



Committee: T&E
Committee Review: Completed
Staff: Glenn Orlin, Senior Analyst
Purpose: To make preliminary decisions – straw vote expected
Keywords: #General Fund, transportation

AGENDA ITEM #40
 May 11, 2022
Worksession

SUBJECT

FY23 Operating Budget: General Fund and Leaf Vacuuming Fund

EXPECTED ATTENDEES

- Christopher Conklin, Director, Department of Transportation (DOT)
- Emil Wolanin, Deputy Director, DOT
- Hannah Henn, Deputy Director for Transportation Policy, DOT
- Tim Cupples, Chief, Division of Transportation Engineering, DOT
- Richard Dorsey, Chief, Division of Highway Services, DOT
- Michael Paylor, Chief, Division of Traffic Engineering and Operations, DOT
- Brady Goldsmith, Chief, Management Services, DOT
- Felicia Hyatt, Office of Management and Budget (OMB)

FY23 COUNTY EXECUTIVE RECOMMENDATION

DOT General, Leaf Vacuuming, and Grant Funds	FY22 Approved	FY23 CE Recommended	Change from FY22 Approved
General Fund	\$45,899,389	\$49,115,141	7.0%
Personnel Costs	\$24,152,008 252.52 FTEs	\$23,841,468 255.06 FTEs	(1.3)% 2.54 FTEs
Operating Costs	\$21,747,381	\$25,273,673	16.2%
	FY22 Approved	FY23 CE Recommended	Change from FY22 Approved
Leaf Vacuuming Fund	\$6,690,951	\$6,915,567	3.4%
Personnel Costs	\$3,317,330 31.03 FTEs	\$3,342,236 31.03 FTEs	0.8% 0.00 FTEs
Operating Costs	\$3,373,621	\$3,573,351	5.9%
Grant Fund	\$80,321	\$0	(100.0%)
Personnel Costs	\$80,321 0.75 FTEs	\$0 0.00 FTEs	(100.0%) (0.75) FTEs
Operating Costs	\$0	\$0	0.0%
Total Expenditures (All Funds)	\$52,670,661 284.30 FTEs	\$56,030,728 286.09 FTEs	6.4% 1.79 FTEs

COMMITTEE RECOMMENDATIONS

The Committee unanimously supports the Executive’s recommendations, except:

- (2-1) Councilmembers Hucker and Glass support the Executive’s recommendation to increase the tree planting and maintenance budget by \$810,000. Councilmember Riemer recommends increasing this budget by \$540,000 (two-thirds of the Executive’s proposed increase) and placing the \$270,000 balance on the Reconciliation List.
- (3-0) As per Councilmember Jawando’s proposal, add \$116,000 to the Reconciliation List to raise the funding level for school walkshed assessments so that—if this level were maintained in subsequent years—the assessments would be completed in four years rather than eight.

This report contains:

Staff report	pages 1-5
Executive’s recommended budget	©1-12
Crosswalk to pre-FY20 programs	©13
Council President’s guidance on the budget	©14-15
Deputy Staff Director’s budget options	©16-17
House Bill 813	©18-23
Traffic studies backlog	©24
Councilmember Jawando’s Safe Routes to School proposal	©25

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MEMORANDUM

May 6, 2022

TO: County Council

FROM: Glenn Orlin, Senior Analyst

SUBJECT: **Department of Transportation General and Leaf Vacuuming Funds' FY23 Operating Budgets;**¹

PURPOSE: Develop tentative Council decisions

Expected Participants:

- Christopher Conklin, Director, Department of Transportation (DOT)
- Emil Wolanin, Deputy Director, DOT
- Hannah Henn, Deputy Director for Transportation Policy, DOT
- Tim Cupples, Chief, Division of Transportation Engineering, DOT
- Richard Dorsey, Chief, Division of Highway Services, DOT
- Michael Paylor, Chief, Division of Traffic Engineering and Operations, DOT
- Brady Goldsmith, Chief, Management Services, DOT
- Anita Aryeetey, Felicia Hyatt, and Gary Nalven, Office of Management and Budget (OMB)

FY23 Operating Budget Summary: General and Leaf Vacuuming Funds

Summary of FY23 Recommended Budget and Key Discussion Issues

DOT General, Leaf Vacuuming, and Grant Funds	FY22 Approved	FY23 CE Recommended	Change from FY22 Approved
General Fund	\$45,899,389	\$49,115,141	7.0%
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¹ Key words: #FY23 Operating Budget, FY21-26 CIP, plus search terms transportation, bridge, leaf collection.

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Total Expenditures (All Funds)	\$52,670,661 284.30 FTEs	\$56,030,728 286.09 FTEs	6.4% 1.79 FTEs

The Executive’s recommendations for these funds are on ©1-12.

The budgets of DOT’s General Fund divisions—Traffic Engineering and Operations, Highway Services, and portions of Transportation Engineering and the Director’s Office—are presented in 7 programs, consolidated from the 23 programs that had been displayed in budgets up through and including FY20. However, the budget includes a crosswalk showing the budgets of 21 subprograms that the Council wished to have displayed for more transparency. That crosswalk is on ©13.

Approach. The Council President notes the Council has concerns that the Executive’s Recommended Operating Budget is too optimistic regarding available revenue over time and has some questionable recommendations to free up funds, such as reducing OPEB. He has instructed Council staff to identify options for the Council to consider that reduce the growth in the base budget proposed in the Executive’s budget (see ©14-15). He suggests three types of options:

- a. outright reductions,
- b. changing additions from increases to the base budget to one-time expenditures that can be reconsidered during our review of the FY24 operating budget, and/or
- c. delaying some expenditures until January 2023, when the Council will have updated information regarding FY23 revenues.

In his overview of the budget that the Council considered on April 19, the Council’s Deputy Staff Director presented four alternate target amounts for reductions to the Executive’s budget, ranging from as low as \$35 million to as high as \$125 million (see excerpt on ©16-17). Council staff’s objective for the General Fund—and for the Mass Transit Fund in a subsequent staff report—is to identify opportunities to contribute to such target reductions. Where Council staff recommends an addition to the budget, it will be accompanied by a recommended reduction equal to or greater than it.

General Fund: notable proposed changes. The largest increase proposed for the General Fund is \$967,955 to restore roadway patching and resurfacing funds cut during the pandemic. The

Operating Budget funds for resurfacing and patching is for preventative maintenance of rural and residential roadways. (The more substantial—and costly—resurfacing work is funded in the CIP.) Preventative maintenance includes micro-surfacing, tar and chip, and crack sealing for rural and residential roadways. These pavement treatments add four to seven years to the service life of the roads. The County maintains a combined total of 4,361 lane-miles of rural and residential roads. The \$967,955 would allow for the patching/slurry of approximately 12 lane miles or about 10 lane-miles of tar and chip. The \$967,955 increase represents a 44.3% increase from the FY22 budget of \$2,184,774 for this purpose, so the total budget would rise to \$3,152,729.

Council staff recommends adding \$655,432 for resurfacing and patching, a \$312,523 reduction from the Executive’s request. This would still represent a healthy 30% increase over the FY22 level: about two-thirds of the Executive’s proposed increase and 90% of the total amount requested. In January 2023, when the Council will have an updated fiscal forecast, it can consider a supplemental appropriation to fund all or part of the \$312,523 balance of the Executive’s request.

T&E Committee recommendation (3-0): Concur with the Executive’s recommendation.

The next largest proposed increase is \$810,000 is for tree planting, tree removals, and stump grinding. The units of work and funding in FY21, budgeted for FY22, proposed for FY23, and the percentage increase from FY22 to what is proposed for FY23, are shown below:

Units	FY21	FY22	FY23	% Increase
Trees planted	1,611	1,590	2,207	38.8%
Trees removed	3,207	3,400	3,624	6.6%
Stumps removed	395	905	1,410	55.8%

Funding	FY21	FY22	FY23	% Increase
Planting	\$400,000	\$400,000	\$650,000	62.5%
Removals	\$930,000	\$930,000	\$1,165,000	25.3%
Stumps	\$204,000	\$204,000	\$454,000	122.5%
Inspection & oversight	\$397,000	\$397,000	\$467,000	17.6%
Total	\$1,931,000	\$1,931,000	\$2,741,000	41.9%

Council staff recommends adding \$540,000 for these tree maintenance activities, a \$270,000 reduction from the Executive’s request. This would still represent about a 28% increase over the FY22 level: two-thirds of the Executive’s proposed increase and about 90% of the total amount requested. Again, in January 2023, when the Council will have an updated fiscal forecast, it can consider a supplemental appropriation to fund all or part of the \$270,000 balance of the Executive’s request.

