

MCPB Item #2

Agenda Date: February 16, 2012

MEMORANDUM

DATE:	February 8, 2012
TO:	Montgomery County Planning Board
FROM:	Michael F. Riley, Deputy Director, Department of Parks
SUBJECT:	Status Report from M-NCPPC / MCPS Joint Work Group

On June 30, 2011, the Planning Board and Board of Education met to discuss items of mutual interest. One of the outcomes of this meeting was an agreement to form an interagency work group to propose solutions to MCPS facility expansion needs, including an improved site selection process. The workgroup includes members from M-NCPPC, MCPS, and staff of the County Executive and County Council. The workgroup has met four times, and will provide an overview of its progress to date.

The workgroup's discussions have focused thus far on the following topics:

- MCPS short-term site needs (2-5 years)
- MCPS current modernization schedule
- Current MCPS projects with park impacts
- MCPS site selection process
- M-NCPPC, Department of Parks site selection process
- Montgomery County Government site selection process
- Requirement and timing of mandatory referral in the site selection process
- Review of the County Council committee (joint PHED / Education) discussion on MCPS site selection process held on July 25, 2011

Various memoranda that supported the formation of the work group are attached as background, along with agendas for each of the four workgroup meetings and meeting notes from the 2nd and 3rd meetings. Meetings were held on October 26th, November 9th, December 5th, and January 9th. Specific recommendations for modifications to the MCPS site selection process appear on ©14-16.



MONTGOMERY COUNTY BOARD OF EDUCATION

850 Hungerford Drive

Rockville, Maryland 20850

May 18, 2011



Ms. Francoise M. Carrier Chair, Montgomery County Planning Board Vice Chair, Maryland-National Capital Park and Planning Commission 8787 Georgia Avenue Silver Spring, Maryland 20910

OFFICE OF THE CHAIRMAN THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMESSION

Dear Ms. Carrier:

This letter is sent to extend an invitation for a joint meeting of the Montgomery County Board of Education (Board of Education) and the Montgomery County Planning Board (Planning Board). Periodically, the Board of Education and the Planning Board have met to discuss current issues and ways to collaborate in order to meet the needs of Montgomery County citizens. The last joint meeting was held on May 13, 2009.

Since the beginning of the recession in 2008, Montgomery County Public Schools (MCPS) has experienced significant enrollment increases in the face of weak employment and housing markets. Since the 2007–2008 school year, MCPS enrollment has increased by 6,319 students and is projected to grow by more than 10,000 students by the 2016–2017 school year.

Enrollment growth is occurring throughout the county, including in a number of substantially built-out residential areas such as Bethesda, Chevy Chase, Germantown, North Bethesda, and Rockville. This growth is creating new challenges for increasing school capacity where the space deficit is significant through the construction of classroom additions and new schools. In some cases, MCPS is fortunate to have previously operating schools still in the MCPS or county inventory that can be reclaimed for school system use. In other cases, such school sites or former school properties are inadequate for the type of facility needed.

In addition to MCPS needs, enrollment increases are raising the level of school utilizations above the Montgomery County Subdivision Staging Policy thresholds for the school facility payment (above 105 percent) and for residential moratorium (above 120 percent). The Fiscal Year (FY) 2012 "school test" of the Subdivision Staging Policy will find 10 of the 25 MCPS clusters above 105 percent utilization and 4 above 120 percent utilization.

Although it is anticipated that when the County Council adopts the FY 2012 Capital Budget and Amendments to the 2011–2016 Capital Improvements Program (CIP) it will include "place holder" school capacity projects in the clusters that will be above 120 percent utilization so that a residential moratorium is averted in these areas, it is evident that significant additional school capacity needs to be built in the coming years. The four clusters that will be above the 120 percent utilization level are the Bethesda-Chevy Chase Cluster (middle school level), the Richard Montgomery Cluster (elementary and middle school levels), the Northwest Cluster (elementary

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Ms. Francoise M. Carrier

school level), and the Northwood Cluster (elementary school level). All of these clusters are located in substantially built-out residential areas.

