

## MEMORANDUM

March 15, 2022

TO: Transportation & Environment (T&E) Committee

FROM: Naeem M. Mia, Legislative Analyst

SUBJECT: **FY21-26 Capital Improvements Program (CIP) and Supplemental Appropriation and Amendment to the FY22 Capital Budget Montgomery County Government - Martha B. Gudelsky Child Development Center Sewer Improvements, \$1,082,000 (Source of Funds: Recordation Tax Premium)**

### **Expected Attendees:**

- Greg Ossont, Deputy Director, Department of General Services (DGS)
- Ronnie Warner, Division Chief, DGS
- Anita Aryeetey, Lead Fiscal and Policy Analyst, Office of Management and Budget (OMB)

### **Staff Recommendation**

- 1. Approve the Executive's Request for \$1,082,00 to fund sewer improvements in service of the County-owned property and location of a future childcare facility.**

### **Summary**

The County Executive is requesting \$1.08M to fund the planning, design, and construction of sewer capacity improvements in downtown Silver Spring in service of the County-owned parcel that formerly housed the former Silver Spring Library ("Old Silver Spring Library"), located at 8901 and 8907 Colesville Road, Silver Spring, Maryland, and is the future site of the Martha B. Gudelsky Child Development Center (MGCDC).

This item was introduced at Council on March 1, 2022; public hearing and action is scheduled for March 22, 2022.

### **Background**

In March 2019, the Council received the County Executive's Declaration of No Further Need (DNFN) to dispose of the Old Silver Spring Library site via a 99-year "as is" ground lease to MGCDC, with a nominal annual lease payment of \$1. The County's public interest in entering into this long-term lease The County's public interest in entering into this long-term lease is to

provide childcare services to low-and-moderate income households in the downtown Silver Spring area; the services will be provided by CentroNia, a regional non-profit direct service provider. The County retains ownership of the property.

Under the terms of the disposition, MGCDC would renovate the existing library building and add another 11,000 square feet two-story; all operating and capital expenses related to the renovation and addition would be the sole responsibility of MGCDC. MGCDC has, to date, committed up to \$22M for the renovation of this site.

The Government Operations & Finance Committee (GO) reviewed the disposition on June 27, 2019 and recommended 3-0 to approve. The Council approved the disposition at its July 9, 2019 meeting.

As planning for the childcare facility began in 2021, the Washington Suburban Sanitary Commission (WSSC) identified (through a Letter of Findings issued on April 9, 2021) the need to replace the existing aging water and sewer infrastructure on Ellsworth Drive near the site in order to accommodate the anticipated uses. Once permits are obtained, WSSC estimates construction to be complete in approximately nine (9) months (likely in FY23).

The total cost of construction is estimated by WSSC to be approx. \$485,000; planning and design is estimated at \$57,000, resulting in a total estimated cost of \$542,000. Executive branch and WSSC agree, through a Memorandum of Understanding (MOU) (see circles 9-17), that the total cost of construction *shall not exceed \$1.0M*.

### **Discussion Questions**

*1) Should the County pay for the cost of the sewer upgrades?*

Executive Order 224-18, which contains the material terms for the disposition, specifies that “responsibility for approvals, construction, licensing, programming and maintaining the Property” is assigned solely to MBGDC in its acceptance of the property in ‘as is’ condition.

Subsequent to the execution of the lease in 2019, MGCDC identified unforeseen issues with the existing water/sewer infrastructure in which relatively new large-diameter (10”) piping fed into older, smaller (8”). As a result of this “chokepoint”, the capacity of the infrastructure could not adequately accommodate the additional use anticipated at the future childcare facility (projected to be 125-150 children, plus adult staff and visitors).

While the cost and responsibility of renovations and additions, as well as any known or unknown risks, on the site of the property are due to MGCDC, the issue of off-site aging infrastructure was not foreseen by MGCDC or the County. As a result, staff concludes that a strong argument can be made for the County to fund the off-site sewer capacity improvements to provide direct support to a parcel that it continues to own.

2) *Will the County be liable for future costs associated with this project and/or MGCDC?*

Under the terms of the MOU, the County and WSSC agree to cap the total *construction* cost of the project at \$1.0M. If the actual cost of construction is below this threshold, WSSC agrees to refund any excess. However, the MOU does not specifically address a situation where re-estimated or actual costs exceed this level; a risk remains that the County may be requested to provide additional funding.

In addition, the County is also liable for any associated mill and overlay work related to restoring street surfaces that may be altered for WSSC to conduct its pipe replacement work; assuming milling and overlay for 1,000 linear feet (lf) at a cost of \$3 per lf, the estimated cost is approximately \$3,000. In addition, the County is also responsible for the process and cost of obtaining permits for the improvements; these costs are likely negligible (< \$10,000).

This packet contains:

	<u>Circle Page #</u>
1. Resolution Approving Appropriation	© 1-2
2. Executive's February 18, 20220 Transmittal Memo and PDF	© 3-8
3. Draft Memorandum of Understanding (MOU)	© 9-17
4. Council Staff Packet re: 2016 Disposition of Old Silver Spring Library	© 18-99

Resolution: \_\_\_\_\_  
Introduced: March 1, 2022  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the Request of the County Executive

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SUBJECT: Amendment to the FY21-26 Capital Improvements Program and Supplemental Appropriation #22-66 to the FY22 Capital Budget  
Montgomery County Government  
Department of Health and Human Services  
Martha B. Gudelsky Child Development Center Sewer Improvements (No. 602202), \$1,082,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.

3. The County Executive recommends the following capital project appropriation increases:

Project <u>Name</u>	Project <u>Number</u>	Cost <u>Element</u>	<u>Amount</u>	Source <u>of Funds</u>
Martha B. Gudelsky Child Development Center Sewer Improvements	602202	PDS	\$82,000	Recordation Tax Premium
		Construction	\$1,000,000	Recordation Tax Premium
			<u>\$1,082,000</u>	Recordation Tax Premium
TOTAL				



4. This increase is needed because the Washington Suburban Sanitary Commission requires relief or replacement of existing downstream sewer lines (located off-site) to provide sewer service to the property owned by the County that the Martha B. Gudelsky Child Development Center Inc. plans to redevelop as a childcare center. This amendment is in alignment with the criteria to amend the CIP because it leverages significant non-County sources of funds.
5. The County Executive recommends an amendment to the FY21-26 Capital Improvements Program and a supplemental appropriation in the amount of \$1,082,000 for the Martha B. Gudelsky Child Development Center Sewer Improvements project (No. 602202) and specifies that the source of funds will be Recordation Tax Premium.
6. Notice of public hearing was given and a public hearing was held on March 22, 2022.

Action

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

The FY21-26 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and a supplemental appropriation is approved as follows:

<u>Name</u>	<u>Project Number</u>	<u>Project Element</u>	<u>Cost Amount</u>	<u>Source of Funds</u>
Martha B. Gudelsky Child Development Center Sewer Improvements	602202	PDS	\$82,000	Recordation Tax Premium
		Construction	\$1,000,000	Recordation Tax Premium
			<u>\$1,082,000</u>	Recordation Tax Premium
TOTAL				

This is a correct copy of Council action.

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Selena Mendy Singleton, Esq.  
Clerk of the Council




OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich  
*County Executive*

MEMORANDUM

February 18, 2022

TO: Gabe Albornoz, President  
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Amendment to the FY21-26 Capital Improvements Program and  
Supplemental Appropriation #22-66 to the FY22 Capital Budget  
Montgomery County Government  
Department of Health and Human Services  
Martha B. Gudelsky Child Development Center Sewer Improvements (No. 602202),  
\$1,082,000

I am recommending a supplemental appropriation to the FY22 Capital Budget and amendment to the FY21-26 Capital Improvements Program in the amount of \$1,082,000 for the Martha B. Gudelsky Child Development Center Sewer Improvements project (No. 602202). Appropriation for this project will fund sewer upgrades to redevelop a County-owned property in Silver Spring as a childcare center.

This increase is needed because the Washington Suburban Sanitary Commission requires relief or replacement of existing downstream sewer lines to provide sewer service to the property owned by the County. Martha B. Gudelsky Child Development Center Inc. plans to redevelop this property as a childcare center. This amendment is in alignment with the criteria to amend the CIP because it leverages significant non-County sources of funds.

I recommend that the County Council approve this supplemental appropriation and amendment to the FY21-26 Capital Improvements Program in the amount of \$1,082,000 and specify the source of funds as Recordation Tax Premium.

I appreciate your prompt consideration of this action.

ME:vj

Attachment: Amendment to the FY21-26 Capital Improvements Program and Supplemental Appropriation #22-66

Supplemental Appropriation #22-66

February 18, 2022

Page 2 of 2

c: Jennifer R. Bryant, Director, Office of Management and Budget  
Raymond L. Crowel, Psy.D., Director, Department of Health and Human Services  
David Dise, Director, Department of General Services

Resolution: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the Request of the County Executive

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SUBJECT: Amendment to the FY21-26 Capital Improvements Program and  
Supplemental Appropriation #22-66 to the FY22 Capital Budget  
Montgomery County Government  
Department of Health and Human Services  
Martha B. Gudelsky Child Development Center Sewer Improvements (No.  
602202), \$1,082,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.

3. The County Executive recommends the following capital project appropriation increases:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Martha B. Gudelsky Child Development Center Sewer Improvements	602202	PDS	\$82,000	Recordation Tax Premium
		Construction	\$1,000,000	Recordation Tax Premium
			<u>\$1,082,000</u>	Recordation Tax Premium
TOTAL				

4. This increase is needed because the Washington Suburban Sanitary Commission requires relief or replacement of existing downstream sewer lines to provide sewer service to the property owned by the County that the Martha B. Gudelsky Child Development Center Inc. plans to redevelop as a childcare center. This amendment is in alignment with the criteria to amend the CIP because it leverages significant non-County sources of funds.
5. The County Executive recommends an amendment to the FY21-26 Capital Improvements Program and a supplemental appropriation in the amount of \$1,082,000 for the Martha B. Gudelsky Child Development Center Sewer Improvements project (No. 602202) and specifies that the source of funds will be Recordation Tax Premium.
6. Notice of public hearing was given and a public hearing was held.

Action

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

The FY21-26 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and a supplemental appropriation is approved as follows:

<u>Name</u>	<u>Project Number</u>	<u>Project Element</u>	<u>Cost Amount</u>	<u>Source of Funds</u>
Martha B. Gudelsky Child Development Center Sewer Improvements	602202	PDS	\$82,000	Recordation Tax Premium
		Construction	\$1,000,000	Recordation Tax Premium
TOTAL			<u>\$1,082,000</u>	Recordation Tax Premium

This is a correct copy of Council action.

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Selena Mendy Singleton, Esq.  
Clerk of the Council



# Martha B. Gudelsky Child Development Center Sewer Improvements (P602202)

Category	Health and Human Services	Date Last Modified	02/14/22
SubCategory	Health and Human Services	Administering Agency	General Services
Planning Area	Silver Spring and Vicinity	Status	

Total	Thru FY20	Rem FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years
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## EXPENDITURE SCHEDULE (\$000s)

Planning, Design and Supervision	82	-	-	82	-	82	-	-	-	-	-
Construction	1,000	-	-	1,000	-	1,000	-	-	-	-	-
TOTAL EXPENDITURES	1,082	-	-	1,082	-	1,082	-	-	-	-	-

## FUNDING SCHEDULE (\$000s)

Recordation Tax Premium (MCG)	1,082	-	-	1,082	-	1,082	-	-	-	-	-
TOTAL FUNDING SOURCES	1,082	-	-	1,082	-	1,082	-	-	-	-	-

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

Appropriation FY 22 Request	-	Year First Appropriation	-
Supplemental Appropriation Request	1,082	Last FY's Cost Estimate	-
Cumulative Appropriation	-		
Expenditure / Encumbrances	-		
Unencumbered Balance	-		

## PROJECT DESCRIPTION

WSSC is requiring sewer upgrades to redevelop the County-owned property in the 8900 block of Colesville Road, Silver Spring. The Martha B. Gudelsky Child Development Center Inc. (MBGDC) plans to redevelop the site as a childcare center. The WSSC improvements are required and will benefit the property and ultimately facilitate the development and delivery of a childcare facility that will benefit the community.

## LOCATION

8900 block of Colesville Road, Silver Spring, MD

## ESTIMATED SCHEDULE

Project planning to take place in FY22.

## PROJECT JUSTIFICATION

WSSC issued a Letter of Findings stating that relief or replacement of the existing downstream sewer was necessary to provide sewer service to the property.

## FISCAL NOTE

FY22 supplemental in Recordation Tax Premium (MCG) for the amount of \$1,082,000.

## COORDINATION

Department of General Services

# Martha B. Gudelsky Child Development Center Sewer Improvements (P602202)

Category	Health and Human Services	Date Last Modified	02/14/22
SubCategory	Health and Human Services	Administering Agency	General Services
Planning Area	Silver Spring and Vicinity	Status	

Total	Thru FY20	Rem FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years
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## EXPENDITURE SCHEDULE (\$000s)

Planning, Design and Supervision	82	-	-	82	-	82	-	-	-	-	-
Construction	1,000	-	-	1,000	-	1,000	-	-	-	-	-
TOTAL EXPENDITURES	1,082	-	-	1,082	-	1,082	-	-	-	-	-

## FUNDING SCHEDULE (\$000s)

Recordation Tax Premium (MCG)	1,082	-	-	1,082	-	1,082	-	-	-	-	-
TOTAL FUNDING SOURCES	1,082	-	-	1,082	-	1,082	-	-	-	-	-

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

Appropriation FY 22 Request	-	Year First Appropriation	-
Supplemental Appropriation Request	1,082	Last FY's Cost Estimate	-
Cumulative Appropriation	-		
Expenditure / Encumbrances	-		
Unencumbered Balance	-		

## PROJECT DESCRIPTION

WSSC is requiring sewer upgrades to redevelop the County-owned property in the 8900 block of Colesville Road, Silver Spring. The Martha B. Gudelsky Child Development Center Inc. (MBGDC) plans to redevelop the site as a childcare center. The WSSC improvements are required and will benefit the property and ultimately facilitate the development and delivery of a childcare facility that will benefit the community.