T&E Committee recommendation (2-1): Councilmembers Hucker and Glass concur with the Executive’s recommendation. Councilmember Riemer concurs with Council staff and would place \$270,000 on the Reconciliation List.

A new item in the proposed budget is a \$300,000 study of school bus citations and infrastructure safety. Delegate Moon had introduced House Bill 813 to address the fact that there have been a number of citations issued for drivers who pass a stopped school bus, including citations to drivers traveling in the opposite direction of a stopped school bus where there is no median. The bill that was ultimately adopted (©18-23) requires the County to conduct a study of the 10 locations with the most citations and to implement operational improvements to mitigate them. The requirement will sunset in May 2024.

The top 10 violation locations are:

TOP VIOLATION LOCATIONS		
Block Address	Road Own	CY2019 V
8800 BLOCK COLESVILLE RD, 20910	SHA	3,000
1400 BLOCK EAST WEST HWY, 20910	SHA	2,257
400 BLOCK N FREDERICK AVE, 20877	SHA	1,588
8800 BLOCK PINEY BRANCH RD, 20903	SHA	1,073
5100 BLOCK RIVER RD, 20816	SHA	871
11900 BLOCK ROCKVILLE PIKE, 20852	SHA	871
7500 BLOCK WOODMONT AVE, 20814	MCDOT	863
1000 BLOCK CLOPPER RD, 20878	SHA	844
8400 BLOCK 16TH ST, 20910	SHA	804
2200 BLOCK BEL PRE RD, 20906	MCDOT	731

****DATA NOTES:**
 Since the initiation of the program, more buses have been equipped with cameras and therefore more violations were captured as more buses had cameras. MCDOT, SHA, MCPS, and MCPD will reevaluate the top 10 list as the legislation is finalized.

Note that eight of the 10 locations are on State highways. There is no current agreement with the State Highway Administration to fund recommendations at these locations. The cost of an improvement at a location may range from merely signing and marking (about \$5,000) to a traffic signal (\$400,000).²

The budget also includes \$196,800 for bikeshare station maintenance. There are 90 stations currently in operation in the county, and the “brains” of the payment system in each station is an Eco-Board. These funds are to replace the Eco-Board 4 version of the technology in 51 of the 90 stations, which has reached the end of their useful life. They will be replaced with the newer Eco-Board 5 version.

² There is little choice for the County to fund this study, although as a State mandate that mainly involves State highways, it would have been more appropriate for the State to fund and conduct the study. But given the capital funding largesse the County is receiving this year from the General Assembly, one musn’t grumble too much about this.

The Executive proposes increasing the budget for re-timing traffic signals by \$130,000. Before COVID, signals were adjusted regularly to mitigate otherwise avoidable traffic delays at intersections. As a cost saving during the pandemic signals have been evaluated and retimed on a 12-14-year cycle, far less than the 3-5-year cycle recommended by the traffic engineering profession. These funds will bring the review cycle back to 4-6 years, closer to the recommended practice.

The Council has regularly wanted to keep track of how many traffic studies requested by civic associations and constituents are pending. DOT's summary is on ©24, categorizing the studies by type. The backlog of 213 studies (as of March 31, 2022) is better than the 264-study backlog that existed at the same time last year, and it is close to the past decade's average (208).

Safe Routes to School Program. Councilmember Jawando is recommending increasing the operating budget for this program by \$116,000, to \$525,000. At this higher level, if it were continued in subsequent years, the school walkshed assessments could be completed within the next four years instead of the next eight years (©25).

T&E Committee (and Council staff) recommendation (3-0): Add this \$116,000 to the Reconciliation List.

Leaf Vacuuming Fund. The Leaf Vacuuming Fund budget is recommended for a 3.4% increase. The Fiscal Plan for this fund is on ©12. The annual charge for a single-family house would increase by \$2.23 (from \$116.46 to \$118.67), a 1.9% increase. The annual charge for a multi-family unit would be reduced by \$0.11 (from \$4.54 to \$4.43), a 2.4% reduction.

T&E Committee (and Council staff) recommendation (3-0): Concur with the Executive.



Transportation

RECOMMENDED FY23 BUDGET
\$56,030,728

FULL TIME EQUIVALENTS
286.09

✻ **CHRISTOPHER CONKLIN, DIRECTOR**

MISSION STATEMENT

The mission of the Department of Transportation's (DOT) General Fund supported programs is to provide an effective and efficient transportation system to ensure the safe and convenient movement of persons and vehicles on County roads; to plan, design, and coordinate development and construction of transportation and pedestrian routes; to operate and maintain the traffic signal system and road network in a safe and efficient manner; and to develop and implement transportation policies to maximize efficient service delivery. The General Fund supports programs in the Division of Traffic Engineering and Operations, the Division of Parking Management, the Division of Highway Maintenance, the Division of Transportation Engineering, the Division of Transit Services, and the Director's Office.

BUDGET OVERVIEW

The total recommended FY23 Operating Budget for the Department of Transportation is \$56,030,728, an increase of \$3,360,067 or 6.38 percent from the FY22 Approved Budget of \$52,670,661. Personnel Costs comprise 48.52 percent of the budget for 460 full-time position(s) and four part-time position(s), and a total of 286.09 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 51.48 percent of the FY23 budget.

In addition, this department's Capital Improvements Program (CIP) requires Current Revenue funding.

COUNTY PRIORITY OUTCOMES

While this program area supports all seven of the County Executive's Priority Outcomes, the following are emphasized:

- ◆ **Easier Commutes**
- ◆ **A Greener County**
- ◆ **Effective, Sustainable Government**
- ◆ **Safe Neighborhoods**
- ◆ **Thriving Youth and Families**

INNOVATIONS AND PRODUCTIVITY IMPROVEMENTS

- ✱ Provide ten School Bus Citations and Infrastructure Safety Analysis studies per year to inform roadway improvements that address pedestrian and operational safety, while maintaining or enhancing the safety of children who are boarding and debarking school buses. These studies will also help reduce the number of citations issued at designated Montgomery County Public School bus stops; including stops which do not provide physical separation from opposing traffic lanes. Traffic lanes that are void of physical separation have generated more than 1,000 citations annually.
- ✱ Enhance tree maintenance to address backlogs in removing diseased trees, tree planting, and stump grinding to improve Montgomery County's urban forest health. Two hundred and twenty four additional street trees will be removed and 505 additional stumps will be grounded to create suitable sites to maximize canopy efforts and foster the planting of 617 additional trees.
- ✱ Increase the number of traffic signals evaluated per year in the Traffic Signal Optimization program to reduce vehicle delays and traffic congestion caused by inadequate signal timing. This will allow the County to move away from a 12-14 year review cycle to a four to six year review cycle, nearing the industry standard of three to five years.
- ✱ Increase Bikeshare maintenance to extend the life of stations by replacing obsolete ecoboards. Ecoboards serve as the operational intelligence of each bikeshare station.

PROGRAM CONTACTS

Contact Brady Goldsmith of the Department of Transportation at 240.777.2793 or Felicia Hyatt of the Office of Management and Budget at 240.777.2763 for more information regarding this department's operating budget.

PROGRAM PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable), with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY22 estimates reflect funding based on the FY22 Approved Budget. The FY23 and FY24 figures are performance targets based on the FY23 Recommended Budget and funding for comparable service levels in FY24.

PROGRAM DESCRIPTIONS

✱ Community/Transportation Safety

This program provides engineering studies and investigations that evaluate pedestrian and traffic operations and safety deficiencies, and includes the need for alternative pedestrian crossing signalization or beaconing; parking conflicts; streetlighting conditions, upgrades, and maintenance; traffic signing and pavement marking needs; and sight distance deficiencies on neighborhood streets, arterial roads, and major roadways. The program also provides for the installation and maintenance of traffic control devices along County roadways and includes activities directed at the elimination of graffiti vandalism in the County through GRAB (Graffiti Abatement Partners), a not-for-profit private-public partnership.