I believe it is an opportune time to discuss the planning issues now facing MCPS and the Planning Board. I propose a preliminary list of topics for the joint meeting to include the following:

- Enrollment trends in MCPS
- MCPS facility plans and anticipated long-range needs
- Availability of school sites to address facility needs
- County land-use planning activities
- Approaches to improve collaboration between the Board of Education and the Planning Board

I invite you to add to the list of topics as we develop an agenda for the meeting. My hope is that we can meet sometime before the end of June 2011. The members of the Board of Education would be pleased to host the joint meeting and working dinner at the Carver Educational Services Center in Rockville. Please let me know if this is agreeable to the Planning Board. If so, the office of the Board of Education will work with your staff to schedule the meeting. I look forward to working with you on the important planning issues facing our county.

Sincerely,

Sarcley Christopher S. Barclay

Christopher S. Bar President

CSB:lmt

Copy to: Members of the Board of Education Dr. Weast Mr. Bowers Dr. Lacey Mr. Edwards Mr. Crispell Mr. Song



OFFICE OF THE CHAIRMAN

June 2, 2011

Mr. Christopher S. Barclay President, Board of Education Montgomery County Public Schools Carver Educational Services Center 850 Hungerford Drive, Room 123 Rockville, Maryland 20850

RE: Joint Meeting of the Montgomery County Planning Board and the Montgomery County Board of Education

Dear Mr. Barclay:

I was pleased to receive your letting extending an invitation to a joint meeting of the Planning Board and the Board of Education. We would be happy to accept your invitation, and I agree that a meeting before the end of June would be timely. All of the items on your preliminary list of topics for our meeting are worthwhile topics for discussion. I would like to add to the list the issue that is most salient between our agencies at the moment, which is the school system's site selection process, including where opportunities may exist for cooperation on parks with recall rights, and how best to address alternatives to the possible selection of parkland for school use. This topic should include a discussion of park-school co-locations, which can favorably meet multiple public needs, provided the available acreage is sufficient. At the moment, we are aware of at least three locations where the Board of Education is considering park property as a potential school site, at Rock Creek Hill's Local Park and in the Shady Grove and Germantown areas. These circumstances and the school system's growing student population call for a substantive policy discussion that I look forward to beginning at our joint meeting.

In addition to accepting your invitation, I would like to provide some information that may be useful to the Board of Education as you conduct a feasibility study for your proposal to ask the County to exercise its conversion right and convert Rock Creek Hills Local Park to school use. My April 28, 2011 letter to the Board of Education regarding the use of park sites for BCC Middle School #2 stated that Federal Land and Water Conservation Fund (LWCF) monies were likely used for Rock Creek Hills Local Park. Department of Parks staff has researched this and confirmed that a \$171,988.65 grant was approved by the State of Maryland Board of Public Works on February 5, 1992, for the development of Rock Creek

Mr. Christopher S. Barclay June 2, 2011 Page Two

Hills Local Park. Parks staff has been in touch with both State (Department of Natural Resources) and Federal (National Park Service) representatives who administer LWCF and Program Open Space (POS) funding to understand any conditions that use of those funds may place on Rock Creek Hills Local Park.

The Department of Natural Resources (DNR) has advised parks staff that the fund source for the grant was actually Program Open Space, and that the conditions of that State program apply. It appears that there are some significant conversion requirements if the site is converted from a public recreation or open space area. Those conversion requirements appear to include, among other things, provision of replacement land and recreation facilities of equal or greater value. However, DNR also advises that by practice, conversion requirements for projects funded by POS development monies are only enforced for 20 years from the date of the grant.

I look forward to meeting you and to our upcoming meeting. I would like to suggest June 30 as a potential meeting date, in light of the Planning Board's schedule and the anticipated arrival of a new board member starting June 23. My staff will be happy to work with your office to finalize a time and date.

