



MAYOR AND COUNCIL

Meeting No. 03-26
Monday, February 2, 2026 - 5:30 PM

AGENDA

Agenda item times are estimates only. Items may be considered at times other than those indicated.

Ways to Participate

If you require a reasonable accommodation, for community forum or a public hearing and need reasonable accommodations, please contact the City Clerk's Office by the Wednesday before the Monday meeting at 240-314-8280 or cityclerk@rockvillemd.gov or by filling this form: <https://www.rockvillemd.gov/services/request-a-reasonable-accommodation/>

Translation Assistance

If you wish to participate in person at a Mayor and Council meeting during community forum or a public hearing and may need translation assistance in a language other than English, please contact the City Clerk's Office by the Wednesday before the Monday meeting at 240-314-8280, or cityclerk@rockvillemd.gov, or by using this form: <https://www.rockvillemd.gov/services/participate-in-a-community-forum/>

In-Person Attendance

Community members attending in-person who wish to speak during Community Forum, or a Public Hearing, should sign up using the form at the entrance to the Mayor and Council Chamber. In-person speakers will be called upon in the order they are signed to speak and before virtual speakers.

Note: In-Person Speakers will be called upon to speak before those who have signed up to speak virtually for Community Forum and Public Hearings.

Viewing Mayor and Council Meetings

The Mayor and Council are conducting hybrid meetings. The virtual meetings can be viewed on Rockville 11, Comcast, Verizon cable channel 11, livestreamed at www.rockvillemd.gov/rockville11, and available a day after each meeting at www.rockvillemd.gov/videoondemand.

Participating in Community Forum & Public Hearings:

If you wish to submit comments in writing for Community Forum or Public Hearings:

- Please email the comments to mayorandcouncil@rockvillemd.gov no later than 10:00 am on the date of the meeting.

If you wish to participate in-person or virtually in Community Forum or Public Hearings during the live Mayor and Council meeting:

1. Send your Name, Phone number, For Community Forum and Expected Method of Joining the Meeting (computer or phone) to mayorandcouncil@rockvillemd.gov or <https://www.rockvillemd.gov/services/participate-in-a-community-forum/> no later than 10:00 am on the day of the meeting. Each speaker will receive 3 minutes.
2. Send your Name, Phone number, the Public Hearing Topic and Expected Method of Joining the Meeting (computer or phone) to mayorandcouncil@rockvillemd.gov or <https://www.rockvillemd.gov/services/participate-in-a-public-hearing/> no later than 10:00 am on the day of the meeting.
3. On the day of the meeting, you will receive a confirmation email with further details, and two Webex invitations: 1) Optional Webex Orientation Question and Answer Session and 2) Mayor & Council Meeting Invitation.
4. Plan to join the meeting no later than approximately 20 minutes before the actual meeting start time.
5. Read for <https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex> meeting tips and instructions on joining a Webex meeting (either by computer or phone).
6. If joining by computer, Conduct a WebEx test: <https://www.webex.com/test-meeting.html> prior to signing up to join the meeting to ensure your equipment will work as expected.

Participating in Mayor and Council Drop-In (Mayor Ashton and Councilmember Van Grack)

The next scheduled Drop-In Session will be held by phone or in-person on Monday, February 9 from 5:15-6:15 pm with Mayor Ashton and Councilmember Van Grack. Please sign up by 10 am on the meeting day using the form at:

<https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227>

1. Convene - 5:30 PM

2. Pledge of Allegiance

3. Proclamation and Recognition - 5:35 PM

- A. Proclamation Declaring Lunar New Year 2026
- B. Proclamation Declaring February 28, 2026, as Rare Disease Day in Rockville, Maryland
- C. Proclamation Declaring February 2026, as African American History Month in Rockville, Maryland
- D. Proclamation Declaring February 2026, as American Heart Month in Rockville, Maryland

- E. The Rockville Recreation and Parks Foundation present a donation to the Rockville Youth Recreation Fund in the amount of \$14,100 from the proceeds from the 2025 Rubber Ducky Derby.

4. Agenda Review - 6:30 PM

5. City Manager's Report - 6:35 PM

6. Boards and Commissions Appointments and Reappointments - NONE

7. Community Forum - 6:40 PM

8. Special Presentations - NONE

9. Consent Agenda - 7:00 PM

- A. Authorize the City Manager to Execute the Maryland Market Money Program Memorandum of Understanding for the City of Rockville Farmers Market "Eat Fresh Rockville Program" with the Maryland Department of Agriculture.
- B. Resolution to Ratify the Approval of the Exercise of the Right of First Refusal by Yoke Management LLC to Acquire The Argyle Apartments
- C. Authorization for the City Manager to Release and Extinguish an Existing Water Line Easement, and to Execute Two New Easements for Sewer and Water Meter on Lot 16, Block B, City Center
- D. Approval of and Delegation of Authority to the City Manager to Execute a Template Agreement for Private Improvements in the Right-of-Way (ROW) Associated with Resident Installed and Maintained Electric Vehicle Charging Equipment
- E. Approval of Minutes

10. Public Hearing - NONE

11. Action Items - 7:05 PM

- A. Briefing and Endorsement of the DMVMoves Plan
- B. Introduction of an Annexation Resolution to Initiate the Annexation Process for the property at 1000 Westmore Avenue (Former WINX site), including two parcels, both addressed as 0 Stonestreet Avenue, and Adoption of Resolution setting the Public Hearing date.
- C. Adoption of an Ordinance to Amend Chapter 5 of the Rockville City Code Entitled "Building and Property Maintenance Regulations," Article XIV (Green Building Code Regulations)

12. Worksession - NONE

13. Mock Agenda - 8:15 PM

A. Mock Agenda

14. Old / New Business - 8:20 PM

15. Adjournment - 8:30 PM



MAYOR AND COUNCIL Meeting Date: February 2, 2026

Agenda Item Type: PROCLAMATION

Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE

Responsible Staff: DANNY WINBORNE

Subject

Proclamation Declaring Lunar New Year 2026

Department

City Clerk/Director of Council Operations Office

Recommendation

Staff recommends Mayor and Council read, approve, and present the proclamation to John Lin, Chair of the Rockville Asian Pacific American Task Force.

Discussion

The Lunar New Year is one of the most important celebrations of the year among East and Southeast Asian cultures, including Chinese, Vietnamese, and Korean communities. The Lunar New Year usually takes place at the end of January or the beginning of February and is predominantly celebrated by many Asian cultures. The **Lunar New Year in 2026** falls on **February 17**, marking the beginning of the **Year of the Horse**, specifically the **Fire Horse**. Celebrations typically last for 16 days, concluding with the **Lantern Festival** on **March 3, 2026**.

People celebrate the Lunar New Year by visiting their relatives, and temples, and attending festivals

where they let go of the troubles of the past year and hope for a better new year. Celebratory features of the Lunar New Year can also be seen in the forms of dragon and lion dances, firecrackers, pageantry, songs, games, food, and of course, the giving and spending of money. The Spring Festival marks a new year on the lunar calendar and represents the desire for a new life. Red is the main color for the festival, as red is believed to be an auspicious color. Red lanterns hang in the streets; red couplets are pasted on doors; banks and official buildings are decorated with red New Year pictures depicting images of prosperity.

The **Lantern Festival** marks the conclusion of the Lunar New Year and will fall on **Tuesday, March 3, 2026**. There are many different beliefs about the origin of the Lantern Festival; however, its roots date back more than 2,000 years. The Lantern Festival is the first major feast after the Lunar New Year. During the Lantern Festival, it is considered good luck to light and release a sky lantern, as many believe that they symbolize the worries from the previous year floating away.

Each Lunar New Year is associated with one of the 12 zodiac animals, each paired with one of the five traditional elements (Wood, Fire, Earth, Metal, and Water) in a 60-year cycle. **This marks the start of the Year of the Fire Horse, which is significant as it occurs only once every 60 years.**

The Year of the Fire Horse begins on February 17, 2026, and lasts until February 5, 2027. This year is significant as it marks the first occurrence of the Fire Horse since 1966. In Chinese astrology, the Horse is the seventh animal in the zodiac cycle, symbolizing energy, vitality, and perseverance.

Characteristics of the Fire Horse

- **Energetic and Dynamic:** The Fire Horse is known for its lively spirit and enthusiasm.
- **Independent and Charismatic:** People born in this year are often seen as warm-hearted and hardworking.
- **Optimistic Outlook:** The year is associated with opportunities and potential for growth, particularly in areas like technology and innovation.

Cultural Significance

In Chinese culture, the Horse symbolizes success and good fortune. The phrase "马到成功" translates to achieving success swiftly, reflecting the Horse's dynamic nature. Many people engage in traditions such as wearing horse-themed items to attract positive energy during this year.

Conclusion

The Year of the Fire Horse is expected to be a time of both excitement and caution. It encourages bold actions and personal growth while reminding individuals to navigate potential challenges with care.

Mayor and Council History

The Mayor and Council present this proclamation annually.

Public Notification and Engagement

The City of Rockville celebrates Lunar New Year by offering a free event that celebrates Rockville's Asian cultures with performances, interactive displays, kids' crafts, and to-go snack boxes (while supplies last). Organized in partnership with Rockville's [Asian Pacific American Task Force](#), the Lunar New Year celebration is a source of pride for the city's Asian community and an educational opportunity for neighbors to learn about Asian culture.

When: Saturday, February 21, 2026

Time: 1:00 PM – 3:30 PM
Details: Performances from 1:30 PM – 3:00 PM
Where: Richard Montgomery High School
250 Richard Montgomery Drive
Rockville, MD 20852

Attachments

Proclamation Declaring Lunar New Year 2026



WHEREAS, Rockville is home to a diverse Asian community that adds to the richness and culture of our great City; and

WHEREAS, the Lunar New Year and the Lantern Festival are special holidays for family reunions, thanksgiving, and well-wishing, and are two of the most significant celebrations for Asian communities around the world and here in Rockville; and

WHEREAS, the Lunar calendar is based on a combination of lunar and solar movements. The second new moon after the winter solstice marks the beginning of the New Year, and it is determined to begin on **February 17, 2026**, and the Lantern Festival will occur this year on **March 3, 2026**; and

WHEREAS, the City of Rockville is committed to recognizing Asian culture as an important part of the City and its strong, inclusive community, and the City will celebrate **Lunar New Year 2026 on Saturday, February 21, 2026, from 1:00 p.m. – 3:30 p.m., at Richard Montgomery High School, 250 Richard Montgomery Drive, Rockville, MD 20852**; and

WHEREAS, this is the **"Year of the Fire Horse,"** and the Fire Horse is known for its lively spirit and enthusiasm, and in Chinese culture, people born in this year are often seen as warm-hearted and hardworking, and the year is associated with opportunities and potential for growth, particularly in areas like technology and innovation.

NOW, THEREFORE, the Mayor and Council of the City of Rockville, Maryland, do hereby proclaim **February 17, 2026**, as Rockville's celebration of the **Lunar New Year**, culminating with the **Lantern Festival** on **March 3, 2026**, and call upon all the residents of Rockville to join in this joyous celebration.




Monique Ashton, Mayor


Kate Fulton, Councilmember


Izola (Zola) Shaw, Councilmember


Barry Jackson, Councilmember


Marissa Valeri, Councilmember


David Myles, Councilmember


Adam Van Grack, Councilmember

February 2, 2026



MAYOR AND COUNCIL Meeting Date: February 2, 2026

Agenda Item Type: PROCLAMATION

Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE

Responsible Staff: DANNY WINBORNE

Subject

Proclamation Declaring February 28, 2026, as Rare Disease Day in Rockville, Maryland

Department

City Clerk/Director of Council Operations Office

Recommendation

Staff recommends Mayor and Council read, approve, and present the proclamation to Erica Eakins, Executive Assistant to the City of Rockville Director of Community Planning and Development Services.

Discussion

A disease is rare when it affects fewer than 200,000 people in the country, and in the United States, there are about 10,000 rare diseases and conditions that impact between 25 and 30 million Americans.

This year's theme is ***"Moving Forward. Looking Ahead. An Event for Patients."***

Founded by Rare Diseases Europe (EURORDIS) in 2008, the awareness event was created to bring attention to rare diseases as a public health concern. In 2009, EURORDIS partnered with the National Organization for Rare Disorders (NORD) to bring the event to the United States and propel an international campaign that shines light on rare diseases and health equity to all who live with them.

Many of these diseases are debilitating conditions that have a significant impact on the lives of those affected. Not only are these people impacted, but their families also face the difficulties of diagnosis delays, finding a medical expert, and a lack of access to treatments. While more well-known diseases gain more sympathy and resources towards treatments, the families of rare disease victims live through the burden of also trying to raise public awareness.

While more than 450 drugs and biologics have been approved for the treatment of rare diseases according to the Food and Drug Administration (FDA), millions of Americans still fight forms of rare diseases for which there are no approved treatments.

With nearly 1 in 10 Americans having some kind of rare disease, this issue affects thousands of residents of Maryland. On this Rare Disease Day, it is encouraged to the City of Rockville community to learn more about rare diseases through resources such as EURORDIS and NORD, and to spread awareness.

Mayor and Council History

The Mayor and Council present this proclamation annually.

Public Notification and Engagement

FDA-NIH Rare Disease Day 2026 will be held at the National Institutes of Health Main Campus, 900 Rockville Pike, Bethesda, Maryland, MD 20892 (Natcher Conference Center) on Monday, Feb. 23, 2026, 9:00 am - 4:00 pm EST, in Global Observance of Rare Disease Week. The event will feature panel discussions, rare disease stories, in-person exhibitors, scientific posters, and an art exhibition. The event is free and open to the public. If you are interested in presenting a scientific poster or being an exhibitor, please visit the registration website for more information. https://www.fda.gov/news-events/fda-meetings-conferences-and-workshops/public-meeting-fda-rare-disease-day-2026-02232026?utm_medium=email&utm_source=govdelivery#event-information

Attachments

Proclamation Declaring February 28, 2026, as Rare Disease Day in Rockville, Maryland



WHEREAS, there are nearly 10,000 rare diseases and conditions considered rare (each affecting fewer than 200,000 Americans) in the United States, according to the National Institutes of Health (NIH); and

WHEREAS, Rare Disease Day is the opportunity to advocate for disease care as a human rights priority at local, national, and international levels; and

WHEREAS, many rare diseases are serious and debilitating conditions that have a significant impact on the lives of those affected; and

WHEREAS, while more than 450 drugs and biologics have been approved for the treatment of rare diseases according to the U.S. Food and Drug Administration (FDA), millions of Americans still have rare diseases for which there is no approved treatment; and

WHEREAS, individuals and families affected by rare diseases often experience problems such as diagnosis delay, difficulty finding a medical expert, and lack of access to treatments; and

WHEREAS, while the public is familiar with some rare diseases such as “Lou Gehrig’s disease” and sympathetic to those affected, many patients and families affected by less widely known rare diseases bear a large share of the burden of funding research and raising public awareness to support the search for treatments; and


WHEREAS, thousands of residents of Maryland are among those affected by rare diseases, since nearly one in 10 Americans has a rare disease.

NOW, THEREFORE, the Mayor and Council of Rockville do hereby proclaim **February 28, 2026**, as **Rare Disease Day**, and encourage the Rockville community to learn more about rare diseases through resources such as the National Organization for Rare Disorders (NORD).




Monique Ashton, Mayor



Kate Fulton, Councilmember


Izola (Zola) Shaw, Councilmember


Barry Jackson, Councilmember


Marissa Valeri, Councilmember


David Myles, Councilmember


Adam Van Grack, Councilmember

February 2, 2026



MAYOR AND COUNCIL Meeting Date: February 2, 2026

Agenda Item Type: PROCLAMATION

Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE

Responsible Staff: DANNY WINBORNE

Subject

Proclamation Declaring February 2026, as African American History Month in Rockville, Maryland

Department

City Clerk/Director of Council Operations Office

Recommendation

Staff recommends the Mayor and Council read, approve, and present proclamation to Jeanne Booth, Director, City of Rockville Office of Justice, Equity, Diversity, and Inclusion.

Discussion

Black History Month, also known as African American History Month, is a tribute to the generations of African Americans who struggled with adversity to achieve full citizenship in American Society.

Originating in 1926 from the Association for the Study of Negro Life and History (ASNLH), founded by historian Carter G. Woodson, the second week of February was declared National Negro History Week to recognize and celebrate the achievements of African Americans. The week was selected as the birthdays of both Abraham Lincoln and Frederick Douglass fell upon it. The response was overwhelming: Black history clubs sprang up; teachers demanded materials to instruct their pupils; and others stepped forward to endorse the effort.

By 1950, having made substantial progress in bringing more Americans to appreciate the celebration, with mayors of American cities having issued proclamations noting Negro History Week, Black History Week had become a central part of African American life. The 1960s further expanded the importance of Black history, and the Civil Rights movement focused Americans of all colors on African Americans' contributions to our history and culture.

The week-long celebration was later extended to the entire month of February when President Gerald Ford officially recognized it in 1976 as Black History Month (also being referred to as African American History Month). That same year, fifty years after the first celebration, the ASNLH held its first African American History Month. At that point, the entire nation had recognized the importance of Black history in the American story. Following 1976 and in proceeding years, every American President has issued an African American History Month proclamation. The ASNLH continues to promote Black history to this day.

The theme for African American History Month 2026 is **“A Century of Black History Commemorations.”** This theme celebrates 100 years of organized Black history observances, tracing the evolution from Dr. Carter G. Woodson’s inaugural Negro History Week in 1926 to today’s nationally recognized Black History Month.

African American History Month honors and celebrates the many contributions of African Americans in the United States. From pioneers and leaders in history like Dr. Martin Luther King Jr., Jesse Owens, Thurgood Marshall, Dr. Mae Jemison, Dr. Charles Drew to many recent notable figures like astrophysicist Neil deGrasse Tyson, President Barack Obama, Vice President Kamala Harris, youth poet laureate Amanda Gorman, Dr. Kizzmekia S. Corbett, and even Maryland’s first African American Governor, Wes Moore, and first African American Senator, Angela Alsobrooks.

This honorary month has also extended outside the United States as well, with nations such as Canada, the United Kingdom, Ireland, Germany, France, and even several countries in Africa celebrating their own Black History Month.

Here in the City of Rockville, African Americans have and continue to make valuable contributions to our community through determination, hard work, intelligence, and perseverance, achieving success in business, education, politics, science, and the arts. During the month of February, everyone is encouraged to reflect on the past and present successes and challenges of African Americans, participate in events that celebrate the month, and share and appreciate the many stories that are told.

Mayor and Council History

The Mayor and Council present this proclamation annually.

Attachments



MAYOR AND COUNCIL Meeting Date: February 2, 2026
Agenda Item Type: PROCLAMATION
Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE
Responsible Staff: DANNY WINBORNE

Subject

Proclamation Declaring February 2026, as American Heart Month in Rockville, Maryland

Department

City Clerk/Director of Council Operations Office

Recommendation

Staff recommends Mayor and Council read, approve, and present the proclamation to Kenya Craven, Administrative Assistant, City of Rockville Department of Public Works.

Discussion

After suffering two previous heart attacks, President Lyndon B. Johnson declared February as American Heart Month in 1964. This month is a time to spotlight the millions of people who suffer from heart issues in the country. Heart disease continues to be a leading cause of death in the United States and affects people of all genders, races, and ethnicities. Although it can impact anyone, people with risk factors such as high cholesterol, high blood pressure, physical inactivity, obesity, tobacco use, or alcohol or drug abuse have an increased likelihood of developing heart disease.

American Heart Month 2026

February is designated as American Heart Month, a time to raise awareness about heart health and the importance of preventing heart disease. In 2026, this month will focus on encouraging individuals to take proactive steps to protect their cardiovascular health.

Key Date

- **National Wear Red Day:** February 6, 2026. This day is dedicated to raising awareness about heart disease, particularly in women. Participants are encouraged to wear red and share information to highlight the impact of cardiovascular disease.

Importance of Heart Health

Heart disease is the leading cause of death in the United States, affecting men, women, and various racial and ethnic groups. In 2022, it accounted for one in every five deaths.

Tips for Heart Health

To promote heart health, consider the following lifestyle changes:

- **Healthy Eating:** Focus on a balanced diet rich in fruits, vegetables, whole grains, and lean proteins.
- **Regular Exercise:** Aim for at least 150 minutes of moderate aerobic activity each week.

- **Sleep Quality:** Prioritize 7 to 9 hours of sleep per night to support cardiovascular function.
- **Avoid Smoking:** Quitting smoking significantly reduces the risk of heart disease.
- **Monitor Health Metrics:** Keep track of blood pressure, cholesterol levels, and body weight to manage heart health effectively.

Get Involved

Participate in community events, share resources on social media, and engage in discussions about heart health. Use the hashtag #HeartMonth to spread awareness and encourage others to prioritize their heart health.

The month of February is a time when everyone should be taking the care they need and focusing on their cardiovascular health, especially women. In Maryland, as well as nationwide, heart disease remains the leading cause of death for women. The Division for Heart Disease and Stroke Prevention (DHDSP) aims to shed light on this topic, so women won't experience delayed recognition, diagnosis, and treatment for cardiac events, as well as encourage women to listen to their hearts and speak up for their health.

The death rate from heart attacks rose significantly due to COVID-19, as many people's routines changed due to quarantine, and working at home led to less exercise and healthy eating habits. It is especially important to shed light on important heart health information in a post-pandemic world.

5 Interesting Facts About Heart Health

1. Heart attacks can be silent

One in five heart attacks occurs without the person even knowing they had one.

2. Heart attacks affect women differently

Women may experience different symptoms than men. These include pain in the back, arm, neck, or shoulder; nausea; fatigue; shortness of breath; and vomiting.

3. Young women are at higher risk than men

Women under the age of 50 are twice as likely to die of a heart attack as men in the same age group.

4. Mondays

Heart attacks are more likely to occur on Monday mornings than on other days of the week. Scientists attribute this to the disruption in our circadian rhythm over the weekend which leads to increased blood pressure and other changes to the nervous system.

5. Diet soda raises heart attack risk

If you drink one or more diet sodas a day, your chances of having a heart attack are 43% higher than those who drink regular soda or none.

Here in Rockville, we encourage everyone to take steps to decrease the likelihood of heart-related issues. Know the risks so you can make lifestyle choices, eat a healthy diet, be physically active and keep up regular exercise, stay at a healthy weight for yourself, and check your blood

pressure and cholesterol. Light exercise, such as walking 30 minutes for 6 days a week, can reduce the risk of a heart attack by 50%.

For more resources and information, follow your healthcare provider's advice or visit www.CDC.gov/HeartDisease

Mayor and Council History

The Mayor and Council present this proclamation annually.

Public Notification and Engagement

This year, on the first Friday of February, **February 6, 2026**, the City of Rockville will join organizations around the country in raising awareness of heart disease by participating in **National Wear Red Day**. The City encourages its staff and residents to wear red to show their support in raising awareness about heart disease as the leading cause of death among Americans, especially women.

Attachments

Proclamation Declaring February 2026 as American Heart Month in Rockville, Maryland



WHEREAS, during American Heart Month, we recommit to fighting this disease by promoting better health, wellness, and prevention awareness in our communities; and

WHEREAS, heart disease continues to be a leading cause of death in the United States. It affects Americans of all genders, races, and ethnicities; and

WHEREAS, heart disease impacts anyone, but risk factors such as high cholesterol, high blood pressure, physical inactivity, obesity, tobacco use, and alcohol and drug abuse can increase the likelihood of developing the disease; and

WHEREAS, in Maryland, as well as nationwide, heart disease remains the leading cause of death for women, and something as simple as walking at least 30 minutes 6 days per week can reduce the risk of dying from a heart attack by 50%; and

WHEREAS, the death rate from heart attacks has risen dramatically during the COVID-19 pandemic, people are delaying or not seeking care after experiencing symptoms. It's important not to ignore early warning signs like chest pain, palpitations, shortness of breath, sudden dizziness; and

WHEREAS, Americans can promote health and prevent disease and illness by taking simple steps to improve their physical, mental, social, and spiritual health by not smoking, eating nutritious meals, being physically active, and receiving regular medical checkups; and

WHEREAS, we honor the healthcare professionals, researchers, and heart health advocates who save our lives with their hard work. Every day, they put themselves on the front lines of our fight against heart disease, as well as the fight against the cold and flu season.

NOW, THEREFORE, the Mayor and Council of Rockville, Maryland, do hereby proclaim the month of **February 2026**, **American Heart Month**, and encourage the community to wear **Red** on **National Wear Red Day** on **February 6, 2026**, and to engage and keep up to date on news and activities that will benefit the health and well-being of our families.



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|  Monique Ashton, Mayor |  Izola (Zola) Shaw, Councilmember |
|  Kate Fulich, Councilmember |  Barry Jackson, Councilmember |
|  David Myles, Councilmember |  Marissa Valeri, Councilmember |
| |  Adam Van Grack, Councilmember |

February 2, 2026



MAYOR AND COUNCIL Meeting Date: February 2, 2026
Agenda Item Type: RECOGNITION
Department: RECREATION & PARKS
Responsible Staff: CHRIS HENRY

Subject

The Rockville Recreation and Parks Foundation, President Chip Boylan, presents the Mayor and Council with a donation of \$14,100 for the Rockville Youth Recreation Fund. The donation represents the proceeds from the 2025 Rubber Ducky Derby event held at the Rockville Swim and Fitness Center on July 18, 2025.

Department

Recreation & Parks

Recommendation

Staff recommends Mayor and Council accept the donation presented by the Rockville Recreation and Parks Foundation.

Discussion

The 2025 Rockville Rubber Ducky Derby, organized by the Rockville Recreation and Parks Foundation was held at the Rockville Swim and Fitness Center on July 18. Nearly 3,000 ducks were adopted which helped raise \$14,100 to send Rockville kids to camp and other activities.

Mayor and Council History

The Rockville Recreation and Parks Foundation presented donations to the Mayor and Council several times since the organization was established in 2008.

Boards and Commissions Review

The Recreation and Park Advisory Board is informed of the Rockville Recreation and Parks Foundation activities at its monthly meeting during the subcommittee report agenda item.

Next Steps

Mayor and Council will provide the donation to staff for processing into the Rockville Youth Recreation Fund.

Attachments



MAYOR AND COUNCIL Meeting Date: February 2, 2026

Agenda Item Type: CONSENT

Department: RECREATION & PARKS

Responsible Staff: COLLEEN MCQUITTY

Subject

Authorize the City Manager to Execute the Maryland Market Money Program Memorandum of Understanding for the City of Rockville Farmers Market "Eat Fresh Rockville Program" with the Maryland Department of Agriculture.

Department

Recreation & Parks

Recommendation

Staff recommends that the Mayor and Council authorize the City Manager to execute the Memorandum of Understanding (MOU) to continue the City's partnership in the Maryland Market Money program.

Discussion

The Eat Fresh Rockville program at the Rockville Farmers Market was established in 2013 in conjunction with the Maryland Market Money program. This program provides a dollar-for-dollar match (up to a designated amount per customer, per market) to customers using federal nutrition benefits at the market. These matching funds provide increased buying power to those experiencing food insecurity to be able to purchase quality and nutritious foods. With each market season, staff has seen growth in need as well as the popularity of this program.

The Eat Fresh Rockville program is funded in part by grant money provided by the Maryland Department of Agriculture.

This agenda item is the request to authorize the City Manager to execute the MOU on behalf of the Mayor and Council to continue this beneficial partnership with the Maryland Department of Agriculture.

Mayor and Council History

Mayor and Council have previously approved this MOU including last year on September 30, 2024. The MOU has been reviewed and approved for legal sufficiency by the City Attorney's Office.

Fiscal Impact

The Maryland Market Money program grant provides funding to support the Eat Fresh Rockville matching funds program. The City's FY26 Eat Fresh Rockville budget is \$110,000. The funding from the

Maryland Market Money program supplements the City's General Fund contribution of \$30,000 to this program.

Next Steps

Once the agreement is approved and executed, staff will continue working with Maryland Department of Agriculture to support the Eat Fresh Program at the Rockville Farmers Market.

Attachments

Maryland Market Money MOU for Rockville Farmers Market

**STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE**

MARYLAND MARKET MONEY PROGRAM

**Memorandum of Understanding
Between
The Maryland Department of Agriculture
And**

The Mayor and Council of Rockville (Name on W9)
dba City of Rockville, Maryland

WHEREAS, as of July 2025, the Maryland Market Money Program (Program), formerly a program of the Maryland Agricultural & Resource-Based Industry Development Corporation (“MARBIDCO”), has become a program of the MARYLAND DEPARTMENT OF AGRICULTURE (“MDA”), a principal department of the State of Maryland (“State”);

WHEREAS, Maryland Market Money (MMM) is a statewide food access program that feeds Marylanders and supports farmers by removing economic barriers for Marylanders experiencing food insecurity, providing a dollar-for-dollar match for purchases made using federal nutrition benefits at participating Maryland farmers markets, farm stands, and CSAs while providing technical assistance, training, marketing, and additional services to stakeholders.

WHEREAS, MDA will provide the day-to-day management of the Program;

WHEREAS, during the 2026 through 2028 fiscal years (July 1, 2025 - June 30, 2028), MDA will implement the Program, thus providing low-income Marylanders the opportunity to purchase more fresh, locally produced food from farmers and food producers.

NOW, THEREFORE, this Memorandum of Understanding (“MOU”), between MDA and Mayor and Council of Rockville dba City of Rockville, Maryland (Access Point Name) (“Food Access Point” i.e. participating farmers markets, farm stands, and Community Supporting Agriculture [CSA] programs) (collectively MDA and Food Access Point shall be referred to as “Parties”), serves as a binding contract for the administration and implementation of the Program during the 2026 through 2028 fiscal years (three years). In consideration of the promises and the covenants herein contained, the adequacy and sufficiency of which are duly acknowledged by the parties, the Parties agree as follows:

A. PURPOSE & PROGRAM DESCRIPTION

Since 2013, the Program has provided a dollar-for-dollar match (up to a designated amount per customer per day) for each of the federal nutrition programs at participating Food Access Points while providing technical assistance, training, marketing, and additional services to stakeholders. As of 2025, these nutrition benefits include: SNAP (Supplemental Nutrition Assistance Program), S/FMNP (Senior and WIC Farmers Market Nutrition Program), eWIC-CVB (Supplemental Nutrition Assistance Program for Women, Infants and Children, Cash Value Benefit), and Summer SUN Bucks.

The Program’s goal is threefold: 1) to increase the ability for households experiencing food insecurity to afford quality, nutritious foods, 2) to generate additional revenue for local agricultural producers, and 3) to make Food Access Points accessible to residents of all income

levels, thereby increasing their capacity to serve as inclusive community spaces. Participating Food Access Points distribute matching dollars as determined by the contract holder and MDA to all customers spending federal nutrition benefits. Customers may spend MMM incentives on any SNAP-eligible foods available at the Food Access Point.

B. CONTRACT PERIOD

This contract shall remain in effect for the duration of the 2026 through 2028 fiscal years, or until June 30, 2028 (three years). MDA will prepare and issue new MOUs for the 2029 fiscal year in 2028. If a year-round/winter-season market has no funding available for winter (December-March), MDA requests that the Food Access Point continue submitting data to provide MDA with the means to accurately assess and identify Program needs for year-round/winter programming.

C. FUNDING ALLOCATION AND DISBURSEMENT POLICIES

MDA will disburse Program funds to the Food Access Point, subject to the availability of appropriated funds and in consideration of historical distribution and redemption activity. Funding granted to the Food Access Point may not cover total distribution needs for the entire season, and MDA will only commit available Program funds for match provided. Food Access Points are encouraged to internally contribute at least 10% of the Food Access Point's overall annual matching budget through its own fundraising efforts. Should the Food Access Point have existing matching programs the Food Access Point understands that MDA will only commit to fundraising and allocating Program dollars to Food Access Points by calculating a projected need.

The Food Access Point is solely responsible for reimbursing vendors if the Food Access Point continues to distribute matching funds above and beyond the budgeted amount or after Program granted funds run out. This can be mitigated through timely data reporting and communication with Program staff. If the Food Access Point withdraws from the Program, any unspent Program funds shall be returned to MDA within 30 days. If the Food Access Point is still actively participating in the Program at the fiscal year end, the Program funds shall roll over for use during the following fiscal year, if funding remains available.

Food Access Point agrees that no funds provided under this MOU, including but not limited to incentive funds, reimbursements, or other disbursed program monies, shall be deposited into any interest-bearing account. Access Point further agrees that all program funds shall be maintained in a non-interest-bearing account or held in a manner that does not generate interest. Any interest inadvertently accrued must be reported to MDA and may be subject to return or other corrective action as determined by MDA.

MDA will disburse allocated funds to the Food Access Point in installments based on data and need. Failure to comply with the reporting requirements outlined in the "Data Collection and Reporting Policies" section of this MOU will result in stalled disbursements (see Section G: Accountability for more details). The Food Access Point shall receive funds via check or, preferably, by electronic transfer/ACH. To facilitate electronic payment, the Food Access Point must provide the required banking information to the Comptroller's Office using the supplied forms. An IRS form 1099 will not be issued because the funds are considered grant funding.

Funding shall be processed upon execution of this MOU. The amount of funding awarded to the Food Access Point for each disbursement shall be specified in a funding letter issued by MDA, which will accompany the initial disbursement of awarded funds. Awarded funding may increase

throughout the year based on incentive usage, accurate data reporting, and overall program funding availability.

D. EXPENDITURE POLICIES

Food Access Point agrees that no funds provided under this MOU, including but not limited to incentive funds, reimbursements, or other disbursed program monies, shall be deposited into any interest-bearing account. Access Point further agrees that all program funds shall be maintained in a non-interest-bearing account or held in a manner that does not generate interest. Any interest inadvertently accrued must be reported to MDA and may be subject to return or other corrective action as determined by MDA.

E. OUTREACH AND PROMOTION POLICIES

MDA will develop and distribute, to participating Food Access Points, signage such as banners that promote the use of federal nutrition benefits and the Program at the Food Access Point. The Food Access Point is responsible for displaying this signage on every event day, excluding those when inclement weather makes it impossible.

MDA will develop and distribute materials promoting Food Access Points participating in the Program and their locations/times to potential customers across the State. MDA will also develop and share other informational materials for the Food Access Point to use, such as but not limited to: “How to use your benefits” and Maryland Market Money information cards. The Food Access Point may use these materials as they see fit as part of their outreach and promotion strategies.

Food Access Point agrees to highlight the Program availability in all public-facing communications where federal nutrition benefits acceptance is mentioned. Food Access Point agrees to acknowledge the “Maryland Department of Agriculture” and “Maryland Market Money” as a funder in all relevant publications and public communications. Food Access Point is expected to promote the availability of federal nutrition benefits matching and the Program in public-facing communications throughout the season.

F. DATA COLLECTION, REPORTING POLICIES, AND COMPLIANCE

MDA shall provide the Food Access Point with a standardized method and form for data collection and reporting. Prior to the start of each fiscal year, MDA will train the Food Access Point’s staff or volunteers on the required method. The Food Access Point shall submit data through the standard reporting method on a weekly basis, maintain its own records of all data submitted, and provide complete **final calendar year data by January 14 of the following year, and fiscal year data by July 14 of the following fiscal year.**

Failure to submit required data within **fourteen (14) days of each market date** shall be considered a violation of this MOU. In such cases, subsequent disbursements will be withheld until reporting is current. Repeated non-compliance will result in the following escalating actions:

- First violation: Written warning.
- Second violation: Monthly disbursement withheld until the violation is corrected.
- Third violation: Suspension from the Program for the following season.

The Food Access Point shall maintain accurate records related to Program administration, including receipts, transaction logs, and financial documentation, for a minimum of three (3)

years or as otherwise required by law. These records must be made available to MDA upon request. MDA reserves the right to conduct one compliance audit per calendar year to ensure adherence to Program requirements, financial accountability, and proper use of funds. In the event of an audit of the program, the Food Access Point must provide backup documentation within 30 days of notice.

Timely and accurate reporting is essential to the success of the Program. MDA is required to provide funders with monthly reports by the 15th of each month; therefore, delays or inaccuracies in Food Access Point reporting directly jeopardize the Program's compliance, funding, and sustainability. Accurate and timely data also enables MDA to monitor budgets and prevent over-distribution.

MDA is committed to working collaboratively with Food Access Points to build capacity and resolve compliance challenges. If a Food Access Point experiences difficulty meeting Program requirements, MDA will coordinate a site visit and/or mentoring session with MDA staff or an agricultural system peer, as appropriate.

G. ROLES AND RESPONSIBILITIES

MDA's Role and Responsibilities

MDA shall take on the primary duty of implementing the Program by performing the following:

ACTIVITIES:

- Conducting a pre-season meeting with Food Access Point staff to explain the Program, including implementation at the Food Access Point, data collection requirements, funding availability, and funding disbursement timeline. Meetings will predominantly be held virtually or via kick-off celebration at MDA.
- Conducting mid-season check-in with Food Access Point staff to review Program implementation and adjust implementation processes as agreed upon by both MDA and the Food Access Point. Check-in will predominantly be held virtually.
- Conducting end-season meeting with Food Access Point staff to review Program implementation for the season and adjust implementation processes for the following season as agreed upon by both MDA and the Food Access Point. Meetings will predominantly be held virtually.
- Offering an optional Food Access Point vendor training for vendors at the Food Access Point to explain the Program and federal nutrition benefit currency. Training will be held virtually.
- Granting funds to the Food Access Point to support the cost of the Program's matching dollars based on need and jurisdictional support of the Food Access Point.
- Providing technical assistance to the Food Access Point as it relates to the Program as needed throughout the duration of the season.

MATERIALS AND SUPPLIES:

- Providing Program materials for the Food Access Point staff including appropriate signage and instructions for displaying properly; documents explaining data collection requirements and reporting procedures, appropriate data collection tracking mechanisms, and fund development strategies for raising Program funds at the market level, if applicable.
- Providing Food Access Point staff with Program currency and receipts for benefit types spent directly with market vendors to be used at market, if applicable.
- As requested by the Food Access Point, providing Vendor Training Materials for each vendor at the Food Access Point about the types of federal nutrition benefits programs and how they

are accepted at Food Access Point, including Program funds, SNAP, eWIC, and FMNP, if applicable.

- As requested by the Food Access Point, providing customer materials explaining different currencies at market, if applicable.
- If possible, all materials will be available in languages identified as appropriate by Food Access Point staff.
- *Provision of physical Program materials and supplies is subject to availability and the constraints of Program funding. Processing times for material and supply requests may take two to three (2–3) weeks. Immediate or urgent requests may be accommodated, if available, through in-person pickup at the Maryland Department of Agriculture main campus by appointment. Food Access Points are expected to consolidate material and supply requests to the extent practicable; repeated or sequential requests may result in a requirement for in-person pickup.*

REPORTING:

- Providing Food Access Point with standard data reporting mechanisms to report program data.
- Providing Food Access Point with standard data reporting mechanisms to view program data.
- Providing Food Access Point staff training on accurate data reporting.

COMMUNICATIONS:

- Providing Food Access Point with notice before visiting in an official capacity to take pictures, deliver and/or distribute collateral and/or training materials, or conduct a visit.
- Obtaining permission of Food Access Point at least 24 hours before holding press, outreach, or other events at Food Access Point.
- Providing Food Access Point with additional support via Program social media channels, paid advertising or paid marketing (where applicable), and general outreach.
- Monitoring incentive usage and accurate data records. If the Food Access Point is getting close to depleting its funding in-hand, Food Access Point must contact MDA Program staff before funding in-hand runs out to inquire if additional funding is available.

H. FOOD ACCESS POINT’S ROLE AND RESPONSIBILITIES

The Food Access Point agrees to take on the following duties:

ACTIVITIES:

- Using funds granted to Food Access Point solely for Program matching dollars, as outlined in the “Purpose” section of this MOU.
- Participating in both pre- and end-season meetings virtually to be trained in Program implementation processes and to provide feedback regarding these processes.
- Displaying appropriate signage at the Food Access Point that promotes the use of federal nutrition benefits and explains the Program to Food Access Point customers as outlined above in the “Outreach & Promotion” Section of this MOU and any other general outreach materials.
- Administering Program funds to all eligible customers each time an event is held so long as there is funding available, excepting Food Access Points which communicated to MDA demonstrated need to end matching early for one or multiple subsets of eligible customers.

- Training vendors as appropriate (verbal or written, in appropriate language) on how to provide customers with receipts for using FMNP, WIC CVB (“eWIC”), and SNAP vouchers at their stands, if applicable.
- Reimbursing vendors for Program eligible dollars received at market stands as outlined in the “Expenditure Policies” section of this MOU, if applicable.
- **Allowing MDA staff to visit the Food Access Point to observe how the program is implemented at the access point.**
- As requested by MDA, returning any unspent matching funds as outlined in the “Funding Allocation Policies” section of this MOU.
- Allow Program sponsors to table at Food Access Point, if requested. Space must be reserved at least 30 days prior to the market date and is subject to availability
- Completing the annual “Maryland Market Money Legacy Update Form” to inform the Program of any Food Access Point updates between market seasons.

REPORTING:

- Providing MDA with data in the format provided on a weekly basis in compliance with the data collection requirements & reporting procedures outlined in the “Data Collection & Reporting” section of this MOU.
- Maintaining Food Access Point’s own record of accurate data submitted to Program as part of data reporting. Templates may be provided by MDA upon request.
- Providing MDA with copies of Food Access Point data collected at the Food Access Point in electronic form in compliance with the auditing procedures outlined in the “Data Collection & Reporting” section of this MOU.
- All final calendar year data and copies **MUST** be submitted to MDA by **January 14 of the following year**. All final fiscal year data and copies of Food Access Point data collected at the Food Access Point in electronic form by **July 14 of the following fiscal year**, for the Food Access Point to be considered for funding in the following fiscal year.
- Providing at least one anecdote or quote from a customer, farmers, or market staff member regarding the Program during the season, if possible (photos encouraged!)

COMMUNICATIONS:

- Notifying MDA if/when administration of the Program changes during the season. This may include but is not limited to:
 - a change in the cap of matching dollars administered to individual customers, if applicable; or
 - a change in which customer or benefit type subsets receive Program funds at the Food Access Point.
- Notifying MDA if/when Food Access Point needs additional program-related materials.
- Proactively notifying MDA in advance if/when Food Access Point needs additional incentive funding prior to Food Access Point running out of incentive funding in hand.
- Notifying MDA if the Food Access Point is unable to carry out any of the responsibilities outlined in this section.

I. E-INCENTIVES PARTICIPATION

The Maryland Market Money Program is transitioning to an electronic incentives system (“e-incentives”) administered through the Healthy Together digital platform. This platform allows Food Access Points to distribute and manage MMM matching funds electronically, reducing administrative burden and improving customer and vendor experience.

Food Access Points may participate in the e-incentives system in one of two ways:

- Full Participation: The Food Access Point will administer all Maryland Market Money match exclusively through Healthy Together. Vendors will receive reimbursements via direct deposit from program funds managed by MDA through the platform. The Food Access Point will not receive physical disbursements of incentive funds.
- Hybrid Participation: The Food Access Point will administer Maryland Market Money match through a combination of Healthy Together and physical tokens or other legacy systems. In this case, MDA will deposit a portion of the total program funds into the Healthy Together platform and disburse the remainder directly to the Food Access Point for physical incentive distribution. The Food Access Point remains responsible for reimbursing vendors that accept non-digital MMM currency.

Participation in the e-incentives system requires that the Food Access Point:

- Has access to a reliable, data-enabled smart device.
- Coordinates vendor onboarding and training with MDA staff.
- Reports any technical or participation issues in a timely manner.
- Continues manual data reporting for any physical incentives distributed (if participating in the hybrid model).

All data related to e-incentives usage will be collected and maintained via the Healthy Together platform and made accessible to both MDA and the Food Access Point via platform dashboard or spreadsheet form. Hybrid participants must also maintain their own internal records and submit required reports as outlined in the “Data Collection and Reporting Policies” section of this MOU.

MDA reserves the right to adjust disbursement amounts and participation models based on funding availability, vendor capacity, and operational readiness. The Food Access Point acknowledges that participation in the e-incentives system does not guarantee funding availability in future fiscal years.

J. MONITORING

MDA designates Sara Servin and Cristina Berthelot as the MOU Monitors for this MOU. The MOU Monitors are the MDA representatives for this MOU and are primarily responsible for the MOU’s administration functions, including issuing written direction, invoice approval, monitoring this MOU to ensure compliance with the terms and conditions of the MOU, and achieving completion of the MOU on budget, on time, and within scope. All contact between MDA and the Food Access Point regarding all matters relative to this MOU shall be coordinated through the MOU Monitors. MDA, at its sole discretion, may change its respective MOU Monitors with notice to the Food Access Point. Unless changed by MDA, the following contact information shall be used for any notices or correspondence under this MOU:

- Cristina Berthelot
Food Access Programs Administrator
Maryland Department of Agriculture
50 Harry S. Truman Pkwy
Annapolis, MD 21401
cristina.berthelot@maryland.gov
410-841-5724
- Sara Servin
Program Director, Farmers Markets and Food Access

Maryland Department of Agriculture
50 Harry S. Truman Pkwy
Annapolis, MD 21401
sara.servin@maryland.gov
410-841-5776

K. FOOD ACCESS POINT/VENDOR REIMBURSEMENT: LEGAL COMPLIANCE

Funds granted to the Food Access Point are to be used solely to provide Program matching funds to eligible customers at market. Once granted, the Food Access Point takes sole responsibility for administering Program funds to vendors as appropriate to reimburse them/themselves for the Program eligible dollars spent per vendor, if applicable. Program incentive funds shall be used only for shoppers to purchase eligible items from vendors/Food Access Point, as outlined in training and materials provided by MDA. MDA will consider any unspent funds when allocating next year's disbursement amounts.

MDA is not responsible for any over-distribution of Program funds will not reimburse the Food Access Point if the funds distributed to shoppers by the Food Access Point exceeds the total Program funds MDA granted to the Food Access Point.

L. TERMINATION

MDA or Food Access Point may terminate this MOU with thirty (30) days written notice, sent via certified mail. Upon termination by either MDA or Food Access Point, Food Access Point shall immediately return any undistributed Program funds to MDA.

M. DEFAULT; REMEDIES

A default shall consist of any breach by Food Access Point of any of Food Access Point's covenants, agreements, warranties, representations, or certifications in this MOU. Upon the occurrence of any default of this MOU, MDA shall have the right to terminate this MOU by written notice to Food Access Point. If MDA terminates this MOU, Food Access Point is obligated to repay the entire amount of Program funds, or any portion thereof at the sole discretion of MDA, to MDA within 30 days of receipt by Food Access Point of written notice from MDA of default and demand for repayment.

In addition to the rights and remedies contained in this MOU, MDA may at any time proceed to protect and enforce all rights available to MDA by suit in equity, action at law, or by any other appropriate proceedings, which rights and remedies shall survive the termination of this MOU.

Nothing in this provision shall be construed or otherwise act as a waiver of Food Access Point's liability for damages caused by Food Access Point's default of this MOU. Food Access Point shall remain fully liable for any and all damages, injuries, expenses, and costs of any Food Access Point's defaults under this MOU.

N. LIMITATION OF LIABILITY; INDEMNIFICATION

The State of Maryland ("State"), and/or MDA may not be held responsible for any damages incurred as a direct or indirect result of the conditions outlined in this MOU, even if the damages or conditions were foreseeable. Food Access Point releases the State, and/or MDA from, agrees that the State, and/or MDA shall not have any liability for, and agrees to protect, indemnify and save harmless the State, and/or MDA from and against, any and all liabilities, suits, actions,

claims, demands, losses, expenses and costs of every kind and nature incurred by or asserted or imposed against the State, and/or MDA as a result of or in connection with this MOU. All the money expended by the State and/or MDA as a result of such liabilities, suits, actions, claims, demands, losses, expenses or costs, together with interest at a rate not to exceed the maximum interest rate permitted by law, shall constitute an indebtedness of the Food Access Point and shall be immediately and without notice due and payable by the Food Access Point to the State and/or MDA. Nothing in this paragraph is intended to, or should be interpreted to, waive the common law and other governmental immunities and the provisions of §5-301 et seq. and §5-507, Local Government Tort Claims Act, Courts and Judicial Proceedings Article, Annotated Code of Maryland.