## LOCATION

8900 block of Colesville Road, Silver Spring, MD

## ESTIMATED SCHEDULE

Project planning to take place in FY22.

## PROJECT JUSTIFICATION

WSSC issued a Letter of Findings stating that relief or replacement of the existing downstream sewer was necessary to provide sewer service to the property.

## FISCAL NOTE

FY22 Supplemental Appropriation in the amount of \$1,025,000.  
FY22 supplemental in Recordation Tax Premium (MCG) for the amount of \$1,082,000.

## COORDINATION

Department of General Services

## MEMORANDUM OF UNDERSTANDING

Made this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by and between the WASHINGTON SUBURBAN SANITARY COMMISSION, a Bi-County agency of the State of Maryland, hereinafter referred to as "WSSC" and MONTGOMERY COUNTY, MARYLAND, a political subdivision duly organized and existing in accordance with the laws of the State of Maryland, hereinafter referred to as the "COUNTY."

### WITNESSETH:

WHEREAS, WSSC is empowered and authorized to construct, maintain, and operate systems for water supply and sewerage conveyance and treatment in an area designated as the Washington Suburban Sanitary District, encompassing portions of Montgomery and Prince George's Counties, Maryland; and

WHEREAS, in May of 2020, the Martha B. Gudelsky Child Development Center, Inc. submitted plans to redevelop a site located in the 8900 block of Colesville Road, Silver Spring, Maryland as a child care center; and

WHEREAS, the proposed redevelopment site is owned by the COUNTY; and

WHEREAS, WSSC assigned Project DA6980Z20 and reviewed the submitted plans; and

WHEREAS, on April 9, 2021, WSSC issued a Letter of Findings stating that relief or replacement of the existing downstream sewer was necessary in order to provide sewer service to the property; and

WHEREAS, WSSC has estimated the cost for designing the sewer improvements at Fifty-Seven Thousand Dollars (\$57,000.00) and the cost for construction at Four Hundred Eighty-Five Thousand Two Hundred Sixty-Five Dollars (\$485,265.00); and

WHEREAS, the County is willing to pay these costs; and

WHEREAS, upon receipt of the funds, WSSC is willing to design and construct the necessary sewer improvements.

NOW, THEREFORE, in consideration of the mutual promises herein stated, and for other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the parties agree as follows:

1. Within thirty (30) days after the effective date of this MOU, the COUNTY agrees it shall remit a check made payable to "Washington Suburban Sanitary Commission" in the amount of Five Hundred Forty-Two Thousand Two Hundred Sixty-Five Dollars (\$542,265.00) covering the estimated design and construction costs.. The design estimate is attached hereto as Exhibit A and the construction estimate is attached as Exhibit B.



2. Upon receipt of the funds, WSSC agrees to design and construct the necessary sewer improvements as described herein.
3. WSSC reserves the right to recalculate the estimated construction costs after the design is complete. The construction cost in Exhibit B represents WSSC's best estimate of the initial design which may change after design is complete. If the estimate increases, the COUNTY agrees to pay WSSC the amount that exceeds the original construction estimate of Four Hundred Eighty-Five Thousand Two Hundred Sixty-Five Dollars (\$485,265.00), up to a total amount of One Million Dollars (\$1,000,000.00). If the estimate decreases, WSSC agrees to refund the COUNTY the excess amount.
4. The parties agree that the COUNTY shall be responsible for the necessary mill and overlay paving work. WSSC shall only be responsible for paving the trench. WSSC's estimated costs do not include the costs of mill and overlay work.
5. The parties agree that the COUNTY shall secure all permits necessary for the design and construction of the sewer improvements. This includes the cost of the permits. WSSC's estimated costs do not include the costs of obtaining permits.
6. WSSC and the COUNTY agree to work together in good faith to ensure that all permits necessary for construction of the sewer improvement are obtained prior to the completion of the design.
7. WSSC agrees to begin construction without unreasonable delay and to that end, shall issue a Notice to Proceed to its contractor to begin construction no later than twelve (12) weeks from the date on which all necessary permits are issued. WSSC agrees that, other than circumstances subject to Force Majeure, it will diligently work to complete the required sewer improvements.
8. The COUNTY agrees that delayed receipt of necessary construction materials due to ongoing supply chain issues shall serve as reasonable cause to extend the timeframe set forth in Paragraph 7.
9. The on-site water and sewer work that is being completing under Site Utility # SU-3212-2021 will not be Released for Service by WSSC until the sewer improvements described hereunder are completed and ready for service.

10. Notices

a) Notices for MOU: The following individuals are designated as the points of contact for any notices required under this MOU:

WSSC: Patrick Stecher

Email: [patrick.stecher@wsscwater.com](mailto:patrick.stecher@wsscwater.com)

Phone: 301-206-8757

COUNTY: Ronnie Warner

Email: [Ronnie.warner@montgomerycountymd.gov](mailto:Ronnie.warner@montgomerycountymd.gov)

Phone: (240) 777-6071

b) Notices for Design Phase: The following individual is designated as the point of contact for the design phase, including any permitting issues:

WSSC: Patricia Vaughan-Braimbridge  
Email: [patricia.vaughan-braimbridge@wsscwater.com](mailto:patricia.vaughan-braimbridge@wsscwater.com)  
Phone Number: (301) 369-7710

COUNTY: Ronnie Warner  
Email: [Ronnie.warner@montgomerycountymd.gov](mailto:Ronnie.warner@montgomerycountymd.gov)  
Phone: (240) 777-6071

c) Notices for Construction Phase: The following individual is designated as point of contact for the construction phase:

WSSC: Lethbridge, Kevin  
Email: [Kevin.Lethbridge@wsscwater.com](mailto:Kevin.Lethbridge@wsscwater.com)  
Phone Number: (301) 301-206-7339

COUNTY: Ronnie Warner  
Email: [Ronnie.warner@montgomerycountymd.gov](mailto:Ronnie.warner@montgomerycountymd.gov)  
Phone: (240) 777-6071

11. The parties represent that the individuals executing this Memorandum of Understanding do so as an agent of its respective entity and warrant that he or she has complete authority to enter into this Memorandum of Understanding.
12. The recitals ("WHEREAS") clauses set out at the beginning of this AGREEMENT are incorporated herein and made a part hereof.
13. All references to the COUNTY and WSSC in this agreement are intended to include the entities' employees, agents, and assigns.
14. This Memorandum of Understanding shall be construed in accordance with the laws of the State of Maryland.
15. No provision of this Memorandum of Understanding may be changed, amended, modified, waived, or discharged except in writing signed by each of the parties hereto.
16. All terms, provisions, and covenants herein shall be binding and shall inure to the benefit of the respective successors and assigns of the parties hereto.
17. This Memorandum of Understanding constitutes the entire agreement between the parties hereto and supersedes any prior oral or written agreement between them

respecting the subject matter hereof. There are no representations, understandings, or agreements between the parties relating to the subject of this Memorandum of Understanding which are not expressed herein.

18. This Memorandum of Understanding may not be assigned or transferred without the prior written permission of all parties.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed by their duly authorized representatives as of the date shown below.

**Washington Suburban Sanitary Commission**

**Montgomery County**

\_\_\_\_\_  
(Signature)

Name: Carla A. Reid

Title: General Manager/CEO

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

Name: Fariba Kassiri

Title: Deputy Chief Administrative Officer

Date: \_\_\_\_\_

**Approved as to Form and Legality  
Office of the County Attorney:**

\_\_\_\_\_  
(Signature)

Name: Neal Anker  
Associate County Attorney

Date: \_\_\_\_\_

**Reviewed for Form and Legal Sufficiency:**

\_\_\_\_\_  
(Signature)

Name: Heather L. Ashbury, Esq.  
Associate Counsel II

Date: \_\_\_\_\_

**Exhibit A**  
**Martha B. Gudelsky Child Development Center DA6980Z20 Replacement Sewer**

***PDD Task Order Pricing Summary***

ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	ACCOUNT CODE
		LSUM	1	\$ 57,000.00	
	1.2 - Task 201: Thirty (30%) Percent Submittal Package	LSUM	1	\$ 15,000.00	72-84003-7212
	1.3 - Task 301: Seventy (70%) Percent Submittal Package	LSUM	1	\$ 18,000.00	72-84003-7212
	1.4 - Task 401: Ninety (90%) Percent Submittal Package	LSUM	1	\$ 12,000.00	72-84005-7212
	1.5 - Task 501: One Hundred (100%) Percent Submittal Package	LSUM	1	\$ 7,000.00	72-84003-7212
	1.6 - Task 601: Community Outreach	LSUM	1	\$ 5,000.00	20-16302-2601

WASHINGTON SUBURBAN SANITARY COMMISSION  
ACQUISITION OFFICE  
BID TABULATION

**EXHIBIT A**

#	ITEM	UNIT	QTY	Inland Waters Pollution Control	TOTAL
<b>1.5</b>	<b>GROUP 3000 – EARTHWORK</b>				
3008	Gravel - Trench Backfill	CY	249	\$85.00	\$21,165.00
3009	Borrow Material - Trench Backfill	CY	500	\$80.00	\$40,000.00
<b>F.</b>	<b>Aggregate Fill</b>				
3016	Crusher Run (CR-6)	CY	249	\$85.00	\$21,165.00
<b>1.8</b>	<b>GROUP 6000 - GRAVITY SEWER AND MANHOLE INSTALLATION</b>				
<b>A.</b>	<b>Gravity Sewer System (open-cut trench installation)</b>				
	<b>PVC PIPELINE</b>				
6001	4" PVC Lateral Sewer, Greater than 10'-15' depth of cut	LF	145	\$240.00	\$34,800.00
6010	10" PVC Mainline Sewer, Greater than 10'-15' depth of cut	LF	298	\$550.00	\$163,900.00
<b>C.</b>	<b>Manholes and Cleanouts</b>				
6011	Furnish and Install 4" Standard Cleanout up to 10' depth of cut	EA	4	\$3,600.00	\$14,400.00
6012	Furnish and Install 4" Standard Cleanout in excess of 10' depth of cut	VF	1	\$300.00	\$300.00
<b>D.</b>	<b>Abandonment, Removal and Replacement</b>				
6173	Remove Existing Manhole and replace with Standard Manhole 4' inside diameter with F&C	EA	2	\$15,000.00	\$30,000.00
<b>2.1</b>	<b>GROUP 9000 – RESTORATION (roads, shoulders, drives, landscaping)</b>				
	<b>PAVING</b>				
<b>E.</b>	<b>Miscellaneous Road Restoration</b>				
9007	Montgomery County Roads Restoration	SY	1000	\$80.00	\$80,000.00
9009	Saw Cutting and Pavement Removal	SY	1000	\$25.00	\$25,000.00
	<b>SHOULDERS</b>				
<b>F.</b>	<b>Concrete Curb and Gutter</b>				
9014	Concrete Curb and Gutter	LF	20	\$45.00	\$900.00
<b>G.</b>	<b>Concrete Sidewalk (4 inch)</b>				
9015	Concrete Sidewalk (4 inch)	SY	10	\$50.00	\$500.00
<b>H.</b>	<b>Concrete Driveways, Driveway Aprons &amp; Misc. Concrete</b>				
9017	6" Concrete Driveway	SY	10	\$100.00	\$1,000.00
<b>CC.</b>	<b>Turf Establishment by Sod</b>				
9051	Turf Establishment by Sod	SY	10	\$7.00	\$70.00
10,013	Maintenance of Traffic Set-up for Residential Roads	EA	3	\$1,150.00	\$3,450.00
10,014	Additional Duration for Maintenance of Traffic for Residential Roads	ED	5	\$900.00	\$4,500.00
				SUBTOTAL	\$441,150.00
	<b>Contingent Item</b>				

WASHINGTON SUBURBAN SANITARY COMMISSION  
ACQUISITION OFFICE  
BID TABULATION

10,039	Contingency (10%)	LSUM	1	\$44,115.00	\$44,115.00
				TOTAL	\$485,265.00

## CONSENT TO USE OF ELECTRONIC SIGNATURE FOR EXECUTION OF AGREEMENT

Pursuant to MD Code, Commercial Law, § 21-104, each party agrees that the electronic signature of the parties included in the attached **Memorandum of Understanding pertaining to the Martha B. Gudelsky Child Development Center** is intended to authenticate the writing(s) and shall have the same force and effect as a manually executed signature or original signature.

Pursuant to the Maryland Uniform Electronic Transactions Act, “electronic signature” means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. MD Code, Commercial Law, § 21-101(i). Without limitation, “electronic signature” shall also include a faxed version of an original signature, electronically scanned and transmitted version of an original signature (e.g. PDF form), or a document transmitted by electronic means and containing, or to which there is affixed, a digital signature.

Each party agrees that no certification authority or other third-party verification is necessary to authenticate the parties’ electronic signatures and that each party’s electronic signature shall be attributable to the person whose name appears below the electronic signature as the act of that person.

The parties certify that the use of electronic signatures in the attached document(s) is not for any illegal or fraudulent purpose.

MONTGOMERY COUNTY

WASHINGTON SUBURBAN  
SANITARY COMMISSION:

By: \_\_\_\_\_  
Fariba Kassiri  
Deputy Chief Administrative Officer

By: \_\_\_\_\_  
Carla A. Reid  
General Manager/CEO



**Subject:** Approval of Declaration of No Further Need: Disposition of 8901 and 8907 Colesville Road, Silver Spring, Maryland, site of former Silver Spring Library

**Purpose:** Final action – vote expected

**Analyst:** Linda McMillan, Sr. Legislative Analyst

**Committee:** GO

**Keywords:** Former Silver Spring Library, CentroNia, MBGCDC, Victory Housing

#### EXPECTED ATTENDEES

None

#### COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATIONS

Action on the County Executive's recommended Declaration of No Further Need to dispose of the former Silver Spring Library site through a 99-year lease with the Martha B. Gudelsky Child Development Center (MBGCDC). The lease payment will be \$1 per year.

