



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

MCPB Item# 10
March 24, 2016

MEMORANDUM

DATE: March 17, 2015

TO: Montgomery County Planning Board and Park Commission

VIA: Michael F. Riley, Director of Parks
Mitra Pedoeem, Acting Deputy Director *Mitra Pedoeem*
Michael Ma, Acting Chief, Park Development Division

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

SUBJECT: Supplemental Appropriation to the FY16 Capital Budget, for **Pollution Prevention and Repairs to Ponds & Lakes (P078701)**

Staff Recommendation

Transmit the attached materials to the Montgomery County Executive and Montgomery County Council, to amend the Department of Parks FY16 Capital Budget to include an additional \$600,000 in State ICC Funding (M-NCPPC Only) appropriation.

Background

On February 12, 2015, the Planning Board approved the Mandatory Referral for ICC Environmental Stewardship-Compensatory Mitigation (ES-CM) Projects RC-73 and RC-74. The Parks Department solicited the project as IFB No. B36-134 and received bids on January 8, 2016. The apparent successful bid exceeded the project's estimated cost and also exceeds the remaining appropriation for State ICC mitigation funds for the project. The entire project will be funded via re-imburements from the State as per a Memorandum of Understanding between M-NCPPC and the State Highway Administration (MOU 310438), but in order to expend those funds, the Department must have sufficient appropriation from the County Council.

This request for a supplemental appropriation to the FY16 Capital Budget will cover the additional cost of the project, including staff costs. Typically, a supplemental appropriation also requires an amendment to the current Capital Improvements Program (CIP). However, after consultation with Council staff, because this project does not involve changes in scope, timing, or funding sources, the request does not require a CIP amendment.

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

Conclusion

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



SUPPLEMENTAL OR SPECIAL APPROPRIATION REQUEST SUMMARY

Pollution Prevention and Repairs to Ponds & Lakes, #P078701

1. Please fill in the following table:

Agency	M-NCPPC
Department	Montgomery Parks
Fund (County Government only)	
Fiscal year	FY16
Supplemental or Special	Supplemental

2. What is the amount and source of funding?

Source of funding (Please list sources)	Amount
State ICC Funding (M-NCPPC Only)	\$600,000
Total request	\$600,00

3. Please explain why you did not request this during the annual budget process.

At the time of the CIP and Capital Budget review, bids for ICC Environmental Stewardship-Compensatory Mitigation (ES-CM) Projects RC-73 and RC-74 had not yet been received. During the solicitation process of IFB No. B36-134, the apparent successful bid exceeded the project's estimated cost and also exceeds the remaining appropriation for State ICC mitigation funds for the project. The entire project will be funded via re-imbursements from the State as per a Memorandum of Understanding between M-NCPPC and the State Highway Administration (MOU 310438), but in order to expend those funds, the Department must have sufficient appropriation of State ICC Funding (M-NCPPC Only) from the County Council in the Pollution Prevention and Repairs to Ponds & Lakes CIP project (#P078701).

Resolution No: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Supplemental Appropriation #~~x~~-~~Sxx~~-CMCG-~~x~~ to the FY16 Capital Budget
Maryland-National Capital Park and Planning Commission
Department of Parks
Pollution Prevention and Repairs to Ponds & Lakes (No. P078701), \$600,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week’s notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. The County Executive recommends the following capital project appropriation increases:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Pollution Prevention and Repairs to Ponds & Lakes	#P078701	Site Improvements and Utilities	\$600,000	State ICC Funding (M-NCPPC Only)
Total			\$600,000	

3. This increase is needed because recent bids for ICC Environmental Stewardship-Compensatory Mitigation (ES-CM) Projects RC-73 and RC-74 exceeded project estimates and the available appropriation for State ICC Funding in the Pollution Prevention and Repairs to Ponds & Lakes CIP project (No. P078701).
4. The County Executive recommends a supplemental appropriation in the amount of \$600,000 for Pollution Prevention and Repairs to Ponds & Lakes CIP project (No. P078701), and specifies that the source of funds will be State ICC Funding (M-NCPPC Only).
5. Notice of public hearing was given and a public hearing was held.