O. GOVERNING LAW

This MOU shall be construed and enforced in accordance with the laws of the State of Maryland. The Parties covenant and agree that venue of any dispute or controversy arising out of this MOU or the performance or nonperformance of the Parties' obligations under this MOU shall lie exclusively in the State courts of the State of Maryland.

P. DRUG AND ALCOHOL POLICY

In accordance with State Executive Order 01.01.1989.18, Food Access Point certifies that it shall make a good faith effort to maintain a workplace free of drug use and alcohol and drug abuse from its workplace during the term of the MOU.

Q. NON-DISCRIMINATION IN EMPLOYMENT

Food Access Point shall operate under this MOU so that no person, otherwise qualified, is denied employment or other benefits on the basis of race, color, religion, creed, age, sex, sexual orientation, gender identification, marital status, national origin, ancestry genetic information or any otherwise unlawful use of characteristics, or disability of a qualified individual with a disability unrelated in nature and extent so as to reasonably preclude the performance of the employment, or the individual's refusal to submit to a genetic test or make available the results of a genetic test. Except in subcontracts for standard commercial supplies or raw materials, Food Access Point shall include a clause similar to this clause in all subcontracts. Food Access Point and each subcontractor shall post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.

R. AMENDMENTS

This MOU, or any part, may be amended from time to time only in writing executed by the Parties.

S. COMPLIANCE WITH APPLICABLE LAWS

Food Access Point agrees to comply with all applicable federal, State, and local laws, including laws relating to discrimination in employment, related in any way to this MOU and/or Food Access Point's duties, obligations, and responsibilities under this MOU.

T. ATTORNEY'S FEES

If any administrative proceeding, legal action or other proceeding is brought for the construction, interpretation, or enforcement of this MOU or of any provision hereof, or because of any claim,

dispute, alleged default, breach or other claim or cause of action in connection with this MOU, Parties agree that each party shall bear its own legal expenses and other costs of all kinds incurred in that action or proceeding. Any provision of law or of this MOU to the contrary notwithstanding, the Food Access Point hereby waives expressly and irrevocably any statutory or other right it has or may have to recover from the State and/or MDA legal expenses and other costs of all kinds that it may incur in such an action or proceeding with respect to this MOU.

U. NO WAIVER

Except as to matters expressly waived by a party as expressly provided elsewhere in this MOU, the failure of any party to insist upon or demand the prompt and punctual performance of any term or condition of this MOU, or the failure of any party to exercise any right or remedy provided in this MOU, by law or otherwise, on any one or more occasions shall not constitute a waiver of that or any other term, condition, right or remedy on that or any subsequent occasions.

V. SEVERABILITY

If this MOU in its entirety is declared or found to be illegal or unenforceable or void, then both Parties shall be relieved of all obligations arising under this MOU and the Parties shall proceed as in the case of termination. If any provision of this MOU is declared or found to be illegal or unenforceable or void then both Parties shall be relieved of all obligations arising under such provision, but if the remainder of this MOU shall not be affected by such declaration or finding, then each such provision not so affected shall be enforced to the extent provided by law.

W. ENTIRE CONTRACT; COUNTERPARTS; SIGNATURES

This MOU, together with any exhibits incorporated by reference, represents the complete and final understanding of the Parties. No other understanding, oral or written, regarding the subject matter of this MOU, may be deemed to exist or to bind the Parties at the time of execution. This MOU may be executed in any number of duplicate originals or counterparts, each of which such duplicate originals or counterparts shall be deemed to be an original and all taken together shall constitute one and the same instrument. Signatures provided by facsimile or other electronic means, for example, and not by way of limitation, in Adobe .PDF sent by electronic mail, shall be deemed to be original signatures.

Accepted for Food Access Point:

Accepted for MDA:

Signature

Signature

Printed Name

Printed Name

Title

Accepted for Food Access Point:

Signature

Printed Name

Title

The form of this MOU has been approved by the Office of the Attorney General



MAYOR AND COUNCIL Meeting Date: February 2, 2026
Agenda Item Type: CONSENT
Department: HOUSING AND COMMUNITY DEVELOPMENT
Responsible Staff: RYAN TROUT

Subject

Resolution to Ratify the Approval of the Exercise of the Right of First Refusal by Yoke Management LLC to Acquire The Argyle Apartments

Department

Housing and Community Development

Recommendation

Staff recommends that the Mayor and Council support the attached resolution.

Discussion

Background

Chapter 53A of the Montgomery County Code of ordinance grants the Montgomery County Department of Housing and Community Affairs (DHCA) and the Montgomery County Housing Opportunities Commission (HOC), or a tenant organization the Right of First Refusal (ROFR) on the sale of any multifamily housing development located within county borders. For properties located within municipal borders – including within the City of Rockville – the municipality must approve of the acquisition by the County. The County, HOC, or a tenant organization has 60 days to exercise a ROFR option once a multi-family owner has negotiated a sales contract with a buyer. The seller of the Subject Property, Argyle VI Venture, LLC, submitted a ROFR package to Montgomery County on November 5, 2025, receipt of which was confirmed on November 7, 2025. The County then provides the "Offer Packet", which is a notice, to all qualified entities providing basic information on the ROFR. If interested, Qualified Entities can request additional information. One of these Qualified Entities is Yoke Management LLC.

The County notified City of the ROFR offering on January 5, 2025. The County's deadline to accepting the offer was January 6, 2025. On January 6, 2025, after conferring with members of Mayor and Council, the City Manager approved the County's exercise of its ROFR. Upon the City's authorization, the County assigned its ROFR to Yoke Management for the purchase of The Argyle Apartments. The assignment was effectuated through an Assignment Agreement - Right of First Refusal and Affordability Covenant between the County, and Yoke

Management. Upon Mayor and Council's ratification of the approval of the exercise of a right of first refusal, Yoke Management and the seller will proceed to effectuate the right of first refusal through a purchase contract.

Project Description

The Subject Property, The Argyle is a 22-unit apartment complex at 100-102 Argyle Avenue, located a half mile from the Rockville WMATA Red Line, making it near downtown Rockville, convenient to government services, transportation, and other amenities.

The Argyle is reported as being originally built in 1949, making it 75-76 years old.

Argyle Apartments contains twenty-two (22) units and is being sold for \$4,175,000, or \$189,773 per unit. The property has sixteen (16) one-bedroom units and six (6) two-bedroom units. One-bedroom units reported an average rent of \$1,611.00 per month, while two-bedroom units reported an average rent of \$1,764 per month. The reported rents approximate 55 percent of the Area Median Income (AMI) level for one-bedroom units and 50 percent of the AMI for two-bedroom units, based on the 2025 DHCA published rent and income limits. The property is considered a NOAH product or Naturally Occurring Affordable Housing, an unassisted housing development where the rents are considered market and affordable compared to the rents of Class A rental products.

Yoke Management has expressed interest in the property and has submitted a proposal for the property. Yoke Management is a DHCA-approved Qualified Entity as an emerging minority developer with a portfolio of 101 units with five properties in the District of Columbia and one in Prince George's County. The property in Prince George's County was recently acquired under the Prince George's Right of First Refusal Program with assistance from the Prince George's County Department of Housing and Community Development. The size of these properties is within the portfolio dynamics of Yoke Management.

The County wishes to exercise its ROFR through assignment to Yoke Management to preserve these very affordable units because the contract purchaser intends to displace the existing tenants and to convert the property into a transitional housing facility for persons with substance abuse issues. We have checked with County officials to confirm that there is no waitlist for beds for such services in the County. Therefore, we believe that preventing the displacement of existing tenants and preserving this level of affordability takes priority over the plans of the contract purchaser.

Supporting the County's assignment of its exercise of the ROFR to Yoke Management aligns with a stated goal in the City's 2040 Comprehensive Plan adopted in August 2021. Moreover, while does not add net new housing, it does help towards meeting the regional Metropolitan Washington Council of Governments (COG) goals of increasing the affordable housing counts in the region, which includes 1,000 units for the City of Rockville by 2030, by not losing these NOAH units to the market or other housing typologies.

Mayor and Council History

This is the first time this item has been brought before the Mayor and Council as a body. However, the Mayor and Council previously supported the County's exercise of the ROFR and sale agreement to RHE for the purchase of Scarborough Square Apartments and Townhomes in September 2022.

Next Steps

The next steps are for the Mayor and Council to discuss and authorize the attached resolution.

Attachments

Draft Resolution

Resolution No. [REDACTED]

RESOLUTION: Adoption of Resolution by The Mayor and Council of Rockville ratifying the approval of the exercise of a right of first refusal by Yoke Management LLC to acquire the Argyle Apartments.

RECITALS

WHEREAS, under Chapter 53A-4 of the Montgomery County Code (the “**County Code**”), subject to certain exceptions, an owner of rental housing is required to offer (i) Montgomery County (the “**County**”), (ii) the Housing Opportunities Commission of Montgomery County (“**HOC**”), and (iii) certain applicable tenant organizations certified by the County, the right to buy rental housing before selling the rental housing to another party (“**Right of First Refusal**” or “**ROFR**”); and

WHEREAS, under Chapter 53A-4(d)(1) of the County Code, the County, a County assignee, and HOC may exercise the Right of First Refusal and purchase rental housing in the City of Rockville only if The Mayor and Council of Rockville approves the ROFR; and

WHEREAS, on November 7, 2025, the County received an offer from Argyle VI Venture LLC to purchase a 22-unit multifamily rental housing facility located at 100-102 Argyle Avenue in the City of Rockville, Maryland (“**Argyle Apartments**”) for \$4,175,000. Under Chapter 53A-4 of the County Code, the offer to purchase Argyle Apartments must remain open for 60 days; and

WHEREAS, in accordance with Chapter 53A-4 of the County Code, the County provided a copy of the offer to purchase Argyle Apartments to “all qualified entities,” including Yoke Management LLC, a Maryland limited liability company; and

WHEREAS, on January 6, 2026, pursuant to that certain Assignment Agreement – Right of First Refusal and Affordability Covenant, the County assigned its Right of First Refusal to purchase Argyle Apartments to Yoke Management LLC, and Yoke Management LLC agreed to, among other things, to designate twelve (12) of the units in Argyle Apartments as affordable restricted units that will be occupied by households earning no more than 65% of the area median income; and

WHEREAS, on January 6, 2026, after conferring with individual members of The Mayor and Council, the Rockville City Manager determined that the acquisition of Argyle Apartments by Yoke Management LLC is in alignment with the City’s goal of preserving affordable housing and approved Yoke Management LLC’s exercise of its assigned ROFR to purchase Argyle Apartments.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, as follows:

1. The Mayor and Council hereby ratifies the City Manager’s approval of Yoke

Management LLC's right to exercise its Right of First Refusal to acquire the Argyle Apartments, a 22-unit multifamily rental housing facility located at 100-102 Argyle avenue in the City of Rockville, Maryland.

* * * * *

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Mayor and Council of Rockville as its meeting of February ___, 2026.

Sara Taylor-Ferrell, City Clerk and
Director of Council Operations



MAYOR AND COUNCIL Meeting Date: February 2, 2026

Agenda Item Type: CONSENT

Department: PW - ENGINEERING

Responsible Staff: SEAN MURPHY

Subject

Authorization for the City Manager to Release and Extinguish an Existing Water Line Easement, and to Execute Two New Easements for Sewer and Water Meter on Lot 16, Block B, City Center

Department

PW - Engineering

Recommendation

Staff recommends that the Mayor and Council authorize the City Manager to execute the release of one existing easement and to execute two proposed easements between the Mayor and Council of Rockville and APG Investments, L.L.C. (Owner of Ownership Lot 16-C) or Foulger Pratt Rockville III, L.P. (Owner of Ownership Lot 16-D), in conjunction with constructed improvements on Lot 16, Block B, City Center, 121 Rockville Pike.

Discussion

This item seeks Mayor and Council approval of, and authorization for, the City Manager to execute on its behalf the following release and grant of easements associated with Rockville Metro Plaza II located at 121 Rockville Pike:

- 1) Release and Extinguishment of Water Line Easement and Right-of-Way
- 2) Grant of Sewer Easement
- 3) Grant of Water Meter Easement

In October 2011, Foulger Pratt, owner and developer of the subject property at the time, was issued a Public Works Permit (PWK2011-00041) for redevelopment of the site. As conditioned with the permit and required by Section 21-19 of the Rockville City Code, recorded copies of any required easements must be received by the City prior to the release of the permit or its security. Despite staff efforts to bring the project into compliance, including multiple attempts to coordinate and address through the typical as-built submission process, the necessary easement documents were not approved and remain unrecorded to date.

In February 2025, Ownership Lot 16-C was sold by Foulger Pratt Rockville II, L.P. to APG Investments, L.L.C. Notwithstanding the change in ownership, the grant or termination of any easement on the subject property must be executed by the current owner and be binding upon the successors and assigns of the grantor, constituting a covenant running with the land. The

location of existing and proposed easements, including those for Stormwater Management, are shown on Attachment 1.

1) Release and Extinguishment of Water Line Easement and Right-of-Way

This item authorizes the City Manager to approve the release and extinguishment of an existing water easement as shown on Plat 24265 and recorded in the Montgomery County Land Records in Liber 32031 Folio 724 (Attachment 2). The existing easement is no longer necessary because the water main infrastructure that the easement once contained was abandoned to accommodate site redevelopment, as was shown on approved construction drawings. The location of the existing easement is shown in Attachment 1. The draft document is provided in Attachment 3, "Release and Extinguishment of Water Line Easement and Right-of-Way."

2) Grant of Sewer Easement

This item authorizes the City Manager to approve a Sewer Easement for all public sewer infrastructure in areas not dedicated as rights-of-way. The owner, Foulger Pratt Rockville III, L.P., is required to provide public sewer and obtain Public Works approval and permits in accordance with the City's Water and Sewer Ordinance, Chapter 24, and Public Improvements Ordinance, Chapter 21.

The purpose of the Sewer Easement is to grant the City rights to access, maintain, repair, replace operate and inspect City-owned sewer infrastructure. The location of the proposed easement is shown in Attachment 1. The draft document is provided in Attachment 4, "Grant of Sewer Easement."

3) Grant of Water Meter Easement

This item authorizes the City Manager to approve a Water Meter Easement for the water meter vault servicing the existing commercial/office building in areas not dedicated as rights-of-way. The owner, APG Investments, L.L.C., is required to locate the water meter in an easement dedicated to the City and obtain Public Works approval and permits in accordance with the City's Water and Sewer Ordinance, Chapter 24, and Public Improvements Ordinance, Chapter 21.

The purpose of the Water Meter Easement is to grant the City rights to access, maintain, repair, replace, operate and inspect the City-owned water service line, water meter, vault and associated appurtenances. The location of the proposed easement is shown in Attachment 1. The draft document is provided in Attachment 5, "Grant of Water Meter Easement."

Mayor and Council History

This is the first time this item has been brought before the Mayor and Council.

Next Steps

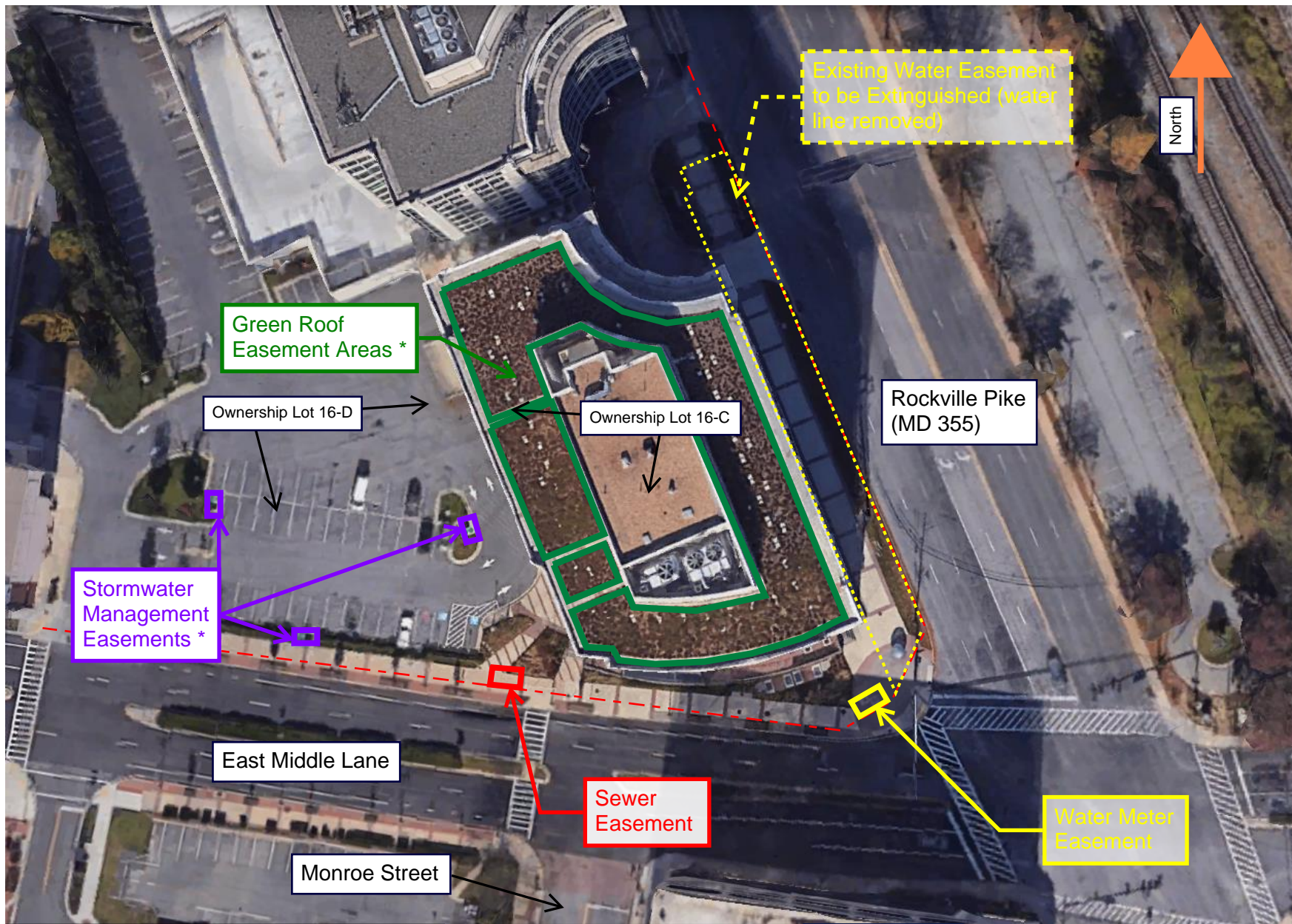
If approved by Mayor and Council, the City Manager will ensure the execution of the following listed documents in a form substantially similar to the draft documents attached to this agenda and as approved by the City Attorney:

- 1) Release and Extinguishment of Water Line Easement and Right-of-Way
- 2) Grant of Sewer Easement
- 3) Grant of Water Meter Easement

The documents will be recorded in the Land Records of Montgomery County prior to the release of associated Public Works permits and bonds for the completed work.

Attachments

Attachment 1_Location of Existing and Proposed Easements, Attachment 2_Existing Water Line Easement and Right-of-way_L32031_F724, Attachment 3_Release and Extinguishment of Water Line Easement, Attachment 4_Grant of Sewer Easement, Attachment 5_Water Meter Easement



* Proposed SWM Easements to be executed by the Grantor (Applicant) alone and are shown for reference only.

Easement Exhibit
121 Rockville Pike

BOHLER //
9711 WASHINGTONIAN BLVD, SUITE 400
GAITHERSBURG, MARYLAND 20878
Phone: (301) 809-4500
Fax: (301) 809-4501
MD@BohlerEng.com

32031 724

Parcel Identification Number: Part of Ownership Lots A6-A and 16-B, Plat Number 21143
Title Insurer: None

GRANT OF WATER LINE EASEMENT AND RIGHT-OF-WAY

THIS GRANT OF WATER LINE EASEMENT AND RIGHT-OF-WAY is made this 12th day of January 2006 by **ROCKVILLE METRO PLAZA I, L. L. C. and F. P. ROCKVILLE II LIMITED PARTNERSHIP** and **F. P. ROCKVILLE III LIMITED PARTNERSHIP** (F. P. Rockville II and F. P. Rockville III being the successor in interest to Pension Benefit Fund, Inc. and together with Rockville Metro Plaza I, L. L. C. being hereinafter collectively referred to as the "Grantor") for the benefit of the **MAYOR AND COUNCIL OF ROCKVILLE**, a municipal corporation in the State of Maryland, (herein called the "City").

Kay I.D. 3266855 WITNESSETH:

WHEREAS, the Grantor is the owner of the real property hereinafter referred to as the "Subject Property," described as follows:

Being all of that piece parcel or tract of land situate, lying and being in the Rockville Election District No. 4 Montgomery County, Maryland being part of the property described in a Deed dated July 2, 1962 and recorded among the Land Records of the aforesaid County in Liber 2981 at Folio 528, also being part of the property described in a Deed dated December 2, 1994 and recorded among the Land Records of the aforesaid County in Liber 13149 at Folio 87, also being Lots 16-A and 16-B as delineated on a Plat of Subdivision entitled "Ownership Lots 16-A and 16-B a Ownership Plat of Lot 16, Block "B" City Center" and recorded among the Land Records of the aforesaid County in Plat Book 194 at Plat 21143

2006 MAR 24 P 4:34

FILED
MOLLY O. RUHL
CLERK'S OFFICE
MONTGOMERY CO. MD

MONTGOMERY COUNTY, MD

APPROVED BY

MAR 24 2006

RECORDATION TAX PAID
TRANSFER TAX PAID

NOW, THEREFORE, in consideration of the release of Grantor from any obligation under that certain Bond Number 103522203 issued by Grantor in favor of the City as required by the City for the issuance by the City of the necessary development approvals and permits for the development for the Subject Property, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant and convey unto the City, its successors and assigns, forever and in perpetuity, the water line easement and right-of-way described in attached Exhibit "A" and shown on attached Exhibit "B" (the "Easement Area") (which attached exhibits are incorporated herein by reference) for the purposes set forth herein, together with the right of ingress and egress along, over, under and through said easement and right-of-way for any and all such purposes.

The said easement and right-of-way is hereby intended to be granted and conveyed together with all the rights, privileges, appurtenances, and advantages thereto belonging or

20.00
20.00
40.00
18712
7350
04:30 PM

appertaining to their proper use and benefit forever by the City, its successors and assigns.

The Grantor, for itself and its successors and assigns, covenants and agrees as follows:

FIRST: That the City, its representatives, successors, and assigns shall at all times have the right to use and enter upon the Easement Area for the purpose of installation, construction, reconstruction, maintenance, repair, operation, and inspection of an underground water line and appurtenances thereto, including but not limited to service connections. The City, its representatives, successors, and assigns shall further have the right of ingress and egress to and from the Easement Area, said ingress and egress to be made generally across the Subject Property from any adjacent public road or right-of-way, or along such other lines as the Grantor may designate and as may be acceptable to the City.

SECOND: That Grantor, without the prior written consent of the City, will neither perform nor permit upon or within the above described Easement Area: (i) the erection or installation of any structure, building or other improvements, (ii) the excavation or filling of land, or (iii) the installation of trees, shrubs, or other landscaping (excluding grass).

THIRD: That all underground pipes and appurtenances which are installed in the Easement Area shall be and remain the property of the City, its successors and assigns.

FOURTH: That Grantor has installed certain surface improvements in the Easement Area and is responsible for the repair, replacement and/or restoration of said improvements and the cost thereof in the event that the surface improvements are damaged or destroyed as a result of the actions of the City, its representatives, successors and/or assigns in connection with use of the easement by the City, its representatives, successor and/or assigns. The terms and conditions of that certain document entitled "Agreement for Repair of Surface Improvements (Rockville Metro Plaza)" dated October 9, 2001 and recorded among the Land Records for Montgomery County, Maryland in Liber 19872 at Folio 352 shall apply to the rights and responsibilities of the Grantor and the City (and their respective representatives, successors and/or assigns) under this Grant of Water Line Easement and Right-of-Way as if all said terms and conditions were set forth therein.

FIFTH: That Grantor shall not use the Easement Area, nor permit the Easement Area to be used, in any manner that interferes with the free and unobstructed use thereof by the City and its representatives for the purposes contained herein.

SIXTH: That Grantor hereby warrants specially said Grant of Water Line Easement and Right-of-Way and will execute such further assurances thereof as may be requisite.

SEVENTH: Grantor further certifies that all parties with an interest in the Subject Property necessary to give full effect to this Grant of Water Line Easement and Right-of-Way have signed, or consented in writing to, this document.

This Grant of Water Line Easement and Right-of-Way (including all terms, covenants, and agreements contained herein) shall run with the title to the Subject Property and shall bind the Grantor and its executors, administrators, successors and assigns.

32031 726

IN WITNESS WHEREOF, the Grantor has caused this Grant of Water Line Easement and Right-of-Way to be executed as of the date and year first above written.

[SIGNATURE PAGES FOLLOW]

WITNESS

M. O. Thordahl III**ROCKVILLE METRO PLAZA I, L. L. C.**

A Maryland limited liability company

By: F. P. Rockville Limited Partnership

Its Member

By: Foulger Investments, Inc.

Its General Partner

By: Clayton F. FoulgerName: CLAYTON F. FOULGERTitle: VICE PRESIDENT

ACKNOWLEDGEMENT

COUNTY OF FREDERICK

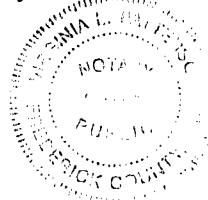
STATE OF MARYLAND

)
) ss:
)

Before me, a Notary Public in and for the jurisdiction aforesaid, personally appeared this date CLAYTON F. FOULGER personally well known (or satisfactorily proven) to me to be the person whose name is subscribed to the foregoing and annexed Grant of Water Line Easement and Right-of-Way bearing date as of JANUARY 12, 2006, who, being by me first duly sworn, acknowledged that he is a VICE PRESIDENT of Foulger Investments, Inc., a Maryland corporation, the general partner of F. P. Rockville Limited Partnership, a Maryland limited partnership, a member of Rockville Metro Plaza I, L. L. C. which entity is the Grantor in the foregoing and annexed instrument, and that he, being duly authorized so to do, executed said instrument on behalf of said entity as its free act and deed for the uses and purposes therein contained.

WITNESS my hand and official seal this 12th day of JANUARY, 2006.Virginia L. Patton
Notary Public

[Notarial Seal]

My Commission Expires: 11/1/06

CLAYTON F. FOULGER
NOTARY PUBLIC
FREDERICK COUNTY, MD
My Commission Expires
November 1, 2006

WITNESS

M. O. Twotick II

F. P. ROCKVILLE II
LIMITED PARTNERSHIP
 a Maryland limited partnership

By: Foulger Investments, Inc.

Its General Partner

By: Clayton FoulgerName: CLAYTON F. FOULGERTitle: Vice President

ACKNOWLEDGEMENT

COUNTY OF Frederick

STATE OF MARYLAND

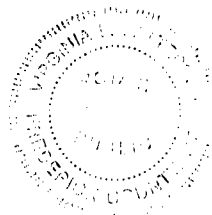
)
) ss:
)

Before me, a Notary Public in and for the jurisdiction aforesaid, personally appeared this date CLAYTON F. FOULGER personally well known (or satisfactorily proven) to me to be the person whose name is subscribed to the foregoing and annexed Grant of Water Line Easement and Right-of-Way bearing date as of January 12, 2006, who, being by me first duly sworn, acknowledged that he is a Vice President of Foulger Investments, Inc., a Maryland corporation, the general partner of F. P. Rockville II Limited Partnership, a Maryland limited partnership which entity is the Grantor in the foregoing and annexed instrument, and that he, being duly authorized so to do, executed said instrument on behalf of said entity as its free act and deed for the uses and purposes therein contained.

WITNESS my hand and official seal this 12th day of January, 2006.

Virginia L. Patton
 Notary Public

[Notarial Seal]

My Commission Expires: 11/1/06

VIRGINIA L. PATTON
 NOTARY PUBLIC
 FREDERICK COUNTY, MD
 My Commission Expires
 11/1/2006

WITNESS

M. O. Dwyer III

**F. P. ROCKVILLE III
LIMITED PARTNERSHIP**
a Maryland limited partnership

By: Foulger Investments, Inc.
Its General Partner

By: Clayton Foulger

Name: CLAYTON F. FOULGER

Title: Vice President

ACKNOWLEDGEMENT.
COUNTY OF FREDERICK

STATE OF MARYLAND

)
) ss:
)

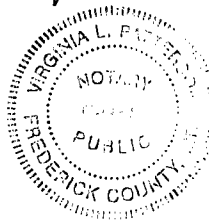
Before me, a Notary Public in and for the jurisdiction aforesaid, personally appeared this date CLAYTON F. FOULGER personally well known (or satisfactorily proven) to me to be the person whose name is subscribed to the foregoing and annexed Grant of Water Line Easement and Right-of-Way bearing date as of JANUARY 12, 2006, who, being by me first duly sworn, acknowledged that he is a Vice President of Foulger Investments, Inc., a Maryland corporation, the general partner of F. P. Rockville III Limited Partnership, a Maryland limited partnership which entity is the Grantor in the foregoing and annexed instrument, and that he, being duly authorized so to do, executed said instrument on behalf of said entity as its free act and deed for the uses and purposes therein contained.

WITNESS my hand and official seal this 12TH day of JANUARY, 2006.

Virginia L. Patterson
Notary Public

[Notarial Seal]

My Commission Expires: 11/1/06



VIRGINIA L. PATTERSON
NOTARY PUBLIC
FREDERICK COUNTY, MD
My Commission Expires
November 1, 2006

JOINDER OF LENDERS

~~GUARDIAN LIFE INSURANCE COMPANY OF AMERICA~~ the holder of a first lien security interest in a portion of the Subject Property of which the Easement Area is a part hereby consents to the foregoing grant by Rockville Metro Plaza I, L. L. C.

By: _____

Name: _____

Title: _____

NOT REQUIRED - EASEMENT DOES NOT CROSS OWNERSHIP LOT 16-A

WACHOVIA BANK NATIONAL ASSOCIATION the holder of a first lien security interest in a portion of the Subject Property of which the Easement Area is a part hereby consents to the foregoing grant by F. P. Rockville II Limited Partnership and F. P. Rockville III Limited Partnership

By: _____

Name: WILLIAM A. LITCHFIELD

Title: SENIOR VICE PRESIDENT

CERTIFIED CORRECT:

Matthew E. Joyce

MATTHEW E. JOYCE
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION NUMBER 21150



06/07/2008

HUNGERFORD DRIVE - MARYLAND ROUTE 355

(VARIABLE R/W)

BASELINE OF RIGHT-OF-WAY S.H.A. PLAT No. 42304

P.O.B.

S 32°36'20" E 499.94'

N 57°23'40" E 20.00'

N 57°14'54" E 5.00'

S 32°36'20" E 281.74'

S 32°36'20" E 214.41'

N 32°36'20" W 16.26'

N 32°36'20" W 290.46'

20' PUE, PAE & STORM DRAIN EASEMENT

WATER LINE EASEMENT
7,276 SQ. FT.
OR
0.16703 ACRES

S 12°23'40" W 35.36'
S 56°35'48" W 32.83'

EAST MIDDLE LANE

BASELINE OF RIGHT-OF-WAY S.H.A. PLAT No. 42304
(70' R/W)

OWNERSHIP LOT 16-A
47,448 S.F.
OR
1.08926 AC.

OWNERSHIP LOT 16-B
106,311 S.F.
OR
2.44057 AC.

(B)

S57°14'54" W 216.82'

1" = 50'

MSP MADES/91
PER P.B. 181 P. 20202

EXHIBIT "B"

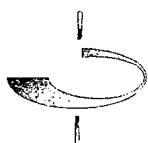
SKETCH SHOWING A

WATER LINE EASEMENT

LOT 16, BLOCK "B", PLAT NO. 21142
OWNERSHIP LOT 16-B, BLOCK "B", PLAT NO. 21143
1" = 50' JULY, 2003

JOYCE ENGINEERING CORPORATION
CIVIL ENGINEERING LAND SURVEYING LAND PLANNING CONSTRUCTION MANAGEMENT
10766 BALTIMORE AVENUE - BELTSVILLE, MARYLAND 20705
TEL: (301) 595-4353 FAX: (301) 595-4650 WEB: www.joyceeng.com

32031 732



JOYCE ENGINEERING CORPORATION

CIVIL ENGINEERING LAND SURVEYING LAND PLANNING CONSTRUCTION MANAGEMENT

EXHIBIT A

June 2005

Description of Waterline Easement

Part of Ownership Lot 16-B
CITY CENTER

Rockville (4th) Election District
Montgomery County, Maryland

PENSION BENEFIT FUND INC, OWNER

to

City of Rockville
Montgomery County, Maryland

Being part of that piece, parcel or tract of land situate, lying, and being in the Rockville Election District No. 4, Montgomery County, Maryland, known as Lot 16 on a Plat of Subdivision entitled "LOTS 16 & 17, Block 'B,' CITY CENTER" and recorded among the land records of the aforesaid County as Plat Number 21142, also being on Ownership Lot 16-B on a Ownership Plat entitled "OWNERSHIP LOTS 16-A & 16-B, CITY CENTER", and recorded among the land records of the aforesaid County as Plat Number 21143 and being more particularly described as follows:

Beginning for the same at a point on the Western right-of-way of Hungerford Drive (Maryland Route 355), said point also lying at the intersection of the South 32°36'20" East 499.94' and South 12°23'40" West 35.36' lines as described on the aforementioned Plat Nos. 21142 and 21143; thence running with said South 12°23'40" West 35.36' line the following courses and distances:

- 1) South 12°23'40" West, 35.36 feet to a point; thence running in, through, over, and across as to include part of said Ownership Lot 16-B
- 2) North 32°36'20" West, 290.46 feet to a point on the common line with Ownership Lot 16-A; thence running with said lot line
- 3) North 57°14'54" East, 5.00 feet to a point; thence
- 4) North 32°36'20" West, 16.26 feet to a point; thence running in, through, over, and across as to include part of said Ownership Lot 16-B
- 5) North 57°23'40" East, 20.00 feet to a point on Ownership Lot 16-A on the Western right-of-way of Hungerford Drive (Maryland Route 355); thence running with said right-of-way
- 5) South 32°36'20" East, 281.74 feet to the point of beginning containing a computed area of 7.276 square feet or 0.16703 acres of land.

Subject to any and all easements and/or rights of way of record.

Certified Correct

Matthew E. Joyce
Registered Professional Land Surveyor
Maryland Registration No. 21150

cc/ky 2005
Date



1 of 2

32031 733

Mail To



FOULGER-PRATT

Ray G. Pratt
Superintendent

Foulger-Pratt Contracting, LLC

9600 Blackwell Road, Suite 200 ■ Rockville, MD 20850
240 499 9600 ■ 301 674 2839 mobile ■ 240 499 9601 fax
rpratt@foulgerpratt.com ■ www.foulgerpratt.com

RELEASE AND EXTINGUISHMENT OF WATER LINE EASEMENT

THIS RELEASE AND EXTINGUISHMENT OF WATER LINE EASEMENT (hereinafter referred to as the “**Release and Extinguishment**”) is made this _____ day of _____, 2026, by the **THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND**, a municipal corporation organized under the laws of the State of Maryland (“**City**”).

WITNESSETH:

WHEREAS, APG Investments, LLC is the owner of property hereinafter referred to as the “**Subject Property**,” described as follows: Part of Ownership Lot 16-C, Block B, City Center as recorded in Plat No. 24265 among the Land Records of Montgomery County, Maryland, which is encumbered by a Water Line Easement (“**Easement**”) recorded in the Land Records of Montgomery County, Maryland in Liber 32031 at Folio 724.

WHEREAS, the Easement was created for the benefit of the City to provide the City with access to the Subject Property for the purposes of installation, construction, reconstruction, maintenance, repair, operation, and inspection of an underground water line and appurtenances thereto within the Easement area; and

WHEREAS, the City has determined that the Easement is no longer necessary; and

WHEREAS, the Easement to be released is described on **Exhibit A** and shown on **Exhibit B** attached to and made a part of this Release and Extinguishment (“**Release Area**”).

NOW, THEREFORE, in consideration of the above Recitals incorporated herein by reference, the City hereby releases to APG Investments, LLC its rights to the Release Area created by the Easement, extinguishes all rights and interests in the Release Area, and further declares the Easement null and void and of no further force or effect with respect to the Release Area.

Nothing herein shall be deemed to release or otherwise affect any other Easements or Rights-of-Way that APG Investments, LLC has recorded or may record in connection with the Subject Property.

IN WITNESS WHEREOF, the Mayor and Council of Rockville entered into this Release and Extinguishment of Water Line Easement and Right-of-Way on the day and year first written above.

[SIGNATURE PAGES FOLLOW]

WITNESS/ATTEST

MAYOR AND COUNCIL
OF ROCKVILLE

Jeff Mihelich
City Manager

* * *

STATE OF: _____

*

*

COUNTY OF: _____ to wit *

I HEREBY CERTIFY that on this _____ day of _____, 2026, before the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Jeff Mihelich, who acknowledged himself to be the City Manager of the Mayor and Council of Rockville, a municipal corporation, and that he, as City Manager being authorized to do so, executed the foregoing and annexed instrument on behalf of the corporation for the purposes therein contained, and acknowledged the same to be the act and deed of the corporation, by signing the name of the Mayor and Council of Rockville by himself as City Manager.

IN TESTIMONY WHEREOF, I hereunto set my hand and official seal.

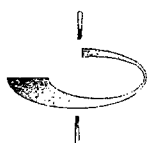
Notary Public

My Commission Expires: _____

[NOTARIAL SEAL]

EXHIBIT A
DESCRIPTION OF RELEASE AREA

32031 732



JOYCE ENGINEERING CORPORATION

CIVIL ENGINEERING LAND SURVEYING LAND PLANNING CONSTRUCTION MANAGEMENT

EXHIBIT A

June 2005

Description of Waterline Easement

Part of Ownership Lot 16-B
CITY CENTER

Rockville (4th) Election District
Montgomery County, Maryland

PENSION BENEFIT FUND INC, OWNER

to

City of Rockville
Montgomery County, Maryland

Being part of that piece, parcel or tract of land situate, lying, and being in the Rockville Election District No. 4, Montgomery County, Maryland, known as Lot 16 on a Plat of Subdivision entitled "LOTS 16 & 17, Block 'B,' CITY CENTER" and recorded among the land records of the aforesaid County as Plat Number 21142, also being on Ownership Lot 16-B on a Ownership Plat entitled "OWNERSHIP LOTS 16-A & 16-B, CITY CENTER", and recorded among the land records of the aforesaid County as Plat Number 21143 and being more particularly described as follows:

Beginning for the same at a point on the Western right-of-way of Hungerford Drive (Maryland Route 355), said point also lying at the intersection of the South 32°36'20" East 499.94' and South 12°23'40" West 35.36' lines as described on the aforementioned Plat Nos. 21142 and 21143; thence running with said South 12°23'40" West 35.36' line the following courses and distances:

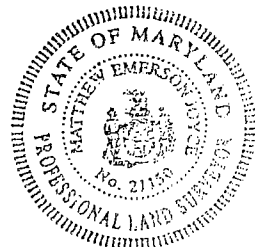
- 1) South 12°23'40" West, 35.36 feet to a point; thence running in, through, over, and across as to include part of said Ownership Lot 16-B
- 2) North 32°36'20" West, 290.46 feet to a point on the common line with Ownership Lot 16-A; thence running with said lot line
- 3) North 57°14'54" East, 5.00 feet to a point; thence
- 4) North 32°36'20" West, 16.26 feet to a point; thence running in, through, over, and across as to include part of said Ownership Lot 16-B
- 5) North 57°23'40" East, 20.00 feet to a point on Ownership Lot 16-A on the Western right-of-way of Hungerford Drive (Maryland Route 355); thence running with said right-of-way
- 5) South 32°36'20" East, 281.74 feet to the point of beginning containing a computed area of 7.276 square feet or 0.16703 acres of land.

Subject to any and all easements and/or rights of way of record.

Certified Correct

Matthew E. Joyce
Registered Professional Land Surveyor
Maryland Registration No. 21150

cc/ky 2005
Date



1 of 2

EXHIBIT B
SKETCH OF RELEASE AREA

CERTIFIED CORRECT:

Matthew E. Joyce

MATTHEW E. JOYCE
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION NUMBER 21150



06/07/2008

HUNGERFORD DRIVE - MARYLAND ROUTE 355

(VARIABLE R/W)

BASELINE OF RIGHT-OF-WAY S.H.A. PLAT No. 42304

P.O.B.

S 32°36'20" E 499.94'

N 57°23'40" E
20.00'

N 57°14'54" E
5.00'

S 32°36'20" E 281.74'

S 32°36'20" E 214.41'

N 32°36'20" W
16.26'

N 32°36'20" W 290.46'

20' PUE, PAE & STORM DRAIN EASEMENT

WATER LINE
EASEMENT
7,276 SQ. FT.
OR
0.16703 ACRES

S 12°23'40" W 35.56'
S 56°35'48" W 32.83'

EAST MIDDLE LANE

BASELINE OF RIGHT-OF-WAY S.H.A. PLAT No. 42304
(70' R/W)

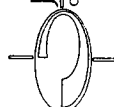
OWNERSHIP LOT 16-A
47,448 S.F.
OR
1.08926 AC.

OWNERSHIP LOT 16-B
106,311 S.F.
OR
2.44057 AC.

(B)

1" = 50'

MSP MADES/91
PER P.B. 181 P. 20202



JOYCE ENGINEERING CORPORATION
CIVIL ENGINEERING LAND SURVEYING LAND PLANNING CONSTRUCTION MANAGEMENT
10766 BALTIMORE AVENUE - BELTSVILLE, MARYLAND 20705
TEL: (301) 595-4353 FAX: (301) 595-4650 WEB: www.joyceeng.com

EXHIBIT "B"
SKETCH SHOWING A
WATER LINE EASEMENT

LOT 16, BLOCK "B", PLAT NO. 21142
OWNERSHIP LOT 16-B, BLOCK "B", PLAT NO. 21143
1" = 50' JULY, 2003

GRANT OF SEWER EASEMENT

THIS GRANT OF SEWER EASEMENT is made this _____ day of _____, 2026, by and between **F.P. ROCKVILLE III LIMITED PARTNERSHIP**, a Maryland limited partnership (hereinafter referred to as “**Grantor**”), and **THE MAYOR AND COUNCIL OF ROCKVILLE**, a municipal corporation organized under the laws of the State of Maryland (the “**City**”).

WHEREAS, the Grantor is the owner of certain real property located within Rockville, Maryland, described as Part of Ownership Lot 16-D, Block B, City Center as recorded in Plat No. 24265 among the Land Records of Montgomery County, Maryland (the “**Subject Property**”); and

WHEREAS, the Subject Property was developed in accordance with the terms and conditions of Site Plan Amendment No. STP2013-00153 approved on March 26, 2013 (the “**Approval**”); and

WHEREAS, the City requires a permanent easement for the sewer lines that have been installed within the Subject Property.

WITNESSETH: In consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and for the purpose of complying with the Approvals, the Grantor does hereby grant and convey to the City, its successors and assigns, a sewer easement described (Exhibit A) and shown (Exhibit B) attached hereto and made a part hereof (the “**Easement Area**”).

TO HAVE AND TO HOLD said easement together with the rights and privileges to their proper use and benefit forever by the City, its successors and assigns.

AND the Grantor, for itself and its successors and assigns, covenants and agrees with the City, its successors and assigns, as follows:

FIRST: That Grantor will never erect nor permit to be erected any building or structure of any nature whatsoever nor fill or excavate, nor install any trees, within the Easement Area without the City’s prior written consent unless shown on the Approval; and

SECOND: That the City, its successors and assigns, shall at all times have a right of ingress and egress to said Easement Area for the purpose of installing, constructing, reconstructing, maintaining, repairing, operating, and inspecting the Sanitary Sewer Systems (as hereinafter defined) within the Easement Area, said ingress and egress to be made generally from any adjacent public road or public right-of-way adjacent to or in close proximity to the Easement Area, or along such other lines as the Grantor may designate and as may be acceptable to the City, but in no event shall the right of entry exist across any privately owned lots on which dwelling units are constructed or are intended to be constructed; and

THIRD: That whenever the City undertakes repairs or maintenance pursuant to this easement, the City shall undertake all reasonable measures to restore the Easement Area to its original condition, except that Grantor shall be solely responsible for the repair, replacement, or reinstallation of any Grantor owned Private Amenities and paving materials not in accordance with City standards and specifications, in the Easement Area that are disturbed or damaged by the City's repair and maintenance work; and

FOURTH: That all underground sanitary sewer pipes and appurtenances which are installed pursuant to this easement in the Easement Area (collectively, the "**Sanitary Sewer System**") shall be and remain the property of the City, its successors, and assigns

FIFTH: That, without the prior written consent of the City, Grantor shall not use the Easement Area, nor permit the Easement Area to be used, in any manner that interferes with the free and unobstructed use thereof by the City and its representatives for the purposes contained herein.

SIXTH: That Grantor will warrant specially said easement and will execute such further assurances thereof as may be requisite; and

SEVENTH: That Grantor hereby certifies that there are no suits, liens, leases, mortgages, or trusts affecting the Easement Area, other than those for which the holder in interest has signed these documents or otherwise consented in writing to this easement. Grantor further certifies that all parties with an interest in the Easement Area necessary to give full effect to this easement have signed or consented in writing to this document; and

EIGHTH: This easement (including all terms, covenants, and agreements contained herein) shall run with the title to the Subject Property and shall bind the Grantor and its executors, administrators, successors, and assigns.

[SIGNATURE PAGES FOLLOW]

WITNESS: hands and seals the day and year first hereinabove written.

WITNESS:

GRANTOR:

F.P. Rockville III Limited Partnership,
a Maryland limited partnership

By: _____

Name: _____

Title: _____

* * *

STATE OF: _____

*

*

COUNTY OF: _____

*

I HEREBY CERTIFY that on this _____ day of _____, 2026, before the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared _____, known to me (or satisfactorily proven) to be the authorized representative of F.P. Rockville III Limited Partnership, being authorized so to do, executed the foregoing instrument on behalf of the aforesaid company for the purposes therein.

IN TESTIMONY WHEREOF, I have caused the seal of the court to be affixed, or have affixed my official seal, this _____ day of _____, 2026.

Notary Public

My Commission Expires: _____

[NOTARIAL SEAL]

[SIGNATURE PAGE FOLLOWS]

WITNESS:

CITY:

**THE MAYOR AND COUNCIL OF
ROCKVILLE**

Print Name: _____

By: _____
Name: _____
Title: _____

Reviewed for legal sufficiency by:

Robert Dawson
City Attorney

* * *

STATE OF: _____

*

*

COUNTY OF: _____

*

I hereby certify that on this _____ day of _____, 2026, before the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared _____, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, who did acknowledge that he/she, having been properly authorized, executed the same on behalf of the Mayor and Council of Rockville, Maryland in the capacity therein stated and for the purposes therein contained.

Witness my hand and official seal this _____ day of _____, 2026.