**The GO Committee held a worksession on June 27, 2019 and recommends (3-0) approval of the Declaration of No Further Need and the Executive's request that the Council waive the requirement for a fair market value transaction. The Committee was joined by Councilmember Hucker who stated his support.**

#### DESCRIPTION/ISSUE

On March 6, 2019, the Council received the County Executive's Declaration of No Further Need to dispose of the former Silver Spring Library site under the following material terms:

- Enter into a 99-year "as-is" ground lease for the site of the former Silver Spring Library with the Martha B. Gudelsky Child Development Center (MBGCDC).
- The lease payments will be \$1 annually.
- The former Library building is included with the ground lease.
- The MBGCDC will be a licensed childcare center operated by CentroNia.
- The childcare center will serve 120-150 children aged birth to 5; about 80 children will be aged 3 and 4 years old.
- A minimum of 75% of the children will come from families that are eligible under Federal guidelines for free and reduced lunch (FARMS).
- MBGCDC will renovate the existing building and add an approximately 11,000 square foot two-story addition. MBGCDC is responsible for all capital and initial operating expense; there is a minimum ten-year funding commitment totaling more than \$22 million.
- No County funding is requested for capital improvements and maintenance.
- The project will include multi-purpose community space for inter-generational activities and community use on evenings and weekends.
- In addition, Global LifeSci Development Corporation (GLDC) will provide a development-ready pad site to Victory Housing at no cost. Victory Housing is expected to develop up to 110

affordable and no more than 10 market rate units of senior housing on the site. (This is not a term of the disposition but is part of the Executive's recommended package.)

- The Executive recommends the Council waive the requirement for a fair market transaction.

## SUMMARY OF KEY DISCUSSION POINTS

Reviewed the history of this disposition and public hearing testimony as outlined in the Council staff report. Heard Council staff's concern regarding the length of the lease and the Council staff recommendation that a shorter lease term be considered.

Committee members agreed that the 99-year lease is appropriate given the substantial investment being made by the MBGCDC and Gudelsky Family Foundation, the priority to increase the amount of quality childcare available, and the very high standards in the CentroNia program. Noted that it was the Board of Education and the County Council that worked to bring CentroNia to Montgomery County.

Discussed the MBGCDC and Gudelsky Family Foundation's commitment of at least \$22 million to support this project. It is expected that about \$8 million will be used to renovate the current building and create the addition, and the rest will support CentroNia operations for at least the next ten years. Voiced appreciation for this investment.

Discussed with Ms. Peralta of CentroNia the current wait list of over 550 Montgomery County children for CentroNia's program, CentroNia's mission of serving low-income families, CentroNia's practice of using their centers for community engagement and activities, and the expectation that this building will be busy outside of the hours of the childcare program. Committee members agreed that the wait list is evidence that there will always be children in need of high quality childcare and family support programs and this supports the 99-year term recommended by the Executive. Ms. Peralta estimates the MBGCDC will create 60 to 70 new jobs.

Discussed the letter of agreement between GlobalLife Sci and Victory Housing for a site to develop affordable senior housing at Viva White Oak and heard from Mr. Ossont from the Department of General Services that while the letter is between the two parties, the County will monitor progress on how this housing project moves forward.

### This report contains:

Council Staff Report	© # 1-10
Resolution to Approve DNFN/Executive Order 224-18/CE Memo	© #11-16
2018 memos from County Executive Leggett	© #17-19
Public Hearing Testimony	© #20-41
October 2017 MBGCDC proposal	© #42-54
October 2017 Victory Housing proposal	© #55-67
Request for Development Proposals	© #68-80

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## MEMORANDUM

TO: County Council

FROM: Linda McMillan, Senior Legislative Analyst

SUBJECT: **Action- Resolution to Approve the Declaration of No Further Need: Disposition of 8901 and 8907 Colesville Road, Silver Spring, Maryland, site of the former Silver Spring Library**

PURPOSE: Action

### GO Committee Recommendation

**The Government Operations and Fiscal Policy Committee held a worksession on June 27, 2019 and recommends (3-0) approval of the Executive's recommended Declaration of No Further Need and his request that the Council waive the requirement for a fair market value transaction.** The Committee was joined by Councilmember Hucker who also voiced his support.

At the Committee session, Greg Ossont, Deputy Director of the Department of General Services, and Myrna Peralta, President and Chief Executive Officer of CentroNia, were present to discuss this proposal.

### Background

On March 6, 2019, the Council received County Executive Elrich's recommendation and Declaration of No Further Need to approve the disposition of approximately 2.32 acres of County-owned land and the building that is the former Silver Spring Library. A resolution to approve the disposition was introduced on March 19, 2019. A public hearing was held on April 10, 2019. Under the property disposition law, the Council has 60 days to approve, disapprove, or extend the time for consideration of a Declaration of No Further Need or it is automatically approved. On March 26, 2019 the Council President notified the County Executive that the Council might need to extend the time for consideration and on April 23, 2019 adopted Resolution 19-72, which extended the time for consideration to July 31, 2019.

### The County Executive's recommended terms are:

- Enter into a 99-year "as-is" ground lease for the site of the former Silver Spring Library with the Martha B. Gudelsky Child Development Center (MBG CDC).
- The lease payments will be \$1 annually.

- The former Library building is included with the ground lease.
- The MBGCDC will be a licensed childcare center operated by CentroNia.
- The childcare center will serve 120-150 children aged birth to 5; about 80 children will be aged 3 and 4 years old.
- A minimum of 75% of the children will come from families that are eligible under Federal guidelines for free and reduced lunch (FARMS).
- MBGCDC will renovate the existing building and add an approximately 11,000 square foot two-story addition. MBGCDC is responsible for all capital and initial operating expense; there is a minimum ten-year funding commitment totaling more than \$22 million.
- No County funding is requested.
- The project will include multi-purpose community space for inter-generational activities and community use on evenings and weekends.
- In addition, Global LifeSci Development Corporation (GLDC) will provide a development-ready pad site to Victory Housing at no cost. Victory Housing is expected to develop up to 110 affordable and no more than 10 market rate units of senior housing on the site. (This is not a term of the disposition but is part of the Executive's recommended package.)
- The Executive has recommended the Council waive the requirement for a fair market transaction.

### **Summary of Disposition Timeline**

**April 2014:** Office of Management and Budget (OMB) staff recommends to OMB Director that former Silver Spring Library be reserved for County Government use as swing space to avoid rental costs. Disposition process should not proceed.

**December 2014 – January 2015:** Department of General Services re-evaluates future need for swing space and recommends a reuse analysis that considers proposals from County departments and agencies begin. Sends memo to department and agencies.

**Early 2015:** responses are received from Planning Board (add the 2.35 acres to Ellsworth Park); Libraries (use for bookstore if one is not included in new Wheaton Library); Recreation (use for childcare, youth development, and senior programs.) There was also a community proposal for an intergenerational center.

**April 2015:** DGS reviews responses and recommends property be assigned to Recreation for childcare and multigenerational center that is coordinated with Parks Department for shared use agreement.

County Executive later determines that the joint HOC and County Government aquatic and recreation center satisfies the needs recommended by DGS and decides to pursue opportunities for childcare and affordable housing.

**November 2016:** County issues Request for Development Proposals for the former Silver Spring Library site. Objectives are to: increase affordable senior housing; contribute to

the growing need for childcare services; have the capital for improvements at no cost to the County; be financially sustainable; to the extent possible blend green space so it incorporates with adjacent park. Two proposals are considered finalists. Victory Housing would provide 92 mixed-income apartments for seniors and a childcare center for 80 to 100 children in a new building. MBGCDC would create an early childhood education and development center for 125 to 150+ children by renovating and adding to the existing building and MBGCDC would agree to provide 15 affordable senior residences from existing housing in downtown Silver Spring.

**February 2018:** County Executive Leggett informs the Council that he has found a way to move forward with both proposals by providing the former Silver Spring Library site to MBGCDC, which he states is the best use for the Library site, and negotiating with GLDC to provide a transit-accessible building pad at VIVA White Oak to develop affordable senior housing. (© 19)

**March 2018:** County Executive Leggett sends Council the material terms for disposition of the former Silver Spring Library site through a 99-year lease with MBGCDC at a cost of \$1 per year with requirements for MBGCDC to pay for renovations and an addition to serve 120 to 150 children that are generally from lower income families. Space will be available on weekends for intergenerational and community programs. (© 17-18)

**July 2018:** Inspector General issues Preliminary Inquiry Memorandum (PIM) which concluded that: (1) the Reuse Analysis did not include the required fiscal analysis from Office of Management and Budget or economic analysis from the Department of Finance; and, (2) the Reuse Analysis was not provided to the Council. The IG PIM discussed the lack of statutory obligation requiring the Executive to submit the Reuse Analysis as part of the material terms to the Council. Requiring this would make the process more transparent and the Council might receive more relevant information.

**November 2018:** County Executive Leggett issues Executive Regulation 224-18, the Declaration of No Further Need for the former Silver Spring Library site consistent with the terms in his March 2018 memo. County Executive Leggett did not transmit the Declaration of No Further Need to the Council.

**March 2019:** County Executive Elrich transmits Executive Regulation 224-18, the Declaration of No Further Need for the former Silver Spring Library site. Terms for the disposition are the same as County Executive Leggett's. County Executive Elrich's memo states that GLDC will provide a development-ready pad at VIVA White Oak at no cost to Victory Housing to develop up to 110 affordable and no more than 10 market rate units of senior housing. (© 13-16)

As noted above, in July 2018, the Inspector General issued a PIM that recommended adding a statutory obligation that the Executive provide the Council with the Reuse Analysis as a part of the material terms to make the property disposition process more transparent. On May 7, 2019 the Council introduced **Bill 13-19, County Property – Disposition – Reuse Analysis** that would add this requirement. The following is a link to the staff report for the bill's June 18, 2019 public hearing.

[https://www.montgomerycountymd.gov/council/resources/files/lms/bill/2019/Publichearing/pdf/7150\\_2609\\_Publichearing\\_06142019.pdf](https://www.montgomerycountymd.gov/council/resources/files/lms/bill/2019/Publichearing/pdf/7150_2609_Publichearing_06142019.pdf)

## Public Comment and Public Hearing on Disposition

The proposals from MBGCDC and Victory Housing were presented at a community meeting on October 4, 2017. The Department of General Services posted both presentations on its web page. The following are links to these presentations:

MBGCDC (also © 42-54):

<https://www.montgomerycountymd.gov/DGS/Resources/Files/OPD/SSLibrary/MarthaB GudelskyChildDevelopmentCenterCentronia.pdf>

Victory Housing (also © 55-67):

<https://www.montgomerycountymd.gov/DGS/Resources/Files/OPD/SSLibrary/SpringHouseByVictoryHousing.pdf>

The Department of General Services also posted comments and questions that it received through December 6, 2017. The following is a link to those comments.

[https://www.montgomerycountymd.gov/DGS/Resources/Files/OPD/SSLibrary/EmailedCommentsOnFormerSilverSpringLibraryPresentationslastupdated12\\_11\\_17.pdf](https://www.montgomerycountymd.gov/DGS/Resources/Files/OPD/SSLibrary/EmailedCommentsOnFormerSilverSpringLibraryPresentationslastupdated12_11_17.pdf)

Most of the commenters (including a petition) stated their preference for the MBGCDC proposal in comparison to the proposal from Victory Housing. Some did not state a preference, but asked questions, such as whether more housing could be added to the MBGCDC proposal. Many discussed the importance of both goals, child care and housing. Several emphasized the goal of maximizing green space and referenced the request to transfer the property to Parks. There are comments about the importance of preserving the former Silver Spring Library and its importance in the community. There are questions raised about the traffic impacts of both proposals.

**The Council held a public hearing on April 10, 2019 and heard from seven speakers.** The testimony from six is attached and Council staff is providing some notes on the testimony from Ms. Finucane, President of Victory Housing, who did not provide written testimony. All speakers supported the MBGCDC proposal.

Marcie Stickle, Silver Spring Historical Society	© 20-27
Mary Reardon, Montgomery Preservation, Inc.	© 28-29
George French, Individual	© 30
Rosalba Bonilla-Acosta, CentroNia	© 31-38
Michael Bufalini, individual and president of SOECA	© 39
Helene Owusu, whose children have attended CentroNia	© 40-41
Leila Finucane, President, Victory Housing	(no written)
• Testified in favor of the disposition to MBGCDC.	

- Victory Housing has been dedicated to the mission of safe, quality affordable housing of since 1979, which is particularly important in Montgomery County where over 50% of renters are rent burdened.
- In early 2018 when Victory Housing lost the opportunity to build at the former Silver Spring Library, discussions began and in November 2018 Victory Housing entered into an agreement Global Life-Sci Development Corporation (GLDC) to receive at no cost a development site for up to 110 affordable and 10 market rate senior housing units.
- Win-win for the stakeholders involved in the Silver Spring project.
- Creation of the MBGCDC should help the County meet the need for quality child care.
- GLDC has committed to providing a properly zoned, subdivided, mass graded site with utilities stubbed to the site's boundary line.
- Exact location has yet to be determined.
- GLDC has committed that it will be in a prominent location appropriate for senior living.
- The site will be available in first major phase of vertical construction.
- This will provide much needed senior housing in the heart of the new Viva White Oak community.
- Victory Housing fully supports the transfer of the former Silver Spring Library to MBGCDC.

### **County-owned properties in Silver Spring**

The key question posed in a Declaration of No Further Need is: Does the County need the property during the time it is proposed to be unavailable? In the case of a sale, the answer should be that the County does not need the land at all, and when the disposition is a lease, that it is not needed under the maximum term of the lease. For this proposal, the Executive's transmitted term is a 99-year ground lease.

