



Committee: Directly to Council
Committee Review: N/A
Staff: Keith Levchenko, Senior Legislative Analyst
Christine Wellons, Senior Legislative Attorney
Purpose: To receive testimony/final action - vote expected

AGENDA ITEM #15 and
#17A
June 16, 2026
Public Hearing/Action

SUBJECT

Expedited Bill 25-26, Capital Improvements - Special Project - Wheaton Arts and Cultural Center

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

EXPECTED ATTENDEES

Public speakers

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- Receive public testimony.
- Roll call vote on whether to enact Expedited Bill 26-25

DESCRIPTION/ISSUE

- Section §302 of the County Charter and Section §20-1 of the County Code require certain capital improvement projects to be individually authorized by law if the locally funded cost is projected to exceed the "Special Projects Legislation threshold." The threshold is \$25,582,000 for FY 2027.
- On May 18, 2026, the County Executive transmitted a request for a Special Capital Improvements Project bill associated with the FY27-32 Capital Improvements Program for the Wheaton Arts and Cultural Center (P722106).
- As explained by the County Executive, the estimated locally funded cost of the Wheaton Arts and Cultural Center in the FY27 Capital Budget and Amendments to the FY27-32 Capital Improvements Program is \$45,378,000 for planning, design, and construction costs.
- A public hearing on the bill is scheduled for June 16, 2026, with action scheduled immediately after the public hearing.

This report contains:

	<u>Page #</u>
Expedited Bill 25-26	© 1
Executive Transmittal	© 3
Fiscal Impact Statement	© 10
Climate Assessment	© 11
Racial Equity and Social Justice Impact Statement	© 14

*The Economic Impact Statement was not available at the time of publication of this staff report. It can be found at the below address when available: [Racial Equity and Social Justice, Economic, and Climate Impact Statements - Office of Legislative Oversight- Montgomery County, Maryland \(montgomerycountymd.gov\)](https://www.montgomerycountymd.gov/legis/legis-over/legis-over-impact-statements)

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Expedited Bill No. 25 - 26
Concerning: Capital Improvements –
Special Project – Wheaton Arts and
Cultural Center
Revised: May 19, 2026 Draft No. 1
Introduced: _____
Expires: December 7, 2026
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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

AN EXPEDITED ACT to:

- (1) authorize the planning, design, and construction of the Wheaton Arts and Cultural Center (P722106) project in the Wheaton area.

By adding to:

Laws of Montgomery County 2026

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

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

1 **Sec. 1. The Laws of Montgomery County 2026 are amended to add the**
2 **following.**

3 Montgomery County, Maryland, is authorized to construct the Wheaton Arts
4 and Cultural Center (P722106) project in the Wheaton area.

5 **Sec. 2. Expedited Effective Date.** The Council declares that this Act is
6 necessary for the immediate protection of the public interest. This Act takes effect on
7 the date on which it becomes law.



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

May 18, 2026

TO: Natali Fani-González, President
Montgomery County Council

FROM: Marc Elrich, County Executive *Marc Elrich*

SUBJECT: Special Capital Improvements Project Legislation XX-26
Wheaton Arts and Cultural Center (P722106)

In accordance with Section §302 of the County Charter and Section §20-1 of the County Code, I am forwarding the attached Special Capital Improvements Project Legislation Authorization and Legislative Request Report for the Wheaton Arts and Cultural Center (P722106).

Authorization is needed for this project because County Code requires certain capital improvement projects to be individually authorized by law if the locally funded cost is projected to exceed \$25,582,000 in FY27 dollars. The estimated locally funded cost of the Wheaton Arts and Cultural Center in the FY27 Capital Budget and Amendments to the FY27-32 Capital Improvements Program is \$45,378,000 for planning, design, and construction costs.

This project provides for planning, site feasibility, design and construction for a new arts and cultural facility to be located in the Wheaton Arts and Entertainment District. The project is proposed to be co-located with a project to be developed by Montgomery Housing Partnership (MHP) at 11507 Georgia Avenue, Wheaton. I recommend prompt passage of this legislation to advance this project.