Notary Public

My commission expires: _____

[NOTARIAL SEAL]

Return original instrument to:
F.P. Rockville III Limited Partnership
c/o Foulger Pratt
12435 Park Potomac Avenue, Suite 200
Potomac, MD 20854

EXHIBIT A
DESCRIPTION OF EASEMENT AREA

**EXHIBIT A
METES AND BOUNDS DESCRIPTION
PROPOSED SANITARY SEWER EASEMENT**


BEING PART OF THE PROPERTY ACQUIRED BY F.P. ROCKVILLE III LIMITED PARTNERSHIP, A MARYLAND LIMITED PARTNERSHIP, FROM PENSION BENEFIT FUND, INC., A MARYLAND CORPORATION BY DEED DATED FEBRUARY 4, 2004, AS RECORDED IN LIBER MQR 26730 FOLIO 740, AND FROM F.P. ROCKVILLE II LIMITED LIABILITY PARTNERSHIP, A MARYLAND LIMITED PARTNERSHIP BY DEED DATED JULY 18, 2011, AS RECORDED IN LIBER LEK 41983 FOLIO 203, ALSO BEING PART OF OWNERSHIP LOT 16-D, BLOCK B, CITY CENTER AS RECORDED IN PLAT NO. 24265, ALL AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE DIVISION LINE BETWEEN OWNERSHIP LOT 16-C, BLOCK B, CITY CENTER (PLAT NO. 24265) TO THE EAST, AND OWNERSHIP LOT 16-D, BLOCK B, CITY CENTER (PLAT NO. 24265) TO THE WEST, WITH THE NORTHERLY RIGHT-OF-WAY LIMITS OF EAST MIDDLE LANE (70' WIDE RIGHT-OF-WAY), THENCE WITH SAID NORTHERLY RIGHT-OF-WAY LIMITS THE FOLLOWING TWO (2) COURSES AND DISTANCES;

- A. SOUTH 85° 32' 34" WEST, 27.48 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PROPOSED SANITARY SEWER EASEMENT, THENCE
- 1. CONTINUING, SOUTH 85° 32' 34" WEST, 10.00 FEET, THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LIMITS AND WITH A LINE THROUGH SAID OWNERSHIP LOT 16-D THE FOLLOWING THREE (3) COURSES AND DISTANCES;
- 2. NORTH 04° 27' 26" WEST, 10.00 FEET, THENCE;
- 3. CONTINUING, NORTH 85° 32' 34" EAST, 10.00 FEET, THENCE;
- 4. CONTINUING, SOUTH 04° 27' 26" EAST, 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 100 SQUARE FEET OR 0.002 ACRES.

I HEREBY CERTIFY THAT THE METES AND BOUNDS DESCRIPTION HEREON WAS PREPARED BY ME PERSONALLY OR UNDER MY DIRECTION AND THAT THIS DESCRIPTION AND ANY SURVEY WORK REFLECTED HEREON WAS PREPARED IN COMPLIANCE WITH COMAR 09.13.06.12


ROBERT C. HARR, JR.
STATE OF MARYLAND
PROFESSIONAL LAND SURVEYOR NO. 21587
EXPIRATION DATE JANUARY 16, 2027



DATE

11-18-25

EXHIBIT B
SKETCH OF EASEMENT AREA

LEGEND:
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCEMENT



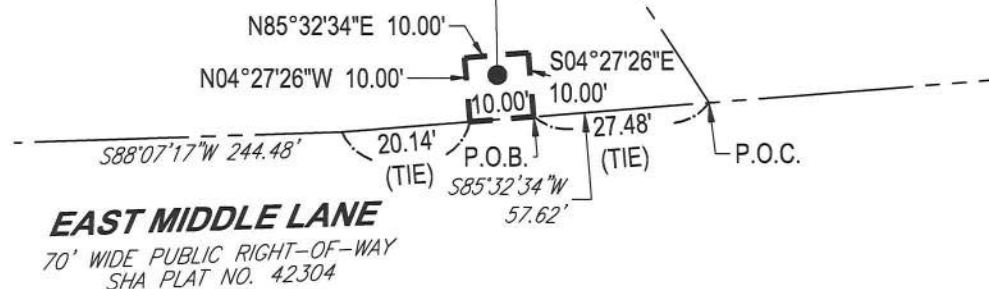
OWNERSHIP LOT 16-D
 BLOCK B, CITY CENTER
 PLAT NO. 24265

LANDS OF
 F.P. ROCKVILLE III
 LIMITED PARTNERSHIP
 LIBER MQR 26730 FOLIO 740
 LIBER LEK 41983 FOLIO 203
 TM: GR342 G: 00 P: N181

OWNERSHIP LOT 16-C
 BLOCK B, CITY CENTER
 PLAT NO. 24265

LANDS OF
 APG INVESTMENTS, LLC
 LIBER KAB 68867 FOLIO 222
 TM: GR342 G: 00 P: N183

**PROPOSED SANITARY
 SEWER EASEMENT
 AREA: 100 S.F. OR 0.002 AC.**



0 15 30
 1"=30'

S-EASE-PLAT-MDC250007.00-0A.dwg

BOHLER //

12825 WORLDGATE DRIVE,
 SUITE 700 HERNDON, VIRGINIA
 20170 703.709.9500
www.bohlerengineering.com

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 ■ BALTIMORE, MD ■ SOUTHERN MARYLAND ■ NORTHERN VIRGINIA ■ WASHINGTON, DC ■ CENTRAL VIRGINIA ■ CHARLOTTE, NC ■ RALEIGH, NC



EXHIBIT B
 PROPOSED SANITARY SEWER EASEMENT

OWNERSHIP LOT 16-D - BLOCK B
 CITY CENTER
 PLAT NO. 24265

4TH ELECTION DISTRICT
 CITY OF ROCKVILLE

MONTGOMERY COUNTY, MARYLAND
 SCALE: 1"=30' DATE: NOVEMBER 17, 2025
 DRAWN: JP SHEET 1 OF 1

GRANT OF WATER METER EASEMENT

THIS GRANT OF WATER METER EASEMENT is made this _____ day of _____, 2026 by **APG INVESTMENTS, LLC** (hereinafter referred to as the “**Grantor**”) for the benefit of the **MAYOR AND COUNCIL OF ROCKVILLE**, a municipal corporation in the State of Maryland, (hereinafter referred to as the “**City**”).

WITNESSETH:

WHEREAS, the Grantor is the owner of the real property located in the City of Rockville, Maryland hereinafter referred to as the “Subject Property,” described as follows: Part of Ownership Lot 16-C, Block B, City Center as recorded in Plat No. 24265 among the Land Records of Montgomery County, Maryland, located at 121 Rockville Pike, Rockville, Maryland 20850.

NOW, THEREFORE, in consideration of the sum of ten dollars (\$10.00) paid by the City, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant and convey to the City, its successors and assigns, forever and in perpetuity, the water meter easement described in Exhibit A and shown on Exhibit B, attached hereto and made a part hereof (the “Water Meter Easement Area”) for the purposes set forth herein, together with the right of ingress and egress along, over, under, and through said easement for any and all such purposes.

The said easement is hereby intended to be granted and conveyed together with all the rights, privileges, appurtenances, and advantages thereto belonging or appertaining to their proper use and benefit forever by the City, its successors and assigns.

The Grantor, for itself, its successors and assigns, covenants and agrees as follows:

FIRST: That the City, its representatives, successors, and assigns shall at all times have the right to use and enter upon the Water Meter Easement Area for the purpose of installation, construction, reconstruction, maintenance, repair, operation, and/or inspection of the underground water meter and appurtenances thereto including automated metering infrastructure. The City, its representatives, successors, and assigns shall further have the right of ingress and egress to and from the Water Meter Easement Area, said ingress and egress to be made generally across the Subject Property from any adjacent public road or right-of-way, or along such other lines as the Grantor may designate and as may be acceptable to the City.

SECOND: That Grantor, without the prior written consent of the City, will neither perform nor permit upon or within the above described Water Meter Easement Area: (i) the erection or installation of any structure, building, or other improvements (excluding fences); (ii) the excavation or filling of land; (iii) the installation of trees; or (iv) Grantor-owner landscaping and hardscaping not in accordance with City standards and specifications. The Grantor shall be responsible for the repair, replacement, or reinstallation of any fence in the Water Meter Easement

Area should the City need to access the Water Meter Easement Area to inspect, maintain, repair, or replace the Water System.

THIRD: That all underground pipes, structures, equipment and appurtenances which are installed in the Water Meter Easement Area shall be and remain the property of the City, its successors, and assigns.

FOURTH: That Grantor shall not use the Water Meter Easement Area, nor permit the Water Meter Easement Area to be used, in any manner that interferes with the free and unobstructed use thereof by the City and its representatives for the purposes contained herein.

FIFTH: That Grantor hereby warrants specially said Grant of Water Meter Easement and will execute such further assurances thereof as may be requisite.

SIXTH: That Grantor hereby certifies that there are no suits, liens, leases, mortgages, or trusts affecting the Subject Property, other than those for which the holder in interest has signed this document or otherwise consented in writing to this Grant of Water Meter Easement. Grantor further certifies that all parties with an interest in the Subject Property necessary to give full effect to this Grant of Water Meter Easement have signed or consented in writing to this document.

SEVENTH: To the extent the Water Meter Easement Area is disturbed by the City's exercise of its rights under this Grant of Water Meter Easement, the City shall undertake all reasonable measures to restore the Water Meter Easement Area to its original condition, including the backfilling of trenches and reseeding of lawns and the replacement of basic paving materials, except that Grantor shall be solely responsible for the repair, replacement, or reinstallation of any Grantor-owner shrubs, trees, or other landscaping elements, or hardscaping and paving materials not normally used by the City's Department of Public Works for public facilities within the public right-of-way, except to the extent such are damaged or destroyed as a result of the City's gross negligence or willful misconduct.

The Grant of Water Meter Easement (including all terms, covenants and agreements contained therein) shall run with the title to the Subject Property and shall bind the Grantor and its executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the Owner has set its hand and seal the day and year first written above.

WITNESS:

OWNER

APG Investments, LLC

By: _____

Name: Ather Chaudrhy

Title: Member

DISTRICT/STATE OF _____

CITY/COUNTY OF _____ SS: _____

I hereby certify that on this _____ day of _____, 2026, before me, the undersigned officer, personally appeared Ather Chaudrhy, Member, APG Investments, LLC, known to me or satisfactorily proven to be the person whose name is subscribed to the written instrument above, and who did further acknowledge that he or she, in such capacity and being authorized to do so, executed the foregoing Water Meter Easement on behalf of OWNER for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: _____

Notary Public

WITNESS/ATTEST

MAYOR AND COUNCIL
OF ROCKVILLE

Jeff Mihelich
City Manager

* * *

Reviewed for legal sufficiency by:

Robert Dawson
City Attorney

STATE OF: _____ *

*

COUNTY OF: _____ to wit *

I HEREBY CERTIFY that on this ____ day of _____, 2026, before the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Jeff Mihelich, who acknowledged himself to be the City Manager of the Mayor and Council of Rockville, a municipal corporation, and that he, as City Manager being authorized to do so, executed the foregoing and annexed instrument on behalf of the corporation for the purposes therein contained, and acknowledged the same to be the act and deed of the corporation, by signing the name of the Mayor and Council of Rockville by himself as City Manager.

IN TESTIMONY WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

[NOTARIAL SEAL]

EXHIBIT A
DESCRIPTION OF EASEMENT AREA

EXHIBIT A
METES AND BOUNDS DESCRIPTION
PROPOSED WATER METER EASEMENT

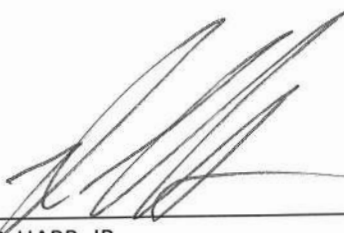
BEING PART OF THE PROPERTY ACQUIRED BY APG INVESTMENTS, LLC, A MARYLAND LIMITED LIABILITY COMPANY, FROM F.P. ROCKVILLE II LIMITED PARTNERSHIP, A MARYLAND LIMITED PARTNERSHIP, BY AUCTION MARKETS, LLC D/B/A REALMARKETS, A VIRGINIA LIMITED LIABILITY COMPANY BY DEED DATED FEBRUARY 10, 2025, AS RECORDED IN LIBER KAB 68867 FOLIO 222, ALSO BEING PART OF OWNERSHIP LOT 16-C, BLOCK B, CITY CENTER AS RECORDED IN PLAT NO. 24265, ALL AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY- LIMITS OF ROCKVILLE PIKE – MARYLAND ROUTE 355 (VARIABLE WIDTH RIGHT-OF-WAY) AND THE NORTHERLY RIGHT-OF-WAY LIMITS OF EAST MIDDLE LANE (70' WIDE RIGHT-OF-WAY), THENCE WITH SAID NORTHERLY RIGHT-OF-WAY LIMITS THE FOLLOWING TWO (2) COURSES AND DISTANCES;

- A. SOUTH 56° 35' 48" WEST, 3.73 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PROPOSED WATER METER EASEMENT, THENCE;
- 1. CONTINUING, SOUTH 56° 35' 48" WEST, 11.00 FEET, THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LIMITS AND WITH A LINE THROUGH OWNERSHIP LOT 16-C, BLOCK B, CITY CENTER (PLAT NO. 24265) THE FOLLOWING THREE (3) COURSES AND DISTANCES;
- 2. NORTH 33° 24' 12" WEST, 9.50 FEET, THENCE;
- 3. CONTINUING, NORTH 56° 35' 48" EAST, 11.00 FEET, THENCE;
- 4. CONTINUING, SOUTH 33° 24' 12" EAST, 9.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 105 SQUARE FEET OR 0.002 ACRES.

I HEREBY CERTIFY THAT THE METES AND BOUNDS DESCRIPTION HEREON WAS PREPARED BY ME PERSONALLY OR UNDER MY DIRECTION AND THAT THIS DESCRIPTION AND ANY SURVEY WORK REFLECTED HEREON WAS PREPARED IN COMPLIANCE WITH COMAR 09.13.06.12


ROBERT C. HARR, JR.
STATE OF MARYLAND
PROFESSIONAL LAND SURVEYOR NO. 21587
EXPIRATION DATE JANUARY 16, 2027



11-18-25

DATE

EXHIBIT B
SKETCH OF EASEMENT AREA

LEGEND:
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT
[CIRF] CAPPED IRON ROD FOUND

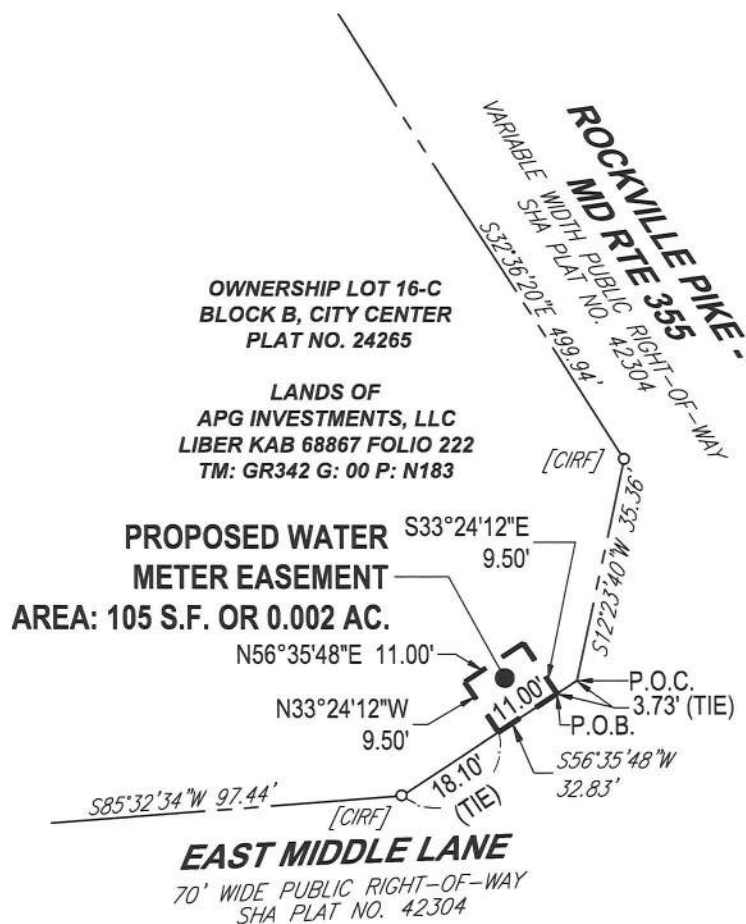


EXHIBIT B
PROPOSED WATER METER EASEMENT
OWNERSHIP LOT 16-C - BLOCK B
CITY CENTER
PLAT NO. 24265
4TH ELECTION DISTRICT
CITY OF ROCKVILLE
MONTGOMERY COUNTY, MARYLAND
SCALE: 1"=30' DATE: NOVEMBER 17, 2025
DRAWN: JP SHEET 1 OF 1

0 15 30
1"=30'

S-EASE-PLAT-MDC250007.00-0A.dwg

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MAYOR AND COUNCIL Meeting Date: February 2, 2026
Agenda Item Type: CONSENT
Department: PW - ENVIRONMENTAL MANAGEMENT
Responsible Staff: AMANDA CAMPBELL

Subject

Approval of and Delegation of Authority to the City Manager to Execute a Template Agreement for Private Improvements in the Right-of-Way (ROW) Associated with Resident Installed and Maintained Electric Vehicle Charging Equipment

Department

PW - Environmental Management

Recommendation

Staff recommend that the Mayor and Council approve and delegate to the City Manager the authority to execute the template Declaration of Covenants Agreement for Private Improvements in City Right of Way (Attachment 1) associated with residential electric vehicle (EV) charging equipment.

Change in Law or Policy

This item supports implementation of Rockville's EV Readiness Plan by creating a template and simplified process to expand equitable charging for residents without designated parking in garages or driveways while protecting public safety and indemnifying the city. This item specifically:

- Authorizes a template for a Declaration of Covenants for Private Improvements in the City Right-of-Way (ROW) for use by residential property owners to install and maintain private electric vehicle (EV) charging equipment and/or a cross-pavement EV charging channel in the ROW adjacent to their property.
- Delegates authority to the City Manager to approve and execute agreements in the form of the attached template associated with resident installed and maintained electric vehicle charging equipment in the ROW.

Discussion




Background

The Mayor and Council adopted Rockville's first Electric Vehicle (EV) Readiness Plan on March 24, 2025. The EV Readiness Plan contains 26 specific actions to accelerate EV adoption, promote equity, and guide public involvement and plan oversight. The template agreement (Attachment 1) is one of the critical steps to implement Action 1.2.2: *Develop right-of-way EV*

charging guidelines and a streamlined approval process to serve residents without access to garages, driveways or dedicated parking spaces.

During the adoption of the EV Readiness Plan, the Mayor and Council reviewed four options for ROW charging and recommended the following three approaches to support residential charging in the ROW, as summarized in Table 1. The city has already implemented Model 1 through a license and maintenance agreement with a commercial vendor. To implement Models 2 and 3, a standard template agreement and simplified process needed to be developed to allow a resident to install a charging pedestal in the ROW or a channel/duct system in the sidewalk or pavement to create protective conduit for removable charging cables that remains flush with the pavement.

Table 1: Residential ROW Charging Models

| <u>Model 1</u> Vendor Installed Public Charging Equipment in the ROW | <u>Model 2</u> Resident Installed Charging Equipment in the ROW | <u>Model 3</u> Resident Installed Charging Duct/Cord in the ROW |
|--|--|---|
| Implemented via license and maintenance agreement with commercial vendor (previously implemented with Pepco) | To be implemented via the template Declaration of Covenants agreement with resident (Attachment 1) | |
|  |  |  |

Use of the ROW is covered by Chapter 21 – Streets, Roads, Rights-of-way, and Public Improvements and Chapter 5 – Building and Property Maintenance Regulations applies to all public improvements to the ROW. This template includes specifics to this particular use of the ROW to protect all parties. DPW staff researched ROW agreements for EV charging utilized by Montgomery County and Takoma Park and worked with the Office of the City Attorney to develop the template.

By approving a standard template and delegating approval authority to the City Manager the approval process is more efficient while achieving the same result of expanding access to residential EV charging.

Template Covenant Requirements for EV Charging

An applicant, typically residential property owners, will be solely responsible for the installation, repair, replacement and removal of such private amenities. The agreement includes indemnity clauses, insurance requirements, and inspections through the permitting process.

By signing this agreement, the property owner agrees to:

- Indemnify and hold harmless the City against any and all liability, loss or damage in connection with the private improvements;
- Ensure that any charging cable located within the public ROW is fully flat and flush before, during, and after charging; and
- Regularly inspect the charging equipment to ensure it is safe and in good working order.

The property owner also agrees to not take the following actions in the public ROW:

- Reserve or rent the on-street parking space where the EV charger is located;
- Place signs or items in the public ROW to reserve a parking space; or
- Obstruct the movement of drivers, cyclists, or pedestrians traveling upon any public street, sidewalk or causing a hazard.

The property owner also agrees that the city may remove any or all private improvements in its sole discretion to, among other things, maintain, repair, or install city infrastructure or ensure the public health, safety, or welfare.

Process

The property owner must apply for a public works permit and electrical/building permits for the EV charging equipment. Certain site conditions must be met to allow for installation, such as compliance with existing parking requirements and proper distances from street trees, utilities, fire hydrants, and intersections. The EV charging improvements undergo engineering and building code approvals and inspections by the Departments of Public Works and Community Planning and Development Services. All Declarations of Covenants are reviewed for legal sufficiency by the Office of the City Attorney.

Upon execution and recording, the agreement will run with the land and become a binding instrument upon the property owner and any subsequent owners. The Owner may terminate the agreement if the equipment is no longer needed and return the ROW to its previous condition. The city may terminate the agreement upon finding that the private uses are contrary to public safety, health or welfare.

Mayor and Council History

This is the first time this agreement template has been brought before the Mayor and Council. During the February 24, 2025, EV Readiness Plan work session, the Mayor and Council provided guidance on suitable residential right-of-way (ROW) and curbside charging options and

identified measures to include in the program to protect public safety and ADA accessibility, indemnify the city, manage costs for EV owners, and balance other uses of the ROW.

Public Notification and Engagement

The extensive community engagement process conducted between 2022 to 2024 for the Electric Vehicle Readiness Plan informed the need to develop ROW charging options and a simplified process to expand equitable charging for residents without designated parking in garages or driveways.

Boards and Commissions Review

Environment Commission members reviewed a draft agreement template and provided feedback. The template agreement was updated to address concerns, making it simpler and written in clear language to better meet residents' needs, while maintaining legal sufficiency.

Next Steps

If approved by Mayor and Council, staff will develop guidance materials to outline the process for permits, agreement execution, inspections, operations and maintenance. The City Manager will ensure ensuing agreements for EV charging equipment in the ROW are reviewed and approved by the Department of Public Works and in a form approved by the Office of the City Attorney, and subject to the recordation of such documents in the Land Records of Montgomery County prior to the issuance of associated public works permits.

Attachments

Attachment 1: Declaration of Covenants for Private EV Chargers.pdf

Parcel ID No. _____

**DECLARATION OF COVENANTS AND MAINTENANCE AGREEMENT
FOR PRIVATE IMPROVEMENTS IN CITY RIGHT OF WAY -
Residential Curbside Electric Vehicle Charging Equipment**

This Declaration of Covenants and Maintenance Agreement for Private Improvements in City Right of Way (the “**Declaration**”) is made this ____ day of _____, 20__, by and between The Mayor and Council of Rockville, a municipal corporation in the State of Maryland (the “**City**”) and _____ (the “**Declarant**”). The City and the Declarant are the “**Parties**” to this Declaration.

RECITALS

WHEREAS, Declarant is the owner of real property located at _____, within the City of Rockville, Montgomery County, Maryland, and more fully described as follows:

Lot Numbered _____ in Block ____ in the subdivision known as
" _____ ", as per plat thereof recorded in Plat Book _____ at Plat
Numbered _____ among the Land Records of Montgomery County, Maryland,
(the “**Property**”); and

WHEREAS, Declarant desires to make the following private improvements within the public right of way adjacent to the Property: electric vehicle charging equipment with a cross-pavement EV charging channel (the “**Private Improvements**”); and

WHEREAS, the City has reviewed and approved the required Public Works Permit Numbered _____ for the Private Improvements; and

WHEREAS, the City agrees to the installation of the Private Improvements upon the execution and recordation of this Declaration among the Land Records of Montgomery County, Maryland, subject to the terms and conditions of this Declaration.

NOW, THEREFORE, in consideration of the foregoing recitals, which are deemed a part of this Declaration, and for other good and valuable consideration, the receipt and sufficiency of which the Parties acknowledge, the Parties covenant and agree as follows:

1. The Declarant agrees to indemnify and hold harmless the City against any and all actions, suits, claims, demands, liability, loss or damage arising out of or in connection with the installation, maintenance, removal or use of the Private Improvements.
2. The Declarant agrees to install and maintain the Private Improvements as shown in **Exhibit A**, attached hereto and incorporated by reference, and in accordance with all

necessary building code and public works permits as issued, including the posting of all required bonds.

3. The Declarant agrees to maintain the Private Improvements in good and safe condition, consistent with the directives of the Director of the Department of Public Works and the maintenance standards and requirements in Chapter 5 and Chapter 21 of the Rockville City Code.
4. The Declarant agrees not to take the following actions within the public right of way:
 - a. Reserve or rent any parking spaces within the public right of way or collect fees for electric vehicle charging within the public right of way;
 - b. Place signs or items in the public right of way to reserve a parking space; or
 - c. Place any items, equipment, or infrastructure within the public right of way in a manner that obstructs drivers, cyclists, or pedestrians traveling upon any public street, sidewalk, road, or highway or that constitutes a hazard, as determined by the Director of the Department of Public Works or their designee.
5. The Declarant agrees to:
 - a. Ensure that any charging cable located within the public right of way is fully flat and flush before, during, and after charging; and
 - b. Regularly inspect the charging equipment within the right of way to ensure it is safe and in good working order.
6. The Declarant agrees that the City may order the removal of any or all of the Private Improvements in its sole discretion and that should the City order the Private Improvements in whole or in part to be removed, such removal shall be at the expense of the Declarant or the subsequent owner of the Property, and that the Declarant will save the City harmless for any expenses incurred therefrom.
7. The Declarant agrees that the City, in its discretion, may remove the Private Improvements from the public right of way to, among other things, maintain, repair, or install City infrastructure or ensure the public health, safety, or welfare. Declarant further agrees that should the City remove the Private Improvements, the City will not be required to replace the Private Improvements, and the Declarant will save the City harmless for any damages that may occur to said Improvements.

8. The Declarant agrees to be responsible for any damage to any existing infrastructure associated with the installation and/or presence of the Private Improvements.
9. The Owner shall obtain and maintain continuously through the entire term of the Declaration, Homeowner's General Liability with coverage including Premises and Operations; Personal Injury and Liability with limits no less than those established by state statutes.
10. The Declarant agrees that this Declaration shall remain in full force and effect until such time as the Private Improvements are removed in their entirety by the owner or subsequent owner of the Property or by the City from the public right of way. Notwithstanding the foregoing, Declarant agrees that a release of the obligations agreed to by Declarant through this Declaration may not occur without written approval from the City. In addition, Declarant agrees that the City may, in its sole discretion, unilaterally terminate this Declaration at any time and revoke any permit issued in connection herewith.
11. The Declarant agrees that the obligations and remedies set forth in this Declaration are in addition to other obligations and remedies contained in or available under applicable law.
12. Upon execution and recording, this Declaration shall run with the land and shall become a binding instrument upon the Declarant and any subsequent representatives, successors or assigns of the Declarant. The Declarant agrees that this Declaration cannot be terminated without the City's approval.
13. The Declarant certifies that all parties with an interest in the Property necessary to give full effect to this Declaration have signed, or otherwise consented in writing, to this Declaration.
14. This Declaration shall be governed by, and construed and enforced in accordance with, the laws of the State of Maryland.

SIGNATURE PAGES FOLLOW

IN WITNESS WHEREOF, this License and Maintenance Agreement has been executed by the parties on the day and year indicated above.

CITY:

MAYOR AND COUNCIL OF ROCKVILLE

By: _____

City Manager Name, City Manager

Date: _____

Reviewed for legal sufficiency by:

WITNESS:

OWNER:

Owner Name

By: _____

Owner Name, OWNER

Date: _____

WITNESS:

OWNER:

Owner Name

By: _____

Owner Name, OWNER

Date: _____

STATE OF _____: SS:
COUNTY OF _____:

I hereby certify that on this _____ day of _____, 20____, before me, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument has acknowledged that they executed the foregoing Agreement as their act and deed for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

STATE OF _____: SS:
COUNTY OF _____:

I hereby certify that on this _____ day of _____, 20____, before me, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument has acknowledged that they executed the foregoing Agreement as their act and deed for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires:

STATE OF MARYLAND:
SS:

COUNTY OF MONTGOMERY:

I hereby certify that on this _____ day of _____, 2025, before me, a Notary Public in and for the State and County aforesaid, personally appeared _____, known to me (or satisfactorily proven) to be the City Manager of the Mayor and Council of Rockville, a municipal corporation in the State of Maryland, in such capacity and being authorized so to do, executed the foregoing Agreement for the purposes therein contained.

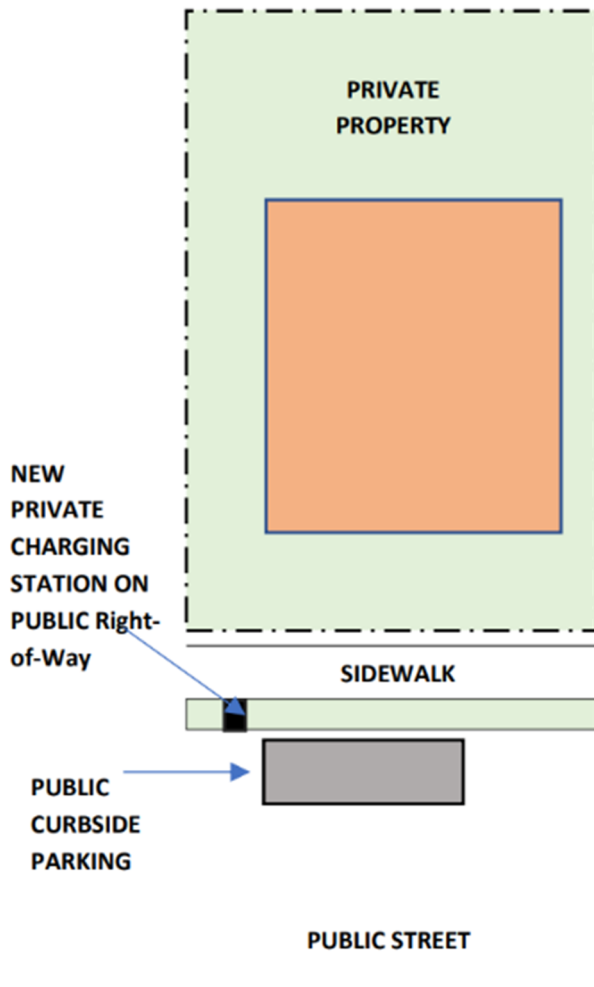
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

Exhibit A: New Private Improvement Plan

[Owner to provide exhibit similar to this sample drawing, with all applicable elements listed below shown in drawing.]



- Property line
- Private building(s), driveway apron, walkways, fences, retaining wall, etc.
- Public street, sidewalk, landscape median, fire hydrants, utility poles, storm drain, etc.
- Location of New Public Improvements (EV charging pedestal, electric conduit, cross-pavement EV charging channel, etc.)
- Location of area where car can be parked at curb to reach charger



MAYOR AND COUNCIL Meeting Date: February 2, 2026

Agenda Item Type: CONSENT

Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE

Responsible Staff: DORIS STOKES

Subject

Approval of Minutes

Recommendation

Staff recommends the Mayor and Council approve the following minutes:

January 5 , 2026 (Meeting No. 01-26)

January 12 , 2026 (Meeting No. 02-26)

Attachments



MAYOR AND COUNCIL Meeting Date: February 2, 2026
Agenda Item Type: DISCUSSION AND POSSIBLE APPROVAL
Department: CITY MANAGER'S OFFICE (CMO)
Responsible Staff: BARACK MATITE

Subject

Briefing and Endorsement of the DMVMoves Plan

Department

City Manager's Office (CMO)

Recommendation

Following the [DMVMoves Plan](#) briefing, staff recommends that the Mayor and Council endorse the Plan.

Discussion

In May 2024, [DMVMoves](#), a joint Task Force of the boards of directors of the Metropolitan Washington Council of Governments (MWCOG) and the Washington Metropolitan Area Transit Authority (WMATA), was created to develop a unified vision and sustainable funding model for public transit in the National Capital Region (NCR).¹Two advisory groups representing government and community partners, along with several working subgroups, worked over several months to develop short, mid, and long-term recommendations to grow and maintain rail and bus transit services.

The task force developed a plan and, on October 29, 2025, approved the final plan. On November 17, 2025, through a Resolution (attachment 1), the Boards of both MWCOG and MWATA endorsed the DMVMoves Plan (attachment 1). The DMVMoves Plan outlines the need for a long-term, regionally coordinated approach to sustaining and modernizing transit across the NCR.

Among other things, the Plan recommends establishing a dedicated annual capital commitment of \$460 million for WMATA beginning in Fiscal Year (FY) 2028², growing at least three percent annually to provide sustainable, bondable, and flexible funding. The estimated jurisdictional shares are \$173 million for the District of Columbia, \$152 million for Maryland, and \$136 million for Virginia. This funding would reign in Metro's capital backlog, modernize Metrorail's signaling

¹ Montgomery County was represented on the task force by County Executive Marc Elrich and Councilmember Kate Stewart. Maryland State Senator Malcolm Augustine and Delegate Marc Korman were on the Task Force.

²Before FY29, when WMATA reaches its debt capacity limit.

system, move toward rail automation, and stabilize WMATA's bond program. The Plan also calls for parallel investment in local and commuter systems, promoting coordinated service standards, integrated fare policies, shared procurements, and workforce development to enhance efficiency and regional equity. The DMVMoves Plan is more than a funding strategy—it is a regional call to action. An excerpt of the key actions from the Plan is below.

| Action Area | Key Actions | Timeline* | Outcomes |
|---|---|----------------------------|---|
| Regional Bus Priority | Endorse and implement initial priority bus corridors; Metro and jurisdictions partner on design, funding, and implementation; Metro operates main service in corridors where it is the primary service provider | Immediate ► Medium-Term | Faster, more reliable, and more cost-effective service in high-demand corridors |
| Service Guidelines & Reporting | Adopt common regional service guidelines and performance metrics; report progress annually | Immediate | Consistent service quality and transparent regional accountability |
| Fare Integration | Provide transfer credits across modes and consistent fare discounts, adopt free fares for youth, and enable revenue sharing for regional passes | Immediate | Simpler, more equitable fare experience |
| Customer Information & Facilities | Standardize bus stop design and common customer information; create a regional bus stop ID system and stop sign design; Metro maintains regional signs | Immediate ► Short-Term | Easier wayfinding, clearer customer information, and more uniform stop experience |
| Shared Resources | Identify opportunities for pooled purchasing power and shared procurements for vehicles, technology, etc.; coordinate contract terms | Immediate | Reduced duplication, lower procurement costs, stronger negotiating power |
| Consistent Training & Requirements | Create a working group to share best practices in transit training and collaborate to develop opportunities for shared training and resources; streamline reporting requirements across agencies | Immediate ► Short-Term | Strengthened regional workforce and reduced administrative burden |

* **Immediate:** 0-1 years; **Short-Term:** 2-4 years; **Medium-Term:** 5-8 years

Tom Harrington, COG Multimodal Planning Program Director, will be at the meeting to provide a briefing on the DMVMoves Plan to the Mayor and Council. Attached is the presentation (attachment 2). Following the briefing staff recommends that the Mayor and Council endorse the DMVMoves Plan.

Impact Statements

Equity

Equity is a central focus of the DMVMoves, as it aims to create a transit system that enhances social equity across the National Capital Region. The initiative emphasizes providing equitable access to transit services, ensuring that all residents, regardless of their socioeconomic status, have access to jobs, healthcare, education, and other opportunities. In addition, the plan calls for standardizing low-income fare discount programs and free local bus rides for youth aged 18 and under across all transit agencies in the region, thus ensuring equitable access to transportation for young people.

Environment

The DMVMoves vision explicitly identifies social equity as a key goal, aiming to create a transit system that supports environmental sustainability and equitable access for all.

Economy

Transportation plays a critical role in driving competitiveness in the NCR. By investing in a seamless and reliable transit system, the DMVMoves initiative aims to enhance the region's economic competitiveness, support growth, and improve the quality of life for residents and businesses. Moreover, the initiative seeks to grow ridership through Transit-Oriented Development (TOD), which can enhance access to economic opportunities and improve the quality of life for residents in underserved areas.

Mayor and Council History

This is the first time this item is coming before the Mayor and Council.

Fiscal Impact

There is no fiscal impact associated with the endorsement of the DMVMoves Plan.

Next Steps

Following the Mayor and Council endorsement of the Plan, staff will share the certification with MWCOC and WMATA. Staff will work to support the DMVMoves actions as needed.

Attachments

Attachment 1_COG-WMATA Joint Resolution, Attachment 2_COG-Rockville_Presentation



2025-30

RESOLUTION COG AND WMATA BOARDS ADOPTING DMVMOVES PLAN

WHEREAS, the Metropolitan Washington Council of Governments (COG) is comprised of 24 jurisdictions of the National Capital Region's local governments and their governing officials in the District of Columbia, Maryland, and Virginia, plus area members of the Maryland and Virginia state legislatures, and the U.S. Senate and House of Representatives, and COG provides a focus for action on issues of regional concern; and

WHEREAS, the Washington Metropolitan Area Transit Authority (WMATA), is an interstate compact agency and instrumentality of the District of Columbia, the State of Maryland, and the Commonwealth of Virginia, established by an Interstate Compact, approved by Congress, to plan, develop, finance, and operate improved transit facilities as part of a balanced regional transportation system, and to coordinate the operation of publicly and privately owned or controlled transit facilities into a unified regional transit system without unnecessary duplication of service; and

WHEREAS, transit is vital to the success and economic vitality of the National Capital Region, and the region's jurisdictions came together in 2018 to guarantee funding for WMATA's capital program after more than a decade of deferred maintenance that resulted in major service disruptions, and the region again built on its long record of support for the Metro system by increasing contributions to WMATA's operating budget when temporary federal operating assistance expired; and

WHEREAS, WMATA's major capital funding sources, including 2018 dedicated funding and federal and matching Passenger Rail Investment and Improvement Act (PRIIA) funding, were not indexed to grow and lost considerable purchasing power over the past five years of historic inflation, rising construction and labor costs, and accelerated capital program needs; and

WHEREAS, without additional, dedicated capital funding WMATA will reach its debt capacity limit in about FY2029 which will cause its approved FY2026-FY2031 Capital Improvement Program to fall from an average annual amount of \$2.2 billion to \$1.4 billion, severely impacting safety and reliability of the system; and

For WMATA Board:

Motioned by Ms. Santos, seconded by Mr. Smedberg

Ayes: 4- Mr. Smedberg, Dr. Loh, Mr. Alcorn and Ms. Jarvis

For MWCOC Board:

Motioned by Mr. Lusk, seconded by Mr. Allen

Ayes: See chart listing those present/voting

WHEREAS, without additional, dedicated capital funding that addresses WMATA’s debt capacity limit, it will carry a capital backlog averaging \$10 billion over the next 25 years, totaling \$22 billion by FY2050, but that with additional funding WMATA could responsibly manage a backlog averaging \$3 to \$4 billion per year; and

WHEREAS, regional rail and local bus providers face deferred maintenance risks, and state and local transit agencies face unsustainable operating gaps, raising the potential for disruptive service reductions that would undercut regional progress on economic growth, environmental goals, and mobility goals (see Attachment C); and

WHEREAS, the region has demonstrated unified leadership through the 2024 launch of the DMVMoves initiative, when the COG and WMATA Boards of Directors adopted a joint resolution formally establishing DMVMoves as a shared commitment to strengthen long-term coordination and planning for regional transit; and

WHEREAS, the COG and WMATA Boards of Directors appointed the DMVMoves Task Force of regional officials to lead the DMVMoves effort and to develop a shared vision for the future of the region’s transit network and identify sustainable, long-term, dedicated funding sources to support it; and

WHEREAS, the Task Force was supported by two Advisory Groups—the Government Partners Advisory Group, consisting of chief administrative officers, chief financial officers, and senior state and local transportation executives; and the Community Partners Advisory Group, consisting of regional, business, labor, and community leaders and advocates—whose insight and recommendations were critical to the development of the DMVMoves Regional Transit Investment and Action Plan (“DMVMoves Plan”); and

WHEREAS, over the course of six Task Force meetings and seventeen Advisory Group meetings, participants worked collaboratively to assess regional needs, review detailed technical analyses, consider public feedback, and refine recommendations for a funding and action plan that would strengthen, integrate, and sustain transit across the District of Columbia, Maryland, and Virginia; and

WHEREAS, the Advisory Groups established Working Groups to further evaluate and recommend strategies for enhanced coordination and service improvement for a seamless transit experience that reflect both the practical realities and the collective aspirations of the region’s transit providers and customers; and

WHEREAS, through this process, the Task Force and Advisory Groups together have established a shared Vision for an integrated, reliable, and financially sustainable regional transit network that supports economic prosperity, environmental goals, and access to opportunity; and

WHEREAS, the culmination of this collaboration is the DMVMoves Plan, which outlines both a funding recommendation to address WMATA’s long-term capital needs and a Regional Transit Integration Action Plan that calls for coordinated investments and actions to make travel across the region faster, safer, more integrated, and more reliable; and

WHEREAS, the investments proposed in the DMVMoves Plan are critical for delivering the DMVMoves Vision, ensuring economic prosperity, meeting the region's goals, and addressing WMATA's capacity, reliability, and safety needs in a more cost-effective manner, including growing ridership and increasing capacity and connectivity for east-west travel across the region's core while being more cost efficient in providing that service; and

WHEREAS, that this funding and action plan is designed to reinforce service reliability and efficiency, unlock underutilized assets, and position the National Capital Region as a leader in mobility and transit innovation; and

WHEREAS, the COG and WMATA Boards of Directors endorse the recommendations for modernization of WMATA's Metrorail System, and acknowledge that additional dedicated funding will support WMATA's ongoing capital program, including investments in the Rail Modernization Program Plan WMATA is developing; and

WHEREAS, the COG and WMATA Boards of Directors endorse the recommendations for a regional, collaborative approach to implementing bus priority infrastructure and strategies on regional priority corridors that advance connectivity, access, performance, and efficiency; and

WHEREAS, the COG and WMATA Boards of Directors encourage jurisdictions to pursue implementation of regional bus priority project corridors collaboratively with WMATA as a partner in project development and federal funding, as appropriate; and

WHEREAS, the COG and WMATA Boards of Directors recognize the importance of regional and local funding commitments in leveraging federal funding opportunities, including through the Capital Investment Grants (CIG) program, to advance implementation of the DMVMoves Plan; and

WHEREAS, the COG and WMATA Boards of Directors understand WMATA will produce and make public a 20-year, conceptual capital plan every five years, and that capital plan will include an analysis of capital investments and other opportunities to be more cost efficient; and

WHEREAS, the COG and WMATA Boards of Directors understand COG will convene stakeholders and monitor progress on the implementation of the DMVMoves Plan and develop and make public an annual report on the progress of the DMVMoves Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS AND THE BOARD OF DIRECTORS OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY THAT:

1. Adoption of Vision and Goals

RESOLVED, that the COG and WMATA Boards of Directors adopt the DMVMoves Vision and six regional goals as the foundation for regional planning and DMVMoves funding investment plan (see Attachment A);

2. Endorsement of DMVMoves Plan

RESOLVED, that the COG and WMATA Boards of Directors endorse the DMVMoves Plan and direct WMATA and local agency staff to implement accordingly, (see Attachment B), which:

- Defines a 25-year framework for investment needs and funding targets;
- Supports WMATA's investment plan for world-class transit, including:
 - Ongoing repair, maintenance, and modernization of assets, systems, and technologies;
 - Deployment of rail modernization—modern signaling, compatible fleet upgrades, and selective platform screen doors—to improve safety, reliability, capacity, and efficiency;
 - A fast and frequent bus network with bus priority, providing all-day, all-week service that is faster, more reliable, and better aligned with regional travel needs and coupled with regional investments in bus priority; and
- Provides an indication of local transit agencies' funding needs to meet proposed service goals;
- Identifies key policy changes and other actions to improve transit service delivery and inter-jurisdictional coordination to make the regional transit system function more like an integrated and seamless network; and
- Advances regional priority corridors for targeted bus priority investment, in partnership with WMATA, jurisdictions, and stakeholders; and

RESOLVED, that the COG and WMATA Boards of Directors urge the National Capital Region Transportation Planning Board at COG to act as lead coordinator for implementation of the DMVMoves Plan, responsible for convening stakeholders, monitoring progress, and issuing annual reports to WMATA, state and local partners, and the public, and that such reports will include progress reports on the implementation of the DMVMoves Plan, including bus priority corridor advancement, implementation of fare policy changes and regional service guidelines, and uniform reporting of transit system performance; and

RESOLVED, that the COG and WMATA Boards of Directors calls on our federal partners, in recognition of the critical role WMATA plays in supporting the federal government and our national capital, to increase PRIIA funding to restore the purchasing power lost due to inflation since 2010; and

RESOLVED, that WMATA will use reasonable efforts to pursue federal grant, loan, and credit programs to support the DMVMoves Plan, including Transportation Infrastructure Finance and Innovation Act (TIFIA) financing opportunities; and

RESOLVED, that the COG and WMATA Boards of Directors request staff to continue their efforts to drive cost efficiencies and to manage a reserve account that enhances financial accountability and provides greater predictability for jurisdictional funding partners;

RESOLVED, that the COG and WMATA Boards of Directors request WMATA to produce and make public a 20-year, conceptual capital plan with initial publication not later than July 2027 and to refresh that plan every five years, and that capital plan will include an analysis of capital investments and other opportunities to be more cost efficient; and

RESOLVED, that the COG and WMATA Boards of Directors request that WMATA deliver an annual report to COG and funding partners on the performance of the WMATA Transit System and its capital program, and the use and outcomes of additional dedicated funding; and be it further

RESOLVED, that the COG and WMATA Boards of Directors calls upon elected officials, agency partners, and regional stakeholders to support and advance the commitments necessary to realize the DMVMoves Vision and ensure a stable, integrated, and sustainable future for the region's transit systems;

3. Legislative Need

RESOLVED, that the COG and WMATA Boards of Directors recognize the urgent need for \$460 million in additional, predictable, annual and ongoing funding directed to WMATA in advance of reaching its debt capacity limit in FY2029, and calls upon regional leaders to provide that funding (see Attachment C); and

RESOLVED, that legislation is required in each of the Compact Signatories—the District of Columbia, the State of Maryland, and the Commonwealth of Virginia—to:

- Establish additional predictable, multiyear funding for WMATA;
- Ensure that additional funding grows annually; and
- Ensure that additional funding is structured appropriately to maintain flexibility of use to preserve purchasing power and meet long-term financial needs;

RESOLVED, that the COG and WMATA Boards of Directors call upon regional leaders to advance the necessary legislative and budget actions to ensure these commitments are enacted in advance of reaching its debt capacity limit in FY2029, and sustained over time;

RESOLVED, that the COG and WMATA Boards of Directors call upon regional leaders to advance necessary legislative and budget actions to advance actions to support state and local transit operators; and be it finally

RESOLVED, that to ensure alignment between these findings and upcoming WMATA decisions this Resolution shall be effective immediately.