In addition to Parking Lot District properties, the County owns the following properties in downtown Silver Spring:

- 8818 Georgia Avenue, Department of Health and Human Services
- Silver Spring Library (new) at 900 Wayne Avenue and land for The Bonifant (affordable senior housing)
- Progress Place at 8106 Georgia Avenue
- Old 3<sup>rd</sup> District Silver Spring Police Station at Sligo Avenue (leased for affordable housing)
- Fire Station at 8110 Georgia Avenue
- Fibernet Hub at 8110 Fenton Street
- Fillmore at 8656 Colesville Road
- Silver Spring Blackbox Theater, 8633 – 8641 Colesville Road
- Silver Spring Civic Center at Veterans Plaza

## **Should the County dispose of this property at all? If so, for how long?**

Council staff shared with the GO Committee staff's conclusion that it is in the County's best interest not to dispose of this property through a 99-year lease. Silver Spring has gone through tremendous change in the past 20 years and will continue to grow and change. The Planning Board's work program includes a Silver Spring minor master plan that is expected to be delivered to the Council in December 2021. In the future, the County may need a County-owned site for providing County services in a way that is not envisioned now and retaining the ability to reconsider or reclaim this site should remain an option.

Council staff recommended that any lease for this site be a maximum of 25 years. It could be structured as an initial 10-year period with three five-year renewals at the option of the County. There should be an agreement that any early termination of the lease by the County that is not based on a breach of the agreement by the tenant would require the County to reimburse the tenant a pro-rated amount for the design and construction costs. The public-private partnership to rebuild the Avery Road Treatment Center (which uses both public and private funds for design and construction) includes clauses for early termination and pro-rated reimbursement for the private funds spent on design and construction.

Council staff also said that a maximum 25-year term is not conducive to the construction of a new housing project. For this reason, Council staff agrees that the MBGCDC is a more appropriate proposal as it disrupts the property less and leaves more flexibility for re-evaluating any future use.

**Committee members disagreed with the Council staff recommendation. Committee members agreed that the 99-year lease is appropriate given the substantial investment being made by the MBGCDC and the Gudelsky Family Foundation, the priority to increase the amount of high quality childcares available, and the very high standards in the CentroNia program. The Committee Chair noted that it was the Board of Education and the County Council that worked to bring CentroNia to Montgomery County and this is an exciting opportunity.**

**The Committee discussed the MBGCDC and Gudelsky Family Foundation's commitment of at least \$22 million to support this project. It is expected that about \$8 million will be used to renovate the current building and create the addition, and the rest will support CentroNia operations for at least the next ten years. Voiced appreciation for this investment.**

## **CentroNia Program and Specifics in the Material Terms**

While the disposition action in Executive Order 224-18 is a long-term lease to MBGCDC, the Executive has specified in the background section that the childcare facility will be operated by CentroNia. CentroNia is a long-time partner in the County's provision of high-quality childcare. The following information about CentroNia is from the organization's website.



### **About CentroNia**

Access to quality education continues to be the single most important challenge facing the District of Columbia and the greater metropolitan region. CentroNia, a nationally recognized, award-winning educational organization provides affordable, quality early childhood education; professional development to educators; and family support services in a bilingual and multicultural environment to more than 2,400 low-income children and families. Our holistic approach ensures that the children and families we serve receive the support and encouragement they need to succeed academically, develop a strong sense of community, and live healthy and active lives. This includes an award-winning Food & Wellness Department that provides healthy meals for CentroNia's community, and encourages children, parents, and staff to adopt healthy lifestyles by making informed food choices.

### **About Early Childhood Education**

CentroNia's commitment is to serve low-income, working families and their children by providing a continuum of early childhood education and care starting during a mother's pregnancy until the child is five years old. Our model includes comprehensive education services for children, their families, and the community. With locations in the Columbia Heights neighborhood in DC and Takoma Park, Maryland, CentroNia Provide affordable and high-quality bilingual education to children ages birth to 5. About 75 percent of our students are Latino, 85 percent are English Language Learners, and 90 percent qualify for free or reduced priced lunch. Services are provided from 7:00 a.m. to 6:00 p.m. Monday through Friday. These hours give our families the opportunity to work towards financial advancement through full-time employment or higher education while providing a stable environment for children. CentroNia's Early Childhood Education program offers services for expecting families, infants, toddlers, and preschoolers.

### **Why is Early Childhood Education Important?**

Studies show that development during the first years of a child's life determines the foundation for growth, concept learning, memory, problem solving, and relationships with adults and other children. During these years, even more significant advances occur in language development. Nonetheless, access to quality education continues to be a challenge facing the District of Columbia and the Greater Metropolitan region. Many families have been adversely affected by the limited number of affordable and high-quality early care and education programs.

In addition, data shows that Latino children are less likely to be fully prepared for school compared to other ethnicities; in part because their parents do not have the financial capacity to pay for high-quality early childhood education or they are not aware of programs available to make it more affordable. Thus, CentroNia is an advocate for providing high-quality care and education accessible not only to Latino families, but to the diverse multicultural families in our community and beyond. CentroNia prepare children and their families to successfully transition to the elementary school environment, as reflected in the child's emotional, physical, cognitive, and language development and consistent with national school readiness benchmarks.

## **Issue Relevant to the Material Terms**

Ms. Peralta, President and CEO of CentroNia, responded to questions about the CentroNia program. Council staff did not pose any questions in this memo except for those that relate to compliance with the material terms.

### **1. Childcare for 120-150 Children, Mostly from Lower Incomes; A Minimum of 75% will come from Households with Incomes Eligible for the Free and Reduced Meals program (FARMS)**

The GO Committee discussed with Ms. Peralta the current wait list of over 550 Montgomery County children for CentroNia's program and CentroNia's practice of using their centers for community activities and their expectation that this building will be busy outside of the hours of the childcare program. Committee members agreed that this is another reason to be supportive of this proposal. The 99-year commitment is appropriate as there will always be many children in need of quality childcare as evidenced by the wait list. A very high percentage of families seeking CentroNia childcare are low income and there should be no issue with meeting the agreed to targets.

### **2. Serve Infants and Children to 5-years Old; Expected that about 80 of the 120-150 Children will be Ages 3 and 4 Years Old**

Ms. Peralta told the GO Committee that the exact classroom mix is not set but that it will meet the agreement. While the MBGCDC is expected to serve children aged three months and older, CentroNia also has programs that engage women when they are pregnant and continues to provide supports as the child grows.

The GO Committee also confirmed with Executive staff that the lease has provisions requiring the property have licensed childcare that the County must agree if the provider will not be CentroNia.

The Executive is proposing the community use be coordinated by Community Use of Public Facilities (CUPF). This is not a material term of the disposition. The fees that might or might not be charged to community groups are also not a material term.

## **No County Funding is Requested**

The Executive's March 4, 2019 memo says, "MBGCDC will be responsible for all approvals and permits required for the project. In addition, MBGCDC will be responsible for all capital and initial operating expenses for the project which includes a minimum of ten years' funding commitment totaling more than \$22 million guaranteed by the Homer and Martha Gudelsky Family Foundation, Inc. MBGCDC will seek federal, state, and other charitable foundation assistance, as well as corporate sponsorship, to help cover future operating expenses. No County funding is requested."

Executive Order 224-18 says, "Whereas, the Martha B. Gudelsky Child Development Center is proposing to enter into a 99-year ground lease with the County for

the Property in its “as-is” condition, which will include responsibility for approvals, construction, licensing, programming and maintaining the Property, and...”

The Executive’s requirement is that MBGCDC will be responsible for all the design, permitting, construction and other capital and building/grounds maintenance costs associated with the center. However, MBGCDC will be able to access customary programs and funding associated with the care provided to children which could include the State’s child care subsidy program, Working Parents Assistance Program, and program contracts with the Department of Health and Human Services or other County departments or agencies.

### **Below Fair Market Rent**

**The GO Committee recommends approval of the Executive’s recommendation to lease the property for \$1 per year, a below fair market transaction.** The provision of quality childcare, particularly for low-income families, is in the public interest and the Gudelsky Foundation is making a substantial direct financial investment in the creation of this center.

### **Victory Housing – Delivery of Site at Viva White Oak**

At the public hearing the Council heard that the full proposal transmitted to the Council is a “win-win” as it will not only create the MBGCDC but also an opportunity and financial incentive to develop affordable senior housing at the Viva White Oak community. In February 2018, when then-County Executive Leggett announced that he had selected MBGCDC for the former Silver Spring Library site he also announced that GLDC had provided a letter of intent to Victory Housing to provide a pad site at Viva White Oak. It would result in the construction of not less than 92 housing units, the number Victory Housing proposed for the library site.

The mix of incomes for the senior housing at Viva White Oak is not yet determined. However, the Executive’s expectation is that it will be similar to the mix of income-restricted units proposed for the library site (the following do not add to 110):

At least:

5 units affordable to households with incomes at or below 30% of area median income (AMI)

5 units at or below 40% of AMI

17 units at or below 50% of AMI 45 units at or below 60% of AMI

45 units at or below 60% of AMI

The Viva White Oak building will have no more than 10 market rate units

As previously noted, Victory Housing testified in favor of the disposition to MBGCDC.

The Committee discussed the letter of agreement between GlobalLife Sci and Victory Housing for a site to develop affordable senior housing at Viva White Oak and heard from Mr. Ossont from the Department of General Services that while the letter is between the two parties, the County will monitor progress on how this housing project moves forward. Councilmember Friedson said that this agreement to support affordable housing satisfied his concern about not using the former Silver Spring Library site for housing. Councilmember Navarro stated her strong support for affordable senior housing about also emphasized that Viva White Oak is planned to be a strong employment center and there will also be a need for workforce housing.

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: County Council

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**SUBJECT:** Approval of Declaration of No Further Need: Disposition of County Property:  
8901 and 8907 Colesville Road, Silver Spring, MD 20910; former Silver Spring  
Library site

**Background**

1. Montgomery County Code §11B-45 requires the Council to approve a Declaration of No Further Need before the Executive can dispose of real property that has more than nominal value. Prior to seeking Council approval of a Declaration of No Further Need, the Executive must:
  - (a) submit all material terms of the proposed disposition and any appraisal the Executive relied on in setting the property's market value to the Council; and
  - (b) publish a declaration in the County Register and post a notice on the County website that the County has no further need for the property.If the Council, by resolution, approves the Executive's Declaration of No Further Need, the Executive may dispose of the property for fair market value.
2. On March 21, 2018, then County Executive Leggett transmitted the material terms for the disposition of the site of the former Silver Spring Library. County Executive Leggett recommended disposing of the property through a 99-year lease with the Martha B. Gudelsky Child Development Center (MBGCDC) to operate an early childhood care and education center in association with Centro Nia. The center will serve approximately 120-150 children, mostly from lower income families. The lease payment will be one dollar annually. In addition, County Executive Leggett said that he had agreement from Global LifeSci Development Corporation to provide at no cost a transit-accessible building site at the VIVA White Oak development for Victory Housing to provide affordable senior housing.
3. On March 6, 2019, the Council received County Executive Elrich's recommendation and Declaration of No Further Need to dispose of the site of the former Silver Spring Library as provided in Executive Regulation 224-18, which was promulgated by County Executive

Leggett. The transmittal memo from County Executive Elrich says that MBGCDC will renovate the current building and add an approximately 11,000 square foot two-story addition to the current building. The facility will serve 120 to 150 children from birth to age five, about 80 of whom will be three and four years old. A minimum of 75% of the children will be from households eligible under the Federal guidelines for free and reduced lunch (FARMS). No County funding is requested for the capital and initial operating expenses. The recommendation continues to include a development ready site pad at VIVA White Oak to be provided at no cost to Victory Housing for up to 110 affordable and no more than 10 market rate senior housing units. The Victory Housing recommendation is not a requirement in Executive Regulation 224-18. The County Executive is requesting the Council waive the requirement for a fair market value transaction.

4. The Government Operations and Fiscal Policy Committee held a worksession on June 27, 2019 and recommends approval of the Declaration of No Further Need and waiving the requirement for a fair market value transaction.
5. A public hearing was held on April 10, 2019.

### **Action**

~~The County Council for Montgomery County, Maryland approves the following~~  
resolution:

The Declaration of No Further Need for the site of the former Silver Spring Library, located at 8901 and 8907 Colesville Road, Silver Spring, Maryland is approved and the property may be disposed of as described in the material terms provided to the Council on March 21, 2018, the memorandum dated March 4, 2019 and in Executive Order 224-18. The County Council waives the requirement that the disposition be a fair market value transaction.

This is a correct copy of Council action.

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Megan Davey Limarzi, Esq., Clerk of the Council



# MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Disposition of County Property: 8901 and 8907  
Colesville Road, Silver Spring, MD 20910

Executive Order No.  
224-18

Subject Suffix

Montgomery County Department of General Services

Department No.

Effective Date  
11/20/18

## BACKGROUND

**WHEREAS**, the Montgomery County Executive directed the Department of General Services to conduct a reuse analysis for the 2.32-acre site located at 8901 and 8907 Colesville Road, Silver Spring, Maryland 20910 (the "Property"); and

**WHEREAS**, the Property is improved with the former Silver Spring Library, a two-story 15,687 square foot building, and a surface parking lot for approximately 70 parking spaces; and

**WHEREAS**, the Department of General Services issued a Request for Development Proposals ("RFDP") in November 2016 seeking proposals from developers interested in reusing the site for childcare and/or senior housing; and

**WHEREAS**, the Martha B. Gudelsky Child Development Center was selected as the County's development partner under the RFDP to renovate the existing building and add an approximately 11,000 square foot addition for a licensed childcare facility operated by CentroNia for 120-150 children from mostly lower income families; and

**WHEREAS**, the project will include multi-purpose community space for intergenerational activities and programs on evenings and weekends, as well as for community use; and

**WHEREAS**, the Martha B. Gudelsky Child Development Center will be responsible for all project approvals, permits, capital costs and initial operating costs to be funded in part by a \$22 million, ten-year funding commitment from the Homer and Martha Gudelsky Family Foundation; and

**WHEREAS**, the Martha B. Gudelsky Child Development Center is proposing to enter into a 99-year ground lease with the County for the Property in its "as-is" condition, which will include responsibility for approvals, construction, licensing, programming and maintaining the Property; and

**WHEREAS**, the County Executive is requesting a waiver of the fair market value requirement because the annual payments under the long-term lease are proposed to be \$1.00; and

**WHEREAS**, the County Executive has determined that the property is no longer needed for County use and should be conveyed to the Martha B. Gudelsky Child Development Center through a long-term lease; and



# MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Disposition of County Property: 8901 and 8907  
Colesville Road, Silver Spring, MD 20910

Executive Order No.  
224-18

Subject Suffix

Montgomery County Department of General Services

Department No.