Enclosures: Bill XX-26, Special Capital Improvements Project Legislation – Wheaton Arts and Cultural Center (P722106)
Legislative Request Report
Fiscal Impact Statement

cc: Thomas Heyboer, Chief of Staff to the Council President, Montgomery County Council
Craig Howard, Executive Director, Montgomery County Council
Richard S. Madaleno, Chief Administrative Officer
Fariba Kassiri, Deputy Chief Administrative Officer
Luisa Cardona, Assistant Chief Administrative Officer
Tricia Swanson, Director of Strategic Partnerships
Gabriel Albornoz, Director, Department of Recreation
Jennifer R. Bryant, Director, Office of Management and Budget

Bill No. _____
Concerning: Wheaton Arts and Cultural Center
Revised: _____ Draft No. 1
Introduced: _____
Expires: _____
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. 2026

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN ACT to:

- (1) authorize the planning, design, and construction of the Wheaton Arts and Cultural Center (P722106) project in the Wheaton area.

By adding to:

Laws of Montgomery County 2026

Boldface	<i>Heading or defined term.</i>
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<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

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



Wheaton Arts and Cultural Center

(P722106)

Category	Culture and Recreation	Date Last Modified	05/11/26
SubCategory	Recreation	Administering Agency	General Services
Planning Area	Kensington-Wheaton	Status	Preliminary Design Stage

	Total	Thru FY25	Est FY26	Total 6 Years	FY 27	FY 28	FY 29	FY 30	FY 31	FY 32	Beyond 6 Years
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EXPENDITURE SCHEDULE (\$000s)

Planning, Design and Supervision	6,678	411	747	5,520	2,700	870	1,950	-	-	-	-
Construction	36,200	-	-	36,200	10,100	10,100	16,000	-	-	-	-
Other	3,500	-	-	3,500	-	-	3,500	-	-	-	-
TOTAL EXPENDITURES	46,378	411	747	45,220	12,800	10,970	21,450	-	-	-	-

FUNDING SCHEDULE (\$000s)

Current Revenue: General	175	48	127	-	-	-	-	-	-	-	-
G.O. Bonds	44,967	-	620	44,347	11,927	10,970	21,450	-	-	-	-
PAYGO	186	186	-	-	-	-	-	-	-	-	-
Recordation Tax Premium (MCG)	50	50	-	-	-	-	-	-	-	-	-
State Aid	1,000	127	-	873	873	-	-	-	-	-	-
TOTAL FUNDING SOURCES	46,378	411	747	45,220	12,800	10,970	21,450	-	-	-	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 27 Request	-	Year First Appropriation	FY21
Appropriation FY 28 Request	-	Last FY's Cost Estimate	40,325
Cumulative Appropriation	25,675		
Expenditure / Encumbrances	434		
Unencumbered Balance	25,241		

PROJECT DESCRIPTION

This project provides for planning, site feasibility, design and construction for a new arts and cultural facility to be located in the Wheaton Arts and Entertainment District. The project is proposed to be co-located with a project to be developed by Montgomery Housing Partnership (MHP) at 11507 Georgia Avenue, Wheaton. MHP proposes to develop a mixed-income, affordable, multi-family development containing up to 320 multi-family units in 2 buildings, 39 townhomes, 15,000 square feet of office space and the arts and cultural center. The Wheaton Arts and Cultural Center will be located on the ground floor of the first multi-family building fronting on Georgia Avenue. The arts center will be approximately 40,000 square feet.

LOCATION

11507 Georgia Ave, Silver Spring, Maryland 20902

ESTIMATED SCHEDULE

Planning, site feasibility work and initial design work will continue through FY26, and construction expected to begin in FY27.

COST CHANGE

Cost increase based on contractor estimates.

PROJECT JUSTIFICATION

A Program of Requirements (POR) funded out of the Facility Planning: MCG project was completed in FY20. The POR specifications provide for requirements for the facility.

FISCAL NOTE

FY23 supplemental in Current Revenue: General for the amount of \$75,000. FY24 updated to include \$1,000,000 in State Aid awarded during the 2023 Maryland General Assembly Session.

Funding for this project was shifted from the Facility Planning: MCG (P508768) project.