WMATA File Structure No.:

18.2.2 State and Local Government Relations

**COG Board of Directors
Meeting
November 17, 2025 Attendance**

| <u>Jurisdiction</u> | <u>Member</u> | <u>Y/N/A</u> | <u>Alternate</u> | <u>Y/N/A</u> |
|------------------------------------|--------------------------|--------------|---|--------------|
| <i>District of Columbia</i> | | | | |
| Executive | Hon. Muriel Bowser | | Ms. Lindsey Parker | |
| | Mr. Kevin Donahue | A | Mr. Tomas Talamante | |
| Council | Hon. Phil Mendelson | A | Hon. Brianne Nadeau | |
| | Hon. Charles Allen | Y | | |
| <i>Maryland</i> | | | | |
| City of Bowie | Hon. Tim Adams | Y | Mr. Dufour Woolfley | |
| Charles County | Hon. Reuben Collins | | Hon. Thomasina Coates | |
| City of Frederick | Hon. Michael O'Connor | Y | Hon. Gayon Sampson | |
| Frederick County | Hon. Jessica Fitzwater | Y | Ms. Victoria Venable | |
| City of College Park | Hon. Denise Mitchell | Y | Hon. Fazlul Kabir | |
| City of Gaithersburg | Hon. Robert Wu | | Hon. Neil Harris | |
| City of Greenbelt | Hon. Emmett Jordan | Y | Hon. Kristen Weaver | |
| City of Laurel | Hon. Keith Sydnor | Y | Hon. Kyla Clark | |
| Montgomery County - Exec | Hon. Marc Elrich | Y | Mr. Richard Madaleno Ms. Fariba Kassiri Mr. Earl Stoddard | |
| | | | | |
| Montgomery County - Council | Hon. Evan Glass | Y | | |
| Montgomery County - Council | Hon. Kate Stewart | Y | | |
| Prince George's County - Exec | Hon. Aisha Braveboy | | Mr. Kevin Stephen | Y |
| Prince George's County - Council | Hon. Tom Dernoga | | Hon. Wanika Fisher | |
| Prince George's County - Council | Hon. Ingrid Watson | | Hon. Krystal Oriadha | |
| City of Rockville | Hon. Monique Ashton | Y | | |
| City of Takoma Park | Hon. Talisha Searcy | | | |
| Maryland General Assembly | Hon. Brian Feldman | | | |
| <i>Virginia</i> | | | | |
| City of Alexandria | Hon. Alyia Gaskins | Y | Hon. Sarah Bagley | |
| Arlington County | Hon. Takis Karantonis | Y | | |
| City of Fairfax | Hon. Catherine Read | Y | Hon. Stacey Hardy-Chandler | |
| Fairfax County | Hon. Rodney Lusk | Y | Hon. Daniel Storck | |
| Fairfax County | Hon. Jeff McKay | | Hon. Andres Jimenez | |
| Fairfax County | Hon. James Bierman | Y | Hon. Walter Alcorn | |
| City of Falls Church | Hon. David Snyder | Y | Hon. Marybeth Connelly | |
| Loudoun County | Hon. Laura TeKrony | Y | | |
| Loudoun County | Hon. Phyllis Randall | Y | Hon. Koran Saines | |
| City of Manassas | Hon. Mark Wolfe | Y | Hon. Sonia Vasquez Luna | |
| City of Manassas Park | Hon. Darryl Moore | | | |
| Prince William County | Hon. Deshundra Jefferson | Y | Hon. Kenny A. Boddye | |
| Prince William County | Hon. Andrea Bailey | Y | Hon. Tom Gordy | |
| Virginia General Assembly | Hon. Mark Sickles | Y | | |

Total voting present: 26

Total yes votes: 24

Total no votes: 0

Total abstain votes: 2

Attachment A: DMVMoves Vision & Goals

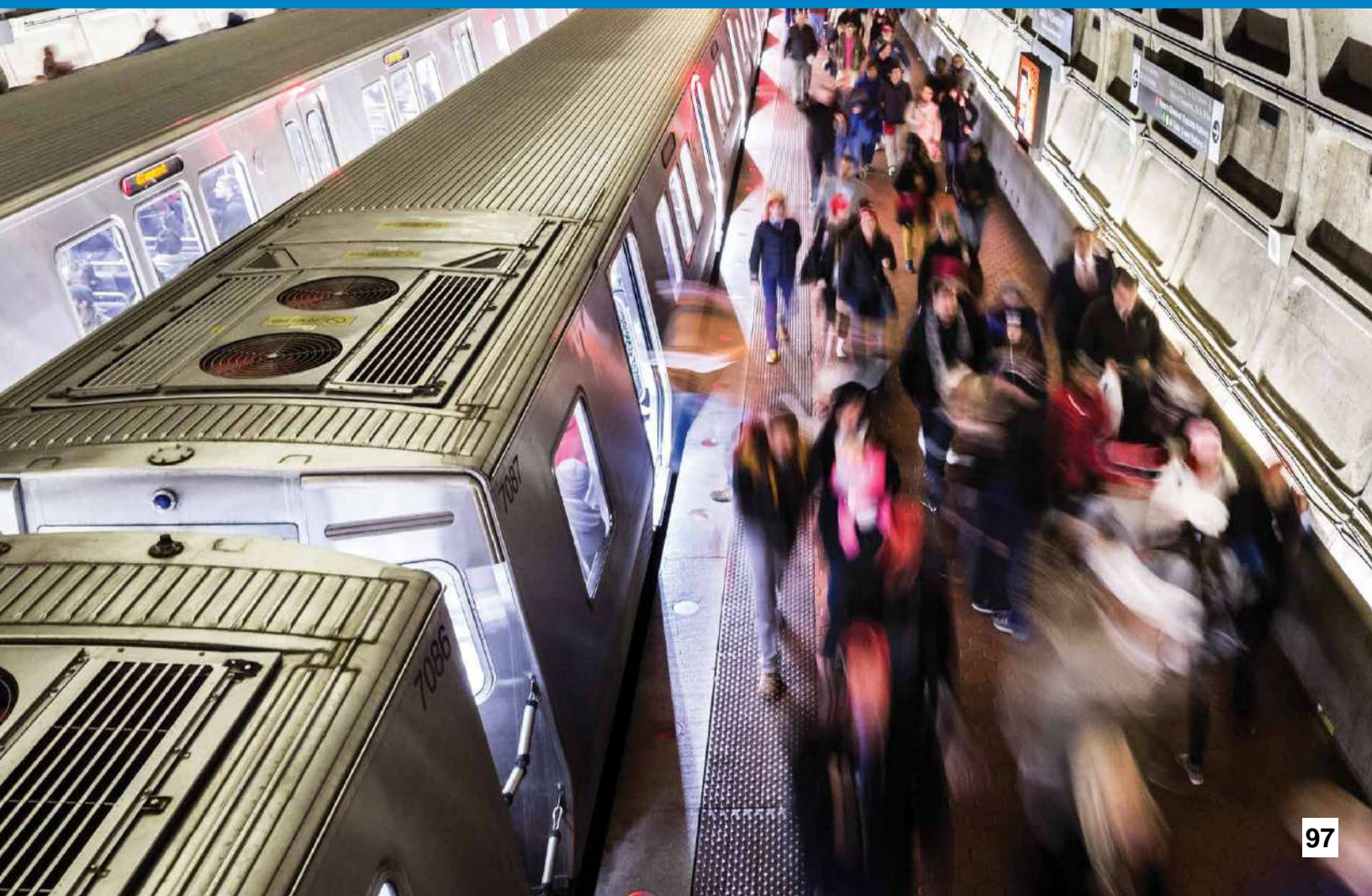
Vision: Transit is the backbone of an integrated, world-class mobility network that makes the National Capital Region a thriving global economy, a preferred home, and a leader in innovation, environmental sustainability, and social equity.

Goals:

1. Make transit a preferred travel choice
2. Provide a seamless, connected, and convenient customer experience
3. Grow ridership through transit-oriented development and expanded connections to economic opportunities
4. Enhance quality of life, economic development, climate resilience, and equity
5. Ensure predictable and sustainable transit funding
6. Establish standard, best-in-class transit workforce policies and skills training

DMVMoves: Seamless, Integrated, World-Class Transit for the National Capital Region

November 2025



| | |
|----|--|
| 3 | Executive Summary |
| | DMVMoves Plan |
| 11 | Introduction: Purpose and Initiative |
| 19 | Vision and Goals |
| 20 | Transit Investment Plan |
| 21 | Reinvesting in and Modernizing Metro |
| 24 | Regional Bus Priority Network |
| 28 | Commuter Rail and Local Bus Needs |
| 28 | Funding the Plan |
| 30 | Transparency and Accountability |
| 32 | Summary Action Plan for Regional Transit Integration |
| 34 | Conclusion and Next Steps |
| 37 | DMVMoves Participants Roster |
| 39 | Detailed Action Plan for Regional Transit Integration |

Executive Summary



Executive Summary

Transportation is a foundational element of daily life – it shapes how we work, live and play. A well-functioning transportation system is key to both economic competitiveness and quality of life. In the National Capital Region, where a talented, mobile workforce is essential, access to efficient transit is not a luxury – it’s a necessity. Without Metro and regional transit, people could not move efficiently across the region – from Loudoun County to the District of Columbia and Prince George’s County, from Montgomery County to Fairfax County, and between all of our communities that rely on transit to reach major employment centers and opportunities.

To attract and retain businesses, the region must maintain a high-performing transportation network. The inverse is equally true: without strong transit infrastructure, the region risks losing talent and economic opportunity to areas with better transportation systems.

The region’s transportation system has evolved over decades across a uniquely complex landscape. It spans multiple jurisdictions – the District of Columbia, Maryland, Virginia (DMV) – and involves collaboration with the federal government. The 14 separate transit operators serving the region provide extensive coverage of service but present challenges to planning, funding, and delivering an integrated, seamless, and consistent customer experience.

Past efforts to improve regional coordination have often resulted in recommendations that were not implemented. A new initiative, DMVMoves, jointly led by the Washington Metropolitan Area Transit Authority (WMATA or Metro) and the Metropolitan Washington Council of Governments (COG), seeks to change that. DMVMoves is action-oriented, with a commitment to both identify key recommendations and work with the region to implement them.

When DMVMoves began in 2024, Metro faced both operational and capital funding shortfalls. Since then, the agency has made major strides on the operating side, listening to regional input and emerging as a national leader in post-pandemic transit recovery.

Metro’s Strong Record of Success

100%

bus ridership back to 2019 levels

#1 in U.S.

leading major systems in rail ridership recovery

54 months

consecutive year-over-year ridership growth

82%

decrease in rail fare evasion

*Data from September 2025

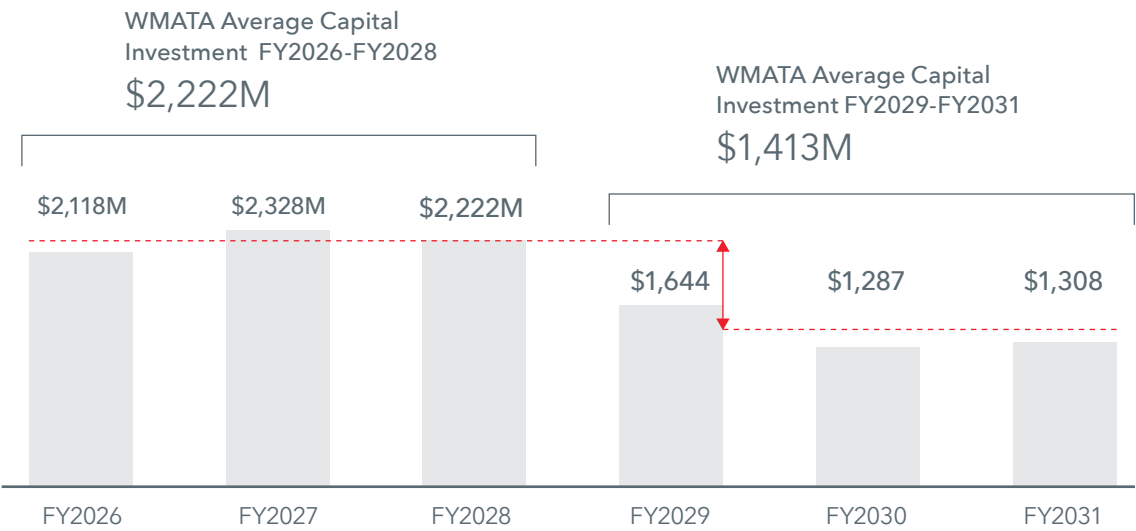
This work has been recognized nationally with the American Public Transportation Association naming Metro “2025 Transit Agency of the Year.” Thanks to these efforts, Metro expects to operate within the revised three percent subsidy growth cap and does not require additional operating funds at this time.

However, Metro lacks the financial resources to maintain the system’s state of good repair and to make modernization investments that improve safety and reliability. The root cause is that Metro’s major capital funding sources are fixed and have lost significant purchasing power over time, 32 percent since 2020. Another factor is that Metro will no longer be able to issue debt by 2029. This will cause Metro’s capital program to fall from an average annual amount of \$2.2 billion to \$1.4 billion. If this shortfall is not addressed, the system’s condition will decline. The improvements made since 2018 will be reversed, and the condition of the network could fall below pre-2018 levels within a decade. Metro is no longer known for broken escalators, ‘hot cars’, poor reliability, and fires due to the progress that has been made – but that progress is at risk without additional capital funding.

Metro is also missing out on the ability to leverage federal funding for transformative modernization investments or potential expansion. Because Metro lacks the capacity to guarantee required local match funding, it can't compete for the federal infrastructure dollars other regions and peer systems are winning.

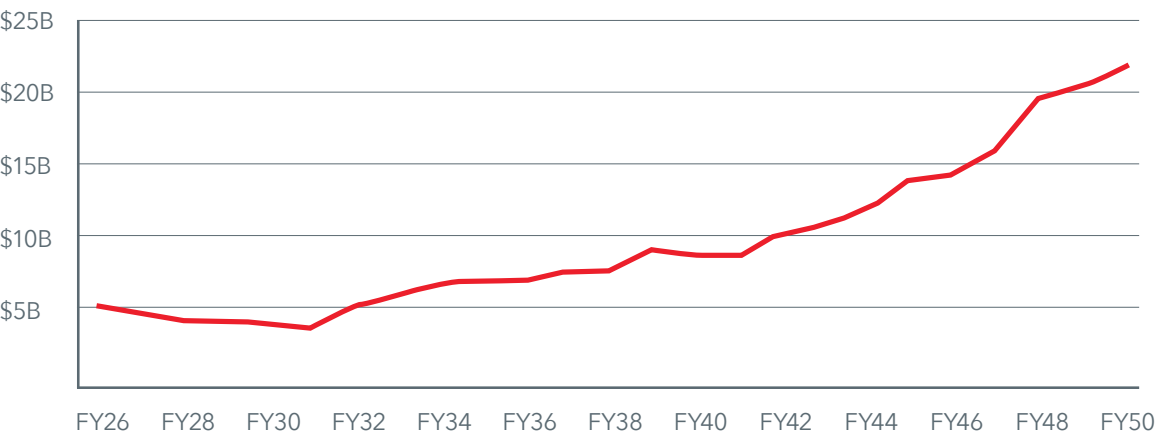
In addition to Metro's budget concerns, the region's local transit operators also experienced pandemic-related ridership and revenue loss leading to operating budget shortfalls. While some progress has been made in regaining ridership, regional economic uncertainty and other external factors could place further pressure on local agencies.

Metro's reduced capital budget without new funding



WMATA FY2026-2031 Capital Improvement Program
(excludes debt service & revenue loss from capital projects)

Metro's estimated capital backlog without adequate funding



DMVMoves: Delivering a World-Class Transit Network



New DMVMoves Funding

Reinvesting in and Modernizing Metro

- Metrorail modernization
- Fast, frequent service all day/all week
- Modern vehicles and technology
- Sustained repair and replacement
- Integrated, customer-focused system

**\$460M before FY29
+3% per year**

Metro and Jurisdictional Partnerships

Regional Bus Priority Network

- Joint project development
- Discretionary and local funding for priority infrastructure
- Metro operates fast, frequent service all day/all week where Metro is the primary service provider in the corridor

\$ To be determined

Separate State and Local Funding

Improved Local Bus Service

Achieving new regional service guidelines:

\$65-80M +3% per year

Commuter Rail as Regional Rail

Maintaining existing service and systems:

\$60M +3% per year

Leveraging recent investments to provide regional rail service:

\$ To be determined

+ Implementation of Action Plan for Transit Integration

DMVMoves Plan: Investments and Action to Deliver Vision

To address these urgent needs, the COG and WMATA Boards came together to create the DMVMoves Task Force of regional officials chaired by Charles Allen, Vice-Chair of the COG Board, and Paul Smedberg, First Vice-Chair of the WMATA Board. It is supported by Advisory Groups of local government executives and regional stakeholders that are co-chaired by Bryan Hill, Fairfax County Executive, and Jack McDougale, President and CEO of the Greater Washington Board of Trade. DMVMoves is action-oriented, committed to both identifying key recommendations *and* working with regional partners to implement them.

The Task Force adopted a vision for transit in the region:

“Transit is the backbone of an integrated, world-class mobility network that makes the National Capital Region a thriving global economy, a preferred home, and a leader in innovation, environmental sustainability, and social equity.”

This vision is guiding the development of actionable recommendations that reflect regional priorities, build accountability, and ensure sustainable implementation.

A Sustainable Solution for Metro’s Capital Needs

The Task Force recommends \$460 million in additional, predictable, unencumbered, and annual funding for Metro capital investments. This investment should grow at three percent annually to account for inflation and maintain purchasing power. The combined effect of the funds being predictable, unencumbered, and growing over time will allow Metro to establish a

sustainable bond program. This program – unlike the current dedicated capital funding program – will allow the region to avoid another capital funding cliff like we are facing today. For the first time, Metro will have sufficient resources to issue new bonds as current bonds are paid off – freeing up funds and allowing Metro to sustain target investment levels.

This funding will:

Support the system’s state of good repair, reinvestments in key infrastructure, and Metrorail modernization. It will deliver to the region and riders:

- Improved safety
- Increased reliability of service
- Increased system capacity – and when combined with bus priority strategies addresses core capacity issues on the Blue, Orange, and Silver lines between Rosslyn and Stadium-Armory stations
- Faster travel times
- More cost-efficient service



Metro recognizes the significance of this ask and is committed to:

- Creating a sustainable bond program to support long-term investments
- Making generational upgrades to the system’s core infrastructure
- Ensuring annual growth in the unit cost of service at or below three percent
- Working with regional partners to help fund and implement the seamless and integrated policy recommendations from DMVMoves
- Delivering an annual report to TPB on system performance and the use of DMVMoves funds

The DMVMoves Plan reflects lessons learned since the 2018 regional funding effort. We know that the new Metro funding must be flexible, unencumbered, and grow. We must document the assumptions and anticipated outcomes underpinning the analysis to increase transparency and accountability. Finally, DMVMoves recommends an updated and uniform three percent cost control measure across all three jurisdictions to replace the patchwork of cost controls from 2018.

The Importance of Bus Priority

This region continues to grow and transform, and there are activity centers across the region that serve as key job centers, healthcare, education, and entertainment sites. Improving bus service on existing high-frequency, high-ridership routes will help connect these activity centers to each other and the Metrorail, VRE, MARC, and Purple Line rail systems.

The DMVMoves Task Force has identified an initial set of bus priority corridors and is recommending that the region commit to working with Metro to advance these investments.

Without bus priority, the region risks having to invest more each year just to maintain current levels of service – all while customers experience slower, less reliable trips.

Bus Priority projects are vital because they:

- Improve travel times and reliability for riders
- Help reduce long-term operating costs
- Ensure that growing congestion does not degrade transit service



Commuter Rail: A Golden Opportunity to be Regional Rail

The National Capital Region currently lags behind peer metro areas in regional rail service. This is due in part to infrastructure bottlenecks – especially the Long Bridge over the Potomac – and the complexities of sharing track with freight railroads.

Now, the region is on the cusp of transformation:

- Construction of a new Long Bridge is underway
- Virginia purchased VRE Manassas Line right-of-way
- Union Station is being redeveloped

These new investments create the opportunity to advance concepts such as direct service in and between the District of Columbia, Maryland, and Virginia. Both MARC and VRE recently released long-term plans outlining visions for future service. DMVMoves recommends that the region begin coordination between these systems to fully realize this opportunity. Expanding regional rail would not only improve access and reliability but would also reduce highway congestion and emissions by offering a viable alternative to driving. With integrated fares and coordinated special event service, regional rail can make travel across jurisdictions more seamless and convenient for riders. By 2030, the transformation of Long Bridge and Union Station will be in place. If we are prepared to act, we can capitalize on that investment starting day one and have a truly regional rail network like peer regions in Boston, Chicago, Philadelphia, and New York.

Enhanced Bus Service

DMVMoves calls on jurisdictions and local bus service providers to adopt and use new shared service guidelines, and for state and local jurisdictions to strive to provide the funding needed for their local operators to implement service improvements.

Toward an Integrated, Seamless Network

Today's transit system – comprising 14 separate operators – can be complicated. If the region were designing the system with a blank slate today, it is unlikely we would have 14 operators. At the same time, these operators provide essential services tailored to the needs of their communities, and many have seen significant improvements in service over the last few years. Coordination between the region's systems can help improve the customer experience and lower barriers to the use of transit, especially beyond the customer's home jurisdiction.

Conclusion: The Time to Act Is Now

Transportation is not just a utility – it is a strategic asset. The decisions we make today will determine whether the National Capital Region remains competitive, livable, and connected.

We are at a pivotal moment. Metro has stabilized its operations and led the nation in post-pandemic transit recovery. But capital funding remains a ticking clock. Without action, we risk undermining and unraveling the progress we've made.

DMVMoves offers a path forward – one that is regional, sustainable, and future-focused. Through a unified vision, a realistic funding solution, and bold leadership, we can build a seamless, modern transit network that powers our economy and enhances the lives of every resident and visitor.

Let's invest in the future we all want to ride.

DMVMoves proposes the following pillars for a unified system:

- Bus priority strategies and investments to make service more cost-effective and get best value from high-frequency, in-demand corridors
- More consistent and better integrated fare policy (e.g., consistent low-income discounts, "kids ride free" across systems)
- Shared bus service guidelines that deliver a better, more consistent customer experience
- Performance reporting to improve transparency, assess service effectiveness, and identify improvements
- Improved clarity and consistency in signs, customer information, and amenities at bus stops
- Use of shared resources and grouped procurements to reduce costs and improve buying power
- Consistent training and certification programs to improve effectiveness and efficiency



DMV Moves Plan



Introduction: Region's Transit System at a Crossroads

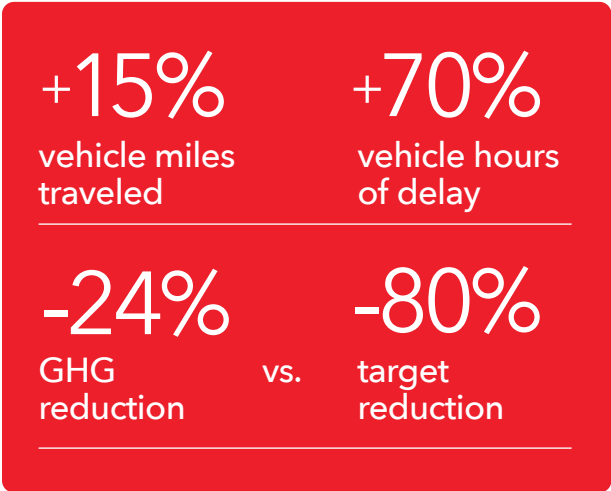
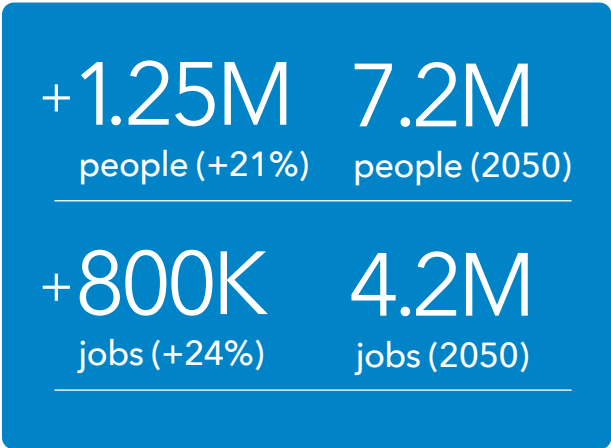
Transportation is essential to everyday life, shaping how people work, live and play. In the District of Columbia-Maryland-Virginia (DMV) region, the system has evolved across a uniquely complex landscape, spanning multiple state and local jurisdictions as well as the federal government. Today, 14 transit operators serve the region, offering broad coverage but posing significant challenges for coordination. This complexity can make it difficult to plan, fund, and deliver a unified, seamless transit experience for all customers.

The DMV is a global capital and has a strong regional economy forecasted to grow considerably over the next 25 years, adding approximately 1.25 million people, 800,000 jobs, and generating over 20 million trips per day. That growth promises to increase economic activity and vibrancy, but if the region doesn't change its approach to managing growth it will experience much more traffic and congestion, degraded air quality, and reduced housing supply and higher housing costs.

Acting through the Metropolitan Washington Council of Governments (COG) and its Transportation Planning Board (TPB), the region has established aspirational goals to guide that growth towards better outcomes. Meeting those goals requires an extensive network of fast, frequent, reliable, and safe transit service that provides competitive travel options in major corridors.

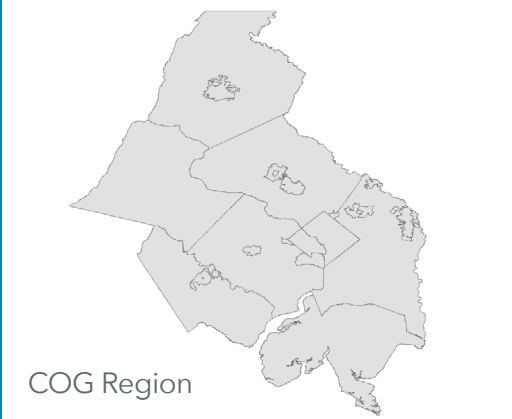
A well-functioning transportation system is key to economic competitiveness and quality of life. Transit drives economic activity, connects people to opportunities, improves air quality, and shapes neighborhoods by attracting new housing, retail, and other commercial ventures. In the National Capital Region, where a talented, mobile workforce is essential, access to efficient transit is not a luxury – it's a necessity.

Regional growth and change by 2050



The region's plans and goals:

- Region Forward (2010)
- 2030 Climate and Energy Action Plan (2020)
- Region United (2022)
- Visualize 2050 (Draft 2025)



COG Region



Transit drives economic activity

Within half-mile of Metro stations and bus stops in the WMATA Compact Area:

60% of population (2.8M people)

70% of jobs (1.7M jobs)

50% of employers (134,400 businesses)

\$9.4B in business output supported by transit

\$330B in property value around Metro stations

\$3.2B in tax revenue generated around Metro stations



Transit Funding Crisis

The region's transit systems face a serious financial crisis. The COVID-19 pandemic and widespread telework led to a nationwide crisis in transit funding, and the temporary relief provided by the federal government and state and local partners has largely been exhausted. Ridership and revenue loss have left many DMV transit operators with operating budget shortfalls. In 2025, the Washington Metropolitan Area Transit Authority (WMATA or Metro) was able to sustain its operating budget by implementing operational efficiencies and leveraging higher than expected ridership and revenue growth, but other local transit operators still face operating budget uncertainty. The region is again facing economic headwinds and uncertainty that, along with other external factors, could place further pressure on all DMV transit agencies.

As a region, we have proven we can do big things when we work together. In 2018, after more than a decade of deferred maintenance resulted in major service disruptions, we came together to provide the first dedicated regional funding for Metro's capital program. The results of our partnership are telling: Metro accelerated its capital program to reduce its backlog of deferred maintenance, increased transparency and accountability, and renewed its commitment of good financial stewardship. Metro was named "2025 Transit Agency of the Year" by the American Public Transportation Association (APTA) and is again a national leader in ridership growth, performance, maintenance, state of good repair, and customer satisfaction. In 2025, Metro launched a redesigned bus network to improve service for customers and expand access to jobs, healthcare, and education. Alexandria's DASH and other local bus systems also have redesigned and improved their networks.



Metro's record of success

#1

2025 APTA award for outstanding transit agency

54

Consecutive months of year-over-year ridership growth

82%

Reduction in Metrorail fare evasion

55%

Reduction in crime over 3 years – lowest level in 8 years

92%

Historic customer satisfaction numbers on rail

83%

Historic customer satisfaction numbers on bus

\$215M

Annual tax revenue through joint development

\$500M

FY2025 savings to be reinvested in the capital program

*Data from September 2025

But that strong record of success is threatened by a serious capital funding shortfall caused by a structural funding challenge that has been present since the agency's founding and has never been addressed: Metro lacks a capital funding source that is both guaranteed and indexed to grow to keep up with cost inflation.

Metro funds part of its capital program with debt backed by the region's \$500 million annual commitment from 2018 – its only source for issuing debt. Because that funding does not grow and has lost value, and because Metro issued debt swiftly to address deferred maintenance, Metro's borrowing capacity limit will be reached in its FY2029. That lack of growth in Metro's capital funding source was always going to be a problem, but high inflation over the past several years has pushed the capital program to the point of crisis.

Without additional, dedicated capital funding Metro will need to reduce its FY2026-FY2031 Capital Improvement Program from an average annual amount of \$2.2 billion to \$1.4 billion. That funding shortfall will persist and grow over time, eventually leaving Metro with a backlog of \$22 billion in unaddressed capital needs by 2050. This is at a time when several major capital investments are coming due, including replacing Metro's 50-year old rail signaling system. Metro and the region are facing an imminent and permanent fiscal cliff that threatens its ability to maintain the safety and reliability of the system.

Metro is also missing out on the ability to leverage federal funding for transformative modernization investments or potential expansion. Because Metro lacks the capacity to guarantee required local match funding, it can't compete for the federal infrastructure dollars other regions and peer systems are winning.

The region risks returning to the days of deferred capital and maintenance needs, significant delays, and safety risks experienced before 2018. Without a guaranteed funding source that grows with inflation, Metro's ability to maintain the existing transit system will be severely threatened.

Challenge: Metro and the region face a transit funding crisis

Metro's existing capital funding sources and structural challenges will result in a serious funding shortfall, leading to degradation of assets and system performance.

Metro's existing capital funding challenges:

- Capital funding sources **not indexed to grow**
- **Inflation** significantly reduced capital buying power
- **Debt capacity will be exhausted in ~FY2029**
- Will be forced to **reduce annual capital investments**

Metro's capital funding sources are fixed and have lost significant purchasing power:

-60% PRIIA (federal + local) funding value since award

-32% 2018 Dedicated Funding value since 2020

Capital investments enable high-quality service

88% of rail trips on time
Thanks to investments in rail infrastructure and railcars

35% fewer bus breakdowns
Because Metro refurbished and upgraded buses

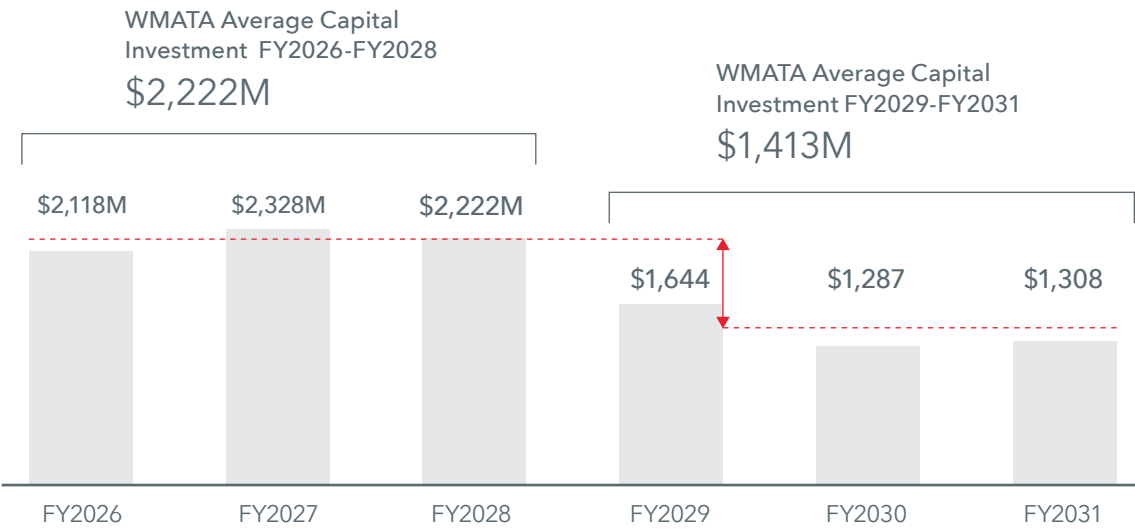
98% escalator availability
Among newly replaced escalators

*Data from September 2025

Though Metro’s funding shortfall is the most urgent problem facing DMV transit, it is not the only one. Local bus operators have unmet capital needs and operating budget challenges. The Virginia Railway Express (VRE) and Maryland Area Rail Commuter (MARC) commuter rail systems have backlogged asset repair and replacement needs, as well as unfunded plans for service and capital investments to keep up with regional growth. Both have long-range system plans presenting an opportunity to leverage federal investments in Long Bridge into an integrated, all-day, bidirectional regional rail system, but those plans are unfunded.

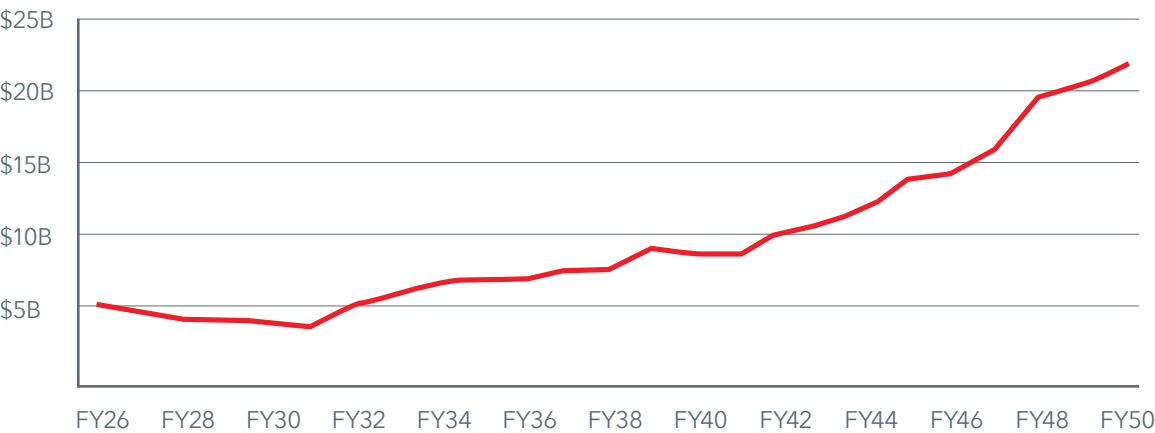
The region’s long-term livability and prosperity depend on the safe, reliable, and timely movement of people and goods. Transit is fundamental to mobility, accessibility, equity, economic development, housing and environmental goals; **we must invest in it now to attract new talent and businesses.**

Metro’s reduced capital budget without new funding



WMATA FY2026-2031 Capital Improvement Program
(excludes debt service and revenue loss from capital projects)










Metro's estimated capital backlog without adequate funding



A Complex Regional Transit Network

The DMV's transit system of 14 separate operators can be complicated. If the region were designing the system with a blank slate today, it is unlikely we would have 14 providers. At the same time, these operators provide essential services tailored to the needs of their communities, and many have seen significant improvements in service over the last few years. There is both need and opportunity to make the regional transit system feel, work, and look more like an integrated, seamless network offering a consistently excellent customer experience.

Each operator has its own:

-  Administration
-  Service Levels and Standards
-  Fare Policy and Payment
-  Fleet and Vehicle Design
-  Bus Stop Standards
-  Branding, Signs, and Customer Info
-  Facilities
-  Hiring and Training
-  Procurement

Challenge: DMV transit is a complex network of multiple providers

| | | | |
|----|---|----|-------------------|
| 3 | states | 24 | local governments |
| 1 | regional Metro rail and bus network | | |
| 12 | local bus systems | | |
| 3 | commuter bus systems | | |
| 2 | commuter rail systems | | |
| 1 | light rail (under construction) | | |
| + | multiple planning and funding organizations | | |

In 1967, the Washington Metropolitan Area Transit Authority (Metro) was created by an interstate Compact to plan, develop, finance, build, and operate a comprehensive, unified mass transit system.



The DMVMoves Initiative

On May 1, 2024, the Boards of Directors for COG and WMATA launched a new regional initiative: DMVMoves. The Boards appointed the DMVMoves Task Force to develop a shared Vision for the future of the region's transit network; identify long-term, reliable, dedicated funding to support it; and develop an Action Plan to better integrate the region's collection of 14 transit systems.

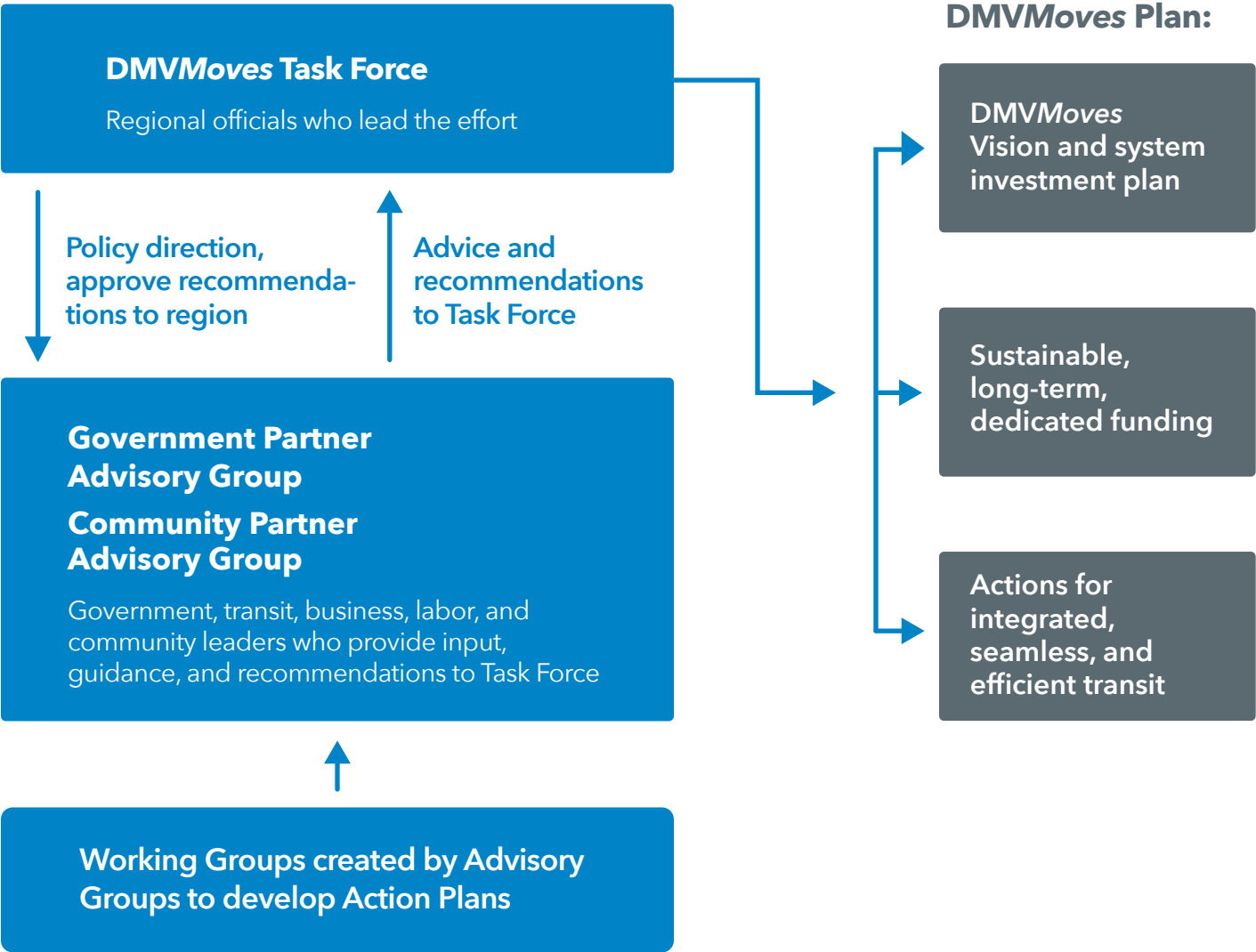
The Task Force guided the initiative and approved the resulting Plan's funding and action recommendations. It was supported in this work by input from two Advisory Groups:

- **Government Partners Advisory Group:** Chief Administrative Officers, D.C.'s Chief Financial Officer, and state and local transportation agency executives
- **Community Partners Advisory Group:** Regional, business, and community leaders and advocates

These Advisory Groups discussed and assessed how to most effectively meet Task Force direction and offered deep knowledge of the region's economy, transportation needs, and political realities. They also established interagency transit staff Working Groups to develop specific recommendations for greater transit network integration and efficiency.



DMVMoves: a joint initiative to develop a unified vision and sustainable funding model for public transit in our region



- 6 Task Force meetings
- 17 Advisory Group meetings
- 28 Working Group meetings

See the back pages of this document for a roster of the participants in DMVMoves

The DMVMoves Vision and Goals

“Transit is the backbone of an integrated, world-class mobility network that makes the National Capital Region a thriving global economy, a preferred home, and a leader in innovation, environmental sustainability, and social equity.”



1. Make transit a preferred travel choice.
2. Provide a seamless, connected, and convenient customer experience.
3. Grow ridership through Transit-Oriented Development (TOD) and expanded connections to economic opportunities.
4. Enhance quality of life, economic development, climate resilience, and equity.
5. Ensure predictable and sustainable transit funding.
6. Establish standard, best-in-class transit workforce policies.

Delivering this Vision and meeting these goals means investing in and delivering integrated, seamless, world-class service that grows ridership, connects more people to jobs and other economic opportunities, supports and generates economic activity, and enhances quality of life across the region. The DMVMoves Plan will advance those goals.

What DMVMoves heard from the public:

80% of people surveyed want more and better transit service, even if it requires greater public investments.

#1 priority is: more frequent service, more off-peak and late-night service.

The DMVMoves Plan: Delivering a World-Class Transit System

The Task Force and Advisory Groups agreed that DMVMoves should focus on maximizing the use and value of the existing transit system. That means sustaining the existing system into the future and improving service and customer experience as resources allow. It means making travel across the region faster, safer, and more reliable. It means getting the highest use and best value from existing assets and infrastructure before expanding the system. It includes leveraging opportunities to get more from the region's

road network by prioritizing investments that move large numbers of people most efficiently. And it means funding up-front capital investments that reduce the per-unit costs of providing service.

The Task Force adopted an investment plan and a set of strategic actions to modernize Metro and deliver a world-class transit network – one that is safe, efficient, reliable, and seamless, offering an excellent customer experience while meeting the region's unique needs.

New DMVMoves Funding

Reinvesting in and Modernizing Metro

- Metrorail modernization
- Fast, frequent service all day/all week
- Modern vehicles and technology
- Sustained repair and replacement
- Integrated, customer-focused system

**\$460M before FY29
+3% per year**



Metro and Jurisdictional Partnerships

Regional Bus Priority Network

- Joint project development
- Discretionary and local funding for priority infrastructure
- Metro operates fast, frequent service all day/all week where Metro is the primary service provider in the corridor

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Separate State and Local Funding

Improved Local Bus Service

Achieving new regional service guidelines:

\$65-80M +3% per year

Commuter Rail as Regional Rail

Maintaining existing service and systems:

\$60M +3% per year

Leveraging recent investments to provide regional rail service:

\$ To be determined

+ Implementation of Action Plan for Transit Integration

Reinvesting in and Modernizing Metro

With the proposed additional funding, Metro will build on the strong success of the 2018 funding and continue delivering world-class transit service. Metro will be able to sustain and even accelerate investments in maintaining and modernizing infrastructure, vehicles, and other assets, including:

- Metrorail modernization
- Fast, frequent service all day/all week
- Modern vehicles and technology
- Sustained repair and replacement
- Integrated, customer-focused system

Metro and the region have spent decades and billions of dollars investing in the DMV's transit system; however, many of the assets and infrastructure are underutilized. With the right investments that address rail bottlenecks and areas of delay on roads, Metro can operate additional rail and bus service at a lower incremental cost. Unless the region adopts global standard practices that use rail and road assets more effectively – rail modernization and bus priority – we will quickly exhaust our ability to further maximize safety, reliability, capacity, and efficiency.

Rail Modernization

Metro's proposed Rail Modernization Program is a core component of the DMVMoves investment plan.

Metro's existing rail signaling system is aging and unreliable. The outdated, more than 50-year-old system is the primary source of service disruptions caused by infrastructure failures. Because the 1970s-era system is obsolete in the marketplace and components are no longer standard, it's increasingly difficult and costly to maintain and source replacement parts. The difficulty and costs of maintenance will only grow as the system continues to age. Metro must begin replacing its entire rail signaling system with new, modernized equipment within the next decade in order to maintain operations.

Additional funding will allow Metro to manage a reasonable capital backlog while maintaining and reinvesting in the existing system:



Fleet Rehabilitation and Replacement



Traction Power Cables



Escalators/Elevators



Bus Garages

Metro will upgrade its current analog system to a fully digital system called Communications-Based Train Control (CBTC). CBTC is the global standard for all new heavy rail systems and metros, as well as older systems that recently retrofitted and modernized their signaling systems.

A new CBTC system could support a range of system improvements and functionality. Metro currently operates at a standard known as Grade of Automation 2 (GoA2), meaning trains receive signals from a centralized system but still require an operator to run and monitor the train. CBTC could continue to deliver GoA2 while offering significant performance enhancements. With additional capital investments, it could also support fully automated trains using Grade of Automation 4 (GoA4). Though automation is the global standard for world-class rail, it is not new. Automated, driverless rail systems have operated safely and reliably for more than 40 years.

Metro lags behind North American peers in modernizing signal systems

Metro's North American peers either have or are implementing modern rail signaling, such as Communications Based Train Control (CBTC) and automation.



Grades of Automation

Scale from 1-4 describing increasing levels of automation

| Manual operation | Semi-automated operation | Fully automated operation | |
|---|--|---|--|
| Driver stops/starts the train | Operator supervises train | No operator required | |
| <p>GoA 1</p> <p>Operator controls train acceleration, braking, door operation, and monitoring the track.</p> | <p>GoA 2</p> <p>Operator (in the cab) supervises the train, monitors track conditions, operates doors and train departure.</p> <div data-bbox="607 1753 1036 1848"> <p>We are here: Metro returned to Automatic Train Operation (ATO, GoA 2) on all lines, effective June 2025.</p> </div> | <p>GoA 3</p> <p>Train attendant (not in a cab) assists passengers and may operate the train if needed.</p> | <p>GoA 4</p> <p>No operator or attendant required for normal operation.</p> |

Potential Components of Rail Modernization Program



Signaling System

Communications-based train control (CBTC) is the industry standard and provides greater efficiency and reliability. It uses digital signals between trains, from trains to receivers, and from receivers to the main control hub. It is significantly simpler than the existing system and requires fewer assets to maintain. It will make service more reliable, safer for customers and transit workers, and reduce customer travel times while also reducing costs.



Vehicles

CBTC shifts much of the signaling system from wayside equipment to equipment onboard railcars. Most transit agencies try to align CBTC investments with the design and procurement of new railcars. Metro's procurement of a new 8000-series railcar fleet is an opportunity to efficiently align design and resources with the required signaling system replacement.



Platform Doors

Platform screen doors create a protective barrier between moving trains and customers waiting on the platform. They prevent unauthorized people from getting on the tracks, would reduce the amount of trash and other objects on the rails, and facilitate automation. Trespassing has disrupted Metrorail service an average of ten times per month over the past five years. Metro experienced 96 trespassing incidents in 2024, seven of which were fatal.

Metro's Board of Directors will consider a systemwide Rail Modernization Program that will transform our operations and deliver a safer, more reliable, more cost-efficient service with greater capacity.

Rail Modernization is the path to world-class transit

Safety

- Safer operations: Less variability, fewer errors, reduce staff on roadway
- Safer stations: Keep trespassers off tracks, reduce track fires

Capacity

- Faster travel and customer trips
- Access to more destinations in same travel time
- Capacity for more trains per hour

Reliability

- Service reliability and performance 95-99%
- Reduces schedule buffer time
- Less physical infrastructure to maintain

Efficiency

- More service at lower cost with same fleet and infrastructure footprint
- Grow ridership and revenue

Rail modernization and bus priority strategies will address long-standing core capacity issues on the Blue, Orange, and Silver lines between the Rosslyn and Stadium-Armory Stations.

Regional Bus Priority Network

Surveys consistently show that customers value frequent, reliable, and fast service. Metro's Frequent Service Network operates service at 5-12 minute frequencies or 12-20 minute frequencies all day and all week to connect people to where they want to go, when they want to travel. This network serves nearly two-thirds of customers, and half of all Metrobus trips are on the 12-minute routes. This shows that people will ride when service meets their expectations.