Effective Date

11/20/18

**WHEREAS**, the material terms of the lease agreement are as stated above; and

**WHEREAS**, in accordance with the provisions of Section 11B-45, Disposition of Real Property, the County Executive must issue an Executive Order declaring that County owned or controlled real property is no longer needed for County use.

## ACTION

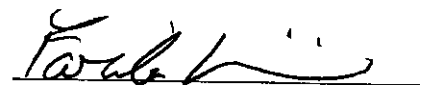
In consideration of the above recitals, the County Executive declares that the property located at 8901 and 8907 Colesville Road, Silver Spring, MD 20910, comprising approximately 2.32 acres, is no longer needed for public use and is appropriate for disposition under a long-term lease to the Martha B. Gudelsky Child Development Center for the consideration of \$1.00 per annum.

Approved as to Form and Legality  
Office of the County Attorney

By: 

Date: 11/20/18

APPROVED



Fariba Kassiri

Assistant Chief Administrative Officer

Distribution:

County Council

County Attorney





OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Marc Elrich  
County Executive

MEMORANDUM

March 4, 2019

TO: Nancy Navarro, President  
Montgomery County Council

FROM: Marc Elrich *ME*  
Montgomery County Executive

SUBJECT: Executive Order 224-18, Disposition of 8901 and 8907 Colesville Road,  
Silver Spring, Maryland

On March 21, 2018, material terms were transmitted to Council and provided notice of the intent to ground lease the 2.32-acre former Silver Spring Library site at 8901 and 8907 Colesville Road, Silver Spring ("the Property") to the Martha B. Gudelsky Child Development Center ("MBGCDC").

MBGCDC was founded in 2015 as a nonprofit organization to make meaningful contributions in the area of early learning in Maryland. Through an association with CentroNia, a locally-based early childhood education provider, MBGCDC plans to substantially expand early childhood education with an emphasis on services and programs for low-income working families. MBGCDC will renovate the existing library building and add an approximately 11,000 square-foot, 2-story addition. The project will consist of a licensed childcare facility operated by CentroNia serving 120-150 children from generally lower-income families, with the intention to grow capacity as funding allows. The facility will serve children ages 0 to 5 years old, including approximately 80 children ages 3 and 4 years old. A minimum of 75% of the children served will come from families that are eligible under Federal guidelines for free and reduced lunch.

MBGCDC will be responsible for all approvals and permits required for the project. In addition, MBGCDC will be responsible for all capital and initial operating expenses for the project which includes a minimum of ten years' funding commitment totaling more than \$22 million guaranteed by the Homer and Martha Gudelsky Family Foundation, Inc. MBGCDC will seek federal, state and other charitable foundation assistance, as well as corporate sponsorship, to help cover future operating expenses. No County funding is requested.

Nancy Navarro, President  
March 4, 2019  
Page 2

MBGCDC will lease the property from the County "as-is" under a 99-year ground lease with an annual payment of one dollar (\$1.00). The ground lease is less than fair market value. Additionally, Global LifeSci Development Corporation, the County's development partner on Viva White Oak and associated with MBGCDC, will provide a development ready pad site at its Viva White Oak development at no cost to Victory Housing, Inc. for up to 110 affordable and no more than 10 market rate senior rental apartments. MBGCDC will also make a significant building renovation investment. The former library is over 50 years old and requires significant capital improvements. Staff has estimated more than \$2 million of upgrades is required to address basic facility issues including roofing, HVAC and ADA improvements.

As required under Section 11B-45 of the Montgomery County Code, an Executive Order declaring that the County-owned site is no longer needed for public use must be issued. Attached please find Executive Order 224-18 which was published in the December 2018 *County Register* to give notice of my intent to proceed with disposition to MBGCDC at less than fair market value and that the property is no longer needed for public use. The required advertisement for the material terms has now concluded without any comments or questions being received from the public.

I hope this information is helpful. If you have any questions, please contact Greg Ossont, Deputy Director, Department of General Services, at 240-777-6192 or [greg.ossont@montgomerycountymd.gov](mailto:greg.ossont@montgomerycountymd.gov).

Attachment: Executive Order 224-18

cc: Fariba Kassiri, Deputy Chief Administrative Officer  
Greg Ossont, Deputy Director, Department of General Services  
Reemberto Rodriguez, Director, Silver Spring Regional Services Center

Gout



OFFICE OF THE COUNTY EXECUTIVE  
Rockville, Maryland 20850

Isiah Leggett  
County Executive

MEMORANDUM

March 21, 2018

TO: Hans Riemer, President  
Montgomery County Council

FROM: Isiah Leggett  
County Executive

SUBJECT: Former Silver Spring Library Material Terms

This memorandum is sent to convey the material terms for the proposal to ground lease the former Silver Spring Library site at 8901 and 8907 Colesville Road, Silver Spring, (the "Property") to the Martha B. Gudelsky Child Development Center (MBGCDC).

After the Department of General Services completed the required reuse analysis for the Property and determined that it was no longer needed for a public use, a solicitation seeking proposals to reuse the site was issued. Upon review of the proposals, MBGCDC was selected to enter into negotiations with the County to lease the site. MBGCDC was founded in 2015 as a nonprofit organization to make meaningful contributions in the area of early learning in Maryland. Through an association with CentroNia, a locally-based early childhood education provider, MBGCDC plans to substantially expand early childhood education with an emphasis on services and programs for low-income working families.

In accordance with the provisions of Section 11B-45, Disposition of Real Property, before seeking County Council approval of a declaration of no further need, the County Executive must submit to Council all material terms of the disposition, including the price or rent to be paid and any economic incentives and any appraisal that the County Executive relied on or will rely on in selling the property at market value.

Accordingly, the following is a summary of the material terms:

- MBGCDC will lease the property in an "as-is" condition under a 99-year ground lease with an annual payment of one dollar (\$1.00);

- MBGCDC will renovate the existing library building and add an approximately 11,000-square-foot, 2-story addition;
- MGBCCDC will not take possession and construction will not commence until the Wheaton Friends of the Library relocates to the new Wheaton Library and Community Recreation Center;
- The project will consist of a licensed childcare facility operated by CentroNia serving 120-150 children from generally lower income families, with the intention to grow capacity as funding allows;
- Opening of the childcare center would occur approximately one year after the site becomes available;
- Multi-purpose community space will be provided for intergenerational activities and programs on evenings and weekends, as well as for community use;
- MBGCDC will be responsible for all approvals and permits required for the project; and
- MBGCCDC will be responsible for all capital and initial operating expenses for the project which includes a minimum of ten years' funding commitment totaling more than \$22 million guaranteed by the Homer and Martha Gudelsky Family Foundation, Inc. MBGCDC will seek federal, state and other charitable foundation assistance as well as corporate sponsorship to help cover future operating expenses. No funding has been requested from the County.

I hope this information is helpful. If you have any questions, please contact Greg Ossont, Deputy Director, Department of General Services, at 240.777.6192 or [greg.ossont@montgomerycountymd.gov](mailto:greg.ossont@montgomerycountymd.gov).

c: Ramona Bell-Pearson, Assistant Chief Administrative Officer  
Robin Riley, Acting Director, Recreation Department  
Reemberto Rodriguez, Director, Regional Service Center, Silver Spring  
Greg Ossont, Deputy Director, Department of General Services  
Ronnie Warner, Redevelopment Manager, Department of General Services



2018 FEB 28 PM 4: 54

OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850Isiah Leggett  
County Executive

## MEMORANDUM

RECEIVED  
MONTGOMERY COUNTY  
COUNCIL

February 28, 2018

TO: Hans Riemer, Council President

FROM: Isiah Leggett, County Executive *Isiah Leggett*

SUBJECT: Reuse of Old Silver Spring Library Site

I am pleased to inform you of my recommendation for the reuse of the old Silver Spring Library site. As you know, there were two proposals selected as finalists, one from the Martha B. Gudelsky Child Development Center, Inc. (MBGCDC) for use of site as an early childhood education and development center and one from Victory Housing, which proposed constructing a 92-unit affordable senior housing project. I believe that the agreement we have jointly reached allows us to proceed with both projects. This is truly a win-win-win in every respect as it will provide the community with the affordable senior housing that is sorely needed and quality early education for 120-150 children, from mostly lower income families.

Because MBGCDC is the best use for the library site, I instructed the Department of General Services (DGS) to undertake negotiations with Global LifeSci Development Corporation (GLDC), and developer of the VIVA White Oak development, to determine if GLDC could provide Victory Housing a transit-accessible pad site at no cost in phase 1 of the VIVA White Oak development to build the affordable senior housing.

Staff from DGS met with GLDC and Victory Housing representatives and we now understand that GLDC has provided a Letter of Intent (LOI) for review and approval. The LOI outlines the terms under which GLDC agrees to provide the referenced pad site for Victory Housing to construct, own, operate and manage a senior affordable residential building. The specific building size and number of units will be the subject of subsequent discussions involving GLDC, Victory Housing and the County. The total number of units will not be less than the 92 units proposed by Victory Housing in its proposed reuse of the old Silver Spring Library site. The pad site will be near planned commercial uses and it will be transit-accessible. Victory Housing will be required to comply with the VIVA development plan as to architectural look and amenities of said plan. GLDC will incur all direct and indirect costs associated with delivering the at-grade finished parcel to Victory Housing including grading, bringing utilities to the property line and providing access to the site.

Currently GLDC is preparing a preliminary site plan application to submit to the Maryland-National Capital Park and Planning Commission this spring. The County understands that the Victory Housing site will be included in that submittal.

This agreement gives us the opportunity to benefit both our children and our seniors. I trust you will support this effort as it proceeds through approval processes.

TO: Montgomery County Council, for 4/10/19 Hearing, 1 p.m.  
FR: Silver Spring Historical Society, Marcie Stickle, Advocacy Chair  
RE: Support for "Resolution to Approve Declaration of No Further Need: Disposition of the Former Silver Spring Library Site Located at 8901 & 8907 Colesville Road in Silver Spring" on Behalf of The Martha B. Gudelsky Child Development Center With CentroNia, & on Behalf of Former County Executive Ike Leggett's "Win-Win" Decision Coordinated With the Global LifeSci Development Corporation & Victory Housing.

The Silver Spring Historical Society enthusiastically supports passage of the "Resolution to Approve Declaration of No Further Need: Disposition of the Former Silver Spring Library located at 8901 & 8907 Colesville Rd" on behalf of The Martha B. Gudelsky Child Development Center With CentroNia.

This dynamic generous philanthropic Gudelsky Foundation endeavor, at Absolutely No Cost to the County, can immediately move forward, to flower; and CE Ike Leggett's joyful visionary "Win-Win" arrangement, coordinated with [Gudelsky] Global LifeSci Development Corporation and Victory Housing, means VH can plant a brand new Senior Residence, on a GLSDC-donated prepared pad of land at VIVA White Oak! Former CE Ike Leggett & CE Marc Elrich both approve the Resolution in their Executive Regulations!

ALL can continue their Tapestry of Legacies: the Tradition of Joyful Service, Linking Arms & Visions, Harmonizing, In Solidarity! Benefitting the Children, their Families—serving those who serve, service employees, the underserved, the newly arrived, the community, MBG CDC residing in the former S.S. Public Library, and VH providing Senior Adults with affordable residences at VIVA White Oak!

"A Dream Come True" emerged from a rigorous, exacting, competitive "Request for Developmental Proposals" process, launched 2016. SSHS and MPI actively participated, including in the invaluable on-site visits to the Frank Lloyd Wright-inspired former Library and its Land, by potential competitors!

CE Joyful Ike's "Win-Win" Press Release, 2/28/18; & Former CE Leggett & CE Elrich's Regulations

**[https://www2.montgomerycountymd.gov/mcportalapps/Press\\_Detail.aspx?Item\\_ID=21888](https://www2.montgomerycountymd.gov/mcportalapps/Press_Detail.aspx?Item_ID=21888)**

**[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190319/20190319\\_2E.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190319/20190319_2E.pdf)**

**"The Silver Spring Historical Society is thrilled to announce that the Mo Co Government has announced that our historic 1957 Silver Spring Public Library, 8901 Colesville Road, will be adaptively reused as the Martha B. Gudelsky Child Development Center Inc. with CentroNia.**

**"The Gudelsky proposal is an elegantly designed and light-filled vision that incorporates leading Metro D.C. area architect Rhees Evans Burket's Frank Lloyd Wright-inspired library, 'in harmony with nature.' The project respects and is sensitive to the integrity of the library, its intact green rolling land, and the neighborhoods. Conserving a "Sense of Place"! Silver Spring resident Burket was also a lauded Silver Spring and Montgomery County civic leader.**

**"Davis Carter Scott's design resonates with the 'organic modernism' theme of bringing the outside inside. Its Heart and Soul is the multi-cultural, multi-lingual Child Development Center to be operated by CentroNia, experts in child development, and includes community use space. Intergenerational activities are also planned."**

**Tapestry of Legacies! Adaptively reusing unique existing community structures preserves OUR S.S.'s vibrant tapestry, unique architecture, our history, our stories, our singular Time Line! Burket notes his S.S. Public Library as a "Principal Work" in the AIA Directory 1962.**

**The Gudelsky responsive Proposal allows a treasured public structure and its land to continue to serve the community.**

**Spirit of Service is embodied through the stories of: The Gudelskys, CentroNia, The Burkets.**

**Gudelsky Family Foundation** has been sharing its Philanthropic Love of Humanity and Generosity of Spirit since the 1960s!  
<https://www.montgomerycountymd.gov/DGS/Resources/Files/OPD/SSLibrary/MarthaBGudelskyChildDevelopmentCenterCentronia.pdf>

**CentroNia was founded 1986.** President & CEO Myrna Peralto, is a recipient of YWCA's 2017 Woman of Achievement Award. <https://centronia.org/team/myrna-peralta/> CentroNia's Mission: "Educating children and youth and strengthening families in a bilingual, multi-cultural environment." <https://centronia.org/>

**Rhees Evans Burket (1899-1963)**, Silver Spring resident, was a noted architect in the greater D.C. area for his homes, commercial and public buildings, and myriad schools. He considered his S.S. Library as a Principal Work, his legacy gift to S.S. and Mo Co! His legacy library is a living tribute to him and to OUR unique S.S.