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

Department of General Services, Department of Recreation, Montgomery Housing Partnership

Bill XX - 26
Wheaton Arts and Cultural Center (P722106)

Legislative Request Report

1. **Description** - The County Executive requests that capital project No. 722106, Wheaton Arts and Cultural Center (P722106), be authorized as a “Special Capital Improvements Project” pursuant to Section §302 of the County Charter and Section §20-1 of the Montgomery County Code.
2. **Problem** - Section §302 of the County Charter and Section §20-1 of the County Code require certain capital improvement projects to be individually authorized by law if the locally funded cost is projected to exceed \$25,582,000 in FY27 dollars. The estimated locally funded cost of the Wheaton Arts and Cultural Center in the FY27 Capital Budget and Amendments to the FY27-32 Capital Improvements Program is \$45,378,000 for planning, design, and construction costs.
3. **Goals and Objectives** - This project provides for planning, site feasibility, design and construction for a new arts and cultural facility to be located in the Wheaton Arts and Entertainment District. The project is proposed to be co-located with a project to be developed by Montgomery Housing Partnership (MHP) at 11507 Georgia Avenue, Wheaton. The project will be funded with General Obligation Bonds, PAYGO, Recordation Tax Premium, and State Aid.
4. **Coordination** - This project has been coordinated with Department of General Services, Department of Recreation, and Montgomery Housing Partnership.
5. **Fiscal Impact** – Not Applicable.
6. **Impact** – Not applicable
7. **Evaluation** - Capital projects are evaluated biennially by the County Executive and County Council as part of the Capital Improvements Program review.
8. **Experience Elsewhere** - Not Applicable.
9. **Sources of Information** – Department of Recreation, Department of General Services.
10. **Applications Within Municipalities** - Not Applicable.
11. **Penalties** - None Required.



Fiscal Impact Statement

Office of Management and Budget

Bill XX-26

Special Capital Improvements Project - Wheaton Arts and Cultural Center (P722106)

Bill Summary

Section §302 of the County Charter and Section §20-1 of the County Code require certain capital improvement projects to be individually authorized by law if the locally-funded cost is projected to exceed \$25,582,000 in FY27 dollars. The estimated locally-funded cost of the Wheaton Arts and Cultural Center in the FY27 Capital Budget and Amendments to the FY27-32 Capital Improvements Program is \$45,378,000 for planning, design, and construction costs.

Fiscal Impact Summary

There are no expenditures or revenues associated with this bill. The bill serves only to authorize the designation of the Wheaton Arts and Cultural Center (P722106) project as a Special Capital Improvement Project.

Fiscal Impact Analysis

This bill is not estimated to impact revenues or expenditures. The Wheaton Arts and Cultural Center was approved in prior years, and this legislation serves only to authorize the designation of the Wheaton Arts and Cultural Center (P722106) project as a Special Capital Improvement Project.

Staff Impact

The bill is not expected to impact staff time or duties.

Actuarial Analysis

The bill is not expected to impact retiree pension or group insurance costs.

Information Technology Impact

The bill is not expected to impact the County Information Technology (IT) or Enterprise Resource Planning (ERP) systems.

Other Information

Later actions that may impact revenue or expenditures if future spending is projected

The bill does not authorize future spending.

Sources of information

Department of Recreation, Department of General Services, Office of Management and Budget

Contributors

Hamza Ahmed, Office of Management and Budget



Climate Assessment

Office of Legislative Oversight

EXPEDITED BILL 25-26: CAPITAL IMPROVEMENTS – SPECIAL PROJECT – WHEATON ARTS AND CULTURAL CENTER

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Expedited Bill 25-26 will likely have little to no impact on the County's contribution to addressing climate change as the Bill is proposing the authorization of a capital improvement project of a mixed-use building in one area of the County.

BACKGROUND AND PURPOSE OF EXPEDITED BILL 25-26

County law requires the County Executive to prepare, and the Council to adopt, a Capital Improvements Program (CIP) every other year.^{1,2} The CIP is a six-year plan for long-term investments in County facilities and infrastructure, commonly referred to as "capital projects." These include projects such as schools, transportation systems, and libraries. The CIP can be amended between biennial updates to address changing needs and priorities.