Congestion across the region is slowing buses and driving up costs – at least \$70 million each year is spent on bus service that sits in traffic. Slower, less reliable trips discourage ridership, make travel times unpredictable, and create safety concerns as drivers try to get around stopped buses. The region needs to plan, fund, and implement strategies to get buses out of traffic and moving faster.

The region can and will do this by working together and investing in effective bus priority treatments on roads carrying high-frequency bus service. Bus priority treatments – such as bus lanes, traffic signal priority, and queue jumps – enable buses to bypass traffic and maintain consistent speeds through congested areas. They make customer trips faster, bus a more competitive and attractive option, and allow the transit agency to provide the same level of service at a lower cost and with fewer resources. The cost efficiencies created by bus priority can be used to operate more service and further improve the customer experience.

Each bus corridor is different and needs a different level of investment in bus priority. There are several types of bus priority treatments and a spectrum of infrastructure investments that the region can make.

Bus Priority Proves Its Value Here
And In Cities Across The Globe

Success in other cities

Safety

Traffic Collisions in New York

▼ 42%

Reliability

Travel Time in Paris

▼ 25%

Efficiency

Subsidy Per Passenger in Los Angeles

▼ 18%

Capacity

Ridership in New York

▲ 20%

Safety

Fewer crashes on 16th Street NW (D.C.)

▼ 28%

Reduction in injury crashes on Pennsylvania Ave SE (D.C.)

▼ 56%

Emergency vehicles reach people quicker via bus lanes

▲ faster response

Reliability

Georgia Ave bus lanes increased speed for 23,000 riders

▲ 14%

Georgia Ave bus lanes improved speed for the slowest buses (MD)

▲ 16%

On-time performance (OTP) on Metroway

90%

Metrobus system average OTP in VA

79%

Efficiency

Each MetroAccess trip shifted to Metrobus

\$100+ saved/ trip

Clear Lanes (D.C.) lets some MetroAccess customers use regular buses

improved access

Faster service means fewer buses for the same coverage

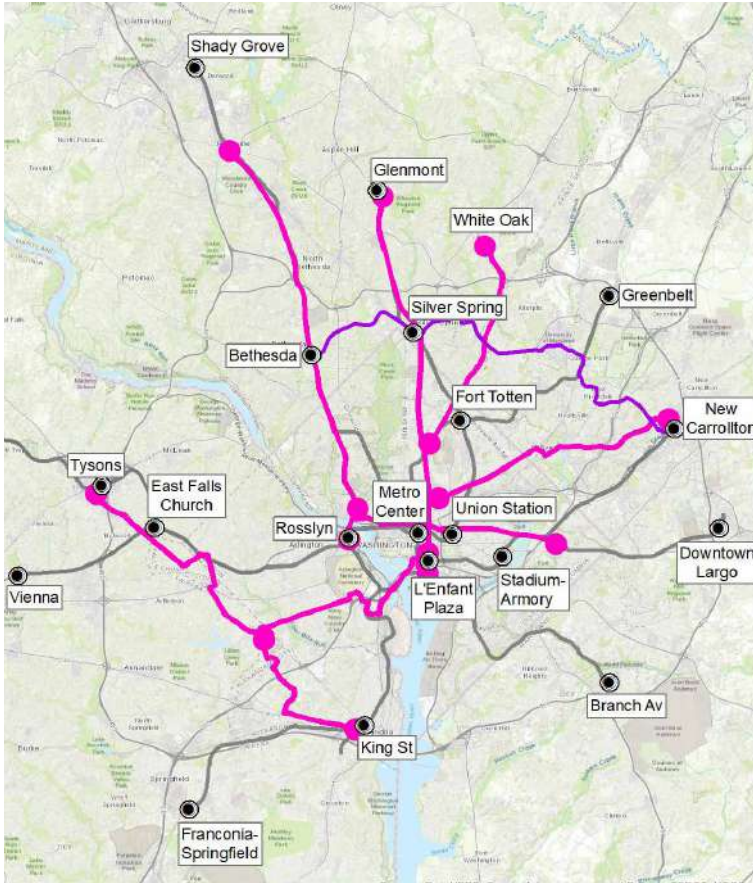
lower costs

Capacity

on Georgia Ave with a dedicated bus lane (MD)

900 more people/ hour

A Collaborative Approach to a Regional Bus Priority Network



Initial Bus Priority Corridors

- Crosstown D.C.
- Georgia Ave & 7th St NW
- Rockville Pike/MD-355 & Wisconsin Ave NW
- New Hampshire Ave to White Oak
- Rhode Island Ave & Annapolis Rd
- Columbia Pike & 14th St Bridge
- Virginia Route 7

Metrorail Lines

Maryland Transit Administration (MTA) Purple Line

Why these corridors:

- Routes with frequent service
- High bus ridership
- Slow bus speeds and unreliable service
- High densities of people and jobs (by 2050)
- Potential for high return on investment
- Reflects jurisdictional priorities
- Unified approach across borders – benefits Metro, local bus, and commuter bus customers

Why this matters:

3.6M customers per month on these corridors

more than:

- Boston's Green Line
- Dallas' DART light rail system
- Seattle's Link light rail system

50% of travelers on Georgia Avenue in D.C. are on the bus, using only one traffic lane

What this investment will do:

- Reduce travel time and grow ridership
- Improve cost efficiency
- Expand access and safety
- Support economic growth

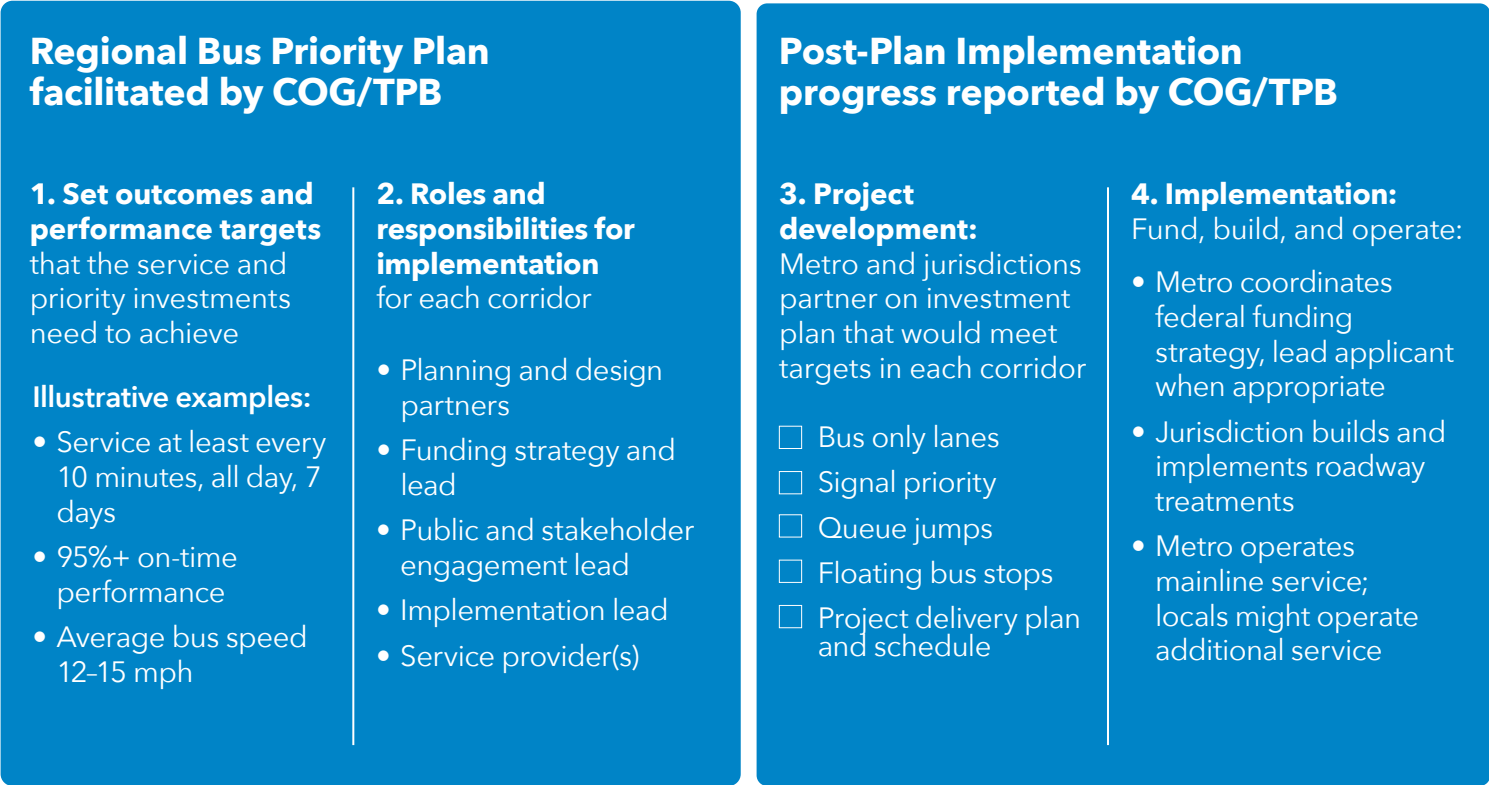
Jurisdictions, roadway owners, Metro, and other transit agencies will partner on planning, designing, and implementing each project. Metro will provide staff resources and funding for project development; coordinate and lead efforts to secure federal funding when and as appropriate; and operate a uniformly-branded mainline bus service where Metro is the primary service provider in the corridor. The jurisdictional road owners will lead implementation and construction, and may operate additional local bus and/or commuter bus service in the corridor.

The DMVMoves Task Force considered creating a dedicated regional fund to deliver these initial projects, but the various partners decided each jurisdiction would separately fund the corridors and segments within their borders, with Metro providing project development support. DMVMoves sets an expectation

that these corridors will be designed to achieve targeted performance outcomes and be delivered within the set timeline, regardless of which entity is providing funding and leading implementation.

Those high-value corridors will create a strong foundation for future investments in bus rapid transit and bus priority. Deploying such treatments across the region will make roads safer for all users, make bus service faster and more reliable, and increase capacity to attract new ridership and better support a growing, dynamic region, all while reducing the hourly costs of providing that service. Planning and implementing them as an interconnected regional network that also offers fast connections to Metrorail, VRE, MARC, and the Maryland Transit Administration's Purple Line will better serve the people of the region, who routinely cross county and city lines.

A regional approach to bus priority



Commuter Rail and Local Bus Needs

Our commuter rail and local bus systems serve critical transportation needs and are drivers of economic activity. They also have funding needs that cannot be met with current resources. Achieving the DMVMoves Vision calls for more than continuing existing service. DMVMoves calls on all bus operators in the region to adopt and implement new regional service guidelines that will deliver an improved and more consistent customer experience. MARC and VRE commuter rail services can be interlined and evolved into a truly regional rail system that delivers more all-day, bi-directional service. Infrastructure bottlenecks – particularly over the Potomac River and sharing track with freight railroads – have long posed a barrier to realizing that vision. But the region is on the cusp of transformation if it can leverage the following:

- Construction underway to expand Long Bridge capacity
- Virginia purchased VRE's Manassas Line right-of-way
- Union Station redevelopment

These new investments create the opportunity to advance concepts such as all-day, bi-directional service or through-running trains between the District of Columbia, Maryland, and Virginia. DMVMoves supports fully funding VRE's System Plan 2050 and MTA's MARC Growth and Transformation Plan to fully realize this opportunity.

The DMVMoves Plan provides estimates for some of these needs and investments, but does not seek to commit new regional funding agreements to support them. We do call on state and local jurisdictions to commit to funding those needs, and for local transit providers to commit to actioning the new service guidelines.



Funding the Plan

DMVMoves sets a broad and aspirational vision for long-term transit investments and a more integrated network. The Task Force decided that new funding provided by the regional DMVMoves effort should focus on the needs and opportunities facing Metro, the regional transit service provider. DMVMoves calls on state and local jurisdictional partners to devote local funding to support and implement local bus service improvements and the commuter rail system growth and integration plans.

Metro Funding

DMVMoves commits the region to providing \$460 million in additional, predictable, annual and ongoing funding directed to Metro in advance of reaching its debt capacity limit in FY2029, and ensuring that funding grows three percent annually to adjust for inflation. The Task Force agreed that this funding should support bond financing and its use should be unrestricted to maximize the effectiveness of every dollar. This funding will preserve Metro's purchasing power, allowing it to maintain its assets, sustain service, and deliver its part of the DMVMoves Plan. Funding predictability and flexibility will allow Metro to manage reasonable variations in both capital outlay and operating costs, ridership, and revenue.

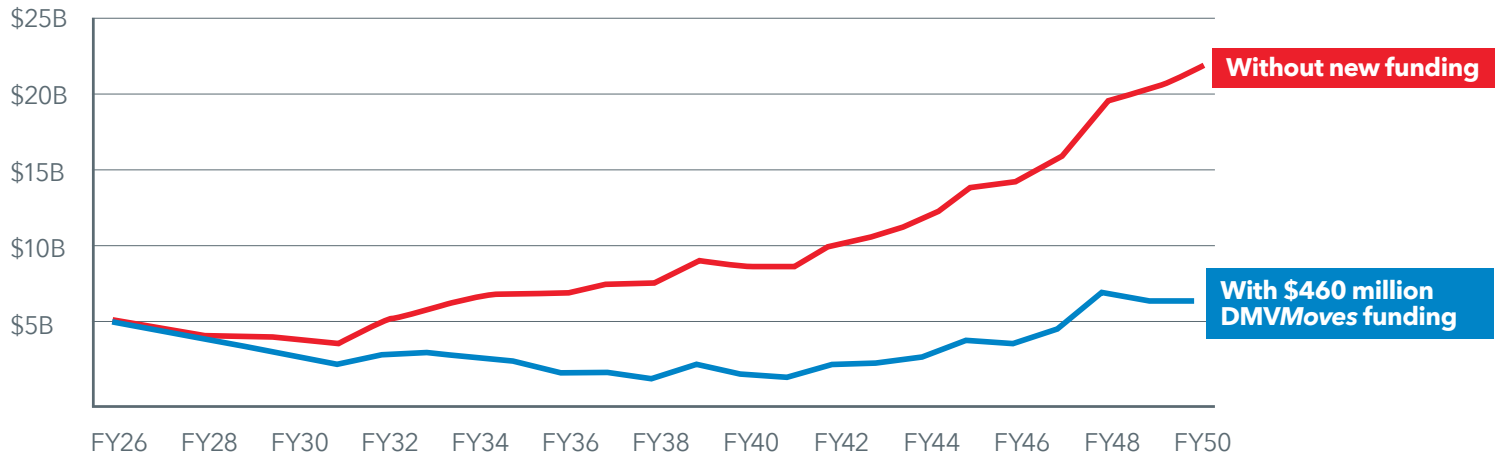
The Task Force agreed that each jurisdiction will identify and enact the funding mechanism(s) best suited to their needs and funding and revenue structures, while guaranteeing to deliver their share of the regional funding agreement.

State And Local Funding

As part of DMVMoves, it was estimated that local bus operators would need additional, ongoing annual funding of \$65 million to \$80 million, indexed to grow, to implement new DMVMoves regional service guidelines (not including other projects or improvements jurisdictions have planned). Staff also estimated that MARC and VRE systems need approximately \$60 million to maintain existing services and assets. This amount is separate from, but would be part of, the total amount needed to deliver each agency's long-term system improvements and growth plans.

Additional funding will support Metro's capital program

Capital Program Backlog Scenario Comparison



Additional DMVMoves funding for Metro:

Before
FY2029

\$460M

Expected
growth per year:

+3%

- Reliable and predictable
- Grows at least 3% per year to keep up with inflation
- Bondable
- Uniform requirements and no restrictions or encumbrances on use

Peer regions are solving the same challenges

- **Illinois:** State legislature redirected a portion of motor fuel sales taxes and accrued interest on state road funds, and authorized sales tax increases in northern Illinois, to fund transit
- **New York:** Enacted congestion pricing to fund New York Metropolitan Transportation Authority (MTA) capital program and is directing a share of casino licensing fees to transit
- **California:** State legislature proposed 2026 sales tax increases to fund Bay Area transit systems

There is a wide range of potential funding mechanisms

- Sales and use tax increase
- Expansion of sales taxes to services
- Payroll / income tax
- Real property tax
- Real estate transfer tax
- Motor vehicle sales tax
- Motor fuel tax
- Vehicle registration / impact fees
- Hotel / accommodations tax

Commitments to Transparency and Accountability

Metro and its jurisdictional partners are committing to an even higher level of accountability and transparency:

Metro's commitments to the region

- Use additional DMVMoves funding to (1) reinvest in the Metro system and (2) modernize its rail system
- Partner with jurisdictions on a regional bus priority network to keep the system safe and reliable
- Apply Metro's 3% operating cap to its per-unit costs of service
- Manage a reserve account that enhances financial accountability and provides greater predictability for jurisdictional funding partners
- Develop and publicize a 20-year capital plan every five years, including analysis of potential capital investments that reduce operating costs
- Make publicly available funding/financial plans for major projects with capital costs greater than \$300 million (to be adjusted with inflation)
- Deliver an annual report to COG/TPB on system performance and the use of DMVMoves funds

The region's commitments

- Provide Metro \$460 million in new funding starting before FY2029 and growing at least 3% annually
- Ensure that new funding is reliable, bondable, unencumbered, and unrestricted
- Implement changes in DMVMoves action areas to advance regional transit integration
- Partner with Metro to plan, develop, and implement initial bus priority corridors and continue to invest in bus priority in other corridors, improving service for customers and reducing unit costs
- TPB to monitor and report on implementation of the DMVMoves Action Plan for Regional Transit Integration

Framework for Sustaining Regional Transit

The DMVMoves Plan and proposed level of funding will give Metro the resources it needs to strategically maintain its assets and infrastructure and sustain service into the future. However, that future depends on Metro and region working together to grow ridership and revenue while making transit service more productive and cost-effective. This means ensuring Metro has adequate financial resources and political support to make up-front capital investments that reduce operating and maintenance costs. It means road owners and jurisdictions investing

in extensive and effective bus priority treatments, in addition to the corridors identified in the DMVMoves Plan. It means states, counties, and cities exploring and enacting land use policies and financial tools that maximize transit-oriented development and incentivize mode shifts to transit. And it means jurisdictions and transit agencies coordinating and collaborating on making transit more cost-efficient through strategies that reduce the annual or hourly costs of providing service.

Actions to grow ridership

Examples:

- Increase service
- Zone and develop all stations and bus corridors to maximum potential
- Implement programs that incentivize transit



Actions to improve productivity and efficiency

- Make capital investments that reduce per-unit costs
- Continue modernization and efficiency actions

Rail Modernization

~10% minimum estimated operating cost reductions



Bus Priority

~15% minimum estimated reduction in service hours



Action Plan for a Better Integrated and More Seamless Transit System

If we were starting with a blank slate to design our region's transit system, we would never set it up as a disaggregated network of 14 providers with their own service standards, fare policies and payment, vehicles and facilities, branding and customer information. It is confusing for customers to figure out transfers between systems, to look for a particular bus route at a stop with five signs, or to understand why they and their neighbors don't have weekend service when friends in the next county do.

A truly integrated transit network would:

- Provide the same levels of service to customers who live in similar neighborhoods and make similar trips
- Have one set of fare types and passes, fare rates, and consistent qualifications for special fares
- Use the same railcars, buses, fare payment systems, branding, and signs
- Offer bus customers an interconnected network of fast and frequent bus service on major corridors
- Provide a consistently excellent customer experience across the region and make service as easy as possible to understand and use

The DMVMoves Vision of world-class transit calls for the region's 14 transit providers to function more like an integrated, seamless network. In pursuit of this Vision, the Advisory Groups developed an Action Plan focused on improving the rider experience and making the network operate more efficiently. They assembled Working Groups of transit agency subject matter experts in six broad policy areas to develop a set of actions that would move the region closer to that vision of a more unified network.

The DMVMoves Plan calls on all the region's transit providers to commit to implementing multiple concrete changes and actions. Doing so will create a foundation for deeper collaboration, more integrated service, and a stronger commitment to results – ultimately making transit service, fare payments, and customer information more consistent across the region.

The detailed Action Plan for Regional Transit Integration provides a framework and direction for TPB to convene Metro, local transit operators, infrastructure owners, and funding partners in an ongoing, collaborative effort to refine and implement the Plan.

What a fully integrated and seamless network would look like:

One region, one transit network.

- Same branding, fleet, signs
- Extensive, integrated bus priority
- One fare system
- Customers in similar places get similar service

Working Groups' proposed Action Plan advances regional integration closer to aspirational vision:

Still 14 service providers but providing more consistent policies and better integrated service.

- Implement bus priority on initial, high-ROI corridors
- Regional bus service guidelines and consistent performance reporting
- More consistent fare policies
- Unified bus stop signs and improved customer information
- Exploring grouped buying power and shared resources
- Consistent training and certification programs

In the interests of transparency, accountability, and good stewardship of regional resources, the TPB will organize and facilitate annual public reports on implementation of the Action Plan and progress towards these transit integration actions.

Action Plan Summary

More detailed information about these actions is available in the section Action Plan for Regional Transit Integration starting on page 39.

| Action Area | Key Actions | Timeline* | Outcomes |
|---|---|----------------------------|---|
| Regional Bus Priority | Endorse and implement initial priority bus corridors; Metro and jurisdictions partner on design, funding, and implementation; Metro operates main service in corridors where it is the primary service provider | Immediate ► Medium-Term | Faster, more reliable, and more cost-effective service in high-demand corridors |
| Service Guidelines & Reporting | Adopt common regional service guidelines and performance metrics; report progress annually | Immediate | Consistent service quality and transparent regional accountability |
| Fare Integration | Provide transfer credits across modes and consistent fare discounts, adopt free fares for youth, and enable revenue sharing for regional passes | Immediate | Simpler, more equitable fare experience |
| Customer Information & Facilities | Standardize bus stop design and common customer information; create a regional bus stop ID system and stop sign design; Metro maintains regional signs | Immediate ► Short-Term | Easier wayfinding, clearer customer information, and more uniform stop experience |
| Shared Resources | Identify opportunities for pooled purchasing power and shared procurements for vehicles, technology, etc.; coordinate contract terms | Immediate | Reduced duplication, lower procurement costs, stronger negotiating power |
| Consistent Training & Requirements | Create a working group to share best practices in transit training and collaborate to develop opportunities for shared training and resources; streamline reporting requirements across agencies | Immediate ► Short-Term | Strengthened regional workforce and reduced administrative burden |

* **Immediate:** 0-1 years; **Short-Term:** 2-4 years; **Medium-Term:** 5-8 years



Conclusion: The Time to Act is Now

Our state and local partners must enable and enact this Plan and all its recommended actions. It is required to allow Metro to maintain its rail, bus, and paratransit systems and to operate safe, reliable, efficient service. It will allow Metro to provide that service within the existing three percent operating cap, barring unforeseeable and atypical shifts in regional growth, public health, the economy, and transit markets that are outside Metro's control or influence. It will make transit faster, more frequent, safer, and more reliable, and better connect our residents to jobs and other

economic opportunities. It will reduce travel times, saving riders time they can put to other uses. It will deliver capital investments that will improve service, ensure long-term reliability, and reduce Metro's operating cost profile. It will give Metro the resources it needs to compete for federal funding to support those investments. Those same investments will allow Metro to address its long-standing core capacity constraints at a much lower cost than building new rail lines. It will make the region even more competitive to new talent and new businesses.

Outcomes and Benefits of the DMVMoves Plan

- Improved service and customer experience
 - Well-maintained system and services
 - Higher ridership and revenue
 - Expanded access and faster trips to jobs, shopping, healthcare, and other needs
 - Faster, safer, and more efficient rail service
 - Faster buses on safer, more effectively used roads
 - Lower operating costs – resources reinvested into service
 - More capacity to accommodate regional growth
 - Less redundancy in transit delivery and administration
- DMVMoves also sets the stage for future system expansion. COG, Metro, and jurisdictions will collaborate on prioritizing projects.





The Risks of No Action

If Metro's long-term and structural funding issues are not addressed, the region will lose much of the progress Metro has made in addressing its state of good repair backlog over the past decade. Metro would need to reduce its annual capital program, its capital backlog would start to grow again, and it would need to defer critical investments. Metro would commit to do its best to responsibly manage its needs with the resources it has but would struggle to repair and replace assets. Without new funding the region risks facing the asset failures, significant delays, and safety risks experienced in the 2010s.

The improvements made since 2018 will be reversed, and the condition of the network could fall below pre-2018 levels within a decade. Metro is no longer known for broken escalators, 'hot cars', poor reliability, and fires due to the progress that has been made – but that progress is at risk without additional funding.

Potential Transit Impacts of No New Funding

- Declining reliability and customer experience, increased safety risk
- Major cuts to capital program and annual capital budget
- Work limited to critical repair, safety, and required modernization projects
- State of good repair backlog increases
- Potential project delays, and some needs deferred
- Potential for reduced bus and rail service

Potential Regional Impacts of No New Funding

- Reduced access to jobs, other opportunities
- Reduced employer access to workforce
- Less demand for housing, office, retail
- Worse traffic and congestion
- Much longer travel times
- Worse air quality

Supporting Future Growth and Expansion

The DMVMoves Plan calls for investments and sustainable funding that would put the region's existing system and infrastructure to best use. It seeks to make transit faster and more frequent, safer and more reliable, and to provide adequate capacity for future needs while reducing the costs of providing service. It is the first step to eventually expanding the transit system into new markets and communities. As critical DMVMoves investments move forward, COG and Metro will work with jurisdictional partners to prioritize those ideas and concepts for expansion that offer the greatest benefits and returns on the region's investment.

Next Steps and Looking Forward

The region is invested in ensuring this Plan is realized, that it doesn't join the long list of previous efforts and initiatives that put forth bold visions for transit but did not fulfill them. To that end, COG and Metro execu-

tive leadership will seek resolutions of support and commitment from each jurisdiction's legislative body, directing its transit providers and other departments to collaborate with regional partners in executing the plan. Leadership will also work closely with legislative delegations in the District of Columbia, Maryland, and Virginia to develop and move enabling legislation to secure the required, committed funding amounts in line with the schedule and structures established in this Plan. That funding must be available to Metro in advance of reaching its debt capacity limit in FY2029 and sustained over time.

COG will monitor implementation of all Plan recommendations and deliver a public report through its Transportation Planning Board (TPB). In addition, Metro will deliver an annual system performance and DMVMoves funding progress report to the TPB.

The Task Force calls on its government, business, and community partners to invest the time, effort, resources, and political capital necessary to make sure that this time our Plan succeeds. As we take action to realize the DMVMoves Vision, we know the power this work has to transform our region and uplift the lives of the people who call it home. We're moving toward world-class transit, but also toward social equity, climate resilience, and economic prosperity. And we're doing it together.



DMVMoves Task Force



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Task Force Co-Chair
COG Board Vice Chair
District of Columbia
Councilmember



Paul Smedberg

Task Force Co-Chair
WMATA Board 1st Vice
Chair – Virginia

Malcolm Augustine

Maryland Senate President Pro Tem

Reuben Collins

Charles County Commissioner President

Matt de Ferranti

Arlington County Board Vice Chair

Kevin Donahue

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Christina Henderson

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Phil Mendelson

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Phyllis Randall

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Tiffany Robinson

Virginia Department of Rail and
Public Transportation Director

Mark Sickles

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Kate Stewart

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Scott Surovell

Virginia Senate Majority Leader

Government Partners Advisory Group



Bryan Hill

Advisory Group Chair
County Executive,
Fairfax County

- Chief Administrative Officers (CAOs) of all COG member governments
- D.C. Chief Financial Officer (CFO)
- Alexandria (DASH)
- Arlington County (ART)
- Charles County (VanGo)
- City of Fairfax (CUE)
- District of Columbia (DDOT)
- Fairfax County (Connector)
- Loudoun County (Loudon Transit)
- Maryland Department of Transportation MTA (MARC, MTA Commuter Bus)
- Montgomery County (Ride On)
- Prince George's County (TheBus)
- Prince William County (OmniRide)
- Virginia Railway Express (VRE)
- Northern Virginia Transportation Authority (NVTA)
- Northern Virginia Transportation Commission (NVTC)
- Virginia Department of Rail and Public Transportation (DPRT)
- Virginia Passenger Rail Authority (VPRA)
- Washington Metropolitan Area Transit Authority (WMATA)
- Washington Suburban Transit Commission (WSTC)

Community Partners Advisory Group



Jack McDougle

Advisory Group Chair
Greater Washington
Board of Trade
President & CEO

- Amalgamated Transit Union (ATU) Local 689
- Capital Area Food Bank
- Coalition for Smarter Growth
- Consortium of Universities of the Washington Metropolitan Area
- D.C. Chamber of Commerce
- Destination D.C.
- Downtown BID
- Federal City Council
- Greater Greater Washington
- Greater Washington Board of Trade
- Greater Washington Partnership
- Montgomery County Chamber of Commerce
- Monumental Sports
- National Capital Planning Commission
- National Landing BID
- NoMa BID
- Northern Virginia Chamber of Commerce
- Northern Virginia Transportation Alliance
- Prince George's County Chamber of Commerce
- Restaurant Association of Metropolitan Washington
- Rosslyn BID
- Sierra Club
- Telesto Strategy
- TPB Access for All Committee
- TPB Community Advisory Committee
- Tysons Community Alliance
- Union Station Redevelopment Corporation
- United Way
- Washington Area Bicyclist Association (WABA)
- Washington Commanders
- Washington Nationals
- WMATA Accessibility Advisory Committee

Detailed Action Plan for Regional Transit Integration



Regional bus priority

| Recommendation | | | Finalize and adopt a Regional Bus Priority Action Plan. |
|----------------|---|--|---|
| Summary | | | Region develops a plan and commits to design, fund, and construct regional bus priority corridors over the next 6-8 years. |
| Key Actions | (a) DMVMoves Working Group identifies a limited, initial set of top-priority, high-ROI corridors the region should collaborate to deliver in the next six to eight years. Those corridors will be the subject of a Regional Bus Priority Action Plan and resulting regional implementation partnerships. | | Completed |
| | (b) TPB convenes Metro and relevant local and state agencies to complete the Regional Bus Priority Plan. The Regional Bus Priority Plan will provide additional detail on corridors selected in Action (a), set outcomes and performance targets that the service and priority investments need to achieve; and identify agency roles and responsibilities for each corridor project. | | Complete in Fall 2026 |
| Recommendation | | | Develop plans and implement regional priority corridors. |
| Summary | | | Local jurisdictions and roadway owners will partner with Metro to develop plans for bus priority on the identified corridors. Partners would then work together to implement plans to improve speed and reliability while providing service more cost-effectively. Metro operates “mainline” service where it is the primary provider; other bus providers may also operate service in corridors. |
| Key Actions | (a) Metro, in partnership with local and state agencies, will prioritize and phase corridor projects; coordinate studies, preliminary engineering, and environmental reviews; engage stakeholders and the public throughout project development. | | Phased implementation starting in 2026 over the next 5 to 6 years |
| | (b) Metro will partner with jurisdictions to pursue federal grants and identify matching funds, ensuring shared ownership of project financing. | | Phased implementation starting in 2026 over the next 6 to 8 years |
| | (c) Metro and jurisdictions will advance projects into detailed engineering, construction, and rollout of bus priority infrastructure, with Metro serving as the regional coordinator. | | Phased implementation starting in 2026 over the next 6 to 8 years |

Service guidelines and performance reporting

| Recommendation | Regional Service Guidelines: Establish shared service guidelines across the region’s transit agencies. | |
|----------------|--|-------------------------|
| Summary | TPB and region’s transit agencies adopt regional service guidelines, creating consistent expectations for customers across jurisdictions. | |
| Key Actions | (a) DMVMoves Working Group develops regional bus service guidelines by service and activity tier. | Completed |
| | (b) TPB, Metro, local transit agencies, and local and state governments adopt regional guidelines. | Complete in Fall 2026 |
| Recommendation | Annual Performance Reporting: Establish a common set of performance measures and a standard format and timeline for reporting. | |
| Summary | Transit agencies use a common set of performance measures to improve transparency in transit decision-making across the region. TPB reports system results through the annual State of Public Transportation Report. | |
| Key Actions | (a) Metro convenes a transit agency working group that develops a common set of performance measures to be reported on annually. | Complete in Spring 2026 |
| | (b) Regional operators agree to report on the common performance measures annually, a summary of which will then be included in TPB’s annual State of Public Transportation Report. Metro can support local transit agencies on data collection as needed. | Spring 2026 and ongoing |
| | (c) The working group assesses opportunities to be more integrated and cost-effective in regional transit performance reporting through development of a regional database maintained by TPB. | In 2026 |

Fare policy integration

| | | |
|-----------------------|--|-----------------------|
| Recommendation | Establish a universal transfer credit between all transit agencies in the DMV region, building upon existing reciprocal transfer relationships between many local operators. | |
| Summary | Implement a universal bus and bus-rail transfer credit for all transferring customers, regardless of originating transit agency. | |
| Key Actions | (a) All participating agencies work with the Regional SmarTrip Group to develop an agreement to implement a universal transfer credit across services. | In Winter 2026 |
| | (b) Executives and/or decision-makers at all transit agencies reach agreement on appropriate fare changes and plan for updating farebox technology and customer information as needed. | In Summer 2026 |
| Recommendation | Standardize low-income fare discount programs across transit agencies in the DMV region with regional acceptance of Metro Lift Program. | |
| Summary | All transit agencies join Metro Lift low-income fare program with a 50% discount. | |
| Key Actions | (a) Local jurisdictions partner with Metro to increase enrollment in the Metro Lift discount program | Ongoing |
| | (b) Local bus operators offer comparable discount for Metro Lift program participants. | In 2026 |
| Recommendation | Standardize free local bus rides for youth ages 18 and under across transit agencies in the DMV region. | |
| Summary | All agencies adopt youth ages 18 & Under Ride Free policy. | |
| Key Actions | (a) Transit agencies evaluate how to participate and coordinate an identification process for 18 & Under Ride Free policy. Transit agencies also determine how to recognize partner agencies' processes and identifications. | In Spring 2026 |
| | (b) Agencies enter into agreements to administer and/or reciprocally honor any 18 & Under Ride Free programs. | In 2026 |
| Recommendation | Expand unlimited regional transit pass products available across regional providers and Metro, including Metrorail. | |
| Summary | Establish revenue-sharing agreements to enable the sale and use of regional Unlimited Pass products valid across all participating systems. | |
| Key Actions | (a) Participating agencies work with the Regional SmarTrip Group to coordinate regional pass acceptance, including multimodal and university passes (U-pass) or other regional passes. | Starts in Spring 2026 |
| | (b) Agencies enter into agreements to accept any regional passes beyond the 7-Day Regional Bus Pass. | In 2026 |

Consistent bus stop design, wayfinding, and information

| | |
|-----------------------|---|
| Recommendation | Adopt a universal set of bus stop design guidelines and upgrade bus stops to be compliant. |
|-----------------------|---|

| | | |
|--------------------|---|-----------------------------|
| Summary | Agencies use common regional bus stop guidelines, starting with Metro’s 2023 Bus Stop Guidelines, and continue to coordinate on unified regional guidelines with flexibility for local conditions as needed. | |
| Key Actions | (a) Transit agencies convene a working group to align on bus stop amenity standards appropriate at a regionwide scale, using the 2023 Metro Bus Stop Design Guidelines and other guidelines in use across the region. The working group will coordinate with transit agencies on methodologies to prioritize bus stop upgrades in an equitable way. | 2026 and ongoing |
| | (b) Transit agencies should strive to complete an inventory of the available amenities at their current bus stops (e.g. status of shelters, real-time arrivals information, state of good repair, etc.) to determine what percentage of bus stops are currently compliant with the guidelines. Transit agencies agree to provide information on stop conditions for TPB’s annual State of Public Transportation report. | Starting in 2026 |
| | (c) Agencies commit to using the regional guidelines when undertaking capital projects that involve bus stops. | Annually, beginning in 2027 |

| | |
|-----------------------|---|
| Recommendation | Consolidate bus stop identification (ID) numbering system to streamline real-time reporting, better track bus stop sharing between agencies, and offer more customer-friendly bus arrival information. |
|-----------------------|---|

| | | |
|--------------------|--|-------------------------|
| Summary | All agencies transition to using a consistent stop ID numbering system—a required step for unified bus stop flags. | |
| Key Actions | (a) Metro convenes a working group of service planning and data management officers from transit agencies to establish a regional standard bus stop ID numbering and nomenclature. It also establishes a regional standardized and harmonized GTFS format and data management protocols for seamless interoperability. | Starting in Winter 2026 |
| | (b) Metro and local transit providers agree and begin implementing regional standards for bus stop identification, GTFS format, and data management protocols. Metro covers implementation costs. | In 2026 |

Consistent bus stop design, wayfinding, and information

| Recommendation | | | Establish a unified customer information phone number that can field customer inquiries related to all transit operators in the region. |
|----------------|---|--|---|
| Summary | | Include Metro’s customer service number on shared bus stop signage and, as needed, add capability to Metro’s call center to field customer inquiries for all transit operators in the region. | |
| Key Actions | (a) Metro and local transit agencies convene a working group to coordinate call center integration efforts, including centralizing means of communication. | Starts in Spring 2026 | |
| | (b) Metro and local agencies using the unified customer information phone number begin marketing one regional transit call center number on signage, collateral, and websites. | In 2027 | |
| Recommendation | | | Standardize bus stop signage across the DMV region. |
| Summary | | Local agencies agree to have a consolidated bus stop flag (i.e., signs at each bus stop indicating which buses stop there); Metro coordinates sign design and manages production, installation, and maintenance. | |
| Key Actions | (a) Metro establishes a regional working group to continue coordination on bus stop flags and review proposed sign design. | Winter 2026 | |
| | (b) Agencies evaluate whether to opt-in to a joint bus stop flag process where Metro prints, installs, and maintains bus stop flags at shared bus stops. Metro establishes a process by which participating local agencies submit requests for bus stop flag updates. Local agencies may opt to self-perform work using the regional bus stop flag. | In 2026 | |

Joint procurements and shared resources

| Recommendation | | | COG establishes a regional Joint Transit Procurement Committee (JTPC) that coordinates grouped purchases, shares contracting opportunities, and creates a regional venue for discussion of transit procurement issues. |
|----------------|---|--|---|
| Summary | | | Following its first meeting in July 2025, COG will continue to convene a regional working group of transit agency procurement representatives semi-annually that shares updates on local procurement activities, informs members of purchasing opportunities, and serves as a medium to coordinate joint purchases including via COG. This group will develop list-serv for everyday communication and advise on the contents of the regional transit procurement clearinghouse database. COG will also analyze transit procurement contract terms and conditions from across the region and convene agency legal representatives to discuss streamlining requirements. |
| Key Actions | (a) COG convenes transit agencies to formally establish the JTPC. All transit agencies provide representatives involved in procurement to participate in the JTPC. The JTPC's scope focuses on procurements required or of interest to transit operations and maintenance, such as joint charging stations, fare systems, APC systems, security cameras, towing, fuel, tires, support services, staff training, and more. | Kick-off completed in July 2025; meeting semi-annually | |
| | (b) COG collects contract data and develops a clearinghouse database. The JTPC discusses database content, advises features to include, and the potential for cooperative purchasing. | In Winter 2026 and ongoing | |
| | (c) COG staff examine the terms and conditions unique to procurement agreements across the region. These will be presented to the JTPC for discussion, with potential participation by, or separate discussion with, jurisdictional general counsel to explore how any barriers to joint procurement may be overcome. | In 2026 | |
| | (d) JTPC members use the committee's list-serv or clearinghouse to review available cooperative procurement opportunities before undergoing independent purchasing activities. | Starting in 2026 and ongoing | |
| Recommendation | | | Metro and local transit agencies explore potential cost efficiencies by leveraging their combined purchasing power for revenue vehicle procurement. |
| Summary | | | Metro and local transit agencies explore potential cost efficiencies by leveraging their combined purchasing power for revenue vehicle procurement. COG serves as a facilitator to assist agencies with identifying and accessing purchasing opportunities via a permanent regional transit procurement clearinghouse database and joint contracts as necessary. |
| Key Actions | (a) Explore expanding the scope of the JTPC to include grouped purchases of revenue and non-revenue vehicle needs. At committee meetings, transit agencies share anticipated or planned purchasing cycles. | Starting in 2026 and ongoing | |
| | (b) COG catalogs the contracts used by regional transit agencies for revenue and non-revenue vehicle procurement and presents the results to the JTPC for discussion. | In Summer 2026 | |

Shared training and consistent reporting

| Recommendation | | | Formalize a regional Transit Training Working Group (TTWG) to advance transit training in the DMV. |
|----------------|---|--|---|
| Summary | | | Metro establishes a Transit Training Working Group that meets regularly to strengthen transit training across region. Representatives from local and state governments, transit agencies, Metro, and labor partners collaborate to develop consistent, best-practice programs. The group identifies opportunities to leverage partnerships for shared training and knowledge sharing. |
| Key Actions | (a) Metro convenes a regional Transit Training Working Group with participation from District of Columbia, Maryland, Virginia agencies, labor, and community and technical colleges. This group will meet to identify opportunities for shared and consistent training, assess workforce needs, and advance training opportunities. | | In Spring 2026 |
| | (b) The working group will conduct a scan of existing regional transit training programs, apprenticeship initiatives, and workforce development partnerships. The scan will highlight gaps, overlaps, and opportunities for alignment. | | In Summer 2026 |
| | (c) Based on identified needs, the working group will collaborate to advance shared training opportunities, such as standardized curricula at educational institutions and grouped procurement of training services, instructors, and equipment. | | Starting in Fall 2026 |
| Recommendation | | | Evaluate opportunities to streamline Metro reporting requirements. |
| Summary | | | State agencies work with Metro to streamline Metro auditing and reporting requirements. |
| | (a) Metro will work closely with staff from local and state agencies to gather feedback on current processes and explore areas where efficiencies can be gained. This will include discussions on reporting, coordination, and process improvements, as well as changes to enabling legislation. | | Ongoing |
| | (b) Develop and support a consistent, streamlined reporting framework across jurisdictions in DMVMoves and future funding agreements. | | Starting in Winter 2026 and ongoing |

Attachment C: Regional Transit Investment Needs, Assumptions, Investment Plan, and Accountability & Transparency Measures

Regional Transit Investment Needs & Assumptions

Regional Transit Funding Challenges

- In 2018, the District of Columbia, Maryland, and Virginia committed \$500 million annually in Dedicated Funding for WMATA.
- Since then, inflation, rising construction and labor costs, and accelerated capital program needs have significantly reduced the value and impact of that investment.
- Inflation similarly reduced the buying power of WMATA's other capital funding sources, such as federal PRIIA grants and local PRIIA matches, none of which were indexed to grow.
- Without additional, sustained funding that grows over time, WMATA and regional operators face deferred maintenance, service cuts, and unmet regional goals.

25-Year Planning Assumptions

The DMVMoves Investment Plan is based on the following assumptions:

- 2% average annual ridership growth
- Fare policies adjusted with inflation
- Continuation of current federal and dedicated capital support
- Additional funding that grows at least 3% annually
- Relatively stable labor, construction, and equipment markets

These assumptions provide a reasonable basis for long-term investment planning while acknowledging that major disruptions (e.g., pandemics, economic recessions) are not included.

Regional Transit Investment Plan

Investment Priorities for WMATA

- Ongoing repair, maintenance, and modernization of WMATA assets, systems, and technologies
- Rail modernization technologies, including modern signaling, compatible fleet upgrades, and selective platform screen doors, to improve safety, reliability, capacity, and efficiency
- Frequent and fast bus network with bus priority, providing fast, reliable, all-day/all-week service
- Revised Blue/Orange/Silver Corridor Strategy, integrating rail modernization, bus priority, and targeted rail station capacity and access improvements as a more cost-effective alternative to Metrorail expansion

Total Estimated Need and Allocation for WMATA

- In addition to existing funding provided to WMATA, \$460 million starting in advance of reaching its debt capacity limit in FY2029, and growing at least 3% or by other regionally agreed-upon indexing rate annually, or an estimated \$16.8 billion over 25 years

Investment Priorities for Regional Rail and Local Bus Operators

- State and local funding support sufficient for local bus operators to provide service that meets or exceeds the new regional service guidelines established by the DMVMoves Plan, as well as capital investments in modern bus fleets, street infrastructure, and supporting facilities required to meet service guidelines.
- State and local funding support sufficient for the Maryland Area Rail Commuter (MARC) and

Virginia Railway Express (VRE) commuter rail systems to implement their long-range growth and system plans.

Accountability and Transparency Measures

- Updating WMATA's 3% operating budget subsidy cap to apply to unit costs of service rather than aggregate subsidy
- 20-year capital plan updated every five years
 - Including analysis of opportunities and capital investments to be more cost efficient
- Major projects with capital cost greater than \$300 million must have a publicly available funding/financial plan (dollar threshold adjusted in future for inflation)
- Annual report to COG/TPB on system and capital program performance, core outcomes from funding - published and shared with all partners

BUILDING BRIDGES FOR A STRONGER DMV REGION

Tom Harrington
COG Multimodal Planning Program Director

City of Rockville
February 2, 2026

Why Regionalism?