His Stratford School, Arlington, Va., is on the National Register of Historic Properties, and recently achieved local designation: <https://www.apsva.us/post/local-historic-district-designation-for-stratford-school/>

**Rhees Burket was a S.S. & Mo Co Civic Leader: Montgomery County Civic Federation President, 1946-1948, and MCCF Washington Star Cup Recipient, 1947, "for performing most outstanding public service on behalf of Montgomery County."** <http://montgomerycivic.org/starcup.html>

**He was actively engaged with the Allied Civic Association Groups; President of the Linden Civic Association; President, Woodside School Parent Teachers Association; and myriad civic roles before, during and after WWII.**

**"Spirit of Service"!** Burket's Grandfather William Jones Rhees co-founded, at the age of 22 with 2 youthful colleagues of 21 years of age, the YMCA in D.C., one of the original 6 national chapters. Rhees served as YMCA Secretary, Librarian, and President over the years. William Jones served also in many distinguished roles at the Smithsonian Institution, including as Keeper of the Archives, and was a prolific writer.

Silver Spring Historical Society joins with Preservation Maryland, Montgomery Preservation Inc, other community entities and members, to applaud and support the Gudelsky Proposal and the Joyful "Win-Win"!

We urge you to join in, support and pass the "Resolution for No Further Use"!!  
Let's move forward together!!

Marcie Stickle, SSHS Advocacy Chair, [MarciPro@aol.com](mailto:MarciPro@aol.com), 301-585-3817, 8515 Greenwood Ave., T.P., MD 20912

See 3 Attachments

<https://www.preservationdirectory.com/PreservationBlogs/ArticleDetail.aspx?id=4979>

# **Burket's Silver Spring Library, Wright-Inspired: Adaptive Reuse, Stand Alone, Sensitive Incorporation Into New Development to Protect, Preserve, Honor It**

Contributed By: Marcia L Stickle

Email The Author: [marcipro@aol.com](mailto:marcipro@aol.com)

Website: <https://www.facebook.com/sshistory/>

**Rhees Evans Burket's Silver Spring Library, Wright-Inspired: Adaptive Reuse, Stand Alone, Sensitive Incorporation Into New Development to Protect, Preserve, Honor It**



**Adaptive Reuse! Silver Spring Historical Society enthusiastically supports adaptively reusing our former 1957 Silver Spring Library designed by leading Metro D.C. area architect, Mo Co Civic Leader, and Silver Spring resident Rhees Evans Burket, along with its environmental setting and its parking lots of 2.35 acres to continue to serve the community.**

**Just as it integrates itself into the hilly landscape, it's a perfect fit to serve the community! In "harmony with nature," this "Parkitecture" building and its setting are Burket's legacy gift to Silver Spring and Montgomery County.**

**One excellent vision for adaptive reuse is as a Children's Center; with immediate access to the adjacent Ellsworth Urban Park and Playground! Kids' Gardens can spring up in the green and treed lawns surrounding Burket's Library. What a hands-on healthy green learning tool for the kids!**

**Adaptively reusing unique existing community structures preserves OUR Silver Spring's tapestry, unique architecture, our history, our stories, our singular Time Line! Burket notes his S.S. Public Library as a "principal work" in the AIA Directory 1962. The Silver Spring Library was the linchpin of the new County Public Library system established in 1951:**

**"The formal merger of the S.S. Library and other participating libraries into the County library system took place on July 1, 1951. Takoma Park, Rockville, and Bethesda elected not to join the system initially, although Rockville and Bethesda joined later. The S.S. Library with its two branches and large reference collection, was the linchpin of the new County system.**

**"A New Library on Colesville Road. The County began planning for a new S.S. Library. Rhees Burket, a local architect, was hired to design the new building. . . . County Library Board unanimously approved the site on Jan. 21, 1954" [Oshel, Bob & Friends of the S.S. Library, "The S.S. Library, 1931-2001: Enriching Lives for 70 Years," P. 8].**

**Rhees Burket (1899-1963), Silver Spring resident, was a noted architect in the greater D.C. area for his homes, commercial and public buildings, including myriad schools. His Stratford School, Arlington, Va., is on the National Register of Historic Properties, and recently achieved local designation: <https://arlingtonva.s3.amazonaws.com/.../HALRB.STRATFORD...>**

**Rhees Burket was a Civic Leader: Montgomery County Civic Federation President, 1946-1948, and MCCF Washington Star Cup Recipient, 1947, "for performing most outstanding public service on behalf of Montgomery County."\***

**Inspired by Frank Lloyd Wright's "organic modernism," "in harmony with nature," his 1957 S.S. Library of stone and glass and brick, integrated into the hilly landscape, was the largest County library at the time. This public building is Burket's legacy to Silver Spring and Montgomery County.**

**Burket's Mid-Century Modern structure, " 'an architect's dream,' was the phrase used to describe th**



**new S.S. Library when it was given its final inspection last Th. Morning by the County Manager, the County Council, and several members of the County Library Board," The Maryland News, 12/28/1956.**

**Built on a 200-footwide strip running from Colesville to Ellsworth Drive, on land given by the Hecht Co., "the Building was designed to fit into the naturally landscaped lot which adds to its attractiveness. The few trees that had to be moved to make way for the building were saved and replanted. The many dogwood, blue spruce and beech were undisturbed," The Maryland News, 2/28/1956.**

**"Rhees Burket, the Architect, went all out on this building. And from the looks of things he had a fairly free hand in design and equipment. . . . if the sign wasn't out front we doubt if you would guess it to be a library. It looks more like a new home built by some Texas oil or ranch man . . . we would suggest you stop by this beautiful building and take advantage of the books and the atmosphere. You will thoroughly enjoy it," Silver Spring Record, 1/26/1957.**

**"Library Pioneer" Journal in "A Dream Comes True," glowingly describes with photos and floor plan diagram Burkett's elegant, light-filled library structure and its conveniences, attached, Sept./Oct. 1958.**

**Frank Lloyd Wright's "organic modernism," "in harmony with nature," is expressed in Burket's structure with its low horizontal lines, low-pitched hip roofs and projecting eaves to create an integrated-into-the-landscape quality. A massive fieldstone chimney rises at the axis of intersecting roof planes. Library has a cross-shaped open floor plan.**

**Walls of native uncoursed stoneyhurst stone, a polychrome mica schist, quarried at Seven Locks and River Roads, Montgomery County, appear to undulate in juxtaposition with glass and aluminum framed window walls, awning windows, continuous bands of clerestory windows and red brick walls.**

**Stone chimney and several stone walls carry through into the interior spaces of the singular structure.**

**An elegant, very long and wide, approx. 70' X 20', flat-roofed entrance canopy doubles as a carport for auto pick up and drop off point welcoming patrons arriving via the access road. Three large canopy roof openings allow light and moisture into the raised planter beds below.**

**This building is unique; there is no other community structure of this style in all of S.S.'s CBD, or adjacent.**

**Looking forward to working together to achieve and celebrate the adaptive reuse of Silver Spring's unique former Library, "in harmony with nature," and its continuing service to the community: Rhees Burket's legacy gift to Silver Spring and Montgomery County! Interior and exterior Photos are available.**

**Jerry A. McCoy, [sshistory@yahoo.com](mailto:sshistory@yahoo.com), Marcie Stickle & George French, [marcipro@aol.com](mailto:marcipro@aol.com), 301-585-3817, Silver Spring Historical Society, <https://www.facebook.com/sshistory/>**

**Keywords: Burket, Library, Adaptive Reuse, Protection, Wright-Inspired, Silver Spring, Unique Mid-Mod Public Structure**

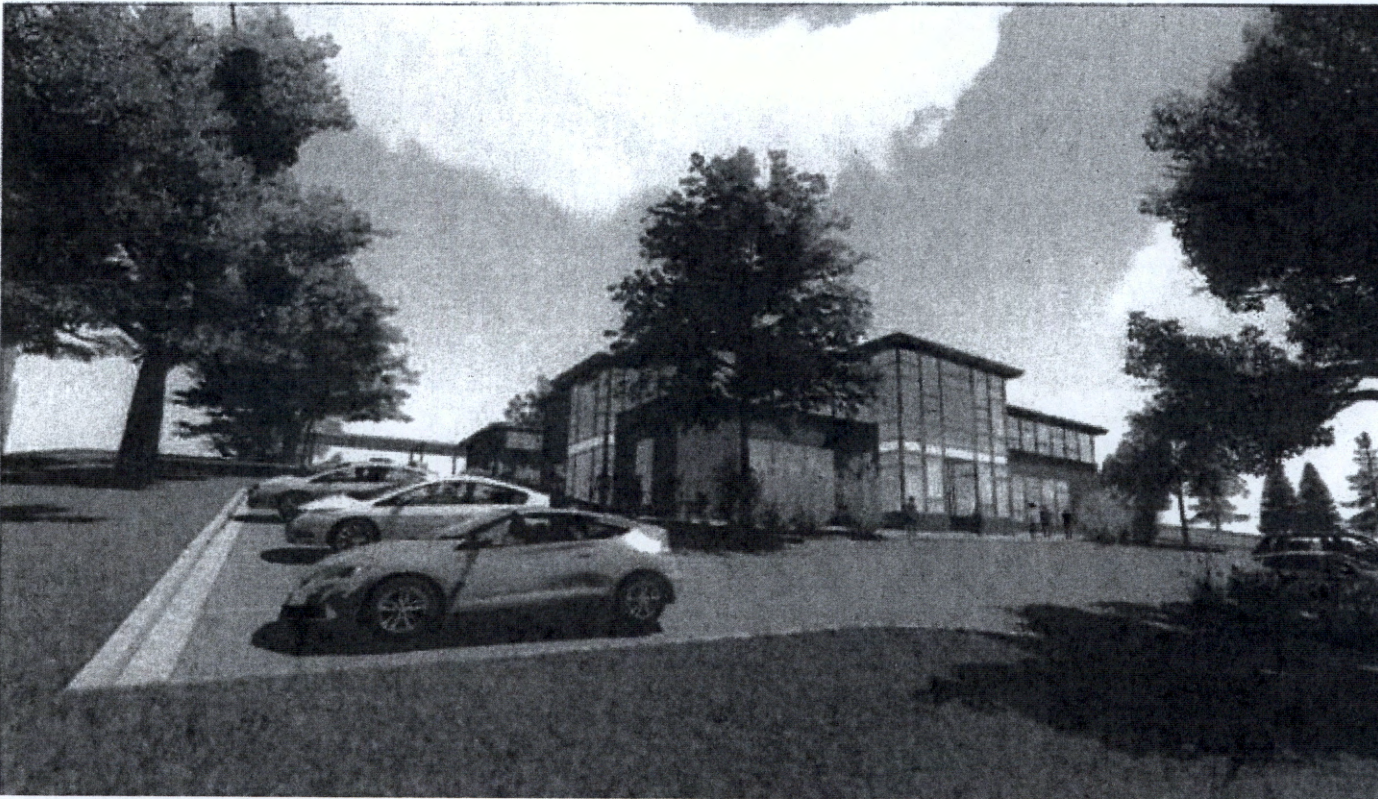
**Posted: December 31, 2016**

Petition Update

# The Gudelsky/Centronia Child Care Proposal was selected!

Nature or Concrete?