Sincerely. Françoise M. Carrier

Chair, Montgomery County Planning Board Vice Chair, Maryland-National Capital Park and Planning Commission

Valerie Ervin Isiah Leggett Dr. Jerry Weast Mary Bradford Montgomery County Planning Board members Montgomery County Board of Education members

cc

MONTGOMERY COUNTY BOARD OF EDUCATION

MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

July 22, 2011

The Honorable Isiah Leggett Montgomery County Executive Executive Office Building 101 Monroe Street Rockville, Maryland 20850

The Honorable Valeric Ervin, President Montgomery County Council Council Office Building 100 Maryland Avenue Rockville, Maryland 20850

Dear County Executive Leggett and Council President Ervin:

The Montgomery County Board of Education and the Montgomery County Planning Board, Maryland-National Capital Park and Planning Commission (M-NCPPC), recognize the difficulty Montgomery County faces in accommodating new renovated, or modernized public school facilities in communities where large, undeveloped properties are not readily available and the existing public open space is also highly valued by residents. Moreover, it has become apparent that existing master plans and other studies may not have adequately anticipated the growth in the need for more classrooms. schools, and public parks to serve increasingly dense and built-out communities, and the increased size of the Montgomery County Public Schools (MCPS) facilities required.

In the wake of a high level of public discourse regarding the Board of Education's recent selection of an M-NCPPC parl as the future site for a new school, our two boards recently met for a working dinner and agreed that we must continue o long-term collaboration and seek solutions to this new situation. We are, therefore, forming a working group to analyze options for the best public outcome, including an improved MCPS site selection process, as well as looking for areas where we can cooperate without creating other challenging problems. MCPS, the Montgomery County Department of Parks, and the Montgomery County Planning Department will all be included.

We invite you each to designate a member of your staff to join us in this endeavor. We will begin our work this August and hope to have recommendations in time to consider them in the upcoming CIP cycle. Please contact Joyce Garcia in the M-NCPPC Commissioners' Office at 301-495-4605 with your nominations. We look forward to a mutually agreeab result.

Sincerely,

Christopher S. Barelay

President, Montgomery County Board of Education

cc: The Honorable Nancy Floreen Chair, PHED Committee Montgomery County Council

Françoise M. Carrier Chair, Montgomery County Planning Board M-NCPPC

Meeting of Board of Education and Montgomery County Planning Board

Carver Educational Services Center Auditorium 850 Hungerford Drive Rockville, Maryland 20850

June 30, 2011 6:30–8:30 pm

Agenda

I.	Welcome (Mr. Barclay)	6:30–6:40 pm
II.	Dinner	6:40–7:00 pm
III.	 <u>Overview of Planning Issues</u> (Mr. Crispell) a. Enrollment Trends b. Facility Planning Issues c. Subdivision Staging Policy Outcomes 	7:00–7:10 pm
IV.	 <u>Overview of Site Selection Issues</u> (Mr. Song) a. Site Selection Process b. Current Issues: Bethesda-Chevy Chase MS #2 Site Northwest Cluster ES #8 Site Possible land swaps at Wheaton HS and Farquh Bus depots Small sites in sector plans 	7:10–7:30 pm aar MS
V.	Board of Education and Montgomery County Planning Board Dialogue	7:30–8:30 pm

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KICK-OFF MEETING OF THE M-NCPPC/MCPS JOINT WORKING GROUP M-NCPPC, 8787 Georgia Avenue, Silver Spring, MD Wednesday, October 26, 2011

AGENDA

- Introductions and Opening Statements (MCPB Chair Françoise M. Carrier and MCBOE Board of Education President Christopher S. Barclay)
- Defining the Group's Purpose, Membership, Schedule, and Expected Outcome
- Identification and Discussion of Short-Term Issues
 - Current school projects with park impacts; mandatory referral
 - Two to five-year MCPS site needs
- Identification of Long-Term Issues
 - Planning processes: mandatory referral, master plan
 MCPS processes: identifying need for new site, site selection, feasibility study, surplus process
- Summary and Next Steps (including dates of future meetings)