Because issues don't stop
at the lines on a map



COG by the Numbers

- Nonprofit association founded in **1957**
 - Brings area leaders together to address regional issues and plan for the future
 - **125+** professional staff
- Our membership:
 - **24** local governments
 - **300** local, state & federal elected officials representing about **6M** people
 - City/county managers, police/fire chiefs, transportation planners, housing/planning directors, environmental experts, and more





COG is home to the region's Metropolitan Planning Organization (MPO)

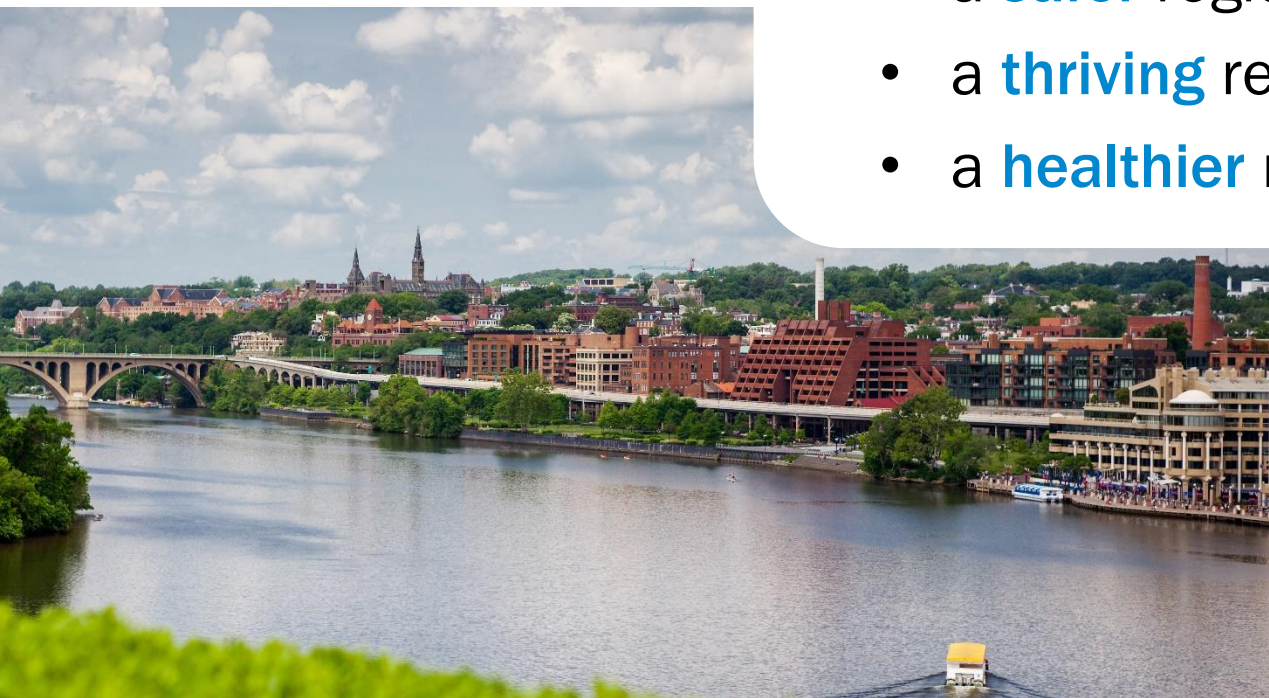
- Transportation Planning Board (TPB), one of 400+ MPOs in the nation
- Ensures major transportation projects receive federal funding and approvals
 - Projects must be included in the TPB's Visualize plan, the National Capital Region Transportation Plan





Working together, we're creating:

- a **connected** region
- a **safer** region
- a **thriving** region
- a **healthier** region



COG/TPB Technical Assistance/Grants: City of Rockville

| Fiscal Year | Project Name | COG/TPB Program | Funding Amount |
|-------------|---|-----------------|----------------|
| 2026 | Rollins-Twinbrook Complete Street Feasibility Study | RRSP | \$80,000 |
| 2025 | Congressional Lane Complete Street Feasibility Study | TLC | \$80,000 |
| 2025 | Scott-Viers Drive Shared Use Path | TAP | \$200,000 |
| 2024 | Pedestrian Crossing Guidelines | RRSP | \$40,000 |
| 2024 | Mannakee Street Complete Streets Feasibility Study | TLC | \$80,000 |
| 2024 | Fleet and Monroe Complete Streets | TAP | \$224,000 |
| 2023 | Beall Avenue Protected Intersections Feasibility Study | RRSP | \$50,000 |
| 2023 | Fleet & Monroe Streets Complete Streets Feasibility Study | TLC | \$60,000 |

Cooperative Purchasing

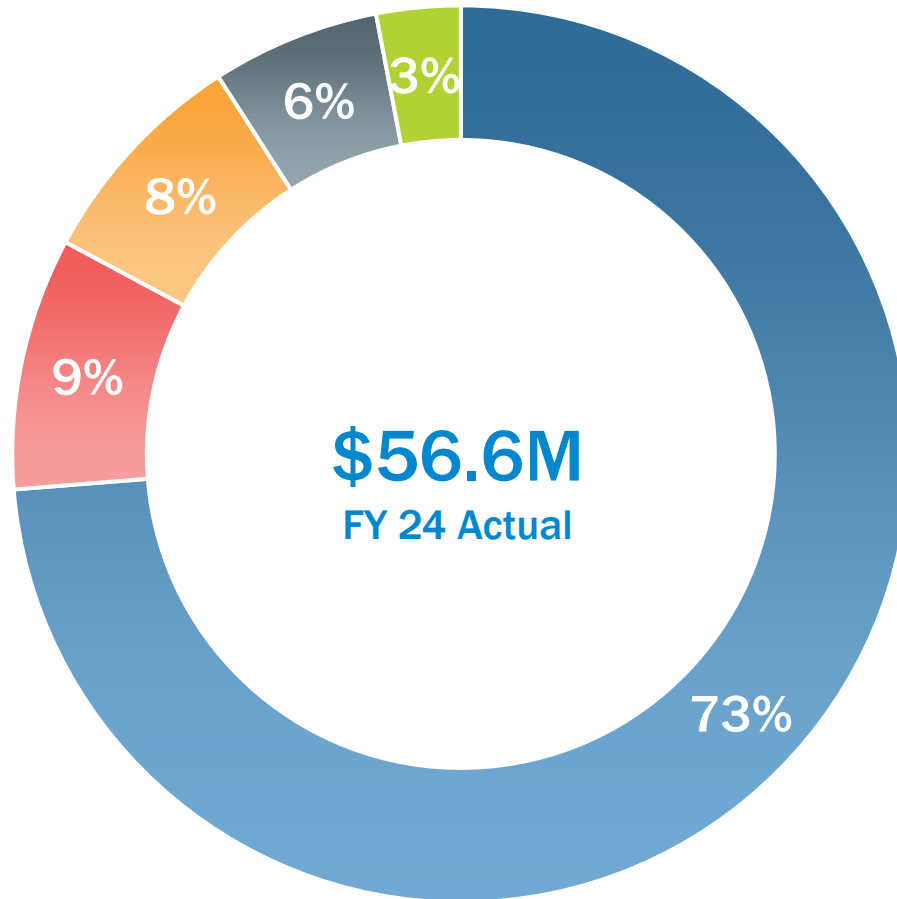
Members save money & time through bulk purchasing and contracting opportunities

- **40+** agencies, saving **\$2M** annually
- Cooperative agreements available for Diesel Fuel; Heating Oil, and Biodiesel; Unleaded Gasoline; Road Salts; Physical Health & Wellness Programs; Subscriber Radio Systems; Automated License Plate Readers; and more



SCBA Gear (Arlington County)

COG Revenue by Source



- Federal & State
- Member Dues
- Service Fees/Donors
- Regional Funds
- Building & Investment

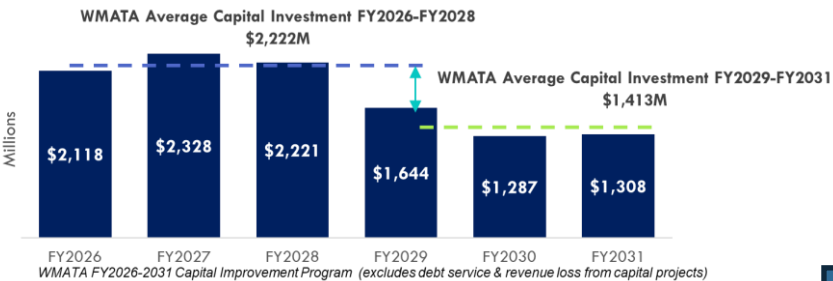
Member Dues/Regional Funds

| City of Rockville | FY 26 |
|--|-----------------|
| | |
| Member Dues | \$62,650 |
| | |
| Regional Water Fund | \$15,600 |
| | |
| Regional Environmental Fund | \$11,392 |
| | |
| Regional FARM Fund | \$6,250 |
| | |
| Total Member Dues and Regional Fees | \$95,892 |

DMVMOVES is a joint initiative to develop a **unified vision** and **sustainable funding model** for public transit in our region

Transit Funding Crisis:

Metro faces a serious and permanent capital funding gap starting in FY2029. State and local systems also have funding shortfalls.



Metro’s capital program:

- ⚠ Capital funding sources not indexed to grow
- ⚠ Inflation significantly reduced capital buying power
- ⚠ Debt capacity will be exhausted by FY 2029
- ⚠ Will be forced to reduce annual capital investments

DMV Transit Today:

14 transit operators and 12 bus systems each have their own service guidelines, fare policy, signs, fleet, assets and procurement, facilities



DMVMOVES

Regional Transit Task Force

Officials appointed by COG and WMATA Boards

**Government Partner Advisory Group
Community Partner Advisory Group**

Government, transit, business, and community leaders to provide input, guidance, and recommendations to Task Force

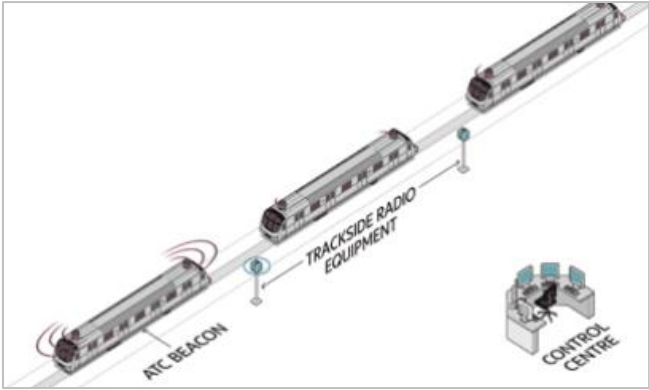


DMVMoves Plan summary

Additional Funding for Metro

Reinvesting in/Modernizing Metro

Metrorail Modernization



Maintaining and Reinvesting in Metro



**\$460M before
FY29* + 3% per year**

Metro + Jurisdictional Partnerships

Regional Bus Priority Network



- Joint project development
- Discretionary and local funding for priority infrastructure
- Metro operates fast, frequent service all day/all week, where Metro is the primary service provider in the corridor

\$ To be determined

Separate State and Local Needs

Improved Local Bus Service

Indication of need to implement new, customer-focused regional service guidelines.

\$65-80M + 3% per year

Commuter Rail to Regional Rail

Maintaining existing service and systems:

\$60M + 3% per year







Leveraging recent investments to provide regional rail service:

\$ To be determined



*In advance of reaching debt capacity limit

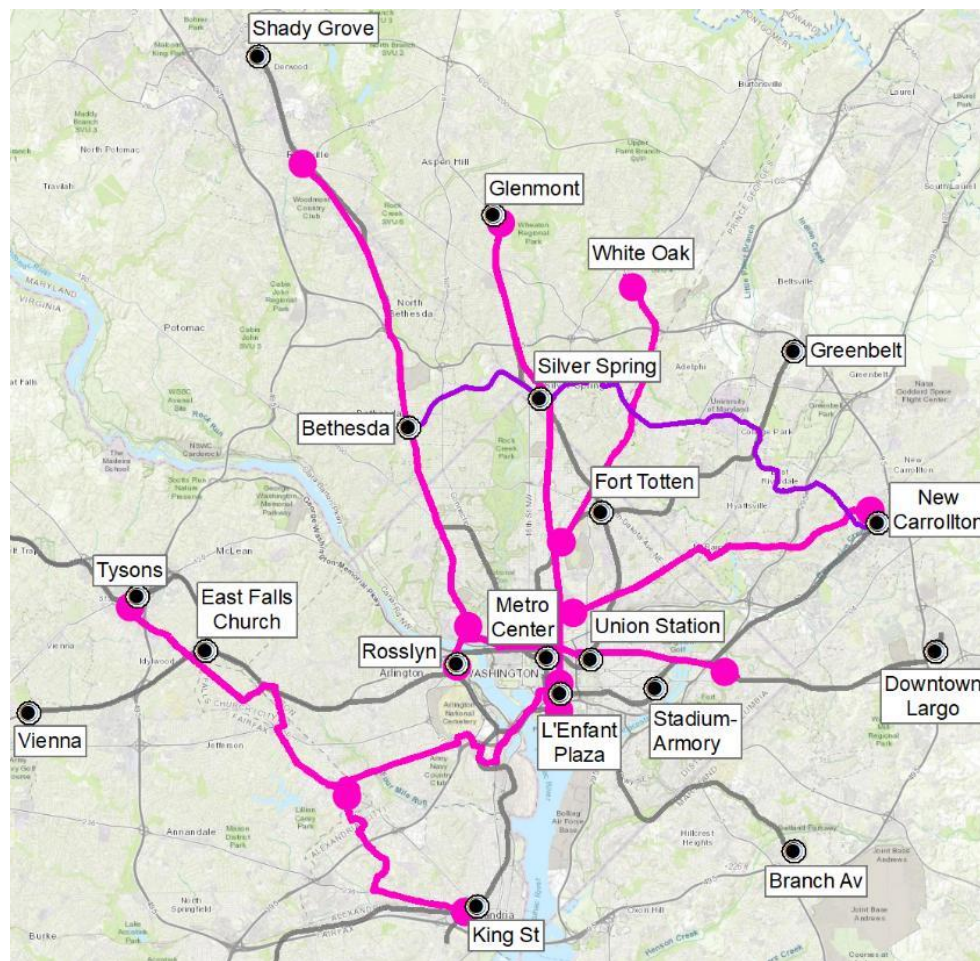
Recommendations for a more integrated and customer-focused regional transit network

| | Action Area | Key Actions | Regional Benefits |
|---|------------------------------------|---|---|
|  | Regional Bus Priority | Endorse and implement priority bus corridors; Metro and jurisdictions partner on design, funding, and implementation; Metro operates main service in corridors where it is the primary service provider | Faster, more reliable, and more cost-effective service in high-demand corridors |
|  | Service Guidelines & Reporting | Adopt common regional service guidelines and performance metrics; report progress annually | Consistent service quality and transparent regional accountability |
|  | Fare Integration | Provide transfer credits across modes and consistent fare discounts, adopt free fares for youth, and enable revenue sharing for regional passes | Simpler, more equitable fare experience |
|  | Customer Information & Facilities | Standardize bus stop design and common customer information; create a regional bus stop ID system and stop sign design; Metro maintains regional signs | Easier wayfinding, clearer rider information, and more uniform stop experience |
|  | Shared Resources | Identify opportunities for pooled purchasing power and shared procurements for vehicles, technology, etc., coordinate contract terms | Reduced duplication, lower procurement costs, stronger negotiating power |
|  | Consistent Training & Requirements | Create a working group to share best practices in transit training and collaborate to develop opportunities for shared training and resources; streamline reporting requirements across agencies | Strengthened regional workforce and reduced administrative burden |

Proposed DMVMoves Regional Bus Priority Plan concept

DMVMoves calls for action on implementing a regional network of seven bus priority corridors

- Jurisdictions commit to designing, funding, and constructing regional bus priority corridors over the next 6-8 years.
- Jurisdictions will work with COG and Metro to identify roles and responsibilities for implementation and partner with Metro on design and engineering, federal grant applications, and community engagement, where appropriate.



- Bus Priority Lines**
- Crosstown DC
 - Georgia Ave & 7th St NW
 - Rockville Pike/MD-355 & Wisconsin Ave NW
 - New Hampshire Ave to White Oak
 - Rhode Island Ave & Annapolis Rd
 - Columbia Pike & 14th St Bridge to L'Enfant Plaza
- VA Route 7**
- Metrorail Lines**
- Purple Line**

Call to Action and Path Forward

- Advance necessary legislative and budget actions to raise \$460M/year that grows annually and is dedicated for WMATA's capital needs
- Advocate for necessary legislative and budgetary actions to increase PRIIA funds to reflect inflation since 2010
- Work to secure state and local funding to meet the needs of local bus and commuter rail systems
- Commit to work with partners to implement the action plan to better integrate the services of the various transit systems in the region

November 2025 — Joint Boards Meeting

WMATA and COG Boards approved the Plan and issued a Joint Resolution

2026 — Regional Advocacy & Local Actions

Partners coordinate messaging and local councils adopt resolutions

2026 — Legislative Approval

State legislatures enact funding legislation

Before FY29* — Implementation Funding Begins

Dedicated regional funding available for Metro's use

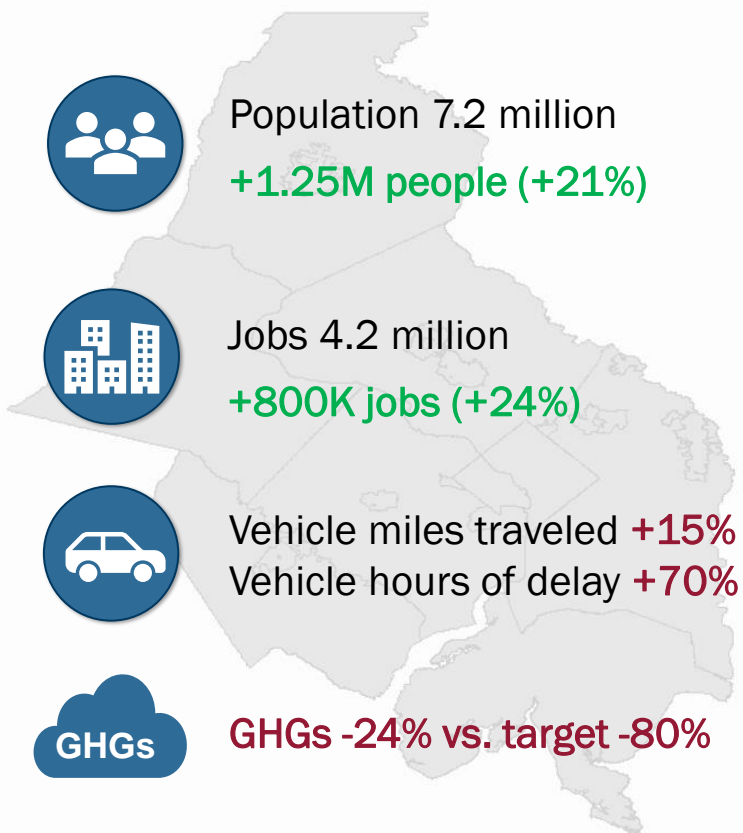
Through a unified vision, a realistic funding solution, and bold leadership, we can build a seamless, modern transit network that powers our economy and enhances the lives of every resident.

ADDITIONAL SLIDES

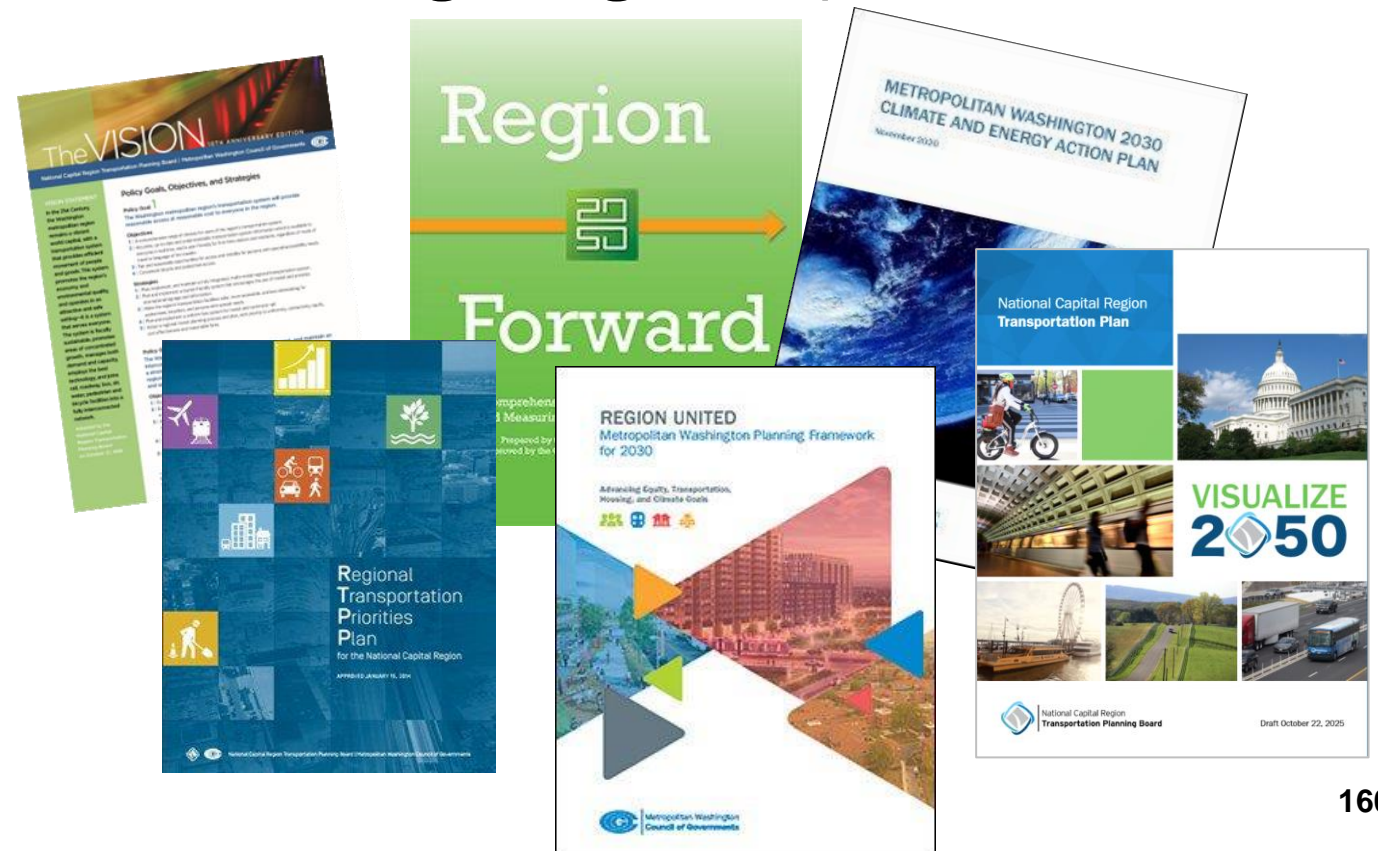
Region is growing and has aspirational goals

The region is still projected to grow significantly by 2050. That means more people making more trips – and a lot more traffic congestion, worse air quality, and pressures on quality and cost of living. But the region has many aspirational goals to guide that growth to better outcomes.

The region in 2050:



The region's goals & priorities:



World-class transit is critical to the region's goals

In the DMV, transit drives economic



Within half-mile of Metro stations and bus stops:

- 60% of population • 2.8M people
- 70% of jobs • 1.7M jobs
- 50% of employers • 134,400 businesses
- \$9.4B in business output supported by transit
- \$330B in property value around Metro stations
- \$3.2B in tax revenue generated around Metro stations

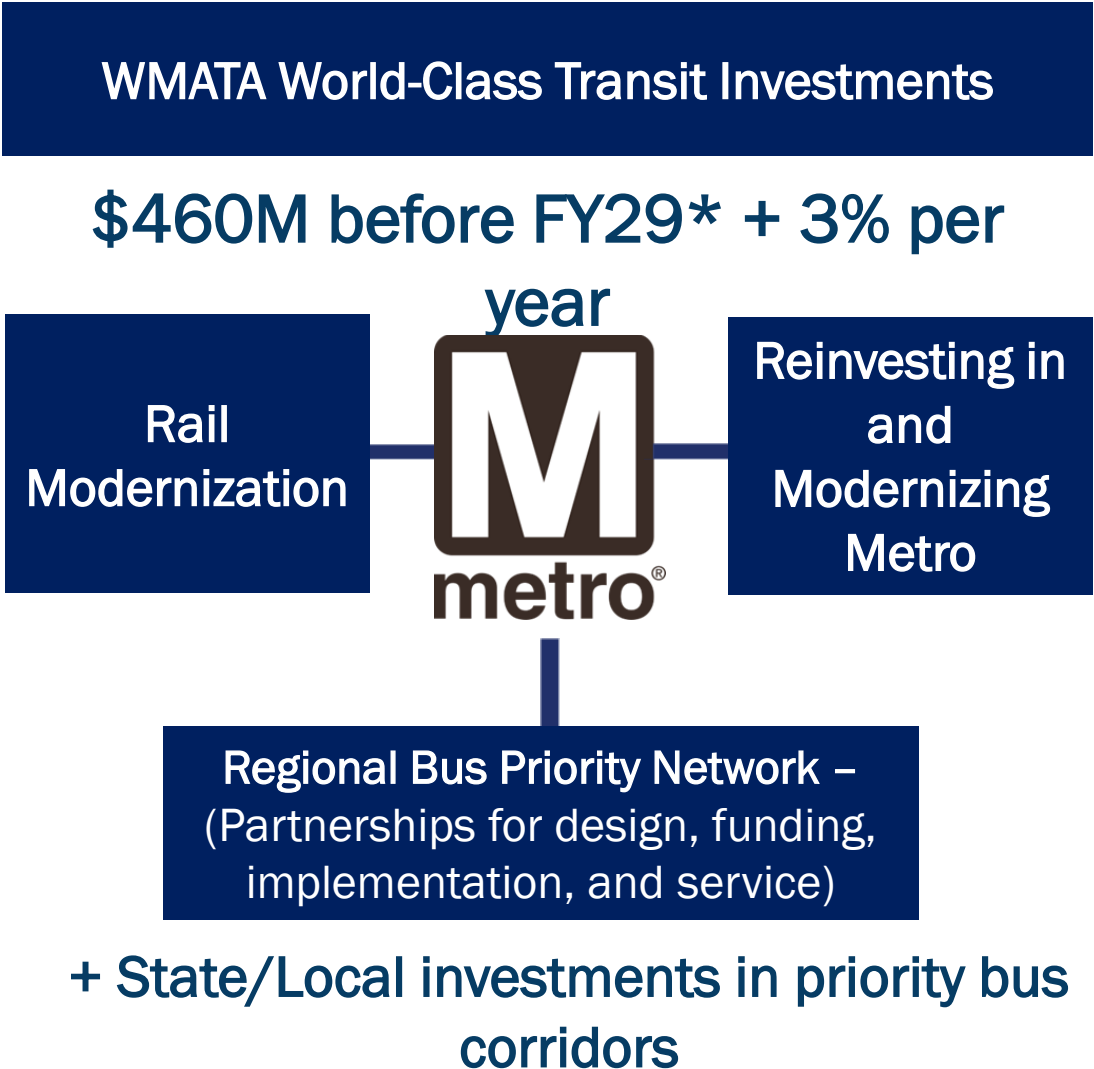
improves mobility & accessibility regionwide



and connects us to the world



Potential funding strategies



Potential funding mechanisms discussed by Task Force:

- Sales and use tax increase
- Expansion of sales taxes to services
- Payroll / income tax
- Real property tax
- Real estate transfer tax
- Motor vehicle sales tax
- Motor fuel tax
- Vehicle registration / impact fees
- Hotel / accommodations tax

*In advance of reaching debt capacity limit

Estimated jurisdictional shares of Metro investment plan (subject to legislative agreement)

Metro’s DMVMoves Investment Plan = \$460M before FY29 + 3% per year



District of Columbia
\$173M



Maryland
\$152M



Virginia (Commonwealth
and Local)
\$136M

Funding sources must be predictable, bondable, and sustainable.

* Totals may not sum due to independent rounding. Totals are based on share of capital contributions in FY2026; proportional shares are subject to change 163 19

Tom Harrington

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mwkog.org

777 North Capitol Street NE, Suite 300
Washington, DC 20002



MAYOR AND COUNCIL Meeting Date: February 2, 2026
Agenda Item Type: INTRODUCTION AND POSSIBLE ADOPTION
Department: CPDS - MANAGEMENT & SUPPORT
Responsible Staff: MANISHA TEWARI

Subject

Introduction of an Annexation Resolution to Initiate the Annexation Process for the property at 1000 Westmore Avenue (Former WINX site), including two parcels, both addressed as 0 Stonestreet Avenue, and Adoption of Resolution setting the Public Hearing date.

Department

CPDS - Management & Support

Recommendation

Staff recommends that:

- 1) The Mayor and Council introduce the resolution for annexation (Attachment 1) for the property at 1000 Westmore and two adjacent properties, both addressed as 0 Stonestreet Avenue.
- 2) The Mayor and Council adopt the second resolution (Attachment 2) that sets the date for the public hearing for the annexation.

Change in Law or Policy

The proposal will enlarge the corporate boundary by approximately 10.45 acres of land. If approved, the annexation area would be incorporated within the city's corporate limits and be subject to the Charter, laws, ordinances, and regulations of the City of Rockville.

Discussion

The petitioner for the annexation is Interstate Westmore, LLC, owner of 1000 Westmore Avenue. The law offices of Bregman, Berbert, Schwartz, and Gilday, LLC, are representing the petitioner. The petitioner requests the annexation of property consisting of approximately 10.45 acres of land. The annexation area consists of three (3) discrete parcels of land to be annexed together. The petitioner has obtained consent from owners of all three parcels to initiate this annexation (Attachment 3).

Background

[Rockville's Comprehensive Plan](#) was adopted in Aug 2021. The [Municipal Growth Element](#) (MGE) is an individual element of the comprehensive plan. Per State law, the MGE should identify future growth areas outside the existing corporate limits and define the limits of municipal growth, also called the maximum expansion limits (MEL).

The Municipal Growth Element of Rockville's Comprehensive Plan identifies areas where the city should take a proactive approach towards annexation. As an implementation strategy of the Comprehensive Plan, the Mayor and Council expressed an interest in discussing properties to consider for near-term annexation at their meeting on February 7, 2021. At their May 12, 2025, meeting, the Mayor and Council reiterated the vision and directed staff to identify properties for potential annexation and to develop an outreach plan.

CPDS staff was working with the WINX property representatives on annexation and a possible residential use. As a part of the annexation outreach, city staff met with the WINX property representatives to emphasize the city's interest, listen to any specific concerns related to the process, and help facilitate annexation. As a result, the city received the annexation petition for the WINX property on January 7, 2026.

Maryland State Law

Annexation is defined as the legal process by which land is added to the corporate city limits. Under State Law, Rockville may annex contiguous and adjoining unincorporated properties that are within the City's Maximum Expansion Limits (MEL), as adopted through the Municipal Growth Element of the Comprehensive Plan.

The annexation process is outlined in Division II, Title 4, Subtitle 4 of the Local Government Article of the *Annotated Code of Maryland* (LG Article). In Maryland, an annexation can be initiated by a petition signed by at least 25% of the registered voters who are residents in the area to be annexed and the owners of at least 25% of the assessed valuation of the real property in the area to be annexed. Alternatively, a municipality's legislative body may initiate an annexation by introducing an annexation resolution. To do so, State law requires that the municipality's legislative body obtain consent from: (1) at least 25% of the registered voters who are residents in the area to be annexed; *and* (2) the owners of at least 25% of the assessed valuation of the real property in the area to be annexed. A public hearing is required as part of the annexation process.

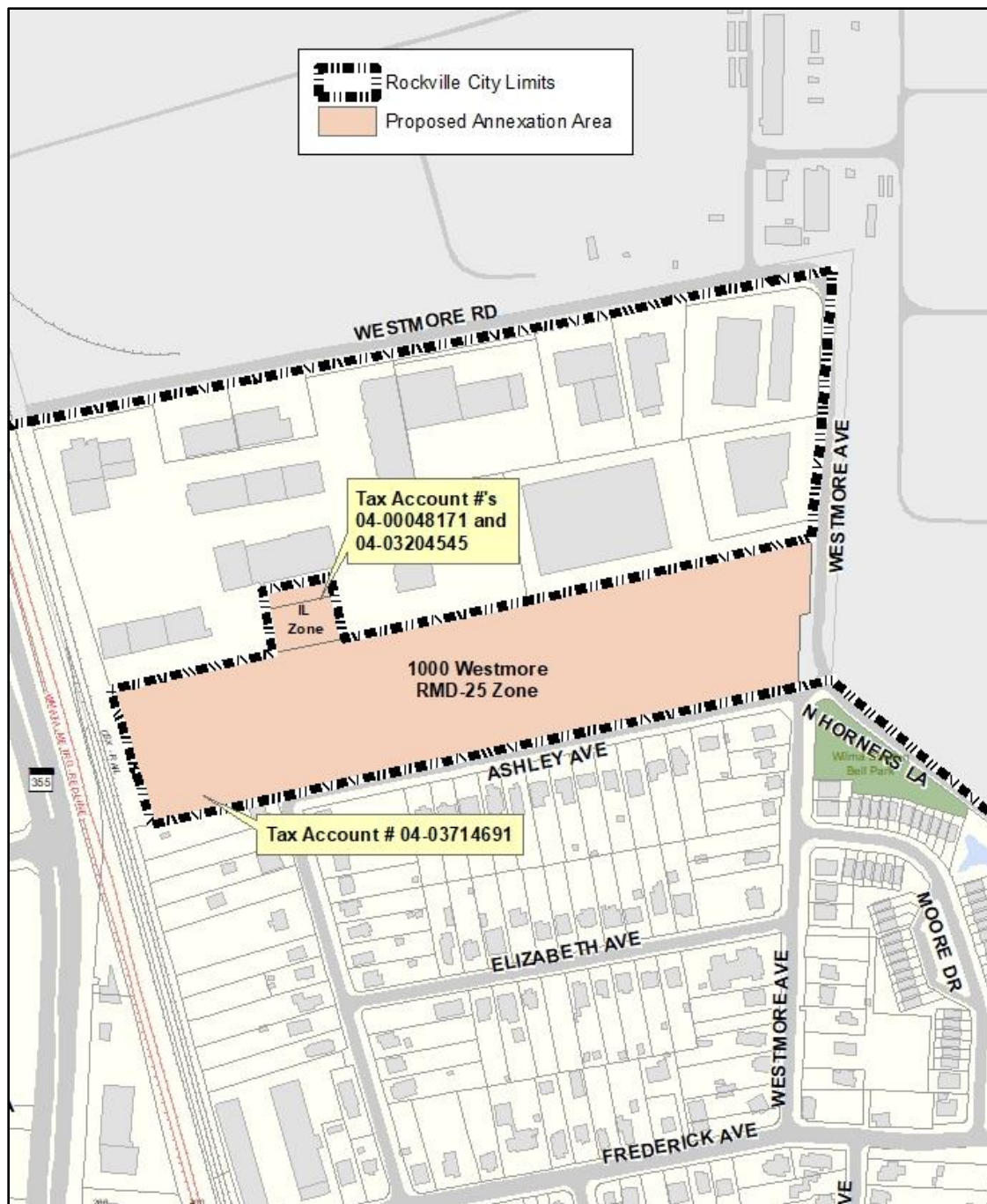
In order to be annexed to an existing municipality, an area must be contiguous and adjoining to the existing municipal corporate area and may not be located within another incorporated municipality. Also, annexation of the area may not create an enclave of unincorporated area that would be completely surrounded on all sides by land within the municipality upon completion of the annexation.

The WINX property is adjacent to the current city limits and is within the City's adopted MEL. However, the annexation of the WINX property at 1000 Westmore, as a single application, would have created an enclave. As seen in Figure 1, the other two parcels, having tax account numbers of 04-00048171 and 04-03204545, would be completely surrounded on all sides by property within the city if annexation were to occur without these two parcels, which is not permitted by State law. Thus, the petition includes three discrete parcels as shown on the following map (Figure 1). The owners of the parcels are as follows:

- 1) Interstate Westmore, LLC (1000 Westmore Ave, Tax Account I # 04-03714691)
- 2) Meadow Lo Corporation (0 Stonestreet Avenue, Tax Account # 04-03204545)
- 3) Westmore Development, LLC (0 Stonestreet Avenue Tax Account # 04-00048171)

The petitioner, Interstate Westmore LLC has coordinated and obtained consent from the other two parcel owners to develop a combined annexation application to prevent the creation of an enclave. All three parcels are included in the annexation petition. Since no persons registered as voters in Montgomery County or the City of Rockville reside in the annexation area, no resident consent is necessary for the granting of this petition. Under Section 4-404 of the LG Article, after verifying that the petition meets all requirements of State law, the Mayor and Council must introduce a resolution proposing the change of municipal boundaries as requested by the petition.

Figure 1 – Proposed Annexation Area



Zoning Requested

The petitioner requests that the Mayor and Council include as part of the annexation resolution, the reclassification of the part of the property owned by the petitioner, having a tax account number of 04-03714691, to the city's RMD-25 zone (Residential Medium Density). Petitioner further requests that the Mayor and Council include as part of the annexation resolution, the reclassification of the other two parcels comprising the annexation area, having tax account numbers of 04-00048171 and 04-03204545, to the city's IL zone, with existing uses to remain and grandfathered (Figure 1).

County Master Plan and Zoning

The proposed annexation area is a part of Montgomery County's Upper Rock Creek Plan, as adopted in April 2004 ([UpperRockCreekMasterPlan2004.pdf](#) p. 30-32). The Plan supports Rockville's inclusion of the property within its growth limits and recognizes that this area can be efficiently served by City Water and Sewer and is logically a part of the Lincoln Park neighborhood. The Plan recognizes that the property has issues of access and compatibility that diminish its usefulness for light industrial activities. For the long term, this Plan recommends residential development for this property, which will allow for its annexation and reclassification to a residential zone by the City of Rockville.

The existing county zoning for the properties in the proposed annexation area is IM-2.5 H-50 (Moderate Industrial, Maximum total FAR allowed is 2.5, the maximum building height allowed is 50 feet).

City Master Plan and Zoning

[The Municipal Growth Element](#) of the City of Rockville's Comprehensive Plan (Comprehensive Plan) provides guidance on future growth areas outside of existing corporate limits and defines the limits of municipal growth through the establishment of a "maximum expansion limit" (MEL). The goals of the Municipal Growth Element are to guide orderly annexation of land into the city, establish a maximum expansion limit, and evaluate impacts of annexation on a case-by-case basis.

The property at 1000 Westmore Road is identified by the Comprehensive Plan as being a "proactive annexation area" within the maximum expansion limit. This property is called out as Action 3.2, which says, "work with the owner of the property at 1000 Westmore Avenue (former WINX site) to reach an annexation agreement for a primarily residential development" (p. 237). As such, annexation of this property is consistent with the Comprehensive Plan.

The Municipal Growth element also provides a land use policy designation for each of the properties within the maximum expansion limit. The Maximum Expansion Limit with the City of Rockville Land Use Policy Map Designation map has provided the RF (Residential Flexible) land use policy designation (p. 245) for the proposed annexation area. The RF (Residential Flexible) designation includes a mix of townhouses/ row houses, apartment buildings, and detached houses. It is applied to sites where the mix of allowed residential types is flexible and is to be finalized during development review. Small-scale commercial uses are an included option if integrated into the residential development. As such, if annexed into the city, the zoning should align with this residential flexible land use designation to remain consistent with the Comprehensive Plan.

The property is also discussed in the Planning Area 6 (Lincoln Park) chapter of the Comprehensive Plan. The site proposed for annexation is identified as Focus Area 5 within this chapter. The Comprehensive Plan gives a description of the property and its

existing conditional and potential hurdles of development, then goes on to call for specific action tied to the land use policy map, zoning, and urban design recommendations. Specifically, Focus Area 5 says:

- **Land Use Policy Map:** “Should the property be annexed into the city, a land use designation should be applied that allows for a mix of residential types, including multi-unit, multiplexes, townhouses, row houses, and single-unit homes, consistent with the Residential Flexible (RF) land use designation on the Land Use Policy Map.” – p. 326
- **Zoning Recommendations:** “Amend the Lincoln Park Neighborhood Conservation District (LPNCD) boundaries to remove this property from the District. The LPNCD includes regulations that are geared toward single-unit detached homes on individual lots. Rezone the property from its current industrial zoning (County Zoning IM-2.5) to a zone consistent with its land use designation.” (p. 326)
- **Urban Design Recommendations:**
 - “Ensure that any future use will not diminish the residential character of Lincoln Park and that a significant buffer is in place to mitigate any potentially negative impact on the neighborhood.” (p. 326)
 - Improve Ashley Avenue and establish a walkable street environment for new residential development. For residential developments, a portion of the development’s residences should front Ashley Avenue to establish a relationship with the existing residences to the south and establish a pedestrian-friendly street presence. A contiguous sidewalk on the north side will be required with new residential development, and it should include enhanced landscaping and pedestrian-scale lighting.” (p. 326)
 - “If a residential use is developed, a contiguous, well-connected park or open space, usable to the public, should be provided on this property. The park should be comparable in size, at minimum, to the Wilma Shelton Bell Park, located to the southeast of 1000 Westmore Avenue.” (p. 326)

“Preserve the existing Forest Conservation Easement. If any non-residential uses are developed, the forest conservation easement should remain and continue to provide a significant buffer to the existing residences to the south. Should a residential use be proposed, development should be contingent on the Montgomery County Planning Board approving the Forest Conservation Easement being flipped to the north side of the site, and the development being focused to the south on Ashley Avenue to buffer any new residential from the industrial uses to the north. The Plan does not recommend approving isolated residential development adjacent to industrial uses.” (p. 326)

The petitioner requests that the Mayor and Council include as part of the annexation resolution, the reclassification of the part of the property owned by the petitioner, having a tax account number of 04-03714691, to the RMD-25 zone. Petitioner further requests that the Mayor and Council include as part of the annexation resolution, the reclassification of the other two parcels comprising the annexation area, having tax account numbers of 04-00048171 and 04-03204545, to the IL zone, with existing uses to remain and grandfathered.

The existing uses on the parcels include light industrial uses such as a cell tower, storage, and temporary trailers with office space. Interstate Westmore requests the RMD-25 zoning for the property at 1000 Westmore, as it is intended to be developed as residential. The petitioners are requesting that the light industrial uses continue with the IL zone for the two smaller properties owned by Westmore Development LLC and Meadow Lo Corporation (both addressed as 0 Stonestreet Avenue).

Staff supports the petitioner's request for zoning, to the RMD-25 zone for the larger property at 1000 Westmore, and the IL zone for the two smaller properties, as shown on Figure 1 and described in detail with the annexation resolution (Attachment 1). Staff also recommends that the existing uses on the smaller parcels where the IL zone is requested remain and be grandfathered.

Five-Year Zoning Rule

Under Section 4-416 (b) of the LG Article, the following may not be permitted by a City for five years following an annexation without express approval of the County Council:

- Uses substantially different from those allowed by the County's Zoning Ordinance at the time of annexation.
- A density that is higher than an additional 50% of the allowable density as established in the County's Zoning Ordinance at the time of the annexation.

The existing county zoning for the properties in the proposed annexation area is IM-2.5 H-50 (Moderate Industrial, Maximum total FAR allowed is 2.5, the maximum building height allowed is 50 feet). The requested city zoning RMD-25 is substantially different from the County's zone. The requested city zoning (RMD-25) and the proposed use (residential) are not consistent with the county zoning. However, as noted earlier, the proposed annexation area is a part of Montgomery County's Upper Rock Creek Plan, as adopted in April 2004 ([UpperRockCreekMasterPlan2004.pdf](#) p. 30-32). The Plan recommends residential development for this property.

The legal team representing the petitioners has met with county planners on this matter and has conveyed to city staff that the county is supportive of the annexation and the proposed residential use at 1000 Westmore Avenue. There is a discussion ongoing with the County staff on the abandonment of the County's forest conservation easement as a part of the annexation.

As the annexation process moves forward with the county's review of zoning consistency, city staff will be requesting the County Council to approve the RMD-25 zoning and the proposed residential use since it is consistent with the city's comprehensive plan.

Next Steps

In order to initiate the process of annexation, the Mayor and Council must introduce an annexation resolution, in accordance with the Maryland Local Government Article § 4-404. The annexation resolution (Attachment 1), if adopted, would change the boundaries of the city in

the manner described in the property description. The resolution only needs to be introduced by the Mayor and Council. Adoption will come at the end of the process, as described below.

The second resolution (Attachment 2) provides specifics of the date, time, and place for the Mayor and Council public hearing that is required under State law and the city code. The Mayor and Council should vote to adopt the resolution.

The Land Use Article also requires that the municipality prepare and adopt an Annexation Plan for the area to be annexed. In accordance with the provisions of City Code § 25.02.04, the Planning Commission is required to study the area proposed for annexation and prepare an Annexation Plan. The purpose of the Annexation Plan is for the municipality that is proposing to annex an area to affirm that the annexation is consistent with the municipal growth element of the municipality's comprehensive plan. The city code also requires that the Planning Commission hold a public hearing on a draft of the preliminary Annexation Plan.

The Annexation Plan must be adopted by the jurisdiction in advance of completing the actual annexation. The Planning Commission is scheduled to review the annexation plan at its meeting on March 25, 2026, and the Mayor and Council are tentatively scheduled to adopt the annexation plan at their meeting on June 1, 2026.

After the Mayor and Council Public Hearing on the adopted annexation plan and the proposed annexation, the Council may choose to adopt the resolution for annexation. Per §4-407 of the Local Government Article, the annexation resolution does not take effect until at least 45 days after its enactment.

The following proposed schedule lists the review and adoption process for annexation and is consistent with the applicable State law and City Code.

| Actions | Tentative Dates |
|--|------------------------|
| Approve introduction of resolution to enlarge corporate boundaries Set the M&C Public Hearing date | February 2, 2026 |
| Planning Commission studies area proposed for annexation and reviews Preliminary Annexation Plan, and sets Public Hearing date | March 25, 2026 |
| Planning Commission holds Public Hearing | April 22, 2026 |
| Planning Commission reviews public hearing testimony and approves Preliminary Annexation Plan for transmittal to Mayor and Council | May 13, 2026 |
| Mayor and Council adopts Annexation Plan | June 1, 2026 |
| County Review of Zoning Consistency | June – July 2026 |
| Mayor and Council hold Annexation Public Hearing | August 3, 2026 |
| Mayor and Council Review of Public Hearing Testimony, D&I to staff | September 2026 |
| Mayor and Council adoption of annexation resolution | October 2026 |
| Introduction of Ordinance(s) to amend zoning map to include annexed property | October 2026 |

| | |
|---|---------------|
| Adoption of Ordinance to amend the zoning map | October 2026 |
| Annexation effective 45 days after enactment of annexation resolution | December 2026 |

Recommendation:

Staff recommends that the Mayor and Council initiate the annexation process, as required by State law. Some of the reasons for annexation include-

- The annexation area is consistent with Rockville’s Comprehensive Master Plan visions, principles, goals, and policies for the City. The Rockville 2040 plan recommends a strategy whereby the City takes a proactive annexation approach to specific properties because there is an advantage for both the City and property owner to be incorporated within the City limits. The subject annexation meets the criteria for proactive annexations as recommended in the Rockville 2040 plan.
- The annexation area is contiguous to the city and within the City’s Maximum Expansion Limits.
- Annexation of the area will create a logical incorporated city boundary and will be consistent with the City’s land use and zoning.
- Annexation is consistent with the city’s goal of increasing the tax base and helping maintain the outstanding community services for all the residents of Rockville.
- The annexation is also consistent with the city’s goal of increasing housing, including affordable housing, within the city.
- The annexation would bring public water and sewer services to the property.

Mayor and Council History

This is the first time that the subject property is being considered for annexation by the Mayor and Council.

Public Notification and Engagement

Staff notified the President of the Lincoln Park Civic Association that the Mayor and Council were scheduled to introduce the WINX annexation at their meeting on February 2, 2026.

No public notification or engagement has taken place as of this time. However, City and State law require opportunities for public input (see proposed schedule).

Per Section 25.02.04.d of the Rockville zoning ordinance, the Planning Commission is required to hold a public hearing on a preliminary annexation plan. After the public hearing, and upon approval of a final annexation plan by the Planning Commission for recommendation to the Mayor and Council, the City Clerk must transmit copies of the annexation plan to the applicable state, county, and regional agencies for the Mayor and Council public hearing.

Per the Maryland Local Government Article, the Mayor and Council are then required to hold a public hearing on the proposed annexation. These public hearings will provide opportunities for individuals and groups to provide testimony, both written and oral. In addition, the nearby

property owners and neighborhoods will be provided with notification regarding the proposed annexation.

Boards and Commissions Review

Per Section 25.02.04 of the City's zoning ordinance, the Planning Commission is required to prepare the Annexation Plan and hold a Public Hearing on the annexation. Therefore, the Planning Commission will be reviewing a staff-prepared draft Annexation Plan and ultimately approving a Preliminary Annexation Plan for Mayor and Council approval.

Fiscal Impact

The proposed annexation will primarily impact City property tax revenue. The City of Rockville charges a real property tax equal to \$0.292 per \$100 of assessed value. The assessed value of the property at 1000 Westmore Avenue is \$5,150,767 per the levy year 2025 assessed value. The property will result in approximately \$15,040 in real property taxes to the City if annexed in its current condition. Future development is expected to yield increased assessed values and property tax revenue to the city.

The other two parcels, both addressed as 0 Stonestreet Avenue and owned by Meadow Lo Corporation (Tax Account # 04-03204545) and Westmore Development, LLC (Tax Account # 04-00048171), are in combination assessed at \$46,033 (real property tax revenue of approximately \$130) and will retain the existing industrial use.

Next Steps

The annexation process is required to follow actions that are mandated by State law and the City Code, as outlined in the annexation process in this report.

After introduction of the attached annexation resolution, the Planning Commission will study the annexation area, review a staff draft of a Preliminary Annexation Plan, hold a public hearing, and then approve a Preliminary Annexation Plan. Staff anticipates that the Planning Commission will begin its review process on March 25, 2026.