View From Ellsworth Drive



**Feb 27, 2018 — We learned exciting news today that the M. B. Gudelsky Child Development Center & Centronia proposal was selected by Mr. Ike Leggett!**

**This is a victory, because it achieved almost all of the goals of the petition that almost 900 signed. There will be no negative impact to the existing Park and the historic library that is already integrated into the landscape. Green space will be retained, and open space only slightly impacted.**

**In addition, the child care center is a service that will be used by many that live or work in the surrounding areas and still retains the character of the surrounding area and the historic building.**



**Even the one big item that was not achieved now-- to transfer the land to Montgomery Parks--is not ruled out in the future, since the land is being leased, not sold, for the child care center. That still leaves the opportunity to turn this land into a park if it is determined to be the best use in the future.**

**Thanks to the nearly 900 signers and those that commented on this petition, those that attended the public input sessions, those that sent emails to the County Council and County Executive, and those that supported this in many other ways. Also thanks to residents in nearby neighborhoods that supported the effort, and other societies and groups that lent their support.**

**Particular thanks to County Councilmember Tom Hucker who spoke supporting this effort, to David Dise and Greg Ossont of Montgomery County Department of General Services to consider and recommend a low impact proposal, and to Mr. Ike Leggett, for listening to everyone involved and making the right choice.**

**There will still be many steps ahead--zoning, design, construction, traffic--so please stay involved. But the first big step has been made.**

**CE Leggett's & CE Elrich's Executive Regulations Affirm "Resolution to Approve":**

**[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190319/20190319\\_2E.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190319/20190319_2E.pdf)**

# **LEGGETT ANNOUNCES PLAN FOR REUSE OF FORMER SILVER SPRING LIBRARY; Child Care Center at Former Library to Leverage Senior Housing in White Oak**

**For Immediate Release: Wednesday, February 28, 2018**

**County Executive Ike Leggett today announced the selection of the Martha B. Gudelsky Child Development Center to develop the former Silver Spring Library site for use as a child development and education center. As part of the arrangement, Global LifeSci Development Corporation will provide to Victory Housing a pad site in Phase 1 and the VIVA White Oak development for the construction of a senior housing project that is transit-accessible and projected to include 110 units, some market rate but most affordable.**

**Both Victory House and the Global LifeSci Development Corporation had submitted proposals to Montgomery County for the reuse of the old library site.**

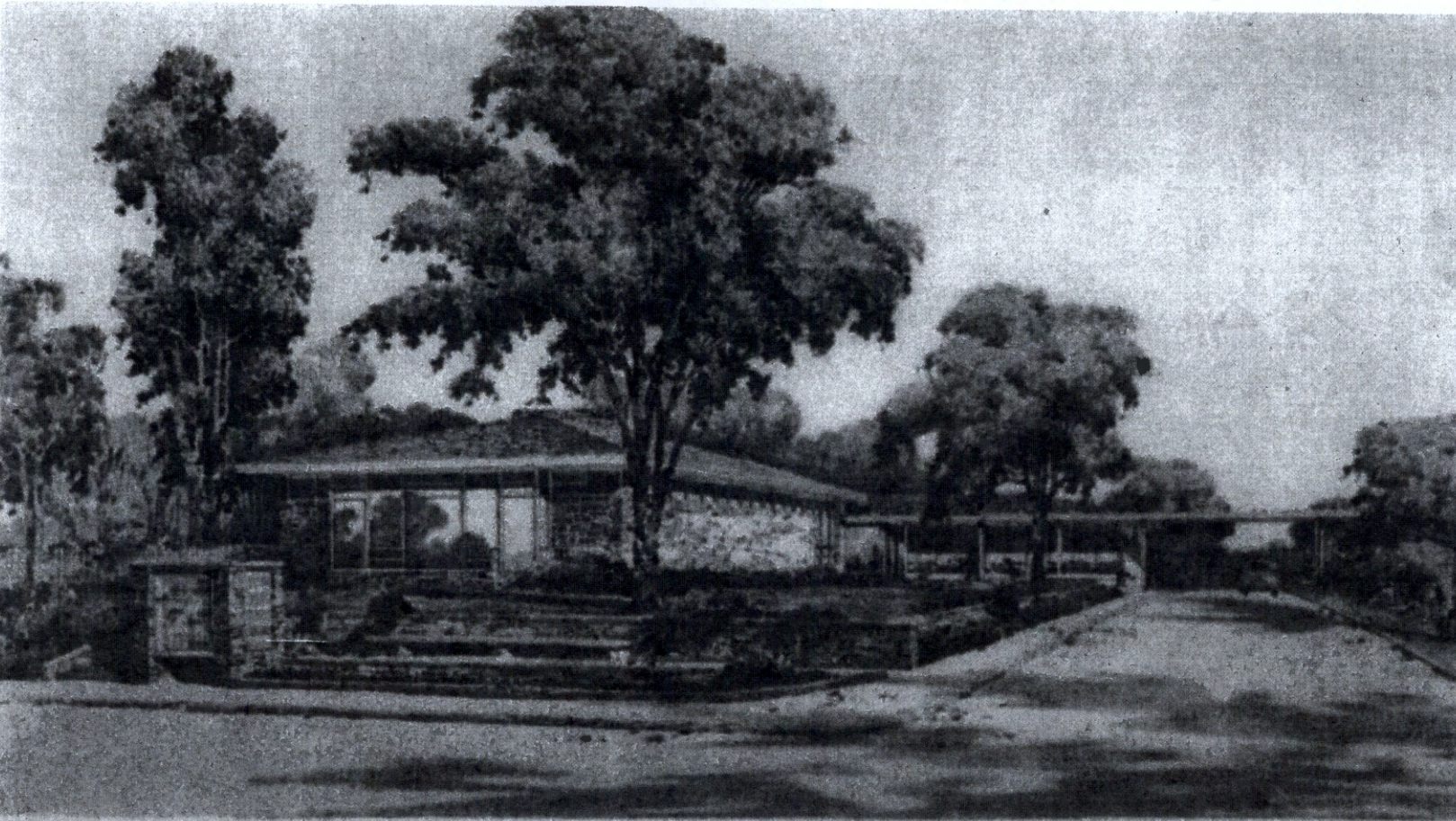
**“I am very pleased that we have reached an arrangement that can boost both child care and senior housing,” said County Executive Ike Leggett. “County families need more child care choices and our growing senior population deserves more options.”**

**The child care center, which will serve 120 mostly low-income children, is projected to be open by the end of 2020. Victory Housing’s senior housing would be completed by 2021.**

**# # #**

***Release ID: 18-460***

***Media Contact: Patrick Lacefield 240-777-6507***



SILVER SPRING PUBLIC LIBRARY

**Mary Reardon**

**Representing Montgomery Preservation Inc.**

**Montgomery County Council Public Hearing: Resolution to Approve Declaration of No Further Need: Disposition of Former Silver Spring Library Site**

**April 10, 2019**

My name is Mary Reardon. I live in Silver Spring and I support the Declaration of No Further Need with its recommendations regarding the site of the former Silver Spring library, as transmitted by two Montgomery County Executives in succession. I'm representing Montgomery Preservation Inc (MPI), which is the countywide nonprofit preservation advocacy organization.

Improving and expanding accessibility to early childhood education and child care is a top priority for our new County Executive – and for all of you. MPI welcomed the decision of previous County Executive Leggett to use the library site for a dedicated child care and development center while preserving an architecturally significant building and the surrounding green space. This arrangement has the benefit of no cost to the County.

I personally have advocated for affordable housing for decades, and it's the issue that originally drew me to civic activism, often combining the goals of preservation and affordable housing. Mr. Leggett's recommendation, by arranging provision of a site for Victory Housing's planned senior affordable housing in a transit-accessible area, resolves two sometimes conflicting worthy goals – early childhood education and affordable housing. The recommendation does justice to both goals.

The old library building is a long-time community treasure that, with its green setting, is compatible with the physical and residential character of the surrounding neighborhood. The structure, materials, and setting of the building are together inspired by Frank Lloyd Wright's "organic modernism." The building is an icon of Montgomery Modern architecture designed by Rhees Burket, a noted architect with a lifetime of civic and professional leadership. In 1957, this was a major step in the early development of Montgomery County's Library System,



constructed at a time when other County towns operated facilities out of makeshift buildings. Adaptive reuse of this building will celebrate both its historical and architectural features.

The provisions of this Declaration will result in preserving ample green space, which can continue to be enjoyed by community residents in nearby single-family homes and multi-unit apartment buildings, and which will provide outdoor play space for children at the child development center. And the building will be a resource for community use and programs.

In summary, MPI urges the Council to approve the Declaration of No Further Need regarding the former Silver Spring Library site, including the ground lease arrangement and the call for a world-class child education facility here, and the recommendation regarding Victory Housing that will be a net gain to Silver Spring's stock of affordable senior housing. MPI looks forward to having a new state-of-the-art Child Development Center in Silver Spring with a strong visible presence on Colesville Road, while retaining a unique, serviceable historic building that blends well with the physical character of the adjacent community.

Mary Reardon, 2236 Washington Ave.-101, Silver Spring 20910 [mareardon3@yahoo.com](mailto:mareardon3@yahoo.com)

Gudelsky Child Development Center and CentroNia, Resolution for Disposition of the Former Silver Spring Library and Declaration of No Further Need for the Property. Public Hearing April 10, 2019  
Testimony by George D. French, 510 Albany Ave. Takoma Park, MD 20912, marcipro@aol.com

I have supported the Gudelsky/CentroNia project ever since the two final applicants were chosen by the County Executive from all of the proposals of entities vying for the former Silver Spring library site and building, and I have followed the declaration of no further need of the property since the start. The enhanced Gudelsky proposal brokered by the former County Executive Leggett and recommended by County Executive Elrich, (how strong an endorsement is that?) provides a win-win squared for the benefit our county. Seniors win, newborns, children, and their parents win, historic preservationists win, and green space tree advocates win.

This enhanced plan correlates perfectly with the preferred option of the neighboring SOECA community of the two plans offered, respecting the character of the site by retaining the low-rise structure and surrounding green space. They also like that the property will be leased instead of sold. SOECA was also pleased that the proposed plan calls for CentroNia to construct its own playground on the site instead of relying solely on the Ellsworth Park playground.

In this magnanimous plan Victory Housing receives a finished mass graded lot supplied by Gudelsky within Viva White Oak, and can increase their affordable senior residences by 18 units over their Silver Spring proposal. Gudelsky will add an elegant glass addition to a splendid heritage building, which is ideal for conversion to a state-of-the-art early childhood education center by CentroNia, a lauded supplier of early child development and education. This arrangement, with absolutely no cost to taxpayers, is a Philanthropic gift of exceptional merit to the people of our County, especially the underserved.

Environmentally speaking, the greenest building is one that ~~is~~ already exists. Much of the embodied energy that went into designing, fabricating, and constructing the former library will be conserved by adaptively reusing this Prairie School style building. Gudelsky and their Architect, Davis Carter Scott respect the continued usefulness and historical significance of this Frank Lloyd Wright-inspired building and it will be a beautiful, functional, and ideal space for the children. We thank them for their vision! The beauty of the grounds and exterior of the building will also contribute to the children's aesthetic pleasure and sense of place.

This deal may never again come round. You got to let this deal go down, to paraphrase the Grateful Dead. I am a senior adult supporting children! Please approve the deal and the Resolution without delay! Them that hesitate are lost. Let's not shoot ourselves in the collective foot, or is it feet? The project is nearly shovel-ready. The faster the Resolution is approved, the faster renovations and construction can commence and start producing results. Let's provide Seniors with affordable residences and pre-school children developing their minds and skills immediately.

The benefits of this "Win-Win" proposal should be self evident. This is not brain surgery performed on rocket scientists. This is a no brainer. Seriously, this is a Best of All Possible Worlds Scenario!



**ORAL TESTIMONY OF ROSALBA BONILLA-ACOSTA**  
**COUNTY COUNCIL PUBLIC HEARING – April 10, 2019**  
**1pm – Disposition of Former Silver Spring Library Site**

Good afternoon, President Navarro and distinguished members of the County Council. My name is Rosalba Bonilla-Acosta, the Maryland Director for CentroNía. I thank the Council for giving me this opportunity to testify in support of the Council's ratification and approval of the proposed Declaration of No Further Need and Disposition of the Former Silver Spring Library Site to The Martha Gudelsky Child Development Center (in partnership with, and managed by, CentroNia).

On Monday, I submitted more detailed written testimony, which is appended to the material you have today. But, in the interest of staying within my allotted time, I will briefly summarize the top three points.

ONE, Early Care and Education is among Montgomery County's highest priorities and is among the most impactful and long-lasting socio-economic investments the County could possibly make.

TWO, although the Council is often faced with the dilemma of having to choose one high-priority goal over another (and competing for the same taxpayer dollars), in this very unique instance --- and solely on account of the Gudelsky Family's extraordinary philanthropy --- the Council gets to advance BOTH high-priority goals (early care and education AND creating more affordable senior residences) *at NO additional cost to the County Taxpayer!*

THREE, the proposal before you today advances several other important County policy goals, including:

(A) preserving the historically significant Frank Lloyd Wright-inspired library building,

(B) preserving and enhancing the existing green space and landscaping, and introducing a sustainable garden; and

(C) enhancing the compatibility of the site's use with the surrounding neighborhoods.

I would like to note that we are joined here today by wonderful representatives of those children, who we serve and who will benefit from our investment in their learning and socio-emotional development, which will ensure that they are kindergarten-ready for successful academic careers in Montgomery County schools and lay the foundation for them to thrive as productive citizens. They are here today to observe a “civic lesson” in real time.

At our Langley Park location in Montgomery County, we have a wait list of over 600 Montgomery County children, such as those you see here today, who share a need for comprehensive early care and education programs and services that strengthen families, improve child outcomes, encourage economic growth, and promote equity of opportunity for all County families.

Our proposal will help the County address that need by providing approximate 150 new, high-quality seats for these children.

These are the real reasons why the Gudelsky Family has offered the County, among the most generous --- if not THE most generous --- philanthropic contributions to the County to advance the critically-needed “platinum quality” early care and education services for the County; at the same time charitably donating to Victory Housing, in a very substantial way, so we can also advance the County’s additional goal of increasing the supply of affordable senior residences in Eastern Montgomery County.

The Martha Gudelsky Child Development Center and CentroNía are more than ready to serve the County in achieving all of these goals. We thus respectfully request your approval of our proposal as soon as possible.

Thank you, from the bottom of our hearts, for your time and attention today.

Respectfully Submitted,  
Rosalba Bonilla-Acosta, CentroNía



*Educating children and youth and strengthening families in a bilingual, multicultural community.*

April 8, 2019

VIA Email ([County.Council@MontgomeryCountyMD.gov](mailto:County.Council@MontgomeryCountyMD.gov))

Hon. Nancy Navarro, President  
Hon. Members of the County Council  
Council Office Building  
100 Maryland Avenue  
Rockville, MD 20850

RE: April 10, 2019 (1pm) Public Hearing: Declaration of No Further Need and Disposition of 8901 and 8907 Colesville Road, Silver Spring, MD

Dear Council President Navarro and Distinguished Members of the County Council:

CentroNia respectfully submits this written testimony in strong support for the County Council's ratification and approval of the Declaration of No Further Need and the Disposition of the Former Silver Spring Library Property to The Martha Gudelsky Child Development Center<sup>1</sup> (which will be managed and operated by CentroNia,<sup>2</sup> as one of Montgomery County's premier early care and education centers), under the terms and conditions more fully described in the Staff Report and its attachments. In support of this position, CentroNia makes the following four observations:

1. **Early Care and Education is among Montgomery County's highest priorities and is among the most impactful and long-lasting socio-economic investments the County could possibly make.**

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<sup>1</sup> By way of background, The Martha Gudelsky Child Development Center, Inc. is a 501(c)(3) public charity substantially funded and supported by The Homer and Martha Gudelsky Family Foundation, Inc., a 501(c)(3) private foundation financially supported and managed by the descendants of Homer and Martha Gudelsky, who are among Montgomery County's most philanthropic families and respected corporate citizens.