M-NCPPC/MCPS JOINT WORKING GROUP MEETING

Department of Facilities Management, MCPS 2096 Gaither Road, Suite 200 Rockville, Maryland 20850

> November 9, 2011 3:00pm – 5:00pm

AGENDA

Desired Outcome:

- Participants understood MCPS short-term site needs and discussed potential strategies to address each site challenges.
- Participants understood current MCPS site selection process and discussed potential improvements.
- Participants understood MCPS modernization schedule.
- Participants developed agendas for the scheduled future meetings.

TIME	WHAT	HOW	WHO
3:00pm – 4:00pm	MCPS Short-Term Site Needs	Presentation	MCPS – James Song
	(2-5 Years)	Discussion	ALL
4:00pm – 4:30pm	MCPS Site Selection Process,	Presentation	MCPS – Janice Turpin
	Separate Mandatory Referral for	Discussion	ALL
	Site Selection		
4:30pm – 4:55pm	MCPS Current Modernization	Presentation	MCPS – James Song
	Schedule		Bruce Crispell
4:55pm – 5:00pm	Future Agenda	Discussion	ALL
5:00pm	Adjourn		ALL

Future Agenda Items:

- Surplus sites/Long-Term Lease Processes (Bell-Pearsen – To Be Confirmed)
- Future School Sites within the Land Use Master Plan or Sector Plan Revisions (Carter, Weiss, Turpin, Crispell)
- Mandatory Referral Process (Carter, Riley, Wells-Harley, Turpin, Shuman, Song)
- Discussion of questions raised by ED/PHED Committee on July 25, 2011 (Keith Levchenko – To Be Confirmed)
- Others To Be Added

Future Meetings:

December 5, 2011	3:00pm – 5:00pm	M-NCPPC
January 9, 2012	3:00pm – 5:00pm	MCPS - DFM

M-NCPPC / MCPS Joint Work Group Final Meeting Notes

Meeting # 2 - November 9, 2011

MCPS Department of Facilities Management

Present:MCPS / BOE: James Song, Craig Shuman, Bruce Crispell, Janice Turpin, Laura SteinbergM-NCPPC : Marye Wells-Harley, Mike Riley, Bill Gries, Piera Weis, John CarterCounty Council: Keith Levchenko, Richard RomerCounty Executive: None

- Agenda: --MCPS Short Term Site Needs
 - --MCPS Site Selection Process
 - --MCPS Current Modernization Schedule
 - --Future Agenda Items

Notes:

- MCPS staff provided an overview, by PowerPoint, of MCPS projects with known site needs. The projects included:
 - o Clarksburg Cluster ES
 - Richard Montgomery ES # 5
 - Northwest ES #8
 - o Shady Grove / Jeremiah Park ES
 - o White Flint ES
 - Farguhar MS Mornization
 - o Wheaton HS / Edison HS Modernization
 - o Upcounty Holding Center
 - School Bus Depots
 - BCC MS #2
- The work group briefly discussed the specifics of each site. The group agreed to the need for further discussion as to how and why the White Flint and Shady Grove sites were ending up much smaller than MCPS stated needs for elementary schools.
- MCPS staff outlined both their current site selection process and the revised site selection process to be used for the BCC Middle School # 2. Changes for the BCC Middle School # 2 site selection process include:

- o Use of an external facilitator
- Outreach to site selection advisory committee (SSAC) participants in advance of the first meeting
- Adherence to Open Meetings Act procedures
- o Inclusion of homeowner and civic associations around sites
- o Provision to allow SSAC representatives to submit minority reports
- Plan to release SSAC report for a period of public comment prior to BOE action if all recommended sites are public sites.
- The work group discussed its role in reviewing and recommending improvements to the existing site selection process in light of the revised process for BCC Middle School # 2 as issued by the Superintendent. The work group agreed that its members should provide their thoughts on improvements to the existing site selection process in advance of the next meeting, where the general future site selection process will be on the agenda.
- MCPS handed out a chart showing all projects in the approved FY 2012 Capital Budget and Amended FY 2011-2016 CIP.
- MCPS agreed to distribute policy documents describing the existing site selection process to the workgroup in advance of the next meeting.
- MCPS agreed to contact County Executive's office for back up personnel to attend in the event that either Ramona Bell-Pearson or Greg Ossont were unavailable.
- The next meeting will be hosted by M-NCPPC from 3:00 pm to 5:00 pm on Monday, December 5, 2011.

M-NCPPC/MCPS JOINT WORKING GROUP MEETING

Maryland-National Capital Park and Planning Commission 8787 Georgia Avenue Silver Spring, Maryland 20910

> December 5, 2011 3:00pm – 5:00pm

AGENDA

Desired Outcome:

- Participants understood current MCPS site selection process and discussed potential improvements.
- Participants understood current MC site selection process and discussed potential improvements.
- Participants understood current M-NCPPC site selection process and discussed potential improvements.
- Participants understood Mandatory Referral Process
- Participants developed agenda for the scheduled future meeting and discussed next steps.

TIME	WHAT	HOW	WHO
3:00pm – 3:45pm	MCPS Site Selection Process	Presentation	MCPS – James Song
		Discussion	ALL
3:45pm – 4:00pm	MC Site Selection Process	Presentation	MC – Cindy Brenneman
		Discussion	ALL
4:00pm – 4:15pm	M-NCPPC Site Selection Process	Presentation	M-NCPPC – Bill Gries
		Discussion	ALL
4:15pm – 4:45pm	Mandatory Referral Process	Presentation	M-NCPPC – John Carter
		Discussion	ALL
4:45pm – 4:55pm	Future Agenda	Discussion	ALL
5:00pm	Adjourn		ALL

Future Agenda Items:

- Surplus sites/Long-Term Lease Processes (Bell-Pearsen)
- Future School Sites within the Land Use Master Plan or Sector Plan Revisions (Carter, Weiss, Turpin, Crispell)
- Discussion of questions raised by ED/PHED Committee on July 25, 2011 (Keith Levchenko)
- Others To Be Added

Future Meetings:

M-NCPPC/MCPS Joint Working Group Meeting Notes

Meeting #3 – Monday, December 5, 2011 The Maryland-National Capital Park and Planning Commission (M-NCPPC) 8787 Georgia Avenue, Silver Spring, Maryland, 20910 3rd Floor Conference Room

PRESENT: MCPS/BOE: James Song, Craig Shuman, Bruce Crispell, Janice Turpin, Laura Steinberg

M-NCPPC: Mike Riley, Piera Weiss, John Carter, Bill Gries, Jai Cole, Brooke Farquhar, Joyce Garcia, Clara Moise

County Council Reps: Keith Levchenko & Richard Romer

Montgomery County Reps: Catherine Matthews & Ramona Bell-Pearson

(REVISED) AGENDA:

- MCPS Site Selection Process Presentation and Continued Discussion (James Song)
- Recommended Revisions to MCPS Site Selection Process (Mike Riley)
- M-NCPPC Site Selection Process Presentation and Discussion(Brooke Farquhar)
- MC Site Selection Process Presentation and Discussion (Ramona Bell-Pearson)
- Mandatory Referral Process (John Carter)
- Future Agenda Items for meeting of Monday, January 9, 2012

NOTES:

MCPS staff discussed their site selection process using a flow chart distributed at the meeting. Staff noted that Homeowners Associations are invited to participate at the onset of the selection process but MCPs still receives complaints about public participation and transparency. Comments, suggestions, and recommendations are forwarded to the Site Selection Advisory Committee (SSAC) for review and to be forwarded to the School Superintendent for further discussion in Closed Session.