Attachments

Annexation Resolution, Public Hearing Resolution, Letter of Authorization from Property Owners, Petition for Annexation - 1000 Westmore

Resolution No. ____

RESOLUTION: To enlarge the corporate boundaries of the City of Rockville to include 10.45 acres of land, more or less, owned by Interstate Westmore, LLC, Westmore Development, LLC, and Meadow Lo Corporation

WHEREAS, on January 7, 2026, Interstate Westmore, LLC, the owner of real property located adjacent to the municipal boundaries of the City of Rockville, with a street address of 1000 Westmore Avenue, Rockville, presented an annexation petition to the Mayor and Council of Rockville (hereinafter the “Mayor and Council”) under Section 4-404 of the Local Government Article of the Maryland Annotated Code for the annexation of three parcels of land totaling 10.45 acres, more or less, owned by Interstate Westmore, LLC, Westmore Development, LLC, and Meadow Lo Corporation, which property is more particularly described in said resolution; and

WHEREAS, the land owned by Interstate Westmore, LLC constitutes at least 25% of the assessed valuation of the real property within the area proposed for annexation; and

WHEREAS, Meadow Lo Corporation and Westmore Development, LLC have consented in writing to the annexation petition; and

WHEREAS, there are no resident registered voters within the area to be annexed; and

WHEREAS, at its meeting on February 2, 2026, the Mayor and Council introduced this resolution proposing the change of boundaries as requested by the annexation petition pursuant to Section 4-404 of the Local Government Article of the Maryland Annotated Code; and

WHEREAS, pursuant to Section 4-406 of the Local Government Article of the Maryland Annotated Code, public notice of this resolution was published not fewer than two times at not less than weekly intervals in a newspaper of general circulation in the City of Rockville and the area to be annexed, said notice specifying that a public hearing would be held by the Mayor and Council on said resolution at Rockville City Hall on August 3, 2026 at 7:00 p.m. and/or virtually, consistent with current City protocols for public hearings; and

WHEREAS, immediately after the first publication of the public notice in said newspaper, a copy of the notice was provided to the County Executive and County Council of Montgomery County, Maryland, the Secretary of the State Department of Planning and the Chairman of the Maryland-National Capital Park and Planning Commission; and

WHEREAS, the Mayor and Council conducted a public hearing on said resolution at the time and place provided for in said advertisement which hearing was not less than fifteen days after the second publication of the public notice referenced above; and

WHEREAS, an annexation plan consistent with the municipal growth element of the comprehensive plan of the City was provided to the County Executive and County Council of Montgomery County, Maryland, the Secretary of the State Department of Planning and the Chairman of the Maryland-National Capital Park and Planning Commission at least thirty days prior to the holding of the scheduled public hearing; and

WHEREAS, this matter having been considered and deliberated upon by the Mayor and Council of Rockville, the Mayor and Council have decided that enactment of this resolution would promote the health, safety and welfare of the City of Rockville.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

Section 1. That the corporate limits of the City of Rockville are hereby extended to include the following area, which is hereby added to the City:

Being a combined description to include all of three (3) discrete parcels of land to be annexed together currently located in the Fourth (4th) Election District in Montgomery County, Maryland; The first being part of the property conveyed by Westmore Development, LLC to Interstate Westmore, LLC, by deed dated November 16, 2007 and recorded among the Land Records of Montgomery County, Maryland in Liber 35078 at Folio 632; said property now being all of Parcel J as delineated on a plat of subdivision entitled "Parcel 'J', Westmore" as recorded among said Land Records as Plat No. 24530; The second being all of the land hereinafter described as Part of Parcel A conveyed by Stanley H. Kamerow, Substitute Trustee to Rankin Development, LLC (now known as Westmore Development, LLC, a Maryland limited liability company by virtue of Articles of Amendment filed with Maryland State Department of Assessments and Taxation on February 19, 2004) by a Quitclaim deed of Substitute Trustee in Foreclosure Sale dated September 7, 2001 and recorded among the Land Records of Montgomery County, Maryland in Liber 19797 at Folio 153; and the third being all of the property conveyed by Fling Limited partnership, a Maryland limited partnership, to Meadow Lo Corporation, a Maryland corporation by deed dated April 14, 1998 and recorded among the Land Records of Montgomery County, Maryland in Liber 15755 at Folio 732; and being more particularly described by MHG, P. A. on December 22, 2025 in the Maryland Coordinate System NAD 83/91 datum as shown on said Plat No. 24530, attached hereto as Exhibit A and incorporated herein, as follows:

Beginning for the same at the southwesternmost corner of said Parcel J as shown on said Plat No. 24530, said point also being on the eastern limits of the lands of the CSX Transportation, Inc. right of way and on the northernmost line of Lot 1, Block 5 as shown on a plat of subdivision entitled "H. L. ENGLAND'S 2nd ADDITION TO LINCOLN PARK" and recorded among said Land Records in Plat Book 4 as Plat Number 342; then leaving said plat line and running with the westerly plat line of said Parcel J and with said eastern limits of the CSX Transportation, Inc. right of way

1. North 15°35'46" West, 300.63 feet to a point at the southwesterly corner of Parcel C, Westmore as delineated on a plat entitled "Buildings 1 thru 5 and Unit 6, Westmore Commercial Condominium" as recorded among said Land Records as Plat No. 8913, and running then with the southerly outline of said Parcel C as shown on said plat the following four (4) courses and distances: with the northerly outline of said Parcel J, "Westmore"
2. North 78°07'14" East, 349.33 feet to a point, then leaving the outline of said Parcel J, and running with all of the first (1st) or North 07°58' West, 85.03 foot deed line of part of said Parcel A described in said Liber 19797 Folio 153 (now North 11°52'46" West, 85.03 feet as rotated to match and be included in this description) and with all of the third (3rd) or North 11°52'46" West, 45.00 foot deed line of Exhibit "A" of said Liber 15755 at Folio 732
3. North 11°52'46" West, 130.03 feet to a point, then continuing with all of the fourth (4th) line of said Exhibit "A" of said Liber 15755 at Folio 732
4. North 78°07'14" East, 150.04 feet to a point, then continuing with all of the first (1st) line of said Exhibit "A" of said Liber 15755 at Folio 732 and all of the third (3rd) or South 07°58' East, 85.03 foot deed line of part of said Parcel A described in said Liber 19797 Folio 153 (now South 11°52'46" East, 85.03 feet as rotated to match and be included in this description)
5. South 11°52'46" East, 130.03 feet to a point, then continuing with the northerly outline of said Parcel J, with all of the South 78°07'14" West, 412.74 foot plat line of said Plat No. 8913, and with all of the South 78°04'30" West, 599.37 foot plat line of Parcel "E" as delineated on a plat entitled "Westmore, Parcels "D & E" recorded as Plat No. 12216 among the aforesaid Land Records
6. North 78°07'14" East, 1,012.12 feet to a point on the westerly right of way limits of Westmore Avenue as dedicated by aforesaid Plat 24530, then continuing with the outline of said Parcel J and the said westerly right of way limits of Westmore Avenue as dedicated by said Plat
7. South 02°52'30" West, 159.36 feet to a point, then continuing with the outline of said Parcel J and the said westerly right of way limits of Westmore Avenue as shown on a

plat entitled "Plat of H. L. England's 2nd Addition to Lincoln Park" recorded as Plat No. 342 among the aforementioned Land Records the following two (2) courses and distances:

8. South 78°07'14" West, 20.68 feet to a point, then
9. South 01°33'14" West, 150.00 feet to a point on the northerly outline of Ashley Avenue, (30 feet wide) as shown on said Plat No. 342, and running then with all of said northerly outline and with part of the northernmost line of Lot 1, Block 5 as shown on said plat of subdivision entitled "H. L. ENGLAND'S 2nd ADDITION TO LINCOLN PARK" and recorded among said Land Records in Plat Book 4 as Plat Number 342
10. South 78°07'14" West, 1,395.89 feet to the point of beginning; containing a combined area of 455,423 square feet or 10.45506 acres of land, more or less, of which the record areas are: Parcel J, 435,913 square feet; L. 15755 F. 732, 6,751.8 square feet; and L. 19797 F. 153, 12,758 square feet, and as shown on Exhibits B-1 and B-2 of 2 attached hereto and made part hereof.

Containing 10.45506 acres of land.

Section 2. That all territory hereby annexed to the City of Rockville and the persons residing thereon shall, after the effective date of this resolution, be subject to the Charter, laws, ordinances and regulations of said City.

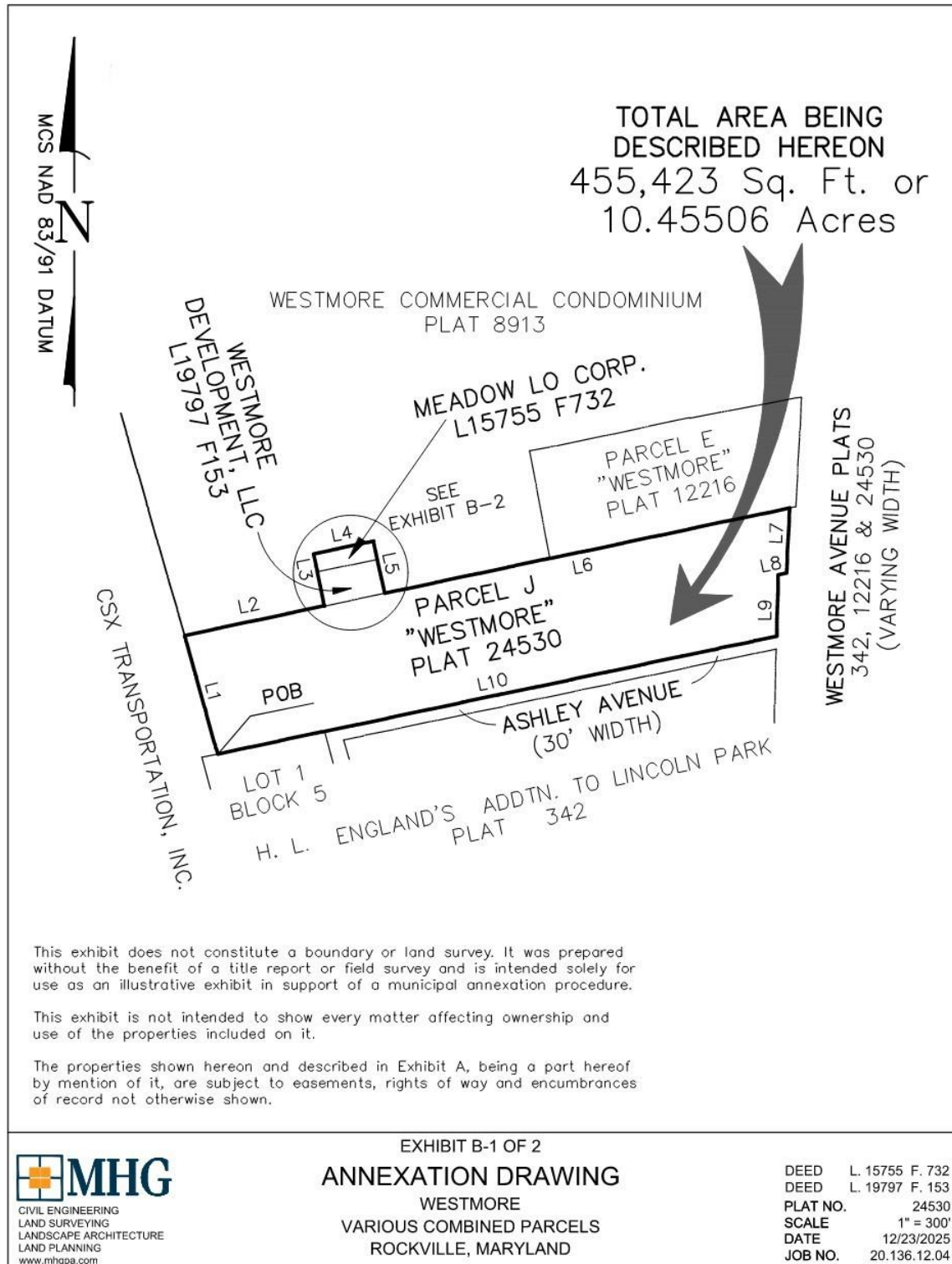
Section 3. That as soon as the annexation provided by this resolution shall become effective, the Mayor shall promptly register both the original boundaries and the new boundaries of the City with the City Clerk of Rockville, with the Clerk of the Circuit Court for Montgomery County, Maryland, with the Maryland-National Capital Park and Planning Commission, and shall send, or cause to be sent, separately by certified mail, return receipt requested, one copy of this resolution to the Department of Legislative Services.

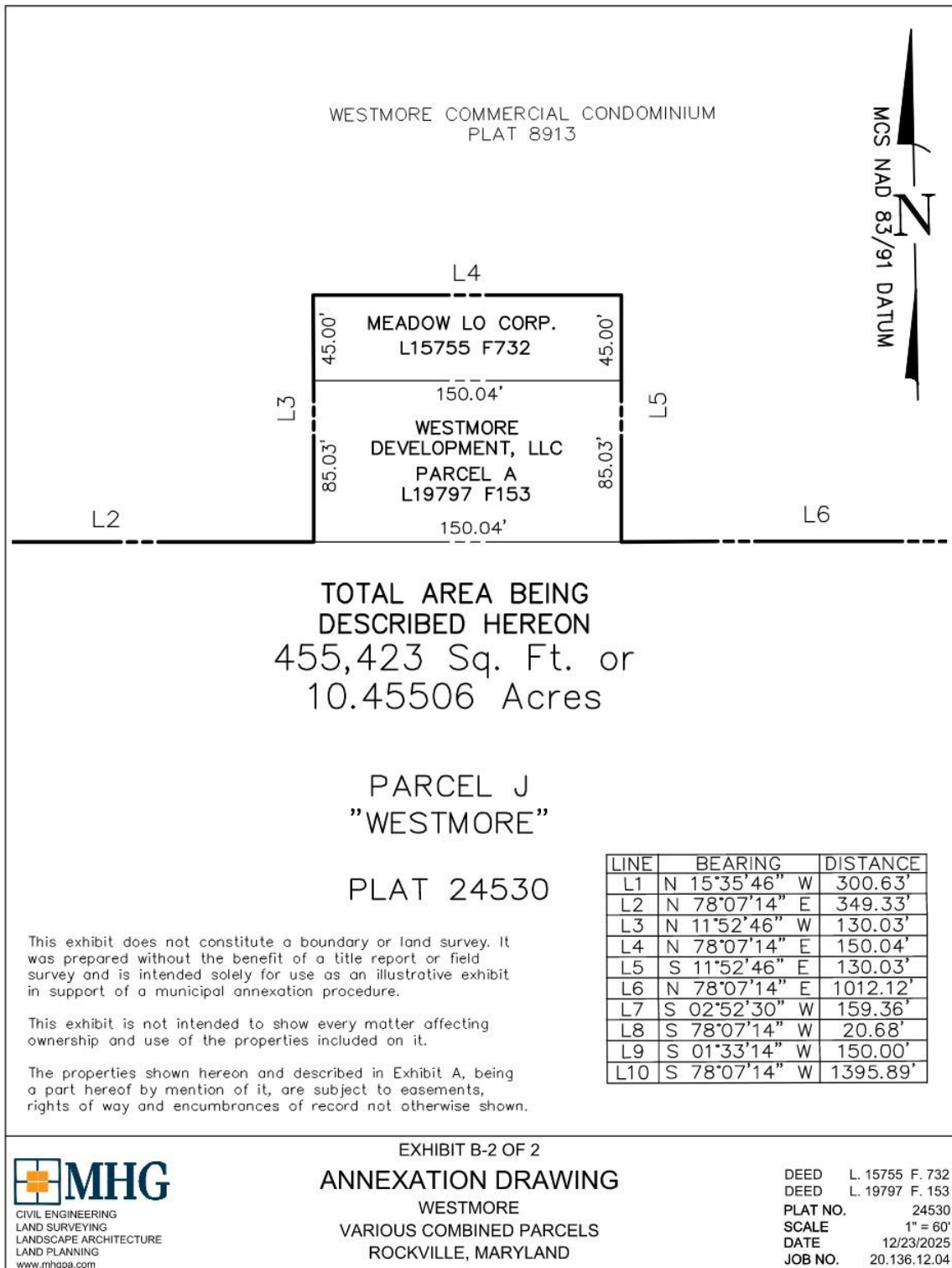
* * * * *

I hereby certify that the foregoing is a true and correct copy of a
resolution adopted by the Mayor and Council of Rockville at its
meeting of _____.

Sara Taylor-Ferrell, City Clerk

EXHIBIT A





Resolution No. _____

RESOLUTION:

To provide for public hearing in connection with the annexation of 10.45 acres of land, more or less, owned by Interstate Westmore, LLC, Westmore Development, LLC, and Meadow Lo Corporation.

WHEREAS, Interstate Westmore, LLC, the owner of real property located adjacent to the municipal boundaries of the City of Rockville, with a street address of 1000 Westmore Avenue, Rockville, has presented an annexation petition to the Mayor and Council of Rockville (hereinafter the “Mayor and Council”) under Section 4-404 of the Local Government Article of the Maryland Annotated Code for the annexation of three parcels of land totaling 10.45 acres, more or less, owned by Interstate Westmore, LLC, Westmore Development, LLC, and Meadow Lo Corporation, which property is more particularly described in said resolution; and

WHEREAS, the land owned by Interstate Westmore, LLC constitutes at least 25% of the assessed valuation of the real property within the area proposed for annexation; and

WHEREAS, Meadow Lo Corporation and Westmore Development, LLC have consented in writing to the annexation petition; and

WHEREAS, there are no resident registered voters within the area to be annexed; and

WHEREAS, at its meeting on February 2, 2026, the Mayor and Council has introduced a resolution proposing the change of boundaries as requested by the annexation petition pursuant to Section 4-404 of the Local Government Article of the Maryland Annotated Code.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

1. That the City Clerk is instructed to cause a public notice of the resolution which has been introduced which, if adopted, would annex property of Interstate Westmore, LLC, Westmore Development, LLC, and Meadow Lo Corporation, to be published not fewer than two times at not less than weekly intervals in a newspaper of general circulation in the City of Rockville and the area to be annexed, said notice to specify that a public hearing will be held on the resolution and annexation plan for the area proposed to be annexed at 7:00 p.m. or as soon thereafter as it may be held, on the 3th day of August 2026 in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland 20850 and/or virtually, consistent with current City protocols for public hearings.

2. That the City Clerk is instructed to provide a copy of the annexation plan for the area proposed to be annexed to the County Executive and County Council of Montgomery County, Maryland, the Secretary of the State Department of Planning and the Chairman of the Maryland-National Capital Park and Planning Commission at least thirty days prior to the holding of the scheduled public hearing.

3. That immediately upon the first publication of the public notice of said resolution, the City Clerk is instructed to cause said public notice to be provided to the County Executive and County Council of Montgomery County, Maryland, Secretary of the State Department of Planning and the Chairman of the Maryland-National Capital Park and Planning Commission.

* * * * *

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Mayor and Council at its meeting of February 2, 2026.

Resolution No. ____

-3-

Sara Taylor-Ferrell, City Clerk

LETTER OF AUTHORIZATION

I, Perry Cho, being duly authorized as the Manager of Interstate Westmore, LLC, hereby authorize Soo Lee-Cho and the law firm of Bregman, Berbert, Schwartz & Gilday, to prepare and submit all documents necessary for the purposes of filing a petition for annexation into the City of Rockville for the property owned by Interstate Westmore, LLC, located at 1000 Westmore Avenue, Rockville, MD 20850, with a tax account number of 04-03714691.

Interstate Westmore, LLC
a Maryland limited liability company

By: 
Perry Cho, Manager

Date: 1/6/26

LETTER OF AUTHORIZATION

I, Robert O. Eisinger, being duly authorized as the President of Meadow Lo Corporation, consent to the filing of a petition for annexation into the City of Rockville for the property owned by Meadow Lo Corporation, having an address of 0 Stonestreet Avenue, Rockville, MD 20850 and tax account number of 04-03204545.

Meadow Lo Corporation
a Maryland corporation

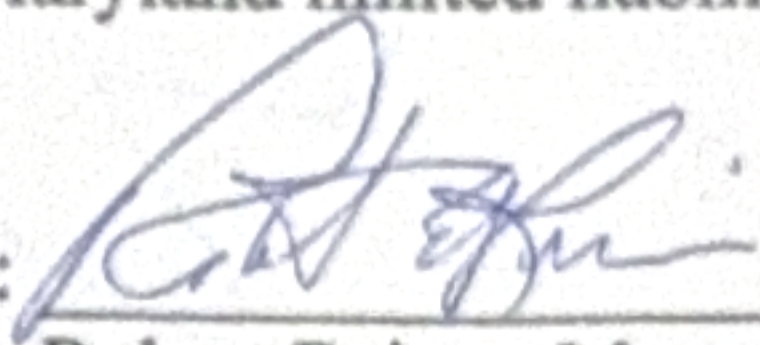
By: 
Robert O. Eisinger, President

Date: 1/6/2026

LETTER OF AUTHORIZATION

I, Robert Reiver, being duly authorized as the Manager of Westmore Development, LLC (f/k/a Rankin Development LLC) consent to the filing of a petition for annexation into the City of Rockville for the property owned by Westmore Development, LLC, having an address of 0 Stonestreet Avenue, Rockville, MD 20850 and tax account number of 04-00048171. This consent shall be conditioned on the following uses that are currently established on the property, specifically an outdoor tire storage facility and radio tower, being allowed to continue as permitted uses after annexation. *and any replacement radio towers.*

Westmore Development, LLC
a Maryland limited liability company

By: 
Robert Reiver, Manager

Date: 1/6/2026

PETITION FOR ANNEXATION

January 7, 2026

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCKVILLE:

COMES NOW, Interstate Westmore, LLC, (“Petitioner”), by and through its undersigned counsel, pursuant to Md. Code, Local Government § 4-404, to petition the Mayor and Council of the City of Rockville, Maryland, to annex certain property into the jurisdiction of the City of Rockville and in support thereof states as follows:

1. Annexation is sought for property consisting of 10.45506, more or less, acres of land, as more particularly described by metes and bounds on Exhibit “A” and depicted by sketch on Exhibit “B”. The subject property consists of three (3) discrete parcels of land to be annexed together; The first being part of the property conveyed by Westmore Development, LLC to Interstate Westmore, LLC, by deed dated November 16, 2007 and recorded among the Land Records of Montgomery County, Maryland in Liber 35078 at Folio 632; said property now being all of Parcel J as delineated on a plat of subdivision entitled "Parcel ‘J’, Westmore" as recorded among said Land Records as Plat No. 24530; The second being all of the land conveyed by Stanley H. Kamerow, Substitute Trustee to Rankin Development, LLC (now known as Westmore Development, LLC, a Maryland limited liability company by virtue of Articles of Amendment filed with Maryland State Department of Assessments and Taxation on February 19, 2004) by a Quitclaim deed of Substitute Trustee in Foreclosure Sale dated September 7, 2001 and recorded among the Land Records of Montgomery County, Maryland in Liber 19797 at Folio 153; and the third being all of the property conveyed by Fling Limited partnership, a Maryland limited partnership, to Meadow Lo Corporation, a Maryland corporation by deed dated April 14, 1998 and recorded among the Land Records of Montgomery County, Maryland in Liber 15755 at Folio 732;

and being more particularly described by MHG, P. A. on December 22, 2025 in the Maryland Coordinate System NAD 83/91 datum as shown on said Plat No. 24530, all three parcels being collectively referred to herein as the “Property.” The tax account numbers for each parcel in the same order as listed herein above are 04-03714691, 04-00048171, and 04-03204545.

2. Annexation is sought by the Petitioner in its capacity as the current and sole owner of Parcel J, the first property described herein above. Westmore Development, LLC and Meadow Lo Corporation have consented to this annexation application and letters reflecting their consent and authorization have been attached as Exhibit “C” hereto.

3. The Property lies in a location contiguous to and adjoining the existing corporate boundary of the City of Rockville and is within the Maximum Expansion Limits of the City of Rockville.

4. No persons registered as voters in Montgomery County or the City of Rockville reside on the Property. Accordingly, no consent is necessary for the granting of this petition.

5. Petitioner Requests that the Mayor and Council include as part of the annexation resolution, the reclassification of the part of the Property owned by Petitioner, having a tax account number of 04-03714691, to the RMD-25 zone. Petitioner further requests the Mayor and Council include as part of the annexation resolution, the reclassification of the other two parcels comprising the Property, having tax account numbers of 04-00048171 and 04-03204545, to the IL zone with existing uses to remain and grandfathered.

6. Petitioner presents the following Exhibits: (1) Exhibit “A” (a metes and bounds description of the Property), (2) Exhibit “B” (a sketch of the property), and (3) Exhibit “C”

(letters of authorization from Interstate Westmore, LLC, Westmore Development, LLC, and Meadow Lo Corporation)

Respectfully submitted,
BREGMAN, BERBERT, SCHWARTZ & GILDAY

By:


Soo Lee-Cho

7315 Wisconsin Avenue
Suite 800 West
Bethesda, Maryland 20814
(301) 656-2707
sleecho@bregmanlaw.com
Counsel for Petitioner



MAYOR AND COUNCIL Meeting Date: February 2, 2026

Agenda Item Type: ADOPTION

Department: CPDS - INSPECTION SERVICES

Responsible Staff: CHRIS DEMPWOLF

Subject

Adoption of an Ordinance to Amend Chapter 5 of the Rockville City Code Entitled "Building and Property Maintenance Regulations," Article XIV (Green Building Code Regulations)

Department

CPDS - Inspection Services

Recommendation

Staff recommends that the Mayor and Council adopt amendments (Attachment 1) to Chapter 5, Article XIV of the City Code, Entitled "Green Building Regulations."

Change in Law or Policy

The proposed amendments will update the Green Building Regulations in the City of Rockville by adopting and amending current versions of the model codes published by the International Code Council (ICC).

Discussion

During the 2024 updates to Chapter 5 of the Rockville City Code, staff recommended evaluating Article XIV – Green Building Regulations separate from the amendments to the other 13 articles, to provide thoughtful and meaningful updates. The City's Climate Action Plan calls for progressively strengthened Green Building codes in Action Item C-03. The 2024 updates to Chapter 5 included several amendments to the City's *Energy Conservation Code* which are substantially more progressive than the base text of the International Green Building Code (IgCC) and the National Green Building Standard (NGBS) and will continue to make Rockville a regional leader in this area.

The 2021 edition of the IgCC and the 2020 edition of the NGBS are more substantial than prior editions and warranted more in-depth review. Staff has completed their review of these documents and recommends amendments to Article XIV, the IgCC, and the NGBS as shown in Attachment 1 and summarized below. This summary provides only significant changes and does not include grammatical or administrative changes.

Article XIV

Key Updates/Recommendations:

- Relocation of scoping requirements
- Relocation of definitions
- Requirement to obtain third-party certification

International Green Construction Code (IgCC)

Key Updates/Recommendations:

- Deletion of majority of Chapter 5 (Site Conditions), addressed elsewhere in City Code
- Providing flexibility to use off-site renewable energy to meet requirements for on-site renewable energy, with documentation
- Incorporating EV-Charging Infrastructure requirements above the amount established in amendments to the Energy Conservation Code

National Green Building Standard (NGBS)

The nature of the NGBS is different than that of the IgCC, in that it allows for a more selective approach based on obtaining a certain number of points rather than following a uniform list of mandates. This allows homebuilders some flexibility in how they meet the requirements. Due to the scoring model and the recommendation to require third-party verification, staff recommends adopting the NGBS mostly as published, with a few minor changes to reference other City codes where applicable.

Effective Date

If adopted as attached, the ordinance will become effective on August 1, 2026. The ordinance includes new language allowing for certain construction and development projects already in progress to utilize the former version of the Green Building Regulations for an additional period of time.

Responses to Feedback

During the introduction of this item at the Mayor and Council meeting on December 15, 2025, staff committed to provide additional information and responses to questions posed by the Mayor and Council.

1. EV Charging – Impacts to Electric Utility

Staff has reviewed available publications on the impact of EV-Charging infrastructure on electric utility grids, as well as locally relevant information from PEPCO. In review of reports from reputable sources, there does not appear to be anything that would deter staff from recommending adoption of the amendments as proposed.

2. Soundproofing

In discussing Comprehensive Plan Action Item 5.1 with long range planning staff, it was determined that the intent of this item was to ensure that regulations exist. With the

existing International Building Code regulations on sound transmission, the goals of Action Item 5.1 have been met and no further changes are recommended at this time.

3. Protective Elements for Migratory Birds

Staff examined the USGBC LEED Credits available for “Bird-Friendly Glass,” along with legislation currently in place in neighboring jurisdictions. The reference to the American Bird Conservancy’s Bird-Friendly Materials Evaluation Program test protocol provides a sufficient standardized rating to develop effective and enforceable code language. Staff recommends the following language be adopted in the amendments:

“BIRD-FRIENDLY MATERIALS. For new construction, or for alterations involving the replacement of 75% or more of the exterior glazing area, each façade of the exterior wall envelope and any exterior fenestration up to 100 feet above grade shall be constructed with materials or assemblies that have been designed or treated to have a maximum material threat factor of 30 in accordance with the American Bird Conservancy’s Bird-friendly Materials Evaluation Program test protocol. Other materials may be used in the exterior wall construction, provided they do not exceed an aggregate 10 square feet within any 100 square foot area of the exterior wall.”

EXCEPTIONS:

1. These provisions shall not apply where:
 - a. The subject property is located within an Historic District, and the Historic District Commission determines that compliance with this section would meaningfully and substantially impact historic elements of the property.
 - b. The use of materials complying with this section would conflict with elements required for fire and life safety.
 - c. In the opinion of the Building Official, compliance with this section would create a hazard.”

4. Impact on Rent

There do not appear to be any conclusive, data-driven studies from reputable sources that definitively correlate green building certification with increased rent. However, there is substantial anecdotal support for this theory. Green buildings typically have lower long-term operating costs and are desirable in certain markets. Landlords may opt to capitalize on this and charge inflated rent prices for these types of units.

Equity

Given that the overall cost of ownership may be reduced (see Economy), this may be passed through in ownership and rent costs providing more equity to those who are less able to afford higher cost. equity.

Environment

Adoption of this ordinance will further the City's Climate Action Plan, creating more sustainable and resilient building stock in the City. Buildings constructed under this ordinance will have a reduced environmental impact in comparison to buildings not subject to this ordinance.

Economy

While the initial cost of construction trends somewhat higher for green buildings, there is significant data to demonstrate that the life-cycle operating costs of green buildings are significantly lower than others. Additionally, the codes provide for resilient buildings, which may be less adversely impacted by climate change and weather events, and may reduce overall cost of ownership.

Mayor and Council History

The Mayor and Council held a work session on amendments to the Green Building Regulations at their meeting on June 2, 2025.

The Mayor and Council introduced amendments to the Green Building Regulations at their meeting on December 15, 2025.

Public Notification and Engagement

A copy of the draft language was made available on the City website. The document included a link to a form where the public could share feedback on the proposed amendments. A total of two responses were received, both of which indicated strong support for the proposed amendments. The comments from these responses are included below:

"I hope all City buildings will soon have rooftop solar, to show the City's commitment to this, and become a leader in sustainability. A first start could be harnessing the District Courthouse's "death ray" (the south-facing windows) with window-solar. The media attention when the heat from the windows was killing the vegetation below was considerable - think of how much great press the City could get if they harnessed that power into green energy!"

"I totally support this initiative! It's small changes like this that have a big impact overall."

Upon adoption of this ordinance, staff will notify the public of the upcoming changes and the effective date of these changes.

Boards and Commissions Review

The proposed amendments were presented to the Environment Commission for their feedback. The commission was supportive of the proposed amendments, with no comments needing addressed.

Next Steps

Following adoption of this ordinance, staff will notify the public of upcoming changes, which will become effective on Saturday, August 1, 2026. Staff will also work with Home Innovations Research Labs to ensure the certification process for residential projects does not hold up issuance of Certificates of Occupancy.

Attachments

Green Building Updates Ordinance

ORDINANCE NO. _____

ORDINANCE: To Amend Chapter 5 of the Rockville City Code, Entitled “Building and Property Maintenance Regulations,” Article XIV to adopt and amend the International Code Council (ICC) International Green Construction Code, 2021 edition, and the ICC 700 National Green Building Standard, 2020 edition.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND as follows:

SECTION I - That Chapter 5 of the Rockville City Code, entitled “Building and Property Maintenance Regulations,” be amended as follows:

Chapter 5

BUILDING AND PROPERTY MAINTENANCE REGULATIONS

* * *

ARTICLE XIV. GREEN BUILDING REGULATIONS

DIVISION 1. GENERALLY

Sec. 5-301. Scope.

This article places additional "green building" requirements on certain ~~structures sizes and various types of new construction and redevelopment activities~~ within Rockville.

Sec. 5-302. Application of former code.

At the written request of an applicant, the Building Official must apply the version of this article in effect on July 31, 2026, to a permit application under this article that meets one of the following criteria:

- (1) The applicant has provided the Building Official with proof of a design or construction contract for the project that was signed on or before July 31, 2026, and has submitted the permit application by July 31, 2027;
- (2) The permit application is for a project subject to a site plan approved on or before July 31, 2026, that remains unexpired on the date of submittal of the permit application; or

-
- (3) The permit application is for a project subject to a pending site plan application submitted on or before July 31, 2026, that is under active review by City staff on the date of submittal of the permit application.

~~Building code compliance required.~~

~~This code is an overlay document to be used in conjunction with the other codes and standards adopted by the City of Rockville. This code is not intended to abridge or supersede safety, health or environmental requirements under other applicable codes or ordinances.~~

~~Sec. 5-303. Green building applicability.~~

~~Except as provided in section 5-304 and section 5-322 of article XIV, Green building regulations, these requirements shall apply to construction of all new buildings, and the following additions, reconstruction and alterations to buildings:~~

- ~~(1) Additions of seven thousand five hundred (7,500) gsf or more to an existing non-residential or multi-unit residential building;~~
- ~~(2) Alterations of more than fifty (50) percent of the gsf of a non-residential or multi-unit residential building if the altered area is seven thousand five hundred (7,500) gsf or larger;~~
- ~~(3) Alterations to existing one and two family dwellings and additions meeting the criteria for "new construction" or "substantial reconstruction" as defined in article VI, section 5-102, R202.~~

~~Sec. 5-304. Buildings and structures exempt.~~

~~The following construction is exempt from the requirements of this article:~~

- ~~(1) Accessory buildings and structures, as defined by section 25.09.03 (Zoning Ordinance) of the Rockville City Code;~~
- ~~(2) Temporary structures as defined by section 25.09.04 (Zoning Ordinance) of the Rockville City Code.~~

~~Sec. 5-305. Certification not required.~~

~~Compliance with this article does not require a construction project to obtain certification from the U.S. Green Building Council or any other "green" certification organization. The City, as described in division 2 of this article, shall perform evaluation for compliance with the provisions of this article.~~

~~Secs. 5-303306—5-310. Reserved.~~

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

~~Secs. 5-314, 5-315. Reserved.~~

~~DIVISION 3. DEFINITIONS~~

~~Sec. 5-316. Definitions.~~

~~Words defined in this article are intended only for use with sections of this article or any document referred to in this article.~~

~~*ANSI* means the American National Standards Institute.~~

~~*Alteration*, when applied to a building or structure or its service equipment, means:~~

- ~~(1) A change or rearrangement in the structural parts or in the exit facilities;~~
- ~~(2) A vital change in the service equipment;~~
- ~~(3) An enlargement whether by extending laterally or by increasing in height;~~
- ~~(4) The moving from one (1) location or position to another; or~~
- ~~(5) The change in occupancy from one (1) use group to another of different legal requirements.~~

~~*Building* means a structure having one (1) or more stories and a roof, designed primarily for the shelter, support, or enclosure of persons, animals, or property of any kind; and is not an accessory building as defined in section 25.09.03 of the Zoning Ordinance of the City of Rockville.~~

~~*City Manager* means the City Manager for the City of Rockville, or their designee.~~

~~*ENERGY STAR* means the joint program of the U.S. Environmental Protection Agency and the U.S. Department of Energy designed to identify and promote energy efficient products and practices.~~

~~*EPA* means the U.S. Environmental Protection Agency.~~

~~*Green building* means a holistic approach to design, construction, operation, maintenance and demolition that minimizes the building's impact on the environment, the occupants and the community.~~

~~*GSF* means gross square footage. GSF is the sum of all areas on all floors of a building included within the outside faces of the exterior walls, including floor penetration areas, however insignificant, for circulation and shaft areas that connect one floor to another.~~

~~*LEED®* means the Leadership in Energy and Environmental Design green building rating system, version 4 or the most current mandated version by the U.S. Green Building Council. Individual rating systems, and the associated checklists, have been created for several different building categories.~~

~~*Multi-unit residential* means residential structures not governed by the provisions of article VI of this chapter.~~

~~National Green Building Standard (NGBS) means the ANSI approved residential green building standard released by the National Association of Home Builders (NAHB) in coordination with the International Code Council (ICC700 2015). For multi-unit and low-rise residential buildings, the NGBS may be used as an equivalent rating system.~~

~~Non-residential means commercial, industrial, institutional, governmental and the non-residential portions of mixed-use developments.~~

~~USGBC means the U.S. Green Building Council, creator and maintainer of the LEED® green building rating system.~~

Secs. 5-3147—5-320. Reserved.

DIVISION 34. NON-RESIDENTIAL AND MULTI-UNIT RESIDENTIAL STRUCTURESGREEN BUILDINGS

Sec. 5-321. International Green Construction Code—Adopted.

The International Code Council (ICC) International Green Construction Code, 2021 ~~2015~~ Edition, as modified herein, is hereby adopted as the green construction code for the City. One (1) copy of such publication as adopted shall be housed by the Inspection Services Division and made available for inspection by the public during regular office hours. Any amendment or change in such publication promulgated by the International Code Council shall not become a part of this article until adopted by ordinance. References to other ordinances and codes of the City shall be interpreted and applied in accordance with the terms and effect of such ordinances and codes at the time of such application and interpretation.

Sec. 5-322. Same—Amendments.

The *ICC International Green Construction Code*, 2021 ~~2015~~ Edition (IgCC), is amended in the following respects:

Section 101.3 of the IgCC is amended to read as follows:

101.3 Scope. Except as outlined in section 101.3.1 or elsewhere in the Rockville City Code, The ~~the~~ provisions of this code shall apply to the design, construction, addition, alteration, equipment, change of occupancy, relocation, replacement, demolition and removal of every building or structure or any appurtenances connected or attached to such buildings or structures and to the building site on which the building is located. Occupancy classifications shall be determined in accordance with the *International Building Code*. ~~new construction as it relates to the design and construction of buildings and additions, building sites, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures and to the site on which the building is located. Occupancy classifications shall be determined in accordance with the *International Building Code*® (IBC®).~~

Exceptions:

-
1. ~~The code shall not apply to items 1.1, 1.2 and 1.3 except where the jurisdiction adopts the jurisdictional requirements of Section 302.1, Item 1, for residential buildings.~~
 - 1.1. ~~Detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height above grade plane with a separate means of egress, their accessory structures, and the site or lot upon which these buildings are located.~~
 - 1.2. ~~Group R-3 residential buildings, their accessory structures, and the site or lot upon which these buildings are located.~~
 - 1.3. ~~Group R-2 and R-4 residential buildings four stories or less in height above grade plane, their accessory structures, and the site or lot upon which these buildings are located.~~
 2. ~~The code shall not apply to equipment or systems that are used primarily for industrial or manufacturing.~~
 3. ~~The code shall not apply to temporary structures approved under Section 3103 of the International Building Code.~~
 4. ~~Where ASHRAE 189.1 is selected in accordance with Section 301.1.1, ASHRAE 189.1 shall not apply to buildings identified in Exceptions 1 through 3.~~
 5. ~~Where a minimum of USGBC LEED Certification at the Silver level is selected as an alternative compliance path.~~

101.3.1 Residential construction. In lieu of the requirements of this code the following shall be deemed to comply with this code:

1. ~~Group R-2 and R-4 residential buildings five stories or more in height above grade plane, their accessory structures, and the site or lot upon which these buildings are located achieve a minimum Silver performance level in Chapters 5 through 10 of the ICC 700-2015 (National Green Building Standard) or equivalent system.~~
2. ~~Group R-2 and R-4 portions of mixed use buildings must achieve a minimum Silver performance level in Chapters 5 through 10 of the ICC 700-2015 (National Green Building Standard) or equivalent system. The remainder of the building and the site upon which the building is located shall comply with the provisions of this code.~~

Section 101.3.1 of the IGCC is amended to read as follows:

101.3.1 (2.2) Applicability. The provisions of this code do not apply to the following:

1. Single-family dwellings and their accessory structures.
2. Multiple-family dwellings of three-stories or fewer above grade.
3. Manufactured houses (mobile homes).
4. Manufactured houses (modular).
5. Temporary structures.

6. Building projects that use none of the following:

1. Electricity

2. Fossil fuels

3. Water

7. Additions to existing buildings that do not exceed 7,500 gross square feet in new area.

8. Alterations to existing buildings where the work area does not exceed 7,500 gross square feet and 50% of the gross floor area of the building.

9. Buildings constructed using an alternative compliance path, such as USGBC LEED (minimum Silver level or equivalent), where such compliance path is approved by the building official and, where applicable, certification is obtained from the applicable certification bodies.

Section 101.3.1.1 is added to the IgCC to read as follows:

101.3.1.1 Use of National Green Building Standard. Where a project is covered under the scope of the *ICC 700 National Green Building Standard, 2020 edition as modified in Division 4 of this article*, the project may comply with the NGBS in lieu of the provisions of this code, provided such project obtains a minimum NGBS Silver Level Certification.

Section 101.4 of the IgCC is amended to read as follows:

101.4 Appendices. All the provisions in the Appendices, as amended, are adopted as part of the International Green Construction Code.

Section 101.5.1 of the IgCC is amended to read as follows:

101.5.1 Jurisdictional Options. The provisions indicated as Jurisdictional Requirements in Table 101.5.1 are mandatory provisions for all projects.

Table 101.5.1 of the IgCC is amended to read as follows:

| <u>SECTION</u> | <u>SECTION TITLE</u> | <u>JURISDICTIONAL REQUIREMENT</u> |
|--------------------------------------|--|---------------------------------------|
| <u>Chapter 5—Site Sustainability</u> | | |
| <u>501.3.5.2 (5.3.5.2)</u> | <u>Mitigation of Heat Island Effect—Walls</u> | <u>X No</u> |
| <u>501.3.6 (5.3.6)</u> | <u>Reduction of Light Pollution</u> | <u>X No</u> |
| <u>501.3.7.2.2 (5.3.7.2.2)</u> | <u>Bicycle Parking Location</u> | <u>X No</u> |
| <u>501.3.7.2.3 (5.3.7.2.3)</u> | <u>Bicycle Parking, Horizontal Parking Racks</u> | <u>X No</u> |
| <u>501.3.7.2.5 (5.3.7.2.5)</u> | <u>Bicycle Parking, Security and Visibility</u> | <u>X No</u> |

| | | |
|--|--|------------------|
| <u>501.3.8.1 (5.3.8.1)</u> | <u>Building Site Waste Management—Diversion Percentage</u> | <u>75% X 50%</u> |
| <u>Chapter 6—Water Use Efficiency</u> | | |
| <u>601.3.1.2.1(a,3)</u> <u>[6.3.1.2.1(a,3)]</u> | <u>Irrigation System Design, Master Valve</u> | <u>X No</u> |
| <u>601.3.1.2.1(a,4)</u> <u>[6.3.1.2.1(a,4)]</u> | <u>Irrigation System Design, Flow Sensors</u> | <u>X No</u> |
| <u>601.3.4 (6.3.4)</u> | <u>Special Water Features</u> | <u>X No</u> |
| <u>601.3.5.2 (6.3.5.2)</u> | <u>Consumption Data Collection</u> | <u>No</u> |
| <u>601.3.5.3 (6.3.5.3)</u> | <u>Data Storage and Retrieval</u> | <u>No</u> |
| <u>601.3.9 (6.3.9)</u> | <u>Dual Water Supply Plumbing</u> | <u>X No</u> |
| <u>Chapter 7—Energy Efficiency</u> | | |
| <u>701.4.2.1 (7.4.2.1)</u> | <u>Building Envelope Requirements</u> | <u>No</u> |
| <u>701.4.2.3 (7.4.2.3)</u> | <u>Single Rafter Roof Insulation</u> | <u>X No</u> |
| <u>701.4.2.4 (7.4.2.4)</u> | <u>High-speed Doors</u> | <u>X No</u> |
| <u>701.4.2.7 (7.4.2.7)</u> | <u>Permanent Projections</u> | <u>X No</u> |
| <u>701.4.2.10 (7.4.2.10)</u> | <u>Orientation</u> | <u>No</u> |
| <u>701.4.3.2 (7.4.3.2)</u> | <u>Ventilation Controls for Densely Occupied Spaces</u> | <u>No</u> |
| <u>701.4.3.4 (7.4.3.4)</u> | <u>Economizers</u> | <u>No</u> |
| <u>701.4.3.5 (7.4.3.5)</u> | <u>Zone Controls</u> | <u>No</u> |
| <u>701.4.3.7 (7.4.3.7)</u> | <u>Exhaust Air Energy Recovery</u> | <u>X No</u> |
| <u>701.4.3.8 (7.4.3.8)</u> | <u>Kitchen Exhaust Systems</u> | <u>X No</u> |
| <u>701.4.4.3 (7.4.4.3)</u> | <u>Insulation for Spa Pools</u> | <u>X No</u> |
| <u>701.4.6.3.1 (7.4.6.3.1)</u> | <u>Occupancy Sensor Controls in Commercial and Industrial Storage Stacks</u> | <u>No</u> |
| <u>701.4.6.3.2 (7.4.6.3.2)</u> | <u>Automatic Controls for Egress and Security Lighting</u> | <u>X No</u> |

| | | |
|---|--|---------------|
| <u>701.4.7.2 (7.4.7.2)</u> | <u>Supermarket Heat Recovery</u> | <u>___ No</u> |
| <u>701.4.7.4 (7.4.7.4)</u> | <u>Programmable Thermostats</u> | <u>___ No</u> |
| <u>701.4.7.5 (7.4.7.5)</u> | <u>Refrigerated Display Cases</u> | <u>___ No</u> |
| <u>701.5.4 (7.5.4)</u> | <u>Energy Simulation Aided Design</u> | <u>X No</u> |
| <u>Chapter 8—Indoor Environmental Quality</u> | | |
| <u>801.3.1.3(b)</u> <u>[8.3.1.3(b)]</u> | <u>Outdoor Air Ozone Removal</u> | <u>___ No</u> |
| <u>801.3.1.4.2 (8.3.1.4.2)</u> | <u>Exfiltration</u> | <u>___ No</u> |
| <u>801.3.3.4 (8.3.3.4)</u> | <u>Interior Sound Reverberation</u> | <u>___ No</u> |
| <u>801.3.9 [8.3.9]</u> | <u>Exterior Views</u> | <u>X No</u> |
| <u>801.4.1.3 (8.4.1.3)</u> | <u>Shading for Offices</u> | <u>___ No</u> |
| <u>Chapter 9—Materials and Resources</u> | | |
| <u>901.3.1.2 (9.3.1.2)</u> | <u>Total Waste</u> | <u>X No</u> |
| <u>Chapter 10—Construction and Plans for Operation</u> | | |
| <u>1001.4.4 (10.4.4)</u> | <u>Construction Activity Pollution Prevention:</u> <u>Protection of Occupied Areas</u> | <u>___ No</u> |
| <u>1001.7 (10.7)</u> | <u>Postconstruction Building Flush-out and Air</u> <u>Monitoring</u> | <u>___ No</u> |
| <u>1001.10 (10.10)</u> | <u>Service Life Plan</u> | <u>___ No</u> |
| <u>1001.11.2 (10.11.2)</u> | <u>Transportation Management Plan, Owner-occupied</u> <u>Building Projects or Portions of Building Projects</u> | <u>X No</u> |
| <u>1001.11.3 (10.11.3)</u> | <u>Transportation Management Plan, Building Tenant</u> | <u>X No</u> |

Section 102.1 of the IgCC is amended to read as follows:

102.1 Code Conflicts. Where there is a conflict between a general requirement and a specific requirement of this code, the specific requirement shall be applicable. Where, in any specific case, different sections of the code specify different materials, methods of construction, or other requirements, the most practical requirement to meet the intent of the code, as determined by the *building official*, shall govern.