<sup>2</sup> By way of background, CentroNia is a 501(c)(3) public charity that is nationally-respected, award-winning, and one of the Capital Region's most highly acclaimed early childhood care and education organization (with long-standing accreditation to serve in Montgomery County, the State of Maryland, and the District of Columbia), which provides affordable, premium-quality, early childhood care and education; professional development to educators; and family support services in a bilingual and multicultural environment.

At the recent Montgomery Moving Forward Symposium, Montgomery County Executive Elrich, County Council President Navarro, and all the expert speakers eloquently and powerfully noted that Early Care and Education ("ECE") is among the County's most important public policy imperatives. The Symposium's Call to Action was very clear and very compelling: irrefutable scientific evidence shows conclusively that a child's first few years of life firmly establishes the foundation upon which that child will develop his or her lifetime of brain growth, problem-solving capacity, memory functions, and interpersonal skills with adults and other children. In addition, during these first years of a child's life, a child's language-learning capabilities are most advanced for development.

Despite this conclusive evidence, too few of Montgomery County's children have access to quality early care and education, not only because of the limited quantity of affordable high-quality programs within the County; but also, because the prohibitive costs of those programs, especially for low and moderate-income families. As a result, the children of these families are less likely to be ready for school when they first enter kindergarten, and are more likely to fall behind developmentally as they age.

High-quality ECE also benefits the parents of those children served; not only because it puts the parents at ease knowing that their children are in a nurturing environment and are getting prepared for a lifetime of learning, but also because ECE services enable parents to pursue their careers and goals to support their families and contribute to their neighborhoods.

High-quality ECE also serves the County's employers and businesses, who hope to attract and retain the most talented employees. Even more broadly, high-quality ECE also serves the entire County; not only because ECE prepares children to enter kindergarten ready to learn, but also because the availability of high-quality ECE will attract the kind of high-quality workforce who will be productive Montgomery County residents and citizens for the County.

Moreover, the County's "return on investment" from quality ECE is multi-dimensional and multi-generational. The "return on investment" for each 0-5 year old, who becomes inspired and experiences the excitement of a lifetime of learning and productivity, can continue for 75 years, 100 years, or more *per child*. Moreover, that love of learning

appreciation for the value of education gets passed down from generation to generation. So, in many ways, the County's return on investment in ECE lasts in perpetuity.

2. **This Council is spared from the too-often difficult dilemma of having to choose one high-priority policy priority over another priority that is competing for the same taxpayer dollars; whereas, in this unique instance, the Council gets to advance BOTH high-priority policies — at NO cost to the County Taxpayer.**

All too often, the Council is confronted with the difficult dilemma of having to choose and favor one policy priority over another policy priority, with both policies competing for the same County taxpayer dollars. In this instance, however, and solely on account of the Gudelsky Family's supplemental philanthropy, this Council does not need to make that difficult choice. Simply by ratifying, approving, and accepting the Gudelsky Family's extraordinarily generous philanthropy, the Council will be able to accomplish BOTH high-priority policy objectives of advancing a "platinum quality" Early Care and Education program at the former Silver Spring Library property AND leverage "ready-to-build" land to increase the County's inventory of affordable senior residences in Eastern Montgomery County — all **without appropriating any of the County taxpayer's dollars!**

The Gudelsky family's proposal to the County Council is even more than their remarkable \$22 Million commitment to create a "platinum standard" Early Care and Education state-of-the-art facility at the ~2.5 acre former Silver Spring Library site. The Gudelsky Family's extraordinary offer to the County now includes another ~\$2 Million or more to provide a finished, mass graded, "ready to construct" ~2.5 acre land site within the VIVA White Oak™ community for Victory Housing to construct, manage, and maintain **90 or more** affordable senior residences (which is even more than what Victory Housing had proposed to generate at the former Silver Spring Library site, and which saves Victory Housing from the cost of having to demolish a historically significant architectural building on the former Silver Spring Library site). Also of note, the Gudelsky Family has committed to contribute the VIVA White Oak™ ~2.5 acres to Victory Housing **in fee simple** (in contrast to the **ground lease** structure the County will be using for the former Silver Spring Library site, which will eventually revert back to the County at the end of that ground lease).

Effectively, therefore, the Gudelsky Family has doubled the County's social program benefit by leveraging the ~2.5 acres of the former Silver Spring Library and making it into a total 5-acre "package" of dual social benefits to the County — one for a "platinum quality" affordable ECE at the former Silver Spring Library site, and allowing for a substantial increase in the County's inventory of affordable senior residences in Eastern Montgomery County --- and all WITHOUT County taxpayers dollars (but, instead, through ~\$24 Million or more from the Gudelsky Family's extraordinary philanthropy).

Yes, it is physically possible to tear down the existing historically significant (Frank Lloyd Wright inspired) former library building (and then consume nearly all of the existing green space of the property by jamming the site to increase the quantity of both affordable senior residences and childcare seats. But, in that case, the quality of both programs would suffer, and the compatibility of this site to the surrounding neighborhoods would be sacrificed, in trying to do too much on just the former library's ~2.5-acre site.

Because of the Gudelsky Family's incredible philanthropy, therefore, the Council does not have to make the customary difficult choice of favoring one policy priority over another policy priority, both of which compete for the same County taxpayer dollars. Instead, if the County Council ratifies, approves, and accepts the Gudelsky Family's exceptional philanthropy, the Council will be able to accommodate BOTH high-priority public policies — at NO cost to the County taxpayers.

3. The Gudelsky Family's proposal further achieves numerous other important County policy objectives, including: (a) preserving the historically significant architecture of the existing Frank Lloyd Wright inspired library building, (b) preserving the green space, significantly enhancing the landscaping, and introducing sustainable gardening of the existing land; and (c) preserving and enhancing the compatibility of the former Silver Spring Library property's use with the surrounding communities.

These are among the reasons over 900 community members signed a petition in support of The Martha Gudelsky Child Development Center proposal, and why the overwhelming majority of commentators on the Department of General Services online community comment website expressed a preference for The Martha Gudelsky Child Development Center proposal.

4. This process started more than three years ago, with the intra-governmental transfer of the property from the public library system to the recreational department, followed by ~2-1/2 years of a very deliberate, comprehensive, and transparent RFP selection process, with robust community engagement (and with the recreational department retaining fee simple title to land); now is the time to take action, so the deserving children can be served as soon as possible.

Invariably, some members of the community may just now be learning of this proposed reuse of the former Silver Spring Library site as a "platinum standard" premiere Early Care and Education Center, and they might be concerned that this decision has being made hastily and without sufficient transparency, analysis, or discussion. But, in fact, this matter has been the subject of years of careful consideration, transparent and robust public engagement, extensive regulatory procedures, expert analyses, and multiple layers of deliberation by the Executive and Legislative branches of County Government.

Now is the time to act. CentroNia's Langley Park early care and education center has a wait list of over 600 Montgomery County children. Let's not delay any further, so we can serve 120 to 150 of those Montgomery County children waiting to learn as soon as humanly possible!

For at least the foregoing reasons, we respectfully request that the County Council ratify and approve the Declaration of No Further Need and the Disposition of the former Silver Spring Library Site to The Martha Gudelsky Child Development Center (to be managed and operated by CentroNia) as one of Montgomery County's premiere Early Care and Education centers.

Respectfully Submitted,

  
Rosalba Bonilla-Acosta, CentroNia

cc: Marc Elrich, County Executive  
Marc Elrich  
Robin Riley, Director, Department of Recreation  
David Dise, Director, Department of General Services  
Greg Ossont, Deputy Director of General Services  
Board Members of The Martha Gudelsky Child Development Center, Inc.



**Testimony by Michael Bufalini  
in support of the DNFN and Gudelsky CentroNia Early Childhood Center, April 10, 2019**

My name is Michael Bufalini and I am a resident of and president of Seven Oaks Evanswood Citizens Association, also known as SO-EE-CA. Thank you for hearing my testimony.

This testimony is in support of the Declaration of No Further Need and the associated lease to the Gudelsky-CentroNia proposal for a day care and early childhood center, as well as the associated affordable senior housing in Viva White Oak.

There are many reasons for you to vote to support this declaration and lease.

First, the County's re-use process has been extensive. It has included local community members participating in the Department of General Services stakeholder committee, including two committee members from SOECA.

Second, interested parties participated in open community meetings over two years, led by DGS and including current Councilmember Gabe Albornoz in his former capacity as Director of the Recreation Department. Input from all perspectives was received and considered.

Third, a petition received 916 signatures supporting no development on the site and retaining the green and open space. This was the largest public input on the topic, mostly from very local residents. The Gudelsky-CentroNia project is the development project most consistent with these goals.

Fourth, a resolution was passed by SOECA that supported the Gudelsky-CentroNia project over other projects, as it is more consistent with the neighboring park and retains open and green space. SOECA includes over 850 households and borders the old Silver Spring Library site.

Fifth, the Gudelsky-CentroNia project is the most consistent with Smart Growth principles, including Strengthening and Directing Development Towards Existing Communities, Preserving Open Space, Making Development Decisions Predictable, Fair, and Cost Effective, and Encouraging Community and Stakeholder Collaboration in Development Decisions.

Sixth, we have many young families in nearby communities, and affordable quality daycare is scarce. This need continues to grow with the beneficial addition of thousands of residences in the Central Business District. Waitlists can already be years long. The Gudelsky CentroNia proposal offers childcare, infant care, and early childhood education, with 75% of 150 daycare slots available to low income families.

The selection process was thorough, inclusive, and transparent, and it considered all of this input. It also considered the priorities of affordable senior housing and affordable day care.

The Gudelsky CentroNia proposal best considers all of these priorities and input. Support the decision of the County Executives and the input of thousands of local residents. Please support the Declaration of No Further Need and reuse of the form Silver Spring Library as the Gudelsky CentroNia Early Childhood Center.

April 8, 2019

VIA Email ([County.Council@MontgomeryCountyMD.gov](mailto:County.Council@MontgomeryCountyMD.gov))

Hon. Nancy Navarro, President  
Hon. Members of the County Council  
Council Office Building  
100 Maryland Avenue  
Rockville, MD 20850

RE: April 10, 2019 (1pm) Public Hearing: Declaration of No Further Need and  
Disposition of 8901 and 8907 Colesville Road, Silver Spring, MD

Dear Council President Navarro and Distinguished Members of the County Council:

My name is Helene Owusu and I've been a resident of Montgomery County for ten years. In addition to being a mother of three children, I work part-time as a Nursing Assistant at Hebrew Home of Greater Washington. I'm here today to support the disposition of the former Silver Spring Library Site to the Martha B. Gudelsky Child Development Center, to be managed and operated by CentroNía.

A friend referred me to CentroNía's in Takoma Park six years ago, when my oldest child, David, was three years old. Both he and his sister seven-year-old Sharon graduated from CentroNía's pre-kindergarten program, where they enjoyed interacting with the teachers and other children, becoming much more communicative. In fact, in addition to speaking Twi in the home, they both learned to communicate well in English and Spanish. There, they developed a love of learning that has helped them continue to succeed academically.

My youngest child, Helen, is two and half years old. She's enrolled in the home-based Early Head Start program at CentroNía. Our home visitor, Ada Joya, visits us once a week, and every other Thursday we go to CentroNía for socialization activities such as singing, group discussions, engaging in active play for gross-motor development, and sharing healthy meals together.

For the coming school year, Helen will transition to classes at the center. Entering a new environment will be an exciting and challenging step for her, but I know she will do well thanks to the kind support provided by the teaching staff, who have always been responsive to my children and family's individual needs. When my older children were ready to transition into kindergarten, CentroNía helped us to prepare, guiding us through the school selection and enrollment process. David and Sharon now both attend Concord Hill School, where they are both doing well academically and socially.

Over the years, CentroNía has become a part of my family. We attend their community events and workshops and my husband is an active participant in the Fatherhood Initiative, a family engagement program which creates opportunities to engage male role models in their children's education.

As parents, CentroNía is important to us because its programs go beyond the classroom; they provide opportunities for families to come together and support each other while we also advance our own learning at the same time. I've been able to prosper in my career, knowing that my children are in a safe environment that promotes their learning and development through a community based approach.

I'm thankful for CentroNía's commitment and efforts to expand access to high quality, affordable Early Care and Education programs and wraparound services, which is why I support the disposition of the former Silver Spring Library site.

Respectfully Submitted,  
Helene Owusu

7600 Maple Ave, Apt. 901  
Takoma Park, MD 20912  
(630) 864-2944



**THE MARTHA B. GUDELSKY CHILD DEVELOPMENT CENTER, INC. & CENTRONIA**

PROPOSAL FOR THE FORMER SILVER SPRING LIBRARY SITE

COMMUNITY PRESENTATION, OCTOBER 4, 2017

*"THE BEST OF BOTH WORLDS"*



# Team

## Team Partners and Structure

- **Martha B. Gudelsky Child Development Center, Inc. (MBGCDC)** - Proposer  
a 501(c)(3) public charity - **RITA REGINO, President**
- **CentroNia** - Child Care Provider and Operator (day-to-day operations)  
a 501(c)(3) public charity - **MYRNA PERALTA, President & CEO**  
*[MBGCDC and CentroNia - Structured as a shared Board and Management Team Partnership]*
- **Homer & Martha Gudelsky Family Foundation, Inc. (H&MGFF)** - Pledged Donor  
a 501(c)(3) private charitable foundation – **JOHN GUDELSKY, President**

## Project Team/Principals

- **MBGCDC**