Each year, the Council approves a Capital Budget that is prepared by the County Executive. The annual Capital Budget provides yearly appropriations for capital projects and must be consistent with the CIP.³ County law further requires the Council to individually authorize "special capital improvement projects" where the cost exceeds a certain threshold.⁴ This threshold is currently \$25,582,000 for FY27.⁵

The purpose of Bill 25-26 is to authorize the planning, design, and construction of the Wheaton Arts and Cultural Center. The project is estimated to cost \$45,378,000. Because its cost exceeds the local funding threshold, the Council must individually authorize the project before it can proceed.⁶

The Wheaton Arts and Cultural Center is planned for development at 11507 Georgia Avenue in the Wheaton Arts and Entertainment District.⁷ As noted by Theatre Projects, a consulting group that is supporting ongoing planning for the center:

"As of June 2024, approximately 40,000 square feet is planned for the future Wheaton Arts and Cultural Center...The key spaces for arts activities include a flexible theatre for performing arts and community events, a studio space for events rehearsals and instruction, a visual art gallery, two classrooms, and administrative space for future users and the operator."⁸

The center is planned to be co-located with an affordable housing development by Montgomery Housing Partnership (MHP). MHP is proposing to develop two buildings on site that will include up to 272 multifamily units and 39 townhouses. As explained by Montgomery Planning,

“Twenty-five percent of the multifamily units will be MPDUs [Moderately Priced Dwelling Units]...The remaining rents will be set to achieve a range of affordability, with many of the units at income levels substantially below those required by the MPDU program.”⁹

The Wheaton Arts and Cultural Center will be located on the ground floor of one of the multi-family buildings. A town hall presentation from June 2024 shows digital renderings and floor plans for the center.¹⁰

The Council introduced Expedited Bill 25-26 on May 21, 2026.

ANTICIPATED IMPACTS

Construction is carbon intensive and the building construction industry accounts for about 10% of global greenhouse gas emissions.¹¹ Both construction and renovation of buildings generate greenhouse gas emissions, mostly through embodied carbon.¹² Embodied carbon represents the total carbon emissions released during the lifecycle of building materials, including manufacturing, transportation, and disposal of building materials.¹³ The amount of embodied carbon varies on the type and scale of the project.¹⁴ However, there are practices to mitigate emissions.¹⁵

The Bill would authorize one construction project, which is likely to have minimal impacts on the County’s overall contribution to greenhouse gas emissions. Further, the proposed building is a mixed-use project which will include office space and affordable housing units, in addition to an arts and cultural center. The proposed site is also located near the Wheaton Metro Station, which would encourage public transit and pedestrian travel to and from the building .¹ Mixed-use projects, especially those near public transit, adhere to the principles of smart growth, which is an approach to sustainable development, construction, and land use.¹⁶

As the Bill would authorize one construction project, it is likely to have little to no impact on the County’s contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions and community climate resilience.

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.¹⁷ OLO does not offer recommendations or amendments as Expedited Bill 25-26 is likely to have little to no impact on the County’s contribution to addressing climate

¹ It is located 0.4 miles away from the Wheaton metro.

change, including the reduction and/or sequestration of greenhouse gas emissions and community climate resilience.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help increase the County's community climate resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

¹ [Montgomery County Code § 302.](#)

² [Capital Improvements Program \(CIP\)](#), Montgomery County Operating Budget.

³ [Montgomery County Code § 303.](#)

⁴ [Montgomery County Code § 20-1.](#)

⁵ [Introduction Staff Report for Bill 25-26](#), Montgomery County Council, Introduced May 21, 2026.

⁶ Ibid.

⁷ [Wheaton Arts and Cultural Center](#), Montgomery County Capital Budget.

⁸ ["Wheaton Arts and Cultural Center: Summary report of facility operational model,"](#) Theatre Projects, September 10, 2024, pg. 5.

⁹ ["MHP Amherst: Preliminary Plan, Site Plan, Forest Conservation Plan,"](#) Montgomery Planning, May 23, 2025, pg. 3.

¹⁰ ["Wheaton Arts and Cultural Center: Public Town Hall Meeting,"](#) Theatre Projects, June 20, 2024.

