County and County funds have resulted in the successful protection of over 5,400 acres of open space in the County, including over 3,850 acres of new parkland.

COST CHANGE

Addition of FY27-28, and Beyond Six Year costs adjusted to maintain the historical project balance of \$100 million.

PROJECT JUSTIFICATION

The Vision 2030 Strategic Plan for Parks and Recreation in Montgomery County (2010) and the 2017 Park, Recreation and Open Space (PROS) Plan recommend placing priority on conservation of natural open spaces, protection of heritage resources, providing critical urban open spaces, and expanded interpretive activities in parks. Legacy Open Space: Open Space Conservation in the 21st Century, approved by the Montgomery County Planning Board in October 1999. Legacy Open Space Functional Master Plan

adopted by the County Council in July 2001.

FISCAL NOTE

Reduction in FY22 Current Revenue: General from non-recommended reductions, and G.O. Bonds were reduced in FY23-25 and slipped to FY26 for fiscal capacity. FY18 reduction of \$100k in Current Revenue to reflect the FY18 Savings Plan. Modifications reflect Resolution 19-322 that was approved December 10, 2019 after the Department's CIP submission in November, 2019. The resolution provided a transfer of funds to the Acquisition: Non-Local Parks CIP project related to the acquisition of park land in Wheaton.

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.

COORDINATION

Park Acquisitions 872301, Acquisition: Local Parks 767828, Acquisition: Non-Local Parks 998798, ALARF: M-NCPPC 727007, Bethesda Park Impact Payment PDF 872002, Restoration of Historic Structures 808494, State of Maryland.