Program Performance Measures	Actual FY20	Actual FY21	Estimated FY22	Target FY23	Target FY24
Number of traffic studies completed	333	300	330	360	400
Percent of traffic studies completed within scheduled timeframe	74%	90%	80%	80%	80%
Number of serious and fatal crashes on Montgomery County maintained roads ¹	92	69	85	78	74

¹ Projected FY22-FY24 higher than FY21 due to expected increase in travel post-COVID-19.

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	4,998,098	22.90
Enhance: School Bus Citations and Infrastructure Safety Analysis	300,000	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	97,122	0.00
FY23 Recommended	5,395,220	22.90

☀ **Non-Roadway Right of Way Maintenance**

Elements supported under this program provide positive value to the quality of life for residents and visitors through 'green infrastructure' maintenance activities located in the County right-of-way.

Through scheduled maintenance and emergency response to hazardous conditions, priority activities associated with non-roadway maintenance include efforts to ensure the safety of all pedestrians, bicyclists, and motorists travelling within the County. Some examples include hazardous tree removal, tree pruning, traffic barrier repair, shoulder mowing, and foliage removal to provide adequate road clearance and sign, signal, and streetlight visibility. Many tree maintenance activities also contribute to the County's efforts to mitigate damage to public and private property due to severe weather events and unanticipated environmental risks.

In addition to the elements of safety, this program also offers positive environmental impacts and contributes to aesthetically mindful maintenance operations that help the County create and maintain a healthy and thriving environment. Some examples relative to environmentally conscious activities include street tree preservation and planting, tree stump removal for the establishment of new planting sites, vacuum leaf collections through the Annual Leaf Collection Program within the established leafing districts, street sweeping operations which contribute to the County's MS4 environmental permit, maintenance of a dedicated trail and bike network, beauty spot improvements, and shoulder litter removal.

Program Performance Measures	Actual FY20	Actual FY21	Estimated FY22	Target FY23	Target FY24
Number of Trees Planted (includes Tree Replacement Fund)	1,723	1,611	1,600	2,200	1,590
Backlog of 311 requests for Tree Maintenance	247	861	600	500	500
Number of verified missed streets for leaf collections	306	249	245	200	150
Survival rate of street trees planted	91%	88%	91%	91%	91%

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	14,761,953	71.88
Enhance: Urban Forest	810,000	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(59,132)	0.00
FY23 Recommended	15,512,821	71.88

☀ **Parking Outside the Parking Districts**

This program administers, operates, and maintains the parking program outside the Parking Districts. Included in this program are residential permit parking and peak hour traffic enforcement. The residential permit parking program is responsible for the sale of parking permits and parking enforcement in these areas. Participation in the program is requested through a petition of the

majority of the citizens who live in that area. The program is designed to mitigate the adverse impact of commuters parking in residential areas. Peak hour traffic enforcement in the Bethesda and Silver Spring Central Business Districts assures the availability of travel lanes during peak traffic periods. The program is also responsible for the management of the Council Office Building (COB) garage and County employee parking in the Rockville core area.

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	930,174	1.60
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	6,526	0.00
FY23 Recommended	936,700	1.60

☀ **Transportation Infrastructure Construction & Maintenance**

This program provides an effective and efficient transportation system, ensuring the safe and convenient movement of persons, bicycles, and vehicles throughout Montgomery County. The primary focus of this program is to proactively identify and address infrastructure within the County right-of-way that is in need of maintenance and to utilize industry standard best practices to determine the highest quality and most cost-effective method of repair. Infrastructure elements within this program include 5,200 lane miles of roadway, 1,665 miles of sidewalk, curb, and gutter, bridges, culverts, and an extensive storm drain system. Work performed under this program ranges from extensive redesign with reconstruction, to preventative maintenance measures that extend the longevity of existing infrastructure in good condition at a lower cost of repair. In addition to scheduled construction and maintenance, this program also supports reactive measures to address unanticipated emergencies within the County right-of-way that must be expeditiously addressed to ensure the safety of the travelling public and clear passage of the extensive transportation network.

Since 2005 the Montgomery County Department of Transportation has been a member of the Montgomery County Infrastructure Maintenance Task Force whose mission is focused on operating programs engaged in preventative maintenance that preserves the quality of capital assets so that it can be functional throughout its usual life. Currently the way this program is utilized, and the continuous effort we make to improve our maintenance operations, provides the opportunity to make repairs with a more proactive and affordable strategy. Through our routine and emergency maintenance operations we can monitor existing infrastructure and make appropriate repairs as necessary to ensure the County can obtain and keep roads in good or better condition.

Common activities associated with this program include, but are not limited to: pavement surface treatment of residential and rural roadways; hot mix asphalt road patching (temporary and permanent repairs, crack sealing); concrete sidewalk, curb, and gutter repair; storm drain maintenance including repair and/or replacement of failed storm drain pipes; basic maintenance of bridges and box culverts; construction administration and management; and inspection and testing of materials. The surface treatment activity within this program represents only the preventative maintenance measures for roadway condition repairs, and is supplemental to the more extensive, and costly, repair strategies utilized under the roadway maintenance Capital Improvement Programs (CIP). Projects and repair strategies under this program are often identified through condition assessments and collaborative efforts between department staff, County agencies, local utilities, municipalities, and local community leaders/HOAs.

Program Performance Measures	Actual FY20	Actual FY21	Estimated FY22	Target FY23	Target FY24
Number of lane miles rehabilitated	281	183	167	159	150

Program Performance Measures	Actual FY20	Actual FY21	Estimated FY22	Target FY23	Target FY24
Average Pavement Condition Index (PCI) of roadway network	66.7	65.6	64.8	64.2	63.5
Percent of primary/arterial road quality rated good or better	45%	44%	36%	33%	31%
Percent of rural/residential road quality rated good or better	45%	40%	36%	30%	25%

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	15,708,537	102.14
Restore: Restoration of Resurfacing and Patching Reductions	967,955	0.00
Technical Adj: PC Charges to Water Quality Protection Fund for Street Sweeping	(66,225)	(0.68)
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	480,260	0.02
FY23 Recommended	17,090,527	101.48

☀ **Transportation Management, Operations and Emergency/Storm Response**

This program supports the Department's mission to provide an effective and efficient transportation system to ensure the safe and convenient movement of persons, bicycles, and vehicles throughout the County through daily traffic management operations and response to emergency events such as winter snow storms, severe wind/rain storms, natural disasters, and man-made emergency incidents.

Elements associated with the daily traffic management of this program focus on the general engineering and maintenance activities relative to the design, construction, and maintenance of traffic signals, the Advanced Transportation Management System (ATMS), and communication infrastructure that includes the County's fiber optic network. For real-time management of the traffic signal infrastructure this program also provides for the daily operations of the County's Transportation Management Center (TMC) to monitor the computerized traffic signal system, assist with multi-agency incident management response activities, and coordinate special event traffic management. Daily operations relative to the traffic signal system management account for approximately 50 percent of the program's proposed budget.

In addition to the daily traffic management of signal functionality, this program is also an integral part of coordinating the response to emergencies and severe weather events through the preparation, active response, and post-storm/emergency cleanup. Tasks performed during these operations include snow pretreatment, roadway snow removal, sidewalk snow removal, salt application, post-snow storm street sweeping, wind and rain storm debris removal, and immediate emergency repairs to damaged and unsafe infrastructure. Emergency operations often require rapid deployment of resources to clear debris/snow to ensure all transportation systems are passable for emergency first responders and the travelling public. During emergency events, this program operates the Storm Operations Center which monitors and coordinates real-time activities Countywide with Fire and Rescue, Police, Emergency Management and Homeland Security, local utility companies, and other County agencies and local jurisdictions as needed. The primary goal for the emergency response component of this program is to keep the County residents and traveling public safe, while providing reliable access to the extensive transportation network. Emergency operations under this program are funded by approximately 50 percent of the program's proposed budget. Actual annual costs associated with the emergency response activities regularly exceed the approved budget by over 900 percent, therefore expenditures over the budgeted program amount are covered by the Climate Response Non-Departmental Account.