¹¹ [American Council for an Energy Efficient Economy, "Knowledge Infrastructure: The Critical Path to Advance Embodied Carbon Building Codes", 2021.](#)

¹² [RMI, "Embodied Carbon Cities Policy Toolkit", Accessed 6/5/2026.](#)

¹³ [ACEEE, "Knowledge Infrastructure: The Critical Path to Advance Embodied Carbon Building Codes", 2021.](#)

¹⁴ [EPA, "Reduced Emissions in Construction Materials", Accessed 6/5/2026.](#)

¹⁵ [Mckinsey, "Reducing Embodied Carbon in New Construction", October 17, 2022.](#)

¹⁶ [EPA, "EPA Participation in the Smart Growth Network", Accessed 6/5/2026.; EPA, "About Smart Growth", Accessed 6/5/2026.](#)

¹⁷ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

EXPEDITED BILL 25-26: CAPITAL IMPROVEMENTS - SPECIAL PROJECT - WHEATON ARTS AND CULTURAL CENTER

SUMMARY

When considered in isolation from the overall Capital Improvements Program, the Office of Legislative Oversight (OLO) anticipates Expedited Bill 25-26 would have a positive impact on racial equity and social justice (RESJ) in the County. Bill 25-26 would authorize the reallocation of \$20 million in local funds from programs benefitting all residents to a project that disproportionately benefits Latinx community members and Black recreation staff.

PURPOSE OF RESJ IMPACT STATEMENTS

RESJ impact statements (RESJIS) evaluate the anticipated impact of legislation on racial equity and social justice in the County. RESJ is a **process** that focuses on centering the needs, leadership, and power of Black, Indigenous, and other People of Color (BIPOC) and communities with low incomes. RESJ is also a **goal** of eliminating racial and social inequities. Applying a RESJ lens is essential to achieve RESJ.¹ This involves seeing, thinking, and working differently to address the racial and social inequities that cause racial and social disparities.²

PURPOSE OF EXPEDITED BILL 25-26

County law requires the County Executive to prepare, and the Council to adopt, a Capital Improvements Program (CIP) every other year.^{3,4} The CIP is a six-year plan for long-term investments in County facilities and infrastructure, commonly referred to as “capital projects.” These include projects such as schools, transportation systems, and libraries. The CIP can be amended between biennial updates to address changing needs and priorities.

Each year, the Council approves a Capital Budget that is prepared by the County Executive. The annual Capital Budget provides yearly appropriations for capital projects and must be consistent with the CIP.⁵ County law further requires the Council to individually authorize “special capital improvement projects” where the cost exceeds a certain threshold.⁶ This threshold is currently \$25,582,000 for FY27.⁷

The purpose of Bill 25-26 is to authorize the planning, design, and construction of the Wheaton Arts and Cultural Center. The project is estimated to cost \$45,378,000. Because its cost exceeds the local funding threshold, the Council must individually authorize the project before it can proceed.⁸

The Wheaton Arts and Cultural Center is planned for development at 11507 Georgia Avenue in the Wheaton Arts and Entertainment District.⁹ As noted by Theatre Projects, a consulting group that is supporting ongoing planning for the center:

“As of June 2024, approximately 40,000 square feet is planned for the future Wheaton Arts and Cultural Center...The key spaces for arts activities include a flexible theatre for performing arts and community events, a studio space for events rehearsals and instruction, a visual art gallery, two classrooms, and administrative space for future users and the operator.”¹⁰

RESJ Impact Statement

Expedited Bill 25-26

The center is planned to be co-located with an affordable housing development by Montgomery Housing Partnership (MHP). MHP is proposing to develop two buildings on site that will include up to 272 multifamily units and 39 townhouses. As explained by Montgomery Planning,

“Twenty-five percent of the multifamily units will be MPDUs [Moderately Priced Dwelling Units]...The remaining rents will be set to achieve a range of affordability, with many of the units at income levels substantially below those required by the MPDU program.”¹¹

The Wheaton Arts and Cultural Center will be located on the ground floor of one of the multi-family buildings. A town hall presentation from June 2024 shows digital renderings and floor plans for the center.¹²

The Council introduced Expedited Bill 25-26 on May 21, 2026.