M-NCPPC staff discussed their list of recommendations and suggestions (see Attachment #1, Recommended Revisions to MCPS Site Selection Process), which staff feel will improve MCPS' site selection process. Following extensive discussion, MCPS staff incorporated many of the recommendations in their site selection process flow chart and will provide the Joint Work

Group members with a revised draft of the chart via e-mail (see Attachment #2, MCPS Site Selection Process).

M-NCPPC staff offered a multimedia presentation of their park sites selection process (see Attachment #3, Department of Parks Site Selection Process) followed by discussion and also distributed a list of samples of site selection matrices for reference.

Montgomery County government staff discussed Montgomery County site selection evaluation/process and distributed a confidential draft memorandum outlining the site evaluation/selection protocol, followed by discussion.

At the end of the meeting, MCPS staff noted that the end product the Joint Working Group is aiming for is a better internal process for school site selection in collaboration with all the parties involved. The Group agreed to continue meetings to strategize following the January report to the County Council.

The next meeting will be hosted by MCPS from 3:00 to 5:00 p.m. on Monday, January 9, 2012 with the following proposed agenda items:

- Mandatory Referral Process (John Carter)
- Discussion of Questions raised by ED/PHED Committee on July 25, 2011 (Keith Levchenko)
- MCPS Site Selection Process (James Song)
- Wrap-up for Report to County Council at January meeting (Group)
- Next Steps on Reporting and Future Meetings (Group)

Topics for future discussion:

- Surplus sites/Long-Term Lease Processes
- Future School Sites within the Land Use Master Plan or Sector Plan Revisions
- Other topics to be added

Recommended Revisions to MCPS Site Selection Process

Mandatory Referral

• Consult with the Planning Board and ask its advice in choosing land for a school through the mandatory referral process. The work group should determine the optimal point of the site selection process for the mandatory referral to occur.

Identification of Potential Sites

- Do not identify M-NCPPC parkland for a candidate school site unless a reversion clause exists in the deed, or the Planning Board has approved its consideration for school purposes.
- Do not represent adjacent parkland as providing for a portion of MCPS program for outdoor spaces without the approval of the Planning Board.

Site Selection Advisory Committees (SSAC)

- Improve and formalize the process for identifying and appointing SSAC members.
- Improve and formalize the process whereby SSAC members vote.
- Utilize a professional facilitator to manage the process as opposed to MCPS staff.
- Remove the language: "The SSAC reaches consensus and makes a recommendation to the superintendant of schools." from the MCPS Long-Range Educational Facilities Planning Regulation governing site selection (FAA-RA) to indicate that the SSAC uses a voting process where majority and minority views may be reflected by vote.
- Include majority and minority views in the SSAC report when consensus is not achieved.
- After preliminary sites are identified, include SSAC members who represent communities / civic associations surrounding each site.
- Include "Ability to replace displaced facilities or resources" to the list of criteria that the SSAC evaluates when gauging the suitability of a site.

Test Fits & Architectural / Engineering Services

- Retain an architectural / engineering consultant to perform test fits for each site and advise the SSAC on the opportunities and constraints of each identified site.
- Apply greater use of GIS technology and graphical representations to demonstrate to the SSAC how the school might fit on each site.
- Require A/E consultant to clearly delineate known constraints and cost-divers of each site.