Program Performance Measures	Actual FY20	Actual FY21	Estimated FY22	Target FY23	Target FY24
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Program Performance Measures	Actual FY20	Actual FY21	Estimated FY22	Target FY23	Target FY24
Number of snow and rain storms addressed	11	13	13	13	13
Number of verified reports of unplowed or missed streets	0	172	160	140	120
Percent of Traffic Signals with fully functioning equipment	81%	85%	87%	90%	93%

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	6,805,958	40.90
Restore: LED Traffic Signal Replacement Cycle	249,480	0.00
Shift: Transfer FiberNet Personnel Cost from Cable Fund to DOT	230,588	0.00
Add: Signal Optimization	130,000	0.00
Increase Cost: Advanced Transportation Management System	39,000	1.00
Increase Cost: Traffic Signals Maintenance	36,000	0.00
Increase Cost: Uninterrupted Power Supply (UPS) Maintenance	11,250	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	20,908	1.45
FY23 Recommended	7,523,184	43.35

☼ Transportation Policy, Planning, and Project Development

This program formulates transportation and related environmental policy and provides leadership in developing a capital improvements program that achieves policy goals. In addition, this program provides coordination with regional entities to ensure compliance with environmental requirements and reviews developer plans to ensure that transportation infrastructure constructed by the private sector also achieves these policy goals.

Program Performance Measures	Actual FY20	Actual FY21	Estimated FY22	Target FY23	Target FY24
Linear feet of sidewalk construction completed (000) ¹	32	27	30	30	30
Number of development applications reviewed	250	321	325	325	325
Number of Transportation Demand Management plans approved	114	251	264	277	291

¹ The cost per linear foot of sidewalk can increase dramatically if retaining walls or the acquisition of right-of-way is required. This significantly impacts the linear feet constructed per year.

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	1,605,067	9.69
Increase Cost: Bikeshare Level of Maintenance - Replacement of Eco-Board System	196,800	0.00
Eliminate: BRAC Grant Discontinued	(80,321)	(0.75)
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	1,717,214	2.75
FY23 Recommended	3,438,760	11.69

☼ Transportation Services General Administration

The Director's Office provides overall leadership for the Department, including policy development, planning, accountability, service integration, customer service, and the formation of partnerships. It also handles administration of the day-to-day operations of the Department, including direct service delivery, budget and fiscal management oversight (capital and operating), training, contract management, logistics and facilities support, human resources management, and information technology. In addition, administration staff coordinates the Departmental review of proposed State legislation and provides a liaison between

the County and WMATA. As previously mentioned, the Department consists of five divisions: the Division of Traffic Engineering and Operations, the Division of Parking Management, the Division of Highway Maintenance, the Division of Transportation Planning, and the Division of Transit Services.

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	7,860,874	35.19
Technical Adj: Elimination of Long Term Vacancy	0	(1.00)
Technical Adj: Workforce Reconciliation Adjustment	(14,927)	3.22
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(1,712,431)	(4.22)
FY23 Recommended	6,133,516	33.19

BUDGET SUMMARY

	Actual FY21	Budget FY22	Estimate FY22	Recommended FY23	%Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	18,260,339	18,247,373	18,153,516	18,520,954	1.5 %
Employee Benefits	5,679,975	5,904,635	5,811,302	5,320,514	-9.9 %
County General Fund Personnel Costs	23,940,314	24,152,008	23,964,818	23,841,468	-1.3 %
Operating Expenses	35,939,898	21,747,381	24,632,371	25,273,673	16.2 %
Capital Outlay	148,490	0	0	0	—
County General Fund Expenditures	60,028,702	45,899,389	48,597,189	49,115,141	7.0 %
PERSONNEL					
Full-Time	456	456	456	460	0.9 %
Part-Time	7	7	7	4	-42.9 %
FTEs	254.02	252.52	252.52	255.06	1.0 %
REVENUES					
Bus Advertising	28,485	0	0	0	—
Federal Grants	993,625	0	0	0	—
Miscellaneous Revenues	255,428	150,000	0	0	-100.0 %
Motor Pool Charges/Fees	4,699	0	0	0	—
Other Charges/Fees	377,895	435,000	435,000	435,000	—
Other Fines/Forfeitures	270	0	0	0	—
Parking Fees	69	105,000	52,442	105,000	—
Parking Fines	291,678	650,000	1,044,330	1,044,330	60.7 %
Residential Parking Permits	88,653	12,000	97,575	12,000	—
State Aid: Highway User	8,109,383	7,946,699	8,474,373	8,797,624	10.7 %
State Grants	0	650,000	650,000	650,000	—
Street Tree Planting	268,482	75,000	75,000	75,000	—
Subdivision Plan Review	613,063	225,000	225,000	225,000	—
Traffic Signals Maintenance	0	994,000	994,000	994,000	—
County General Fund Revenues	11,031,730	11,242,699	12,047,720	12,337,954	9.7 %

BUDGET SUMMARY

	Actual FY21	Budget FY22	Estimate FY22	Recommended FY23	%Chg Bud/Rec
LEAF VACUUMING					
EXPENDITURES					
Salaries and Wages	2,162,299	2,542,105	2,499,860	2,616,104	2.9 %
Employee Benefits	520,502	775,225	615,563	726,132	-6.3 %
Leaf Vacuuming Personnel Costs	2,682,801	3,317,330	3,115,423	3,342,236	0.8 %
Operating Expenses	3,077,254	3,373,621	3,536,582	3,573,351	5.9 %
Capital Outlay	40,345	0	0	0	—
Leaf Vacuuming Expenditures	5,800,400	6,690,951	6,652,005	6,915,587	3.4 %
PERSONNEL					
Full-Time	0	0	0	0	—
Part-Time	0	0	0	0	—
FTEs	31.03	31.03	31.03	31.03	—
REVENUES					
Investment Income	3,966	1,630	3,510	20,950	1185.3 %
Leaf Vacuum Collection Fees	8,601,045	8,600,551	8,887,327	8,739,229	1.6 %
Other Charges/Fees	20,345	0	0	0	—
Systems Benefit Charge	14	0	0	0	—
Leaf Vacuuming Revenues	8,625,370	8,602,181	8,890,837	8,760,179	1.8 %
GRANT FUND - MCG					
EXPENDITURES					
Salaries and Wages	1,092,264	63,009	63,009	0	-100.0 %
Employee Benefits	65,371	17,312	17,312	0	-100.0 %
Grant Fund - MCG Personnel Costs	1,157,635	80,321	80,321	0	-100.0 %
Operating Expenses	388,464	0	0	0	—
Grant Fund - MCG Expenditures	1,546,099	80,321	80,321	0	-100.0 %
PERSONNEL					
Full-Time	1	1	1	0	-100.0 %
Part-Time	0	0	0	0	—
FTEs	0.75	0.75	0.75	0.00	-100.0 %
REVENUES					
Federal Grants	3,113,309	80,321	80,321	0	-100.0 %
State Grants	1,100,724	0	0	0	—
Grant Fund - MCG Revenues	4,214,033	80,321	80,321	0	-100.0 %
DEPARTMENT TOTALS					
Total Expenditures	67,375,201	52,670,661	55,329,515	56,030,728	6.4 %
Total Full-Time Positions	457	457	457	460	0.7 %

BUDGET SUMMARY

	Actual FY21	Budget FY22	Estimate FY22	Recommended FY23	%Chg Bud/Rec
Total Part-Time Positions	7	7	7	4	-42.9 %
Total FTEs	285.80	284.30	284.30	286.09	0.6 %
Total Revenues	23,871,133	19,925,201	21,018,878	21,098,133	5.9 %

