

Resolution No.:	<u>19-1458</u>
Introduced:	<u>October 25, 2022</u>
Adopted:	<u>November 29, 2022</u>

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: Council President at the Request of the County Executive

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**SUBJECT:** Amendment to the FY23-28 Capital Improvement Program and Special Appropriation #23-53 to the FY23 Capital Budget  
Montgomery County Government  
Department of Transportation  
Bus Rapid Transit: US 29 Phase 2 (CIP No. 502201), \$9,500,000

**Background**

1. Section 308 of the Montgomery County Charter provides that a special appropriation: (a) may be made at any time after public notice by news release; (b) must state that the special appropriation is necessary to meet an unforeseen disaster or other emergency or to act without delay in the public interest; (c) must specify the revenues necessary to finance it; and (d) must be approved by no fewer than six members of the Council.
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. 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>
Bus Rapid Transit: 29 Phase 2	502201	Planning, Design and Supervision	\$4,500,000	Impact Taxes US
			<u>\$5,000,000</u>	State Aid
		Total	<u>\$9,500,000</u>	

4. This special appropriation is needed to spend previously approved funds in the FY23-28 CIP for US 29 Phase 2 that were not appropriated to advance the project through preliminary engineering. The recommended amendment is for technical reasons which is consistent with the criteria for amending the CIP. The current appropriation is less than the approved funding level, funded planning, and analysis of alternatives. Upon selection of a preferred alternative by Council, the project can move into and complete preliminary engineering if these funds are appropriated.
5. The County Executive recommends an amendment to the FY23-28 Capital Improvements Program and a special appropriation in the amount of \$9,500,000 and specifies the source of funds as State aid and impact taxes.
6. Notice of public hearing was given and a public hearing was held on November 15, 2022.
7. The Transportation and Environment Committee concurs with the Executive's appropriation request but would reduce the funding of the Capital Improvements Program to \$9,500,000 in FYs23-24.

### Action

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

1. The FY23-28 Capital Improvements Program of the Montgomery County Government 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>
Bus Rapid Transit: 29 Phase 2	502201	Planning, Design and Supervision	\$4,500,000	Impact Taxes US
			<u>\$5,000,000</u>	State Aid
		Total	<u>\$9,500,000</u>	

2. The County Council declares that this action is necessary to act without delay in the public interest, and that this appropriation is needed to allow this action to proceed.

This is a correct copy of Council action.

  
 Judy Rupp  
 Clerk of the Council



## Bus Rapid Transit: US 29-Phase 2 (P502201)

<b>Category</b>	Transportation	<b>Date Last Modified</b>	05/03/22
<b>SubCategory</b>	Mass Transit (MCG)	<b>Administering Agency</b>	Transportation
<b>Planning Area</b>	Kemp Mill-Four Corners and Vicinity	<b>Status</b>	Preliminary Design Stage

Total	Thru FY21	Est 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)

Planning, Design and Supervision	11,250	-	250	11,000	4,500	6,000	5,000	-	-	-	-
<b>TOTAL EXPENDITURES</b>	<b>11,250</b>	<b>-</b>	<b>250</b>	<b>11,000</b>	<b>6,000</b>	<b>5,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

### FUNDING SCHEDULE (\$000s)

Impact Tax	4,750	6,250	-	250	4,500	6,000	3,000	4,500	1,500	-	-
State Aid	5,000	-	-	5,000	1,500	3,500	-	-	-	-	-
<b>TOTAL FUNDING SOURCES</b>	<b>9,750</b>	<b>-</b>	<b>250</b>	<b>11,000</b>	<b>6,000</b>	<b>5,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

### APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 23 Request	-	Year First Appropriation	FY22
Appropriation FY 24 Request	-	Last FY's Cost Estimate	6,250
Supplemental Appropriation Request	9,500		
Cumulative Appropriation	250		
Expenditure / Encumbrances	-		
Unencumbered Balance	250		

### PROJECT DESCRIPTION

This project will design and implement *a* ~~more~~ *Bus Rapid Transit in the median of* dedicated lanes for transit and/or High Occupancy Vehicles (HOV) along the US 29 corridor to improve travel time and reliability. The project will also include *an additional lane on the ramp from Southbound US 29 to westbound I-495.* improvements at identified "hot spot" locations to improve overall traffic operations along the US 29 corridor.

### LOCATION

Master plans: Silver Spring, North and West Silver Spring, Four Corners, White Oak, White Oak Science Gateway, and Fairland. Route US 29 from Burtonsville to downtown Silver Spring.

### ESTIMATED SCHEDULE

Preliminary engineering will begin in FY23 and will be completed in FY24.

### COST CHANGE

Cost increase to address design cost increases anticipated with the additional alternatives being studied. Additional funding will also allow the project to advance further through design and prepare the project for construction.

### PROJECT JUSTIFICATION

This project will complement the investment in US 29 Flash and improve transit, ~~carpool and overall corridor~~ travel time and reliability, performance, and person throughput from MD 198 to the Silver Spring Transit Center. These efforts will support master plan non-auto-driven mode share (NADMS) goals. The project supports the following countywide vision goals: Easier Commutes and a Growing Economy. Approved land use plans in the corridor recommend the implementation of transit lanes along with US 29 Flash. The project is consistent with the Countywide Transit Corridors Functional Master Plan.

### FISCAL NOTE

State aid reflects State grants for capital projects in Montgomery County programmed or preauthorized during the 2022 State General Assembly Session. FY23 supplemental in Impact Tax for the amount of \$4,500,000, State Aid for the amount of \$5,000,000.

### DISCLOSURES

A pedestrian impact analysis will be performed during design or is in progress. The County Executive 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

Maryland Department of Transportation, Washington Metropolitan Area Transit Authority, Maryland-National Capital Park and Planning Commission