SSAC Report

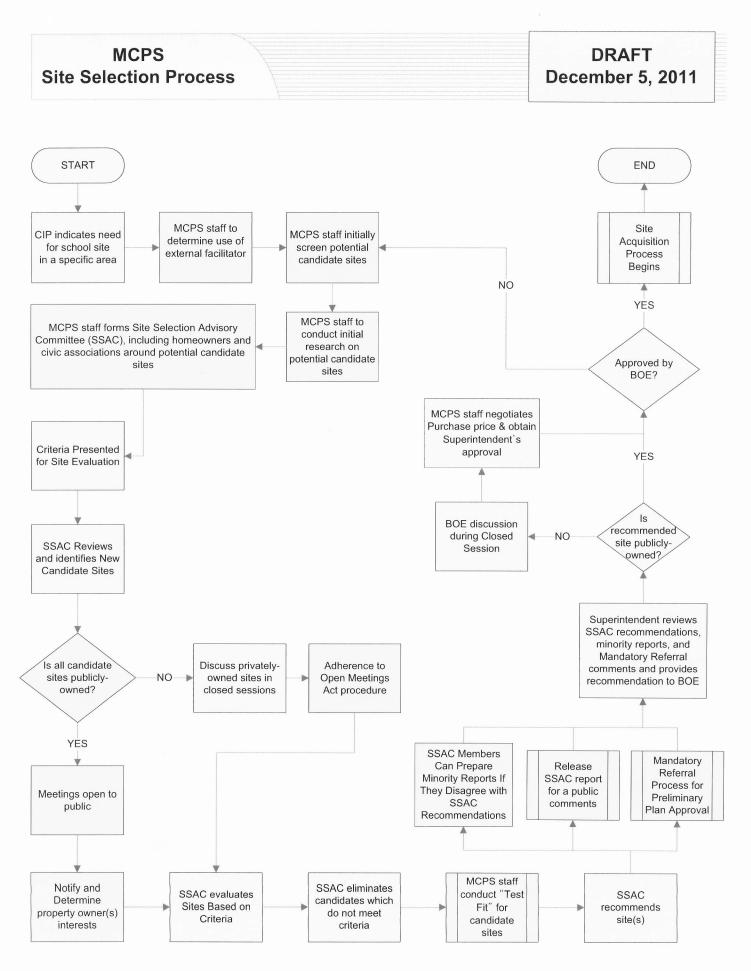
• Improve the format of the final report to clearly reflect the process followed by the SSAC, how sites were identified or eliminated along the way, and specific rationale for the final recommendation.

Confidentiality

• Keep all SSAC meetings, processes, and reports open to the public, even if private sites have been identified as candidate sites.

Master Plans

- Strengthen coordination with Planning Department as are master plans are updated to identify <u>viable</u> school sites, if need is determined.
- Revisit MCPS guidelines for usable acreage preferred for each type of school.
- Consider funding mechanisms to acquire sufficient land if an adequate school site cannot be achieved through the master plan process.



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M-NCPPC/MCPS JOINT WORKING GROUP MEETING

Department of Facilities Management, MCPS 2096 Gaither Road, Suite 200 Rockville, Maryland 20850

> January 9, 2012 3:00pm – 5:00pm

AGENDA

Desired Outcome:

- Participants understood M-NCPPC Mandatory Referral Process and discussed potential improvements.
- Participants discussed questions raised by ED/PHED committees on July 25, 2011 and prepared draft responses.
- Participants discussed suggested improvements for MCPS Site Selection Process and provided final inputs/recommendations.
- Participants discussed next steps on reporting to different agencies and scheduled future meetings to address outstanding long-term issues.

TIME	WHAT	HOW	WHO
3:00pm – 3:30pm	Mandatory Referral Process	Presentation	M-NCPPC - John Carter
		Discussion	ALL
3:30pm – 4:00pm	ED/PHED Committee Questions	Presention	MC - Keith Levchenko
		Discussion	ALL
4:00pm – 4:30pm	MCPS - Site Selection Process	Presentation	MCPS – James Song
		Discussion	ALL
4:30pm – 5:00pm	Next Step on Reporting & Future	Discussion	ALL
	Meetings		
5:00pm	Adjourn		ALL

Future Agenda Items:

- Surplus sites/Long-Term Lease Processes (Bell-Pearsen To Be Confirmed)
- Future School Sites within the Land Use Master Plan or Sector Plan Revisions (Carter, Weiss, Turpin, Crispell)
- Others To Be Added

Future Meetings:

To Be Scheduled