FY23 RECOMMENDED CHANGES

COUNTY GENERAL FUND	Expenditures	FTEs
FY22 ORIGINAL APPROPRIATION	45,899,389	252.52
<u>Changes (with service impacts)</u>		
Enhance: Urban Forest [Non-Roadway Right of Way Maintenance]	810,000	0.00
Enhance: School Bus Citations and Infrastructure Safety Analysis [Community/Transportation Safety]	300,000	0.00
Add: Signal Optimization [Transportation Management, Operations and Emergency/Storm Response]	130,000	0.00
<u>Other Adjustments (with no service impacts)</u>		
Restore: Restoration of Resurfacing and Patching Reductions [Transportation Infrastructure Construction & Maintenance]	967,955	0.00
Increase Cost: Motor Pool Adjustment	698,402	0.00
Increase Cost: Annualization of FY22 Compensation Increases	597,343	0.00
Increase Cost: FY23 Compensation Adjustment	452,774	0.00
Restore: LED Traffic Signal Replacement Cycle [Transportation Management, Operations and Emergency/Storm Response]	249,480	0.00
Shift: Transfer FiberNet Personnel Cost from Cable Fund to DOT [Transportation Management, Operations and Emergency/Storm Response]	230,588	0.00
Increase Cost: Bikeshare Level of Maintenance - Replacement of Eco-Board System [Transportation Policy, Planning, and Project Development]	196,800	0.00
Increase Cost: Advanced Transportation Management System [Transportation Management, Operations and Emergency/Storm Response]	39,000	1.00
Increase Cost: Traffic Signals Maintenance [Transportation Management, Operations and Emergency/Storm Response]	36,000	0.00
Increase Cost: Uninterrupted Power Supply (UPS) Maintenance [Transportation Management, Operations and Emergency/Storm Response]	11,250	0.00
Increase Cost: Printing and Mail Adjustment	8,980	0.00
Technical Adj: Elimination of Long Term Vacancy [Transportation Services General Administration]	0	(1.00)
Technical Adj: Workforce Reconciliation Adjustment [Transportation Services General Administration]	(14,927)	3.22
Technical Adj: PC Charges to Water Quality Protection Fund for Street Sweeping [Transportation Infrastructure Construction & Maintenance]	(66,225)	(0.68)
Decrease Cost: Retirement Adjustment	(404,115)	0.00
Decrease Cost: Annualization of FY22 Personnel Costs	(1,027,553)	0.00
FY23 RECOMMENDED	49,115,141	255.06

FY23 RECOMMENDED CHANGES

	Expenditures	FTEs
LEAF VACUUMING		
FY22 ORIGINAL APPROPRIATION	6,690,951	31.03
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Motor Pool Adjustment	199,730	0.00
Increase Cost: FY23 Compensation Adjustment	50,588	0.00
Decrease Cost: Retirement Adjustment	(25,682)	0.00
FY23 RECOMMENDED	6,915,587	31.03

GRANT FUND - MCG

FY22 ORIGINAL APPROPRIATION	80,321	0.75
<u>Federal/State Programs</u>		
Eliminate: BRAC Grant Discontinued	(80,321)	(0.75)
FY23 RECOMMENDED	0	0.00

PROGRAM SUMMARY

Program Name	FY22 APPR Expenditures	FY22 APPR FTEs	FY23 REC Expenditures	FY23 REC FTEs
Community/Transportation Safety	4,998,098	22.90	5,395,220	22.90
Non-Roadway Right of Way Maintenance	14,761,953	71.88	15,512,821	71.88
Parking Outside the Parking Districts	930,174	1.60	936,700	1.60
Transportation Infrastructure Construction & Maintenance	15,708,537	102.14	17,090,527	101.48
Transportation Management, Operations and Emergency/Storm Response	6,805,958	40.90	7,523,184	43.35
Transportation Policy, Planning, and Project Development	1,605,067	9.69	3,438,760	11.69
Transportation Services General Administration	7,860,874	35.19	6,133,516	33.19
Total	52,670,661	284.30	56,030,728	286.09

CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY22 Total\$	FY22 FTEs	FY23 Total\$	FY23 FTEs
COUNTY GENERAL FUND					
Urban Districts	Bethesda Urban District	30,000	0.00	30,000	0.00
Urban Districts	Silver Spring Urban District	25,000	0.00	25,000	0.00
Urban Districts	Wheaton Urban District	12,900	0.00	12,900	0.00
Transit Services	Mass Transit	208,058	1.00	208,058	1.00
Environmental Protection	Water Quality Protection	4,198,553	32.29	4,230,171	32.97
Recycling and Resource Management	Solid Waste Disposal	315,023	2.90	275,949	2.90

CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY22 Total\$	FY22 FTEs	FY23 Total\$	FY23 FTEs
CIP	Capital Fund	15,183,560	147.48	15,320,738	146.03
Cable Television Communications Plan	Cable TV	873,196	0.75	865,935	0.75
Total		20,846,290	184.42	20,968,751	183.65

FUNDING PARAMETER ITEMS

CE RECOMMENDED (\$000S)

Title	FY23	FY24	FY25	FY26	FY27	FY28
COUNTY GENERAL FUND						
EXPENDITURES						
FY23 Recommended	49,115	49,115	49,115	49,115	49,115	49,115
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	1,361	1,361	1,361	1,361	1,361
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	49,115	50,476	50,476	50,476	50,476	50,476
LEAF VACUUMING						
EXPENDITURES						
FY23 Recommended	6,916	6,916	6,916	6,916	6,916	6,916
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	149	149	149	149	149
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	6,916	7,065	7,065	7,065	7,065	7,065

FY23-28 PUBLIC SERVICES PROGRAM: FISCAL PLAN		Leaf Vacuuming fund					
FISCAL PROJECTIONS	FY22 ESTIMATE	FY23 REC	FY24 PROJECTION	FY25 PROJECTION	FY26 PROJECTION	FY27 PROJECTION	FY28 PROJECTION
ASSUMPTIONS							
Indirect Cost Rate	19.18%	18.35%	18.35%	18.35%	18.35%	18.35%	18.35%
CPI (Fiscal Year)	5.4%	8.0%	2.3%	2.4%	2.4%	2.3%	2.2%
Investment Income Yield	0.2%	1.2%	1.5%	1.5%	1.5%	1.5%	1.5%
BEGINNING FUND BALANCE	887,776	841,285	784,786	686,518	487,338	340,238	184,288
REVENUES							
Charges For Services	5,897,327	8,788,228	9,236,347	9,253,792	9,666,219	9,734,858	9,906,122
Miscellaneous	3,510	20,060	27,420	28,460	29,540	30,670	31,840
Subtotal Revenues	<u>8,894,837</u>	<u>8,780,178</u>	<u>9,263,767</u>	<u>9,282,252</u>	<u>9,895,760</u>	<u>9,765,528</u>	<u>9,937,962</u>
INTERFUND TRANSFERS (Net Non-CIP)							
Transfers To The General Fund	(2,394,822)	(2,061,142)	(2,218,887)	(2,114,380)	(2,887,818)	(2,885,180)	(2,872,708)
Indirect Costs	(636,264)	(613,300)	(661,727)	(662,365)	(674,406)	(686,052)	(697,508)
Transfers To Special Fds: Non-Tax + ISF	(1,599,058)	(1,387,842)	(1,561,940)	(1,451,425)	(1,723,410)	(1,649,078)	(1,574,788)
Solid Waste Disposal	(1,599,058)	(1,387,842)	(1,561,940)	(1,451,425)	(1,723,410)	(1,649,078)	(1,574,788)
TOTAL RESOURCES	7,884,280	7,700,322	7,824,835	7,804,378	7,785,281	7,770,838	7,768,524
P&P OPER. BUDGET APPROX EXP'S							
Operating Budget	(5,652,005)	(6,915,687)	(7,640,087)	(7,198,788)	(7,296,791)	(7,427,118)	(7,606,894)
Labor Agreement	N/A	0	(149,252)	(149,252)	(149,252)	(149,252)	(149,252)
Subtotal P&P Oper Budget Approx / Exp's	<u>(8,652,005)</u>	<u>(6,915,687)</u>	<u>(7,789,339)</u>	<u>(7,348,040)</u>	<u>(7,446,043)</u>	<u>(7,576,370)</u>	<u>(7,756,146)</u>
TOTAL USE OF RESOURCES	(8,652,005)	(6,915,687)	(7,789,339)	(7,348,040)	(7,446,043)	(7,576,370)	(7,756,146)
YEAR END FUND BALANCE	841,285	784,786	686,518	487,338	340,238	184,288	48,488
END-OF-YEAR RESERVES AS A							
PERCENT OF RESOURCES	12.4%	10.3%	8.1%	8.2%	4.4%	2.6%	0.8%
Notes: 1. The Leaf Vacuuming rates are adjusted to achieve cost recovery. 2. The Vacuum Leaf Collection fund balance policy target is \$250,000. In the future years, rates will be adjusted annually to fund the approved service program and to maintain the appropriate ending balance.							