Action

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

A supplemental appropriation to the FY16 Capital Budget is approved as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Pollution Prevention and Repairs to Ponds & Lakes	#P078701	Site Improvements and Utilities	\$600,000	State ICC Funding (M-NCPPC Only)
Total			\$600,000	

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

Pollution Prevention and Repairs to Ponds & Lakes (P078701)

Category M-NCPPC
 Sub Category Development
 Administering Agency M-NCPPC (AAGE13)
 Planning Area Countywide

Date Last Modified 3/6/14
 Required Adequate Public Facility No
 Relocation Impact None
 Status Ongoing

Total	Thru FY13	Est FY14	Total 6 Years	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	Beyond 6 Yrs
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EXPENDITURE SCHEDULE (\$000s)

	Total	Thru FY13	Est FY14	Total 6 Years	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	Beyond 6 Yrs
Planning, Design and Supervision	1,499	0	599	900	150	150	150	150	150	150	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	5,104	0	2,154	2,950	475	475	500	500	500	500	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	6,603	0	2,753	3,850	625	625	650	650	650	650	0

FUNDING SCHEDULE (\$000s)

	Total	Thru FY13	Est FY14	Total 6 Years	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	Beyond 6 Yrs
Current Revenue: General	2,543	0	743	1,800	300	300	300	300	300	300	0
G.O. Bonds	2,594	0	544	2,050	325	325	350	350	350	350	0
State ICC Funding (M-NCPPC Only)	1,466	0	1,466	0	0	0	0	0	0	0	0
Total	6,603	0	2,753	3,850	625	625	650	650	650	650	0

APPROPRIATION AND EXPENDITURE DATA (000s)

Appropriation Request	FY 15	625
Appropriation Request Est.	FY 16	625
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		2,753
Expenditure / Encumbrances		394
Unencumbered Balance		2,359

Date First Appropriation	FY 07
First Cost Estimate	
Current Scope	FY 15 6,603
Last FY's Cost Estimate	6,450
Partial Closeout Thru	2,673
New Partial Closeout	937
Total Partial Closeout	3,610

Description

This PDF funds continuing efforts to update and maintain our existing facilities to meet today's standards and enhance environmental conditions throughout the park system. M-NCPPC operates 12 maintenance yards (MY) throughout Montgomery County that are regulated as industrial sites under NPDES because bulk materials storage and equipment maintenance have the potential to pollute surface waters. Each MY is subject to NPDES regulations, and must have a Stormwater Pollution Prevention Plans (SWPPPs) in place. SWPPPs are generally a combination of operational efforts and capital projects, such as covered structures for bulk materials and equipment, vehicle wash areas, or stormwater management facilities. In addition, M-NCPPC has identified between 60 and 70 existing farm ponds, lakes, constructed wetlands, irrigation ponds, recreational ponds, nature ponds, and historic dams on park property that do not qualify for funding through Montgomery County's Water Quality Protection program. Based on the results of field inspections, projects are prioritized for design, permitting, and construction. M-NCPPC has entered into a countywide NPDES Phase II Permit with MDE to establish pollution prevention measures to mitigate stormwater runoff that originates on parkland. This new permitting requirement will involve additional efforts to identify untreated areas and develop appropriate Best Management Practices (BMPs) to control stormwater runoff and enhance water quality.

Cost Change

Increase due to the addition of FY19 and FY20. Beginning in FY17, the level-of-effort will increase to address rising construction costs.

Justification

The NPDES General Discharge Permit for Stormwater Associated with Industrial Facilities, Permit No. 02 SW issued by the Maryland Department of the Environment (MDE), requires implementation of the SWPPPs at each maintenance yard. The MDE Dam Safety Program requires regular aesthetic maintenance, tri-annual inspection, and periodic rehabilitation of all pond facilities to maintain their function and structural integrity. In 2010, the EPA enacted the NPDES Municipal Separate Storm Sewer System (MS4) Permit.

Fiscal Note

In FY13, transferred-in \$200,000 GO Bonds from Lake Needwood Modifications #098708.

Disclosures

Expenditures will continue indefinitely.

M-NCPPC (A13) asserts that this project conforms to the requirements of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

Coordination

Montgomery County Department of Permitting Services (MCDPS), Montgomery County Department of Environmental Protection (MCDEP), Maryland Department of the Environment, Washington Suburban Sanitary Commission (WSSC)