This RESJIS builds on the one for Expedited Bill 26-23, Capital Improvements Program – White Flint Fire Station 23, which OLO published in June 2023.¹³ Please refer to this RESJIS for background on capital improvement planning and racial equity.

ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Bill 25-26 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who would primarily benefit or be burdened by this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

OLO identified the following groups who would be impacted by Bill 25-26:

Community members who live in or near Wheaton would benefit from the construction of the new Wheaton Arts and Cultural Center. Census data suggests Latinx community members are overrepresented in Wheaton. White and Asian community members are underrepresented in Wheaton, while Black, Native American, and Pacific Islander community members are proportionately represented. (Table A, Appendix)

Prospective staff of the Wheaton Arts and Cultural Center would benefit from increased employment opportunities at the new center. County data shows Black people are overrepresented among staff in the County’s Department of Recreation. Asian and Latinx people are underrepresented among recreation staff, while White and Native American people are proportionately represented. (Table B, Appendix)

Construction businesses, employees and other businesses and employees supporting this sector will benefit from having access to an additional \$20 million in local funds authorized by the Bill. Census data suggests construction business owners in the County are disproportionately White. Census data also suggests Latinx community members are much more likely to be employed in the construction industry. (Table C & D, Appendix) Since jobs for construction projects are temporary and wealth building from business ownership yields greater economic benefits than income from employment,¹⁴ White business owners are likely to reap greater economic benefits from this Bill.

Of note, there are several considerations outside the scope of this analysis that are necessary to have an accurate understanding of how this project will impact racial and social inequities in the County as a part of the overall CIP. A comprehensive analysis of the CIP as discussed in previous RESJISs and in the policy options offered next could help address these questions.

RESJ Impact Statement

Expedited Bill 25-26

Taken together, when considered in isolation from the overall CIP, OLO anticipates Bill 25-26 would have a positive impact on RESJ in the County. Bill 25-26 would authorize the reallocation of \$20 million in local funds from programs benefitting all residents to a project that disproportionately benefits Latinx community members and Black recreation staff. OLO anticipates the potential benefits to Black and Latinx stakeholders from Bill 25-26 will likely outweigh the potential benefits to White business owners in the construction industry who would also benefit from this Bill.

RECOMMENDED AMENDMENTS

The County's RESJ Act requires OLO to consider whether to recommend amendments to bills that could reduce racial and social inequities and advance RESJ.¹⁵ OLO anticipates Expedited Bill 25-26 would have a positive impact on RESJ in the County. As such, OLO does not offer recommended amendments. However, should the Council seek to improve the RESJ impact of this Bill, OLO offers two policy options for Council consideration:

- **Commission Equity Review of the Capital Improvements Program.** To understand and address potential racial and social inequities in capital investments, the Council could consider commissioning a comprehensive equity review of the Capital Improvements Program. For instance, as described in the RESJIS for Bill 26-23, the Baltimore City Department of Planning partnered with the Baltimore Neighborhood Indicators Alliance to develop a methodology for conducting an annual equity analysis of the City's CIP.¹⁶ The analysis developed indicators to measure CIP investments across four areas of equity: distributional, transgenerational, structural, and procedural. The analysis also accounted for the varying influence of CIP projects by identifying projects as having local, multi-neighborhood, or Citywide impacts.¹⁷
- **Increase Access to CIP Construction Opportunities to Black, Native American, and Asian-owned businesses and Black, Native American, and Asian workers.** The County's 2024 Disparity Study found that compared to their availability in the marketplace, Black, Native American, and Asian-owned firms are underutilized in County procurement contracts for construction. Conversely, White male and Latinx-owned firms are overutilized.¹⁸ The Council could advance RESJ by supporting efforts to proactively identify and contract Black, Native American, and Asian-owned businesses for CIP projects. PolicyLink's "Strategies for Addressing Equity in Infrastructure and Public Works" offers best practices for incorporating historically excluded workers and businesses into employment and procurement opportunities.¹⁹

CAVEATS

Two caveats to this RESJIS should be noted. First, predicting the impact of bills on RESJ is challenging due to data limitations, uncertainty, and other factors. Second, this RESJIS is intended to inform the Council's decision-making process rather than determine it. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

RESJ Impact Statement

Expedited Bill 25-26

APPENDIX

Table A: Percent of Population by Race and Ethnicity²⁰

Race or ethnicity	Wheaton	County
Asian	10.0	15.4
Black	19.4	18.6
Native American	1.0	0.6
Pacific Islander	0.0	0.0
White	25.6	42.1
Latinx	44.7	21.0

Source: [Table S0501](#), 2024 American Community Survey (ACS) 5-Year Estimates, Census Bureau.

Table B: Percent of Department of Recreation (REC) Personnel by Race and Ethnicity

Race or ethnicity	REC Personnel	County
Asian	4.1	15.3
Black	32.0	18.3
Native American	0.9	0.1
Pacific Islander	-	0.0
White	42.0	39.5
Latinx	12.8	21.0

Source: OLO Analysis of 2025 unpublished Office of Human Resources data and [Table DP05](#), 2024 ACS 5-Year Estimates, Census Bureau.

Table C: Percent of Construction Business Owners by Minority Business Status, Montgomery County

Minority Business Status	Construction Business Owners (NAICS 23)	County
Nonminority (White and non-Latinx)	67.1	39.5
Minority (any other race and ethnicity combination other than White and non-Latinx)	30.6	60.5

Source: OLO analysis of [Table AB2300CSA01](#), 2023 American Business Survey and [Table DP05](#), 2024 ACS 5-Year Estimates, Census Bureau.

Table D: Employment Rate in Construction Industry by Race and Ethnicity, Montgomery County

Race or ethnicity	Employees in Construction-Related Occupations
Asian	1.8
Black	1.6
White	4.2
Latinx	13.7
Countywide	5.2

Source: [Table S0201](#), 2024 ACS 1-Year Estimates, Census Bureau.

RESJ Impact Statement

Expedited Bill 25-26

¹ Definition of racial equity and social justice adopted from M. Gamblin et al., [“Applying Racial Equity to U.S. Federal Nutrition Programs,”](#) Bread for the World and [Racial Equity Tools](#).

² Ibid.

³ [Montgomery County Code § 302](#).

⁴ [Capital Improvements Program \(CIP\)](#), Montgomery County Operating Budget.

⁵ [Montgomery County Code § 303](#).

⁶ [Montgomery County Code § 20-1](#).

⁷ [Introduction Staff Report for Bill 25-26](#), Montgomery County Council, Introduced May 21, 2026.

⁸ Ibid.

⁹ [Wheaton Arts and Cultural Center](#), Montgomery County Capital Budget.

¹⁰ [“Wheaton Arts and Cultural Center: Summary report of facility operational model,”](#) Theatre Projects, September 10, 2024, pg. 5.

¹¹ [“MHP Amherst: Preliminary Plan, Site Plan, Forest Conservation Plan,”](#) Montgomery Planning, May 23, 2025, pg. 3.

¹² [“Wheaton Arts and Cultural Center: Public Town Hall Meeting,”](#) Theatre Projects, June 20, 2024.

¹³ [RESJS for Bill 26-23](#), Office of Legislative Oversight, June 8, 2023.

¹⁴ Brian Headd, [“Small Business Facts: The Importance of Business Ownership to Wealth,”](#) Office of Advocacy, U.S. Small Business Administration, August 2021.

¹⁵ [Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established](#), Montgomery County Council.

¹⁶ Baltimore Neighborhood Indicators Alliance, [“Equity Analysis of Baltimore City’s Capital Improvement Plan, FY 2014 – FY 2020,”](#) Baltimore City Department of Planning, August 2019.

¹⁷ Ibid.

¹⁸ MGT, [“Montgomery County, MD 2024 Disparity Study,”](#) Office of Procurement, September 23, 2024, pg. 60.

¹⁹ Kalima Rose and Judith Dangerfield, “Strategies for Addressing Equity in Infrastructure and Public Works,” PolicyLink.

²⁰ For Tables A and D, race is inclusive of Latinx origin. For Table B, race is not inclusive of Latinx origin. For Table D, data for Native American and Pacific Islander community members are not available.