Section 102.4 of the IgCC is amended to read as follows:

102.4 Referenced codes and standards. The following codes and local amendments thereto shall be considered part of the requirements of this code: the International Building Code (IBC), the International Energy Conservation Code® (IECC®), the International Existing Building Code® (IEBC®), Rockville Fire Code, the International Fuel Gas Code® (IFGC®), the International Mechanical Code® (IMC®), the International Plumbing Code® (IPC®), the International Property Maintenance Code (IPMC), and the International Residential Code® (IRC®).

Section 102.4.1 of the IgCC is amended to read as follows:

102.4.1 Conflicting Provisions. Where conflicts occur between provisions of this code and referenced codes and standards, the most restrictive provisions, as determined by the building official, shall apply.

Section 102.6 of the IgCC is amended to read as follows:

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Building Code, the International Existing Building Code, the International Property Maintenance Code, or the Rockville Fire Code, or as is deemed necessary by the Building Official for the general safety and welfare of building occupants and the public.

Section 103 of the IgCC is deleted in its entirety.

Section 107(Fees) of the IgCC is deleted

Section 108.2 of the IgCC is amended to read as follows:

108.2 Schedule of permit fees. Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by resolution of the Mayor and Council.

Section 108.4 of the IgCC is amended to read as follows:

108.4 Work commencing before permit issuance. Any person who commences any work before obtaining the necessary permits, except as provided for elsewhere in the City Code, shall be subject to an investigation fee as set forth by resolution, in addition to the required permit fees.

Section 108.6 of the IgCC is deleted in its entirety.

Section ~~111~~108 of the IgCC is amended to read as follows:

~~108 Board of Adjustments and 111 Means of Appeals.~~ Appeals of administrative interpretations or decisions made by the Building Official shall be administered in accordance with Chapter 5, Article I, Section 5-12 of the Rockville City Code.

Section 301.1 of the IgCC is amended to read as follows:

301.1 (3.1) General.

Certain terms, abbreviations, and acronyms are defined in this section for the purposes of this code. These definitions are applicable to all sections of this code.

Terms that are not defined herein, but that are defined in standards that are referenced herein (**Informative Note:** e.g., ANSI/ASHRAE/IES Standard 90.1), shall have the meanings as defined in those standards.

Other terms that are not defined shall have their ordinarily accepted meanings within the context in which they are used. Ordinarily accepted meanings shall be based on American standard English language usage, as documented in an *approved* unabridged dictionary.

Where terms defined herein appear elsewhere in the Rockville City Code, such terms shall have the meaning herein applied only in reference to the application of this code. Where there is a conflict between definitions, the *building official* shall determine the applicable definition.

Section 501.3.1 of the IgCC is deleted in its entirety, including all subsections.

Section 501.3.2 of the IgCC is deleted in its entirety, including all subsections.

Section 501.3.3 of the IgCC is deleted in its entirety, including all subsections.

Section 501.3.4 of the IgCC is amended to read as follows:

501.3.4 (5.3.4) Stormwater management. Stormwater management systems shall be in accordance with Chapter 19 of the Rockville City Code.

Sections 501.3.4.1 through 501.3.4.6 of the IgCC are deleted in their entirety

Section 501.3.5.1 and 501.3.5.2 of the IgCC are deleted in their entirety

Section 501.3.5.5 of the IgCC is amended to read as follows:

501.3.5.5 (5.3.5.5) Vegetated terrace and roofing systems.

Vegetated terrace and roofing systems, where provided in accordance with Section 501.3.5.3 (5.3.5.3), shall comply with the following:

1. All plantings shall be capable of withstanding the microclimate conditions of the vegetated area, including but not limited to wind, precipitation, and temperature. Plants shall be selected and placed to provide foliage coverage of not less than 50% of designed area of vegetation based on the anticipated *plant* growth within two years of the issuance of the final certificate of occupancy. *Construction documents* shall be submitted that show the planting location and anticipated two-year foliage coverage of the plantings. Duplicate coverage shall not be credited where multiple *plants* cover the same area. *Invasive plants* shall not be planted.
2. The growing medium shall be designed for the physical conditions and local climate to support the *plants* selected. The planting design shall include measures to protect the growing medium until the *plants* are established. The maximum wet weight and water-holding capacity of a growing medium shall be determined in accordance with ASTM E2399.
3. Non-vegetated clearances and borders shall be provided in accordance with the Rockville Fire Code
4. Plantings shall be capable of maintaining the function of the vegetated *roof* or terrace as required by Section 1001.9.1 (10.9.1).

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5. Irrigation of the vegetated roofs and terraces shall comply with Section 601.3.2.4 (6.3.2.4).
 6. Installation of plantings shall be in accordance with the roof-covering manufacturer's installation instructions.

Section 501.3.6 of the IgCC is deleted in its entirety, including all subsections.

Section 501.3.7 of the IgCC is deleted in its entirety, including all subsections.

Section 501.3.8.1 of the IgCC is amended to read as follows:

501.3.8.1 (5.3.8.1) Building site waste management Plan.

A building site waste management plan shall be developed and implemented for excavated soil, rock, and land-clearing debris. Land-clearing debris is limited to stumps and vegetation. Diverted land-clearing debris and removed rock and soil shall not be sent to sites where development activity is prohibited by Section 501.3.1.2 (5.3.1.2) or to greenfields other than those being used for agricultural purposes or being developed as part of a building project.

Not less than 50% of the land-clearing debris, excluding invasive plant materials, shall be diverted from disposal in landfills and incinerators other than waste-to-energy systems with an energy-recovery efficiency rate higher than 60%. Land-clearing debris calculations shall be based on either weight or volume but not both. Receipts or other documentation related to diversion shall be maintained through the course of construction.

The plan shall address all of the following:

1. Land-clearing debris, rock, and soil to be diverted from disposal by composting, recycling, or reuse.
2. Waste materials that will be diverted on-site.
3. The locations to which waste materials will be diverted off-site.
4. Soils to be stockpiled for future use at any location.
5. Woody waste to be used as fuel.
6. The destruction and disposal of invasive plant materials.
7. The methods of removal of any contaminated soils.
8. The treatment of vegetation to comply with the rules of government-designated quarantine zones for invasive insect species.

Section 601.2 of the IgCC is amended to read as follows:

601.2 (6.2) Compliance. All provisions of Chapter 6 are mandatory provisions.

EXCEPTION: Projects located within Washington Suburban Sanitary Commission (WSSC) Jurisdiction shall comply with WSSC requirements and are not required to comply with Chapter 6 of this code.

Section 601.3.1 of the IgCC is deleted in its entirety, including all subsections

Section 601.3.2.5 of the IgCC is deleted in its entirety.

Section 601.3.2.6 of the IgCC is deleted in its entirety.

Section 601.3.4 of the IgCC is deleted in its entirety.

Section 601.3.9 of the IgCC is deleted in its entirety, including all subsections

Section 701.3.1 of the IgCC is amended to read as follows:

701.3.1 (7.3.1) General. Building projects shall be designed to comply with the *Energy Conservation Code* in addition to the requirements contained in this code.

Section 701.3.1.1 of the IgCC is amended to read as follows:

701.3.1.1 (7.3.1.1) Climate zones. Climate zone 4A shall be used for the City of Rockville in determining the applicable requirements of this chapter.

Section 701.3.1.2 of the IgCC is deleted in its entirety.

Section 701.3.2 of the IgCC is amended to read as follows:

701.3.2 (7.3.2) On-site renewable energy systems.

Building projects shall contain on-site photovoltaic systems with a rated capacity of not less than 2 W/ft²(22 W/m²) multiplied by the horizontal projection of the *gross roof area over conditioned spaces and semiheated spaces*. Documentation shall be provided to the *AHJ* that indicates an exclusive chain of custody and ownership of the *RECs* from the *on-site renewable energy system* to the building owner. *RECs* supplied from the *on-site renewable energy system* shall be conveyed to and retired on behalf of the entity who has financial or operational control over the building's electricity consumption. *RECs* shall be tracked per Section 1001.9.8 (10.9.8). Where the building owner cannot provide documentation on the chain of custody or ownership of the *RECs* from the *on-site renewable energy system*, the building owner may provide documentation to the *AHJ* of an alternate supply contract for an equal or greater quantity of replacement *RECs* from an alternate renewable energy source.

The building *gross roof area* used for calculation in Section 701.3.2 (7.3.2) excludes the following:

1. Shaded areas that are defined as *roof area* where direct-beam sunlight is blocked by structures or natural objects for more than 1500 annual hours between 8 a.m. and 4 p.m.
2. Areas of vegetated terrace and roofing systems compliant with Section 501.3.5.5 (5.3.5.5).
3. Areas designated for public occupancy. Parking areas shall not qualify for this exclusion.
4. Areas designated for helipads.

Exceptions:

-
1. Building projects that have an annual daily average incident solar radiation available to a flat plate collector oriented due south at an angle from horizontal equal to the latitude of the collector location less than 1.2 kBtu/ft²• day (4.0 kWh/m²• day).
 2. Renewable energy systems, other than photovoltaic systems, that result in an equal or greater annual energy production
 3. Capacity shall be permitted to be reduced to that required to provide at least 50% of the simulated annual *site* energy consumption of the proposed *building project* in accordance with Normative Appendix C.
 4. Use of off-site Renewable energy systems that result in an equal or greater annual energy production, where the owner provides REC's or other approved documentation to demonstrate compliance with this section.

Section 701.3.6 and subsections are added to the IgCC to read as follows:

701.3.6 Electric Vehicle Charging Infrastructure. Parking facilities shall be provided with electric vehicle charging infrastructure in accordance with this section and table 701.3.6.

Exception: Where the proposed activity is an alteration that does not include exterior work, work in an existing parking facility, or creation of a new parking facility, this section does not apply.

701.3.6.1 Minimum quantity. The minimum number of parking spaces provided with electric vehicle infrastructure shall be based on the total number of parking spaces provided and rounded up to the nearest whole number. Where reductions are applied in accordance with Section 701.3.6.2 in no case shall fewer than one of each type of space be provided.

701.3.6.1.1 More than one parking facility. Where more than one parking facility is provided on a building site, the number of parking spaces provided with electric vehicle infrastructure shall be calculated separately for each parking facility.

701.3.6.1.2 Serving multiple occupancies. Where one shared parking facility serves multiple building occupancies, the required number of parking spaces provided with electric vehicle infrastructure shall be determined proportionally based on the floor area of each building occupancy.

701.3.6.1.3 Accessible spaces. The required number of parking spaces provided with electric vehicle infrastructure that are designed for accessibility shall be in accordance with Section 1107.2 of the *International Building Code*. None of the reductions permitted by section C405.14.2 shall reduce the number of required accessible spaces.

701.3.6.2 Reductions. The minimum number of spaces required to be provided with electric vehicle charging infrastructure may be reduced as follows:

1. The number of required *EVSE-Installed spaces* for Groups A, B, E, F, I, M and S-2 Occupancies may be reduced by ten (10) for each DC Fast-Charging *EVSE* installed.
2. Parking spaces designated for vehicles other than passenger vehicles are permitted to be excluded from the total number of on-site parking spaces.

3. Parking spaces designated for quick transactions, such as takeout, pickup, and drop-off are permitted to be excluded from the total number of on-site parking spaces.

4. EVSE-installed spaces above the minimum required number are permitted to be installed to meet the minimum required number of EV-Ready Spaces or the minimum required number of EV-Capable Spaces.

5. EV-Ready spaces above the minimum required number are permitted to be installed to meet the minimum required number of EV-Capable Spaces.

6. The number of required EV-Capable Spaces for Groups R-1, R-2 and R-4 Occupancies may be reduced by 50% where a Long-Term EV Charging Management Plan has been submitted and approved by the *building official*.

TABLE 701.3.6 ELECTRIC VEHICLE CHARGING INFRASTRUCTURE REQUIREMENTS

| <u>OCCUPANCY GROUP</u> | <u>EVSE INSTALLED</u> | <u>EVSE READY</u> | <u>EVSE CAPABLE</u> |
|-------------------------------------|------------------------------|--------------------------|----------------------------|
| <u>Groups A, B, E, F, I, M, S-2</u> | <u>5%</u> | <u>10%</u> | <u>25%</u> |
| <u>Groups R-1, R-2, R-4</u> | <u>15%</u> | <u>25%</u> | <u>65%</u> |

701.3.6.3 Classification of Spaces. The parking spaces required by this section shall be classified in accordance with 701.3.6.3.1, 701.3.6.3.2, or 701.3.6.3.3.

701.3.6.3.1 EV-Capable Spaces. For a parking space to qualify as an EV-Capable Space, the following requirements must be met:

1. A raceway or other approved means of cable protection, installed between the panel and the point of termination.
2. The point of termination shall be an approved enclosure, such as a junction box, and shall be installed within 36" (914 mm) of the parking space, or within close proximity of the parking space, as determined by the Building Official.
3. Dedicated physical space shall be provided within the panel for future installation of a 40-ampere overcurrent protective device.
4. Durable approved labels shall be installed at the panel and the point of termination, identifying the infrastructure "For Electric Vehicle Charging"

701.3.6.3.2 EV Ready Spaces. For a parking space to qualify as an EV-Ready Space, a dedicated 40-Ampere, 208/240v branch circuit shall be provided, which meets all of the following requirements:

1. The branch circuit shall serve no other appliances or equipment
2. The branch circuit shall terminate in an approved enclosure within 36" (914 mm) of the parking space, or where site conditions prohibit, within close proximity of the parking space, as determined by the Building Official.

3. The overcurrent protective device and the approved enclosure in which the circuit terminates shall be provided with durable approved labels, identifying the infrastructure "For Electric Vehicle Charging."

701.3.6.3.3 EV-Installed Spaces. Equipment serving EVSE-Installed Spaces shall meet all of the following requirements:

1. The equipment shall meet the criteria for Level 2 charging established in § 12-205 of the Maryland State Code.

Exception: Where connected to an approved Automatic Load Management System (ALMS), the EVSE shall be permitted to supply a reduced output, provided that every EVSE connected to the ALMS is capable of charging at a minimum rate of 1.4 kW simultaneously.

2. The equipment shall be located within 36" of the parking space, or where site conditions prohibit, within close proximity of the parking space, as determined by the Building Official.

Section 701.4 of the IgCC is amended to read as follows:

701.4 (7.4) Prescriptive option. Where a more stringent requirement is provided in this section, it supersedes the requirement in the *Energy Conservation Code*. For all other criteria, the *building project* shall comply with the requirements of the *Energy Conservation Code*.

Section 701.4.2 of the IgCC is amended to read as follows:

701.4.2 (7.4.2) Building envelope. The *building envelope* shall comply with the *Energy Conservation Code*, with the following modifications and additions.

701.4.2.1 (7.4.2.1)[JO] Building envelope requirements.

For a conditioned space, the *building envelope* shall comply with either the nonresidential or residential requirements in Tables 701.4.2.1(1) through 701.4.2.1(4)

Exceptions:

1. *Spaces* that meet the requirements of Section 801.4.1 (8.4.1), regardless of *space area*, are exempt from the *SHGC* criteria for *skylights*.

TABLE 701.4.2.1(1)
NONRESIDENTIAL BUILDING ENVELOPE REQUIREMENTS (OPAQUE ELEMENTS)

| Roofs | | |
|---|--------------------------------|---|
| | <u>Assembly Maximum</u> | <u>Insulation Min. R-Value</u> |
| <u>Insulation entirely above roof deck</u> | <u>U-0.030</u> | <u>R-30 c.i.</u> |
| <u>Metal Buildings</u> | <u>U-0.035</u> | <u>R-19 + R-11 <i>Ls</i> or R-25 +R-8 <i>Ls</i></u> |
| <u>Attic and other</u> | <u>U-0.020</u> | <u>R-49</u> |
| <u>Walls, above grade</u> | | |

| | | |
|------------------------------------|----------------|----------------------------------|
| <u>Mass</u> | <u>U-0.099</u> | <u>R-9.5 c.i.</u> |
| <u>Metal building</u> | <u>U-0.057</u> | <u>R-0 + R-15.8 c.i.</u> |
| <u>Metal framed</u> | <u>U-0.061</u> | <u>R-13 + R-7.5 c.i.</u> |
| <u>Wood framed and other</u> | <u>U-0.061</u> | <u>R-13 + R-3.8 c.i. or R-20</u> |
| <u>Walls, below grade</u> | | |
| <u>Below-grade wall</u> | <u>C-0.113</u> | <u>R-7.5 c.i.</u> |
| <u>Floors</u> | | |
| <u>Mass</u> | <u>U-0.054</u> | <u>R-14.6 c.i.</u> |
| <u>Joist/framing</u> | <u>U-0.031</u> | <u>R-30</u> |
| <u>Slab-on-grade floors</u> | | |
| <u>Unheated slabs</u> | <u>F-0.49</u> | <u>R-15 for 24 in.</u> |
| <u>Heated slabs</u> | <u>F-0.59</u> | <u>R-20 for 24 in.</u> |
| <u>Opaque doors</u> | | |
| <u>Nonswinging door</u> | <u>U-0.29</u> | |
| <u>Swinging door</u> | <u>U-0.35</u> | |
| <u>Garage door <14% glazing</u> | <u>U-0.29</u> | |

TABLE 701.4.2.1(2)

NONRESIDENTIAL BUILDING ENVELOPE REQUIREMENTS (FENESTRATION)

| <u>Fenestration</u> | <u>Assembly Max. U-</u> | <u>Assembly Max. SHGC</u> | <u>Assembly Min. VT/SHGC</u> |
|--|-------------------------|---------------------------|------------------------------|
| <u>Vertical Fenestration, 0% to 30% of wall</u> | | | |
| | | | <u>East- or West-Facing</u> |
| <u>Fixed</u> | <u>0.34</u> | <u>0.36</u> | <u>0.34</u> |
| <u>Operable</u> | <u>0.43</u> | <u>0.33</u> | <u>0.32</u> |
| <u>Entrance Door</u> | <u>0.60</u> | <u>0.33</u> | <u>0.32</u> |
| <u>Skylight, 0% to 3% of Roof</u> | | | |
| <u>All Types</u> | <u>0.48</u> | <u>0.38</u> | <u>NR</u> |

TABLE 701.4.2.1(3)

RESIDENTIAL BUILDING ENVELOPE REQUIREMENTS (OPAQUE ELEMENTS)

| | | |
|--|-------------------------|--|
| <u>Roofs</u> | | |
| | <u>Assembly Maximum</u> | <u>Insulation Min. R-Value</u> |
| <u>Insulation entirely above roof deck</u> | <u>U-0.030</u> | <u>R-30 c.i.</u> |
| <u>Metal Buildings</u> | <u>U-0.035</u> | <u>R-19 + R-11 <i>Ls</i> or R-25 + R-8 <i>Ls</i></u> |
| <u>Attic and other</u> | <u>U-0.020</u> | <u>R-49</u> |
| <u>Walls, above grade</u> | | |
| <u>Mass</u> | <u>U-0.086</u> | <u>R-11.4 c.i.</u> |
| <u>Metal building</u> | <u>U-0.048</u> | <u>R-0 + R-19 c.i.</u> |
| <u>Metal framed</u> | <u>U-0.061</u> | <u>R-13 + R-7.5 c.i.</u> |

| | | |
|------------------------------------|----------------|----------------------------------|
| <u>Wood framed and other</u> | <u>U-0.061</u> | <u>R-13 + R-3.8 c.i. or R-20</u> |
| <u>Walls, below grade</u> | | |
| <u>Below-grade wall</u> | <u>C-0.087</u> | <u>R-10 c.i.</u> |
| <u>Floors</u> | | |
| <u>Mass</u> | <u>U-0.048</u> | <u>R-16.7 c.i.</u> |
| <u>Joist/raming</u> | <u>U-0.031</u> | <u>R-30</u> |
| <u>Slab-on-grade floors</u> | | |
| <u>Unheated slabs</u> | <u>F-0.49</u> | <u>R-15 for 24 in.</u> |
| <u>Heated slabs</u> | <u>F-0.65</u> | <u>R-20 for 24 in.</u> |
| <u>Opaque doors</u> | | |
| <u>Nonswinging door</u> | <u>U-0.29</u> | |
| <u>Swinging door</u> | <u>U-0.35</u> | |
| <u>Garage door <14% glazing</u> | <u>U-0.29</u> | |

TABLE 701.4.2.1(4)

RESIDENTIAL BUILDING ENVELOPE REQUIREMENTS (FENESTRATION)

| <u>Fenestration</u> | <u>Assembly Max. U-</u> | <u>Assembly Max. SHGC</u> | <u>Assembly Min. VT/SHGC</u> |
|---|-------------------------|---------------------------|------------------------------|
| <u>Vertical Fenestration, 0% to 30% of wall</u> | | | |
| | | | <u>East- or West-Facing</u> |
| <u>Fixed</u> | <u>0.34</u> | <u>0.36</u> | <u>0.34</u> |
| <u>Operable</u> | <u>0.43</u> | <u>0.33</u> | <u>0.32</u> |
| <u>Entrance Door</u> | <u>0.60</u> | <u>0.33</u> | <u>0.32</u> |
| <u>Skylight, 0% to 3% of Roof</u> | | | |
| <u>All Types</u> | <u>0.48</u> | <u>0.38</u> | <u>NR</u> |

Section 701.4.2.2 of the IgCC is amended to read as follows:

701.4.2.2 Bird-friendly materials. For new construction, or for alterations involving the replacement of 75% or more of the exterior glazing area, each façade of the exterior wall envelope and any exterior fenestration up to 100 feet above grade shall be constructed with materials or assemblies that have been designed or treated to have a maximum material threat factor of 30 in accordance with the American Bird Conservancy’s Bird-friendly Materials Evaluation Program test protocol. Other materials may be used in the exterior wall construction, provided they do not exceed an aggregate 10 square feet within any 100 square foot area of the exterior wall.

Exceptions:

1. These provisions shall not apply where:

a. The subject property is located within an Historic District, and the Historic District Commission determines that compliance with this section would meaningfully and substantially impact historic elements of the property;

b. The use of materials complying with this section would conflict with elements required for fire and life safety; or

c. In the opinion of the Building Official, compliance with this section would create a hazard.

Section 701.4.2.3 of the IgCC is deleted in its entirety.

Section 701.4.2.6 of the IgCC is amended to read as follows:

701.4.2.6 Vertical fenestration area. The total vertical fenestration area shall be less than 40% of the gross wall area. This requirement supersedes the requirement in the Energy Conservation Code.

Section 701.4.2.7 of the IgCC is deleted in its entirety.

Section 701.4.2.8 of the IgCC is deleted in its entirety.

Section 701.4.3 of the IgCC is amended to read as follows:

701.4.3 Heating, ventilating, and air conditioning. The heating, ventilating, and air conditioning shall comply with the Energy Conservation Code, with the following modifications and additions.

Section 701.4.3.7 of the IgCC is deleted in its entirety.

Section 701.4.3.8 of the IgCC is deleted in its entirety.

Section 701.4.4 of the IgCC is amended to read as follows:

701.4.4 Service water heating. The service water heating shall comply with the Energy Conservation Code, with the following modifications and additions.

Section 701.4.4.3 of the IgCC is deleted in its entirety.

Section 701.4.6.3.2 of the IgCC is deleted in its entirety.

Section 701.5.4 of the IgCC is deleted in its entirety.

Section 801.3.9 of the IgCC is deleted in its entirety.

Section 901.3.1.2 of the IgCC is deleted in its entirety.

Section 1001.11 of the IgCC is deleted in its entirety.

Section 301.1.1 of the IgCC is amended to read as follows:

301.1.1 Application. ~~The requirements contained in this code are applicable to buildings, or portions of buildings. As indicated in Section 101.3, these buildings shall meet either the requirements of ASHRAE 189.1 or the requirements contained in this code or demonstrate compliance using an equivalent option that must be first approved by the Building Official and where the applicant demonstrates equivalency and compliance.~~

~~Section 302.1 of the IgCC is amended to read as follows:~~

302.1 Requirements and electives determined by the jurisdiction. The jurisdiction shall indicate the following information in Table 302.1 for inclusion in its code adopting ordinance:

1. The jurisdiction shall indicate whether requirements for residential buildings, as indicated in Exception 1 to Section 101.3, are applicable by selecting "Yes" or "No" in Table 302.1. Where "Yes" is selected, the provisions of ICC 700 shall apply and the remainder of this code shall not apply.
2. Requirements: Where "Yes" or "No" boxes are provided, the box checked "Yes" indicates where that section or subsection, as amended, is to be enforced as a mandatory requirement in the jurisdiction, or "No" indicates where that section or subsection is not to be enforced as a mandatory requirement in the jurisdiction.
3. Electives: Where "Yes" boxes are provided, the box checked "Yes" indicates where that section or subsection, as amended, is not required and is relocated to Appendix A—Project Electives, Section A110 Additional Project Electives and is eligible for selection as a project elective in the jurisdiction.

Table 302.1 of the IgCC is amended to read as follows:

| Section | Section Title or Description and Directives | Jurisdictional Requirements | | Jurisdictional Electives (Appendix A) |
|--|---|--|---|---------------------------------------|
| CHAPTER 1. SCOPE | | | | |
| 101.3 Exception 1.1 | Detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height above grade plane with a separate means of egress, their accessory structures, and the site or lot upon which these buildings are located, shall comply with ICC 700. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 101.3 Exception 1.2 | Group R 3 residential buildings, their accessory structures, and the site or lot upon which these buildings are located, shall comply with ICC 700. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 101.3 Exception 1.3 | Group R 2 and R 4 residential buildings four stories or less in height above grade plane, their accessory structures, and the site or lot upon which these buildings are located, shall comply with ICC 700. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| CHAPTER 4. SITE DEVELOPMENT AND LAND USE | | | | |
| 401.2 | Predesign site inventory and assessment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |

| | | | | |
|--|---|--|--|---|
| 402 | Preservation of Natural Resources | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| 403 | Stormwater Management | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| 404 | Landscape Irrigation and Outdoor Fountains | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| 405.1 405.2 | Management of Vegetation, Soils and Erosion Control | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| 405.3 | Native plant landscaping | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| 406 | Building Site Waste Management | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 407.1 407.3 | Transportation Impact | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| 407.4 | Preferred vehicle parking | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| 408 | Heat Island Mitigation | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 409 | Site Lighting | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| CHAPTER 5. MATERIAL RESOURCE CONSERVATION AND EFFICIENCY | | | | |
| 502 | Construction Material Management | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 503 | Construction Waste Management | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 503.1 | Minimum percentage of waste material diverted from landfills | <input checked="" type="checkbox"/> Yes (50%) | | |
| 504 | Waste Management and Recycling | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 505 | Material Selection | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| 506 | Lamps | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| CHAPTER 6. ENERGY CONSERVATION, EFFICIENCY AND CO_{2e} EMISSION REDUCTION | | | | |
| 302.1, 302.1.1, 602.1 | Zero Energy Performance Index (zEPI) of Jurisdictional Choice—The jurisdiction shall indicate a zEPI of 50 or less in each occupancy for which it intends to require enhanced energy performance. | <input checked="" type="checkbox"/> Yes Occupancy; ALL zEPI: 50 | <input type="checkbox"/> No | |

| | | | | |
|---|---|--|---|--|
| 603 | Energy Metering, Monitoring and Reporting | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 604 | Automated Demand Response (Auto-DR) Infrastructure | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| 605 | Building Envelope Systems | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 606 | Building Mechanical Systems (as amended) | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 606.5.1 | Economizer Systems | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| 607 | Building Service Water Heating Systems (as amended) | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 608 | Building Electrical Power and Lighting Systems | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| 609 | Specific Appliances and Equipment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| 610 | Onsite Renewable Energy Systems | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| 611 | Energy Systems Commissioning and Completion | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 612 | Outcome Based Pathway Requirements | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| CHAPTER 7. WATER RESOURCE CONSERVATION, QUALITY AND EFFICIENCY | | | | |
| 701.2 | Water usage metering required | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| 702.1-702.4 | Fitting and fixture consumption through Drinking fountain controls | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 702.5 | Appliances | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| 702.6-702.19 | Municipal Reclaimed Water through Film Processors | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| 703 | HVAC Systems and Equipment (as amended) | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 704 | Water Treatment Devices and Equipment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| CHAPTER 8. INDOOR ENVIRONMENTAL QUALITY AND COMFORT | | | | |
| 802 | Building Construction Features, Operations and Maintenance Facilitation | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 803 | HVAC Systems | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |

| | | | | |
|--|---|---|--|---|
| 804 | Specific Indoor Air Quality and Pollutant Control Measures | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| 804.2 | Post Construction Pre-Occupancy Baseline IAQ Testing | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| 805 | Prohibited Materials | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 806 | Material Emissions and Pollutant Control | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| 807 | Acoustics | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| 808 | Daylighting | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| CHAPTER 9. COMMISSIONING, OPERATION AND MAINTENANCE | | | | |
| 902 | Special Inspection and Commissioning | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 903 | Building Operations and Maintenance Documentation | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 904 | Building Operations and Maintenance | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| CHAPTER 10. EXISTING BUILDINGS | | | | |
| Chapter 10 | Existing Buildings | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| CHAPTER 11. EXISTING BUILDING SITE DEVELOPMENT | | | | |
| Chapter 11 | Existing Building Site Development | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| APPENDIX A: PROJECT ELECTIVES | | | | |
| A103 | Minimum 10 project electives shall be selected from sections A104 through A110, as amended. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |

Section 302.1.1 of the IgCC is amended to read as follows:

302.1.1 zEPI of 50 or less. Where a zEPI of 50 or less is indicated by the jurisdiction in Table 302.1, buildings shall comply on a performance basis in accordance with Section 601.3.1.

Exception: Buildings less than 25,000 square feet (2323 m²) in total building floor area pursuing compliance on a prescriptive basis shall be deemed to have a zEPI of 50 and shall not be required to comply with the zEPI of Jurisdictional Choice indicated by the jurisdiction in Table 302.1.

Sections 401.2 (Predesign site inventory and Assessment) of the IgCC is deleted in its entirety.

Section 402 (Preservation of Natural Resources) of the IgCC is deleted in its entirety.

Section 403 (Stormwater Management) of the IgCC is deleted in its entirety.

~~Section 404 (Landscape Irrigation and Outdoor Fountains) is removed and added to Appendix A Section A110-404 of this Code.~~

~~Section 405.1 (Soil and water quality protection) and Section 405.2 (Vegetation and soil protection) of the IgCC are deleted in its entirety.~~

~~Section 405.3 (Native Plant Landscaping) is removed and added to Appendix A Section A110-405.3 of this Code.~~

~~Section 407.1 (Walkways and bicycle paths) through Section 407.3.2 (Long-term bicycle parking) of the IgCC are deleted in their entirety.~~

~~Section 407.4 (Preferred vehicle parking) is removed and added to Appendix A Section A110-407.4 of this Code.~~

~~Section 408.2 (Site hardscape) is amended to read as follows:~~

~~Section 408.2 Site hardscape.~~ In climate zones 1 through 6, as established in the *International Energy Conservation Code*, not less than 40 percent of the site hardscape shall be provided with one or any combination of options described in Sections 408.2.1 through 408.2.4. For the purposes of this section, site hardscape shall not include areas of the site covered by solar photovoltaic arrays or solar thermal collectors.

~~Section 409 (Site Lighting) is removed and added to Appendix A Section A110-409 of this Code.~~

~~Section 503.2 is added to the IgCC to read as follows:~~

~~Section 503.2 Deconstruction and demolition material and waste management plan.~~ Where buildings, structures or portions thereof are deconstructed or demolished, a minimum of 50 percent of materials shall be diverted from landfills. A construction material and waste management plan shall be developed that is in accordance with Section 503.1, that includes procedures for deconstruction, procedures for the proper removal, management and disposal of hazardous materials (including, but not limited to materials and devices containing mercury, poly-chlorinated biphenyl, lead, asbestos, CFCs, and HCFCs), and documentation on the total materials in buildings, structures and portions thereof to be deconstructed or demolished and the materials to be diverted.

~~Sections 505 (Material Selection) and 506 (Lamps) are removed and added to Appendix A Section A110-505 and Section A110-506 of this Code.~~

~~Section 604 (Automated Demand Response Infrastructure) is removed and added to Appendix A Section A110 of this Code.~~

~~Section 606.5.1 (Economizer systems) is removed and added to Appendix A Section A110-606.5.1 of this Code.~~

~~Section 608 (Building Electrical Power and Lighting Systems) of the IgCC is deleted in its entirety.~~

~~Section 609 (Specific Appliances and Equipment) is removed and added to Appendix A Section A110-609 of this Code.~~

~~Section 610 (Onsite Renewable Energy Systems) is removed and added to Appendix A Section A110-610 of this Code.~~

~~Section 612 (Outcome Based Pathway Requirements) of the IgCC is deleted in its entirety.~~

Section 701.2 (Water usage metering required) is removed and added to Appendix A Section A110-701.2 of this Code.

Section 702.5 (Appliances) is removed and added to Appendix A Section A110-702.5 of this Code.

Sections 702.6 (Municipal reclaimed water) through 702.19 (Film processors) of the IgCC are deleted in their entirety.

Sections 703.1 (Hydronic closed system), 703.2 (Humidification systems), 703.3 (Condensate coolers and tempering), 703.4 (Condensate drainage recovery), 703.6 (Humidifier discharge), 703.7 (Cooling towers, evaporative condensers and fluid coolers), 703.8 (Wet hood exhaust scrubber systems), of the IgCC are deleted in their entirety.

Section 704 (Water Treatment Devices and Equipment) is removed and added to Appendix A Section A110-704 of this Code.

Section 803.3.1(1) of the IgCC is amended to read as follows:

803.3.1(1) The enclosing walls shall extend from the floor surface to the underside of the floor, roof deck or solid ceiling above and shall be constructed to resist the passage of airborne chemical pollutants and shall be constructed and sealed as required for a smoke partition in a fully sprinklered building or 1-hour fire resistance-rated construction assemblies. Alternatively, for janitorial rooms and closets, all chemicals shall be stored in approved chemical safety storage cabinets.

Section 804.1 (Fireplaces and appliances) of the IgCC is deleted in its entirety.

Section 804.2 (Post construction, pre-occupancy baseline IAQ testing) is removed and added to Appendix A Section A110-804.2 of this Code.

Sections 806 (Material Emissions and Pollutant Control), 807 (Acoustics), and 808 (Daylighting) are removed and added to Appendix A Section A110-806, Section A110-807, Section A110-808 of this Code, accordingly.

Section 902.1.1.1 of the IgCC is amended to read as follows:

902.1.1.1 Qualifications of approved agencies. An approved agency shall be qualified and shall demonstrate competence, to the satisfaction of the Building Official, for the commissioning of the particular type of construction or operation. The registered design professional in responsible charge and engineers of record involved in the design of the project are permitted to act as the approved agency provided those personnel meet the qualification requirements of this section to the satisfaction of the Building Official. The approved agency shall provide written documentation to the Building Official demonstrating competence and relevant experience or training. Experience or training shall be considered relevant where the documented experience or training is related in complexity to the same type of commissioning activities for projects of similar complexity and material qualities.

Chapter 10 (Existing Buildings) of the IgCC is deleted in its entirety.

Chapter 11 (Existing Building Site Development) of the IgCC is deleted in its entirety.

Section A103.2 of the IgCC is amended to read as follows:

A103.2 Required number of and selection of project electives. A total of not less than 10 project electives shall be selected by the owner or the owner's authorized agent from Table A103.2. Selected project electives shall be applied as mandatory requirements for the project. Selected project electives shall be communicated to the Building Official by means of checking the appropriate boxes in the tables and providing a copy of the tables, or by inclusion of a list of selected project electives, with the construction documents.

Table A103.2 Project Electives of the IgCC is amended to read as follows:

| Section | Description | Owner Selection | |
|-----------|--|------------------------------|-----------------------------|
| A104.2 | Wildlife corridor | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A104.3 | Infill site | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A104.4 | Brownfield site | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A104.5 | Site restoration | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A104.6 | Mixed-use development | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A104.9.1 | Site hardscape project elective 1 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A104.9.2 | Site hardscape project elective 2 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A104.9.3 | Site hardscape project elective 3 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A104.9.4 | Roof covering project elective | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A105.1 | Waste management | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A105.2 | Construction waste landfill maximum | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A105.3(1) | Reused, recycled content, recyclable, bio-based and indigenous materials (70%) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A105.3(2) | Reused, recycled content, recyclable, bio-based and indigenous materials (85%) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A105.4 | Service life plan | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A105.5 | Design for construction and building reuse | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A105.6 | Existing building reuse | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A105.7 | Historic building reuse | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A105.8 | Integrated design | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A105.9 | Deconstruction | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A106.1 | zEPI is at least 5 points lower than required by Table 302.1 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | zEPI is at least 10 points lower than required by Table 302.1 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | zEPI is at least 15 points lower than required by Table 302.1 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | zEPI is at least 20 points lower than required by Table 302.1 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | zEPI is at least 25 points lower than required by Table 302.1 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | zEPI is at least 30 points lower than required by Table 302.1 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | zEPI is at least 35 points lower than required by Table 302.1 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | zEPI is at least 40 points lower than required by Table 302.1 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | zEPI is at least 45 points lower than required by Table 302.1 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | zEPI is at least 50 points lower than required by Table 302.1 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A106.2 | Mechanical system project elective | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A106.3 | Service water heating | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A106.4 | Lighting Systems | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A106.5 | Passive design | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A106.6 | Renewable energy systems- 5 percent | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A106.6 | Renewable energy systems- 10 percent | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A106.6 | Renewable energy systems- 20 percent | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A107.2 | Onsite wastewater treatment | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A107.3 | Alternative onsite potable water for outdoor hose connections | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A107.4 | Alternative onsite potable water for plumbing fixture flushing | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A107.5 | Automatic fire sprinkler system | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

| | | | |
|------------------|---|------------------------------|-----------------------------|
| A107.6 | Alternative onsite nonpotable water to fire pumps | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A107.7 | Alternative onsite nonpotable water for industrial process makeup water | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A107.8 | Alternative onsite nonpotable water for cooling tower makeup water | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A107.9 | Gray water collection | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A108.2 | VOC emissions – flooring | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A108.3 | VOC emissions – ceiling systems | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A108.4 | VOC emissions – wall systems | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A108.5 | Architectural paints and coatings | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A108.6 | Total VOC limit | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A108.7 | Views to building exterior | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-404 | Landscape Irrigation and Outdoor Fountains | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-405.3 | Native Plant Landscaping | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-407.4 | Preferred Vehicle Parking | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-409 | Site Lighting | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-505 | Material Selection | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-506 | Lamps | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-604 | Automated Demand-Response (Auto-DR) Infrastructure | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-606.5.1 | Economizer Systems | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-608.2–608.9 | Building Electrical Power and Lighting Systems | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-609.2.3 | Specific Appliances and Equipment | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-610 | Onsite Renewable Energy Systems | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-701.2 | Water Usage Metering | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-702.5 | Appliances | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-704 | Water Treatment Devices and Equipment | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-804.2 | Post-Construction Pre-Occupancy Baseline IAQ Testing | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-806 | Material Emissions and Pollutant Control | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-807 | Acoustics | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A110-808 | Daylighting | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Sections A104.1 (Flood hazard area project elective), A104.7 (Changing and shower facilities project elective) and 104.8 (Long-term bicycle parking and storage project elective) of the IgCC are deleted in their entirety.

Section A110 of the IgCC is added to read as follows:

Section A110 Additional Project Electives

A110.1 Additional Project Electives. The following Sections and Subsections are removed from Chapter 3 through Chapter 8 of this code and relocated to Appendix A to be optional requirements: 404, 405.3, 407.4, 409, 505, 506, 604, 606.5.1, 608.2–608.9, 609.2.3, 610, 701.2, 702.5, 704, 804.2, 806, 807 and 808. Section and subsection numbers, titles and provisions shall remain consistent, unless otherwise amended. Each section or subsection is considered as separate project electives. The electives shall be cumulative and compliance with each project elective shall be recognized individually.

Secs. 5-323—5-330. Reserved.

DIVISION 45. RESIDENTIAL STRUCTURES ONE AND TWO FAMILY DWELLING REQUIREMENTS

Sec. 5-331. Applicability.

The requirements of this division shall be applicable newly constructed and substantially reconstructed; to one and two family dwellings as indicated in section 5 303 of this article.

1. One- and two-family dwellings and townhouses; and
2. Group R-2 multiple-family dwellings of three stories or fewer above grade.

Sec. 5-332. National Green Building Standard, Adopted~~Green building checklist required.~~

The ICC 700 National Green Building Standard (NGBS), 2020 Edition, as modified herein, is hereby adopted as the residential green construction code for the City. One (1) copy of such publication as adopted shall be housed by the Inspection Services Division and made available for inspection by the public during regular office hours. Any amendment or change in such publication promulgated by the International Code Council shall not become a part of this article until adopted by ordinance. References to other ordinances and codes of the City shall be interpreted and applied in accordance with the terms and effect of such ordinances and codes at the time of such application and interpretation.~~All one and two family dwelling as indicated in section 5 303 of this article must submit either a completed NGBS checklist, or equivalent green homes checklist with every submittal to the City.~~

Sec. 5-333. Rockville Green Homes Certification required.

New structures subject to the provisions of this division must earn the NGBS Certified certification prior to issuance of Certificate of Occupancy.~~Homes must achieve a minimum Silver performance level in Chapters 5 through 10 of the ICC 700 2015 (National Green Building Standard) or equivalent system that must be first approved by the Building Official and where the applicant demonstrates equivalency and compliance.~~

Sec. 5-334. National Green Building Standard —Amendments.

The ICC 700 National Green Building Standard, 2020 Edition (NGBS), is amended in the following respects:

Section 103.1 of the NGBS is amended to read as follows:

103.1 Proof of Registration Required. Prior to issuance of building permits for projects subject to the provisions of this standard, applicants shall provide proof of project registration for NGBS Certification.

Section 103.2 is added to the NGBS to read as follows:

103.2 Conflicts. Where there is a conflict between a general requirement and a specific requirement of this standard, the specific requirement shall be applicable. Where, in any specific case, different sections of the standard specify different materials, methods of construction or other requirements, the most practical requirement to meet the intent of the code, as determined by the *building official*, shall govern.

103.2.1 Conflicting Provisions. Where conflicts occur between provisions of this standard and referenced codes and standards, the most restrictive provisions, as determined by the *building official*, shall apply.

This table in *Section 1402* of the NGBS is amended to read as follows:

ICC – International Code Council | www.iccsafe.org

| <u>DOCUMENT</u> | <u>DATE</u> | <u>TITLE</u> | <u>SECTION</u> |
|-----------------|-------------|--|----------------------------------|
| <u>A117.1</u> | <u>2017</u> | <u>Accessible and Usable Buildings and Facilities</u> | |
| <u>IBC</u> | <u>2021</u> | <u>International Building Code</u> | |
| <u>ICC-400</u> | <u>2012</u> | <u>Standard on the Design and Construction of Log Structures</u> | <u>Table 701.4.3.2(2)</u> |
| <u>IECC</u> | <u>2021</u> | <u>International Energy Conservation Code</u> | |
| <u>IFGC</u> | <u>2021</u> | <u>International Fuel Gas Code</u> | |
| <u>IgCC</u> | <u>2021</u> | <u>International Green Construction Code</u> | |
| <u>IMC</u> | <u>2021</u> | <u>International Mechanical Code</u> | |
| <u>IRC</u> | <u>2021</u> | <u>International Residential Code</u> | |
| <u>IPC</u> | <u>2021</u> | <u>International Plumbing Code</u> | |
| <u>IWUIC</u> | <u>2018</u> | <u>International Wildlife Urban Interface Code</u> | <u>503.1(8), 11.503.1(8)</u> |

SECTION II – This ordinance shall become effective on August 1, 2026.

NOTE: ~~Strikethrough~~ indicates material deleted.

Underlining indicates material added.

Asterisks * * * indicate material unchanged by this ordinance.

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Mayor and Council of Rockville at its meeting of

_____.

Sara Taylor-Ferrell
City Clerk/Director of Council Operation



MAYOR AND COUNCIL Meeting Date: February 2, 2026
Agenda Item Type: MOCK AGENDAS
Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE
Responsible Staff: DORIS STOKES

Subject

Mock Agenda

Recommendation

Staff recommends the Mayor and Council review and provide comments.

Attachments

February 9, 2026 (Mock)



MAYOR AND COUNCIL

Monday, February 9, 2026 - 6:30 PM

MOCK AGENDA

Agenda item times are estimates only. Items may be considered at times other than those indicated.

Ways to Participate

If you require a reasonable accommodation, for community forum or a public hearing and need reasonable accommodations, please contact the City Clerk's Office by the Wednesday before the Monday meeting at 240-314-8280 or cityclerk@rockvillemd.gov or by filling this form: <https://www.rockvillemd.gov/services/request-a-reasonable-accommodation/>

Translation Assistance

If you wish to participate in person at a Mayor and Council meeting during community forum or a public hearing and may need translation assistance in a language other than English, please contact the City Clerk's Office by the Wednesday before the Monday meeting at 240-314-8280, or cityclerk@rockvillemd.gov, or by using this form: <https://www.rockvillemd.gov/services/participate-in-a-community-forum/>

In-Person Attendance

Community members attending in-person who wish to speak during Community Forum, or a Public Hearing, should sign up using the form at the entrance to the Mayor and Council Chamber. In-person speakers will be called upon in the order they are signed to speak and before virtual speakers.

Note: In-Person Speakers will be called upon to speak before those who have signed up to speak virtually for Community Forum and Public Hearings.

Viewing Mayor and Council Meetings

The Mayor and Council are conducting hybrid meetings. The virtual meetings can be viewed on Rockville 11, Comcast, Verizon cable channel 11, livestreamed at www.rockvillemd.gov/rockville11, and available a day after each meeting at www.rockvillemd.gov/videoondemand.

Participating in Community Forum & Public Hearings:

If you wish to submit comments in writing for Community Forum or Public Hearings:

- Please email the comments to mayorandcouncil@rockvillemd.gov no later than 10:00 am on the date of the meeting.

If you wish to participate in-person or virtually in Community Forum or Public Hearings during the live Mayor and Council meeting:

1. Send your Name, Phone number, For Community Forum and Expected Method of Joining the Meeting (computer or phone) to mayorandcouncil@rockvillemd.gov or <https://www.rockvillemd.gov/services/participate-in-a-community-forum/> no later than 10:00 am on the day of the meeting. Each speaker will receive 3 minutes.
2. Send your Name, Phone number, the Public Hearing Topic and Expected Method of Joining the Meeting (computer or phone) to mayorandcouncil@rockvillemd.gov or <https://www.rockvillemd.gov/services/participate-in-a-public-hearing/> no later than 10:00 am on the day of the meeting.
3. On the day of the meeting, you will receive a confirmation email with further details, and two Webex invitations: 1) Optional Webex Orientation Question and Answer Session and 2) Mayor & Council Meeting Invitation.
4. Plan to join the meeting no later than approximately 20 minutes before the actual meeting start time.
5. Read for <https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex> meeting tips and instructions on joining a Webex meeting (either by computer or phone).
6. If joining by computer, Conduct a WebEx test: <https://www.webex.com/test-meeting.html> prior to signing up to join the meeting to ensure your equipment will work as expected.

Participating in Mayor and Council Drop-In (Mayor Ashton and Councilmember Van Grack)

The next scheduled Drop-In Session will be held by phone or in-person on Monday, February 9, 2026 from 5:15-6:15 pm with Mayor Ashton and Councilmember Van Grack. Please sign up by 10 am on the meeting day using the form at:

<https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227>

1. Convene - 6:30 PM
2. Pledge of Allegiance
3. Proclamation and Recognition - NONE
4. Agenda Review - 6:35 PM
5. City Manager's Report - 6:40 PM
6. Boards and Commissions Appointments and Reappointments - NONE
7. Community Forum - 6:45 PM
8. Special Presentations - NONE
9. Consent Agenda - 7:05 PM

10. Public Hearing - NONE

11. Action Items - NONE

12. Worksession - 7:10 PM

A. Rockville Economic Development, Inc. Mid-Year Report (Includes Federal Workforce and Market Trends Updates)

13. Mock Agenda - 8:10 PM

14. Old / New Business - 8:15 PM

15. Adjournment - 8:30 PM