Community Transportation and Safety	FY22 CC Approved	FY23 Recommended
<i>Traffic and Pedestrian Safety</i>	2,197,949	2,442,591
<i>Traffic Sign and Marking</i>	2,385,516	2,472,361
<i>Streetlighting</i>	399,633	402,330
<i>Miscellaneous</i>	15,000	77,938
TOTAL	4,998,098	5,395,220

Non-Roadway Right of Way Maintenance	FY22 CC Approved	FY23 Recommended
<i>Tree Maintenance</i>	4,752,880	5,370,752
<i>Vacuum Leaf Collection</i>	6,690,951	6,915,587
<i>Miscellaneous</i>	3,318,122	3,226,482
TOTAL	14,761,953	15,512,821

Parking Outside the PLDs	FY22 CC Approved	FY23 Recommended
<i>Parking</i>	930,174	936,700
TOTAL	930,174	936,700

Transportation Infrastructure Construction & Maintenance	FY22 CC Approved	FY23 Recommended
<i>Patching</i>	9,614,381	10,601,235
<i>Resurfacing</i>	2,184,774	2,618,142
<i>Bridge Maintenance</i>	188,818	184,329
<i>Bikeway Maintenance</i>	150,000	150,000
<i>Sidewalk and Curb Maintenance</i>	866,898	873,817
<i>Storm Drain Maintenance*</i>	4,198,553	4,230,171
<i>Miscellaneous</i>	2,703,666	2,663,004
TOTAL	15,708,537	17,090,527

*Storm Drain maintenance costs are charged to the Water Quality Protection Fund and thus are not included in the program budget total. Total with Storm Drain Maintenance is 21,320,698.

Transportation Management, Operations and Emergency/Storm Response	FY22 CC Approved	FY23 Recommended
<i>Snow Removal/Wind/Rain Storms</i>	3,487,594	3,418,050
<i>Traffic Operations (Traffic Mngt & Ops, Traffic Signals & ATMS)</i>	3,318,364	4,105,134
TOTAL	6,805,958	7,523,184

Transportation Policy, Planning, and Project Development	FY22 CC Approved	FY23 Recommended
<i>Traffic Planning/Development Review</i>	943,021	848,689
<i>Capital Project Management</i>	662,046	941,660
TOTAL	1,605,067	1,790,349

Transportation Services General Administration	FY22 CC Approved	FY23 Recommended
<i>General Administration</i>	6,396,313	6,133,516
<i>Bikeshare</i>	1,464,561	1,648,411
TOTAL	7,860,874	7,781,927

GRAND TOTAL	52,670,661	56,030,728
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MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

OFFICE OF THE COUNCIL PRESIDENT

M E M O R A N D U M

April 13, 2022

TO: County Council

FROM: Gabe Albornoz, Council President

SUBJECT: Proposed Process for Review of the FY23 Operating Budget

This memorandum presents my recommended approach to this year's operating budget. Our staff has already shared its concerns about the Executive-recommended FY23 budget, including the ways in which it deviates from adopted fiscal policies and the significant additions to the base budget, which may not be sustainable. Our challenge for this year will be adopt a budget that more closely adheres to adopted fiscal policies and reduces additions to the base budget, while simultaneously funding the most critical direct services. I am hoping the following recommendations can help us rise to this challenge.

1. I have asked staff to identify where the budget is not consistent with adopted fiscal policies and to make recommendations for adjustments where possible. For Other Post Employment Benefits (OPEB), I support the recommendation staff will share with the Council on April 19 that we not withdraw money from the Health Trust before the Council has adopted a new policy prescribing when withdrawals would be appropriate. I have asked them to develop this addition to our fiscal policies over the summer for the Council's consideration in the fall.
2. To ensure the ongoing sustainability of the budget, I have asked staff to identify options for the Council to consider that reduce the growth in the base budget proposed in the Executive's budget. This can be done through one of three options:
 - a. outright reductions,
 - b. changing additions from increases to the base budget to one-time expenditures that can be reconsidered during our review of the FY24 operating budget, and/or
 - c. delaying some expenditures until January 2023, when the Council will have updated information regarding FY23 revenues.

Potential targets for the Council's consideration will be identified in the staff overview on the operating budget scheduled for April 19. Specific reductions will be identified in the memoranda for the Committee worksessions.

3. I recognize that the Council may want to make some additions to the budget as well to ensure that its priorities are funded. We will need to find reductions that can allow us to make room in the budget for those additions. I ask that you make every effort to minimize additions to the base budget and whenever possible focus on one-time expenditures or additions that can be delayed until January 2023. Potential additions identified during the Committees' review should be categorized as additions to the base budget, one-time expenditures, or expenditures that can be delayed pending the December revenue update. Additions that are more than \$500,000 should be broken into more than one item which can be considered in tiers.
4. In determining where reductions to the budget are feasible and where additions are necessary, we should continue to maintain our focus on racial equity issues and supporting our most vulnerable citizens, many of whom are still struggling to recover from the impact of the pandemic. This has, and should continue to be, a Council priority.

A. Budget Approach Options

As part of his suggested budget approach memorandum, the Council President has asked staff to develop recommendations and options that address the concerns with the Executive's recommended FY23 Budget (©17-18).

As the first step in determining a budget approach for FY23, Council staff recommends that Council indicate its intent to reject the County Executive's decision to draw down on the OPEB Trust to pay current year retiree health benefit costs. Council staff believes that the Council should not approve any use of Trust assets prior to thoroughly reviewing and updating the County's OPEB funding policy in the Fall. If the Council supports this action, it will require \$20 million in resources to fill that gap.

Budget Target Options. Staff has also developed four target options to address concerns about fiscal sustainability as requested by the Council President. The options are listed below. Each of the four options includes funding to prevent a withdrawal from the OPEB Trust. They also present varying levels of reductions to ensure that the Council's priorities can be funded (options 1-4), to reduce the use of one-time resources for ongoing expenses (options 2-4), and to protect against revenue volatility or unbudgeted COVID expenses (options 3 and 4).

The average negative revision to the County's most volatile revenues was approximately \$60 million since FY10. As a result, option 3 provides some protection of that level of volatility with a \$30 million reduction in ongoing expenses and option 4 provides a greater level of protection with a \$60 million reduction in ongoing expenses. While it is difficult to estimate the magnitude of potential reductions to the base budget the Council will be able to identify before the committees' review begins, the Council should strive to maximize reductions to the base while focusing on providing the most critical direct services.

Decreases to the base budget can be achieved through three strategies: 1) budget reductions that remove an expenditure from the FY23 budget; 2) converting expenditures in the FY23 base budget to a one-time expenditure, meaning that the funds would remain in FY23 but would need to be reevaluated as part of the FY24 budget process; or 3) delaying certain expenditures for consideration in January 2023 after the December Fiscal Plan update that will include revised FY23 revenue projections.

- | | |
|-------------------|---|
| Option #1: | \$35 million in reductions to eliminate drawdown of OPEB Trust and address Council-identified priorities. |
| Option #2: | \$65 million in reductions, conversions to one-time expenditures or delayed funding to eliminate drawdown of OPEB Trust, address Council-identified priorities, and address the use of one-time resources for ongoing expenditures. |
| Option #3: | \$95 million in reductions, conversions to one-time expenditures or delayed funding to eliminate drawdown of OPEB Trust, address Council-identified priorities, and address the use of one-time resources for ongoing expenditures, and reduce future fiscal year structural imbalance. |
| Option #4: | \$125 million in reductions, conversions to one-time expenditures or delayed funding to eliminate drawdown of OPEB Trust, address Council-identified priorities, and address the use of one-time resources for ongoing expenditures, and eliminate future fiscal year structural imbalance. |

The Council President's memorandum also acknowledges that in rightsizing the Executive's budget, it may be necessary for Councilmembers to identify critical additions to the budget not included by the Executive. Potential additions identified during the Committees' review should be categorized as critical additions to the base budget, one-time expenditures to be reassessed during the FY24 budget review, or expenditures that can be deferred pending the revenue update in December. The Council President has asked that additions greater than \$500,000 should be broken into multiple tiers.

HOUSE BILL 813

R5, R1

2lr0333

By: **Montgomery County Delegation**

Introduced and read first time: February 3, 2022

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2022

CHAPTER _____

1 AN ACT concerning

2 **Montgomery County – Speed and School Bus Monitoring Systems**

3 **MC 03–22**

4 FOR the purpose of ~~requiring the Montgomery County Department of Transportation, in~~
5 ~~conjunction with the State Highway Administration, to construct a median divider~~
6 ~~at certain locations where certain citations are issued for violations recorded by~~
7 ~~school bus monitoring systems; repealing a prohibition on implementing new speed~~
8 ~~monitoring systems to enforce speed limits that have been decreased under a certain~~
9 ~~provision of law; requiring the fines collected as a result of violations enforced by~~
10 ~~certain new speed monitoring systems to be used to enhance safety at certain~~
11 ~~locations; requiring Montgomery County to annually submit a certain report;~~
12 requiring Montgomery County, in coordination with the Maryland Department of
13 Transportation, to examine data relating to school bus stop violations and implement
14 certain measures; and generally relating to speed and school bus monitoring systems
15 in Montgomery County.

16 BY adding to

17 Article – Transportation

18 Section 8–663

19 Annotated Code of Maryland

20 (2020 Replacement Volume and 2021 Supplement)

21 ~~BY repealing and reenacting, with amendments,~~

22 ~~Article – Transportation~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~Section 21-803(a)~~
 2 ~~Annotated Code of Maryland~~
 3 ~~(2020 Replacement Volume and 2021 Supplement)~~
 4 ~~(As enacted by Chapter 689 of the Acts of the General Assembly of 2021)~~

5 ~~BY repealing and reenacting, with amendments,~~
 6 ~~Article — Courts and Judicial Proceedings~~
 7 ~~Section 7-302(e)(4)~~
 8 ~~Annotated Code of Maryland~~
 9 ~~(2020 Replacement Volume and 2021 Supplement)~~

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 11 That the Laws of Maryland read as follows:

12 **Article – Transportation**

13 **8-663.**

14 (A) THIS SECTION APPLIES ONLY IN MONTGOMERY COUNTY.

15 (B) (1) ~~THE MONTGOMERY COUNTY DEPARTMENT OF~~
 16 ~~TRANSPORTATION, IN CONJUNCTION WITH THE ADMINISTRATION, SHALL~~
 17 ~~CONSTRUCT A MEDIAN DIVIDER AT EACH LOCATION ON A STATE HIGHWAY WITH TWO~~
 18 ~~OR MORE TRAFFIC LANES IN EACH DIRECTION WHERE, DURING A 12-MONTH~~
 19 ~~PERIOD, MORE THAN 1,000 CITATIONS ARE ISSUED BY A SCHOOL BUS MONITORING~~
 20 ~~CAMERA UNDER § 21-706.1 OF THIS ARTICLE FOR VEHICLES RECORDED~~
 21 ~~APPROACHING A SCHOOL BUS FROM THE OPPOSITE DIRECTION.~~

22 (2) (i) ~~SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE~~
 23 ~~COST OF CONSTRUCTION FOR ANY MEDIAN DIVIDER CONSTRUCTED UNDER THIS~~
 24 ~~SECTION SHALL BE SHARED EQUALLY BETWEEN THE MONTGOMERY COUNTY~~
 25 ~~DEPARTMENT OF TRANSPORTATION AND THE ADMINISTRATION.~~

26 (ii) ~~IF THE TOTAL AMOUNT OF FINES COLLECTED FOR~~
 27 ~~CITATIONS DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND ISSUED~~
 28 ~~FOR VIOLATIONS RECORDED AT A PARTICULAR LOCATION IS INSUFFICIENT TO PAY~~
 29 ~~FOR MONTGOMERY COUNTY'S SHARE OF THE COST OF THE REQUIRED MEDIAN~~
 30 ~~DIVIDER AT THAT LOCATION, THE ADMINISTRATION SHALL PAY THE REMAINING~~
 31 ~~COST.~~

32 ~~21-803.~~

33 (a) (1) ~~Except as provided in paragraphs (3) and (4) of this subsection, if, on~~
 34 ~~the basis of an engineering and traffic investigation, a local authority determines that any~~
 35 ~~maximum speed limit specified in this subtitle is greater or less than reasonable or safe~~

~~under existing conditions on any part of a highway in its jurisdiction, it may establish a reasonable and safe maximum speed limit for that part of the highway, which may:~~

~~(i) Decrease the limit at an intersection;~~

~~(ii) Increase the limit in an urban district to not more than 50 miles per hour;~~

~~(iii) Decrease the limit in an urban district; or~~

~~(iv) Decrease the limit outside an urban district to not less than 25 miles per hour.~~

~~(2) An engineering and traffic investigation is not required to conform a posted maximum speed limit in effect on December 31, 1974, to a different limit specified in § 21-801.1(b) of this subtitle.~~

~~(3) Calvert County may decrease the maximum speed limit to not less than 15 miles per hour on Lore Road and, except for Solomons Island Road, each highway south of Lore Road without performing an engineering and traffic investigation, regardless of whether the highway is inside an urban district.~~

~~(4) (i) This paragraph applies only to:~~

~~1. Montgomery County; and~~

~~2. Municipalities located in Montgomery County.~~

~~(ii) A local authority may decrease the maximum speed limit to not less than 15 miles per hour on a highway only after performing an engineering and traffic investigation.~~

~~[(iii) A local authority may not implement a new speed monitoring system to enforce speed limits on any portion of a highway for which the speed limit has been decreased under this paragraph.]~~

~~Article Courts and Judicial Proceedings~~

~~7-302.~~

~~(c) (4) (i) From the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems or school bus monitoring cameras, a political subdivision:~~

~~1. May recover the costs of implementing and administering the speed monitoring systems or school bus monitoring cameras; and~~

~~2. Subject to subparagraphs (ii), (iii), [and] (iv), AND (VI) of this paragraph, may spend any remaining balance solely for public safety purposes, including pedestrian safety programs.~~

~~(ii) 1. For any fiscal year, if the balance remaining from the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, after the costs of implementing and administering the systems are recovered in accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total revenues of the political subdivision for the fiscal year, the political subdivision shall remit any funds that exceed 10% of the total revenues to the Comptroller.~~

~~2. The Comptroller shall deposit any money remitted under this subparagraph to the General Fund of the State.~~

~~(iii) The fines collected by Prince George's County as a result of violations enforced by speed monitoring systems on Maryland Route 210 shall be remitted to the Comptroller for distribution to the State Highway Administration to be used solely to assist in covering the costs of:~~

~~1. Examining the engineering, infrastructure, and other relevant factors that may contribute to safety issues on Maryland Route 210 in Prince George's County;~~

~~2. Reporting its findings and recommendations on any solutions to these safety issues; and~~

~~3. Implementing any solutions to these safety issues.~~

~~(iv) 1. From the fines collected by Baltimore City as a result of violations enforced by speed monitoring systems on Interstate 83, any balance remaining after the allocation of fines under subparagraph (i)1 of this paragraph shall be remitted to the Comptroller for distribution to the Baltimore City Department of Transportation to be used solely to assist in covering the cost of roadway improvements on Interstate 83 in Baltimore City.~~

~~2. Fines remitted to the Baltimore City Department of Transportation under subparagraph (iv)1 of this paragraph are supplemental to and are not intended to take the place of funding that would otherwise be appropriated for uses described under subparagraph (iv)1 of this paragraph.~~

~~(v) From the fines collected by Anne Arundel County as a result of violations enforced by speed monitoring systems on Maryland Route 175 (Jessup Road) between the Maryland Route 175/295 interchange and the Anne Arundel County Howard County line, any balance remaining after the allocation of fines under subparagraph (i)1 of this paragraph shall be remitted to the Comptroller for distribution to the State Highway Administration to be used solely to assist in covering the cost of speed reduction measures and roadway and pedestrian safety improvements on Maryland Route 175 (Jessup Road)~~

1 ~~between the Maryland Route 175/295 interchange and the Anne Arundel County Howard~~
 2 ~~County line.~~

3 ~~(VI) 1. FROM THE FINES COLLECTED BY MONTGOMERY~~
 4 ~~COUNTY AS A RESULT OF VIOLATIONS ENFORCED BY SPEED MONITORING SYSTEMS~~
 5 ~~INSTALLED ON OR AFTER OCTOBER 1, 2022, ON ANY PORTION OF A HIGHWAY FOR~~
 6 ~~WHICH THE SPEED LIMIT WAS DECREASED UNDER § 21-803 OF THE~~
 7 ~~TRANSPORTATION ARTICLE, ANY BALANCE REMAINING AFTER THE ALLOCATION OF~~
 8 ~~FINES UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE USED ONLY TO~~
 9 ~~ENHANCE SAFETY AT LOCATIONS IN MONTGOMERY COUNTY AT WHICH HIGH~~
 10 ~~NUMBERS OF VIOLATIONS ARE RECORDED BY SPEED MONITORING SYSTEMS, AS~~
 11 ~~DETERMINED BY THE MONTGOMERY COUNTY DEPARTMENT OF TRANSPORTATION.~~

12 ~~2. ANY FUNDS USED IN ACCORDANCE WITH~~
 13 ~~SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH MAY BE USED ONLY AT THE~~
 14 ~~LOCATION OF THE SPEED MONITORING SYSTEM THAT RECORDED THE VIOLATION.~~
 15 ON OR BEFORE DECEMBER 31 EACH YEAR, MONTGOMERY COUNTY SHALL:

16 (I) COMPILE AND MAKE PUBLICLY AVAILABLE A REPORT FOR
 17 THE PREVIOUS FISCAL YEAR ON EACH SCHOOL BUS MONITORING SYSTEM
 18 OPERATED BY A LOCAL JURISDICTION UNDER THIS SECTION; AND

19 (II) SUBMIT THE REPORT TO MONTGOMERY COUNTY PUBLIC
 20 SCHOOLS, THE MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY
 21 ADMINISTRATION, THE MONTGOMERY COUNTY DEPARTMENT OF
 22 TRANSPORTATION, THE MONTGOMERY COUNTY VISION ZERO COORDINATOR, AND,
 23 IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE
 24 MONTGOMERY COUNTY DELEGATION TO THE GENERAL ASSEMBLY.

25 (2) THE REPORT SHALL INCLUDE:

26 (I) THE NUMBER OF VIOLATIONS THAT OCCURRED AT EACH
 27 SCHOOL BUS STOP IN THE PREVIOUS FISCAL YEAR;

28 (II) THE NUMBER OF VIOLATIONS THAT OCCURRED AT EACH
 29 SCHOOL BUS STOP IN EACH OF THE 5 FISCAL YEARS PRECEDING THE PREVIOUS
 30 FISCAL YEAR;

31 (III) A BREAKDOWN OF THE VIOLATIONS BY THE DIRECTION IN
 32 WHICH EACH VEHICLE INVOLVED IN A VIOLATION WAS TRAVELLING IN RELATION TO
 33 THE STOPPED SCHOOL BUS;

34 (IV) THE TOTAL AMOUNT OF FINES ISSUED FOR VIOLATIONS AT
 35 EACH SCHOOL BUS STOP IN THE PREVIOUS FISCAL YEAR; AND

1 (v) THE TOTAL AMOUNT OF FINES ISSUED FOR VIOLATIONS AT
 2 EACH SCHOOL BUS STOP IN EACH OF THE 5 FISCAL YEARS PRECEDING THE
 3 PREVIOUS FISCAL YEAR.

4 SECTION 2. AND BE IT FURTHER ENACTED, That:

5 (a) Montgomery County, in coordination with the Maryland Department of
 6 Transportation, shall examine school bus stop violation data to determine the 10 school bus
 7 stop locations at which the highest number of citations for passing a stopped school bus are
 8 issued and implement operational alternatives for those stops including:

9 (1) ensuring that all public outreach and information about the school bus
 10 camera program and citations issued for violations relating to passing a stopped school bus
 11 are provided in multiple languages;

12 (2) producing and implementing public hyperlocal education campaigns
 13 about school bus stop laws, in coordination with the Maryland Department of
 14 Transportation State Highway Administration;

15 (3) improving signage and markings at school bus stops;

16 (4) identifying and implementing strategies that will improve driver
 17 expectancy and pedestrian safety;

18 (5) examining alternative penalties for a driver's first offense for the
 19 purpose of not financially penalizing a driver for failure to know the law or the area;

20 (6) relocating school bus stops at which the most violations occur to safer
 21 locations, if warranted; and

22 (7) convening regular meetings between the Montgomery County Public
 23 Schools, the Montgomery County Police Department, and other stakeholders to examine
 24 data trends and explore other plans to reduce violations and improve safety at school bus
 25 stops; and

26 (b) On or before December 31, 2022, and 2023, Montgomery County shall report,
 27 in accordance with § 2-1257 of the State Government Article, to the Senate Judicial
 28 Proceedings Committee, the House Environment and Transportation Committee, and the
 29 Montgomery County Delegation to the General Assembly on the findings of the
 30 examination that the County has conducted and the actions taken to implement
 31 improvements.

32 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 33 ~~October~~ June 1, 2022. Section 2 of this Act shall remain effective for a period of 2 years and,
 34 at the end of May 31, 2024, Section 2 of this Act, with no further action required by the
 35 General Assembly, shall be abrogated and of no further force and effect.

PENDING TRAFFIC STUDIES

CATEGORY	As of 3/31/22
AR = access restrictions	0
ATC = arterial traffic safety / calming	0
BDP = business district parking	0 * Handled by Division of Parking Services
C = crosswalks	17
CBD = CBD street safety	0
IS = intersection safety	11
MISC = uncategorized issues	4
MR = marking request	4
PBS = pedestrian / bicycle safety	3
PP = permit parking	3
PR = plan review (simple)	0
RP = residential parking	0
RSS = residential stop sign	16
RTC = residential traffic safety / calming	28
SD = sight distance investigations	8
SH = speed hump study	22
SIO = signalized intersection operations	2
SLR = speed limit review	21
SPR = site plan review (comprehensive)	0
SR = sign request	62
SZS = school zone safety	0
TIS = traffic impact study	3
TSR = traffic signal request (new)	7
TSS = traffic signal study	2
Walkability Study	0
Total	213



**MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND**

WILL JAWANDO
COUNCILMEMBER
AT-LARGE

MEMORANDUM

TO: Chair Tom Hucker, Council President Gabe Albornoz
FROM: Councilmember Will Jawando
DATE: April 20, 2022
SUBJECT: Fully Funding Safe Routes to School Program

Colleagues, I want to express my gratitude for the committee agreeing to increase funding for building out infrastructure for the Safe Routes to School Program. However, the work is not yet done. As we consider the Operating Budget in the weeks ahead, I am requesting that we renew our focus and help identify the full scope of the need for improvements so that we can prioritize the areas with the greatest need. I propose we increase funding for Phase 2 walkshed assessments to allow the assessments to be completed within the next four years instead of the next 8 years under current funding levels. We should set the funding level for this program to \$525,000 for FY23 to get us on course to complete these assessments expeditiously.

Currently, MCDOT has a multi-year backlog in even assessing the safety of routes children travel to our schools. There are about 140 schools remaining to be assessed. Each assessment costs approximately \$15,000, and until we complete them it is impossible to know what the full extent of our pedestrian safety needs are. This underinvestment has led to an unacceptable number of dangerous situations for our children. It is essential that we identify the full universe of remaining upgrades that need to be made as soon as possible so that we can identify the areas of greatest need.

A year ago, I raised this issue because I witnessed children walking along Norwood Road without sidewalks with cars passing a few feet away in excess of 50 MPH. While this particular area is an egregious example, there are similar issues throughout the County. We must begin to address the backlog in sidewalk projects for our schools. With this increase in funding we can understand the full scope of this challenge and work towards making our roads safer for our children.

Thank you for your continued commitment to keeping our children safe on their way to school.

Sincerely,

Will Jawando
Councilmember, At-Large