

Resolution No: 20-960  
Introduced: September 16, 2025  
Adopted: October 28, 2025

**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 FY25-30 Capital Improvements Program and Supplemental Appropriation #26-18 to the FY26 Capital Budget Montgomery County Government Department of Transportation Gaithersburg Transportation Improvements (No. 502607), \$11,644,000

**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 six Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of seven 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. 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>
Gaithersburg Transportation Improvements	502607	Construction	\$11,644,000	Impact Tax

- 4. This new project is needed to appropriate Impact Tax funds consistent with a Memorandum of Understanding with the City of Gaithersburg. The recommended amendment is consistent with the criteria for amending the CIP because it is a new project.
- 5. The County Executive recommends an amendment to the FY25-30 Capital Improvements Program and a supplemental appropriation in the amount of \$11,644,000 for Gaithersburg Transportation Improvements (No. 502607) and specifies that the source of funds will be Impact Tax.
- 6. 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 FY25-30 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and a supplemental 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>
Gaithersburg Transportation Improvements	502607	Construction	\$11,644,000	Impact Tax

This is a correct copy of Council action.



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Sara R. Tenenbaum  
Clerk of the Council

## Gaithersburg Transportation Improvements (P502607)

Category	Transportation	Date Last Modified	09/03/25
SubCategory	Pedestrian Facilities/Bikeways	Administering Agency	Transportation
Planning Area	Gaithersburg and Vicinity	Status	

	Total	Thru FY24	Rem FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
<b>EXPENDITURE SCHEDULE (\$000s)</b>											
Construction	11,644	-	-	11,644	-	11,644	-	-	-	-	-
<b>TOTAL EXPENDITURES</b>	<b>11,644</b>	<b>-</b>	<b>-</b>	<b>11,644</b>	<b>-</b>	<b>11,644</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

<b>FUNDING SCHEDULE (\$000s)</b>											
Impact Tax	11,644	-	-	11,644	-	11,644	-	-	-	-	-
<b>TOTAL FUNDING SOURCES</b>	<b>11,644</b>	<b>-</b>	<b>-</b>	<b>11,644</b>	<b>-</b>	<b>11,644</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

<b>APPROPRIATION AND EXPENDITURE DATA (\$000s)</b>				
Appropriation FY 26 Request	-		Year First Appropriation	-
Supplemental Appropriation Request	11,644		Last FY's Cost Estimate	-
Cumulative Appropriation	-			
Expenditure / Encumbrances	-			
Unencumbered Balance	-			

**PROJECT DESCRIPTION**

This project defines uses of funds generated through the County Impact Tax received as a result of development projects in Gaithersburg. Expenditures in this project include projects determined by and executed by the City of Gaithersburg. The City of Gaithersburg will only use these funds for projects or project elements that meet the requirements of Section 52-50 of the Montgomery County Code. The City will implement these projects and will invoice the County for expenses that the County has certified as eligible uses of impact tax funds. The following subprojects identified by the City of Gaithersburg may be funded through this project.

- Old Towne Shared Use Path
- Quince Orchard Boulevard Shared Use Path
- Industrial Drive Shared Use Path
- Washingtonian Boulevard Shared Use Path
- Conservation lane Shared Use Path
- West Deer Park Road Shared Use Path
- Kentlands Shared Use Path
- I-270/NIST East Side Shared Use Path
- Russell Avenue Shared Use Path
- New Sidewalks
- New Bus Shelters

**LOCATION**

City of Gaithersburg and its immediate surrounding area.

**ESTIMATED SCHEDULE**

Implementation of the City-implemented projects will follow the schedules reflected in the City's capital program.

**PROJECT JUSTIFICATION**

Impact taxes are generated by development projects within the City of Gaithersburg and accrue to a separate account as required under Section 52-41 of the County Code. This project is Exhibit A of the Memorandum of Understanding (MOU) between the City of Gaithersburg and Montgomery County required under Section 52-41 and will be updated as future impact tax funds become available and proposed uses by the City and County change.

**FISCAL NOTE**

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An FY26 supplemental appropriation allocated \$11,644,000 for the City's implementation of eligible projects. Subsequent impact tax receipts are expected to be programmed with approximately 65 percent of funds allocated to City-implemented projects and 35 percent of funds allocated to County-implemented projects.

**County Projects**

Pursuant to Paragraph 8 of the Memorandum of Understanding (the "MOU") by and between the Mayor and Council of Gaithersburg (the "City") and Montgomery County, Maryland (the "County") dated August 7, 2025, the "County projects" are:

- Bus Rapid Transit: System Development (P501318) for MD 355 BRT planning activities;
- Bus Rapid Transit: MD 355 Central (P502005) including the proposed Lakeforest Transit Center; and
- Great Seneca Science Corridor Transit Improvements (P502202) for project construction and fleet procurement.

The County Council resolution approving this project description form (P502607) does not constitute the County Council's approval of, or appropriation of funding for, the above-mentioned County projects. Each of the County projects is subject to: (1) the approval of the County Council under Section 302 {Capital Improvements} of the County Charter; and (2) the appropriation of funds by the County Council under Article 3 {Finance} of the County Charter.

**DISCLOSURES**

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Expenditures will continue indefinitely.

**COORDINATION**

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City of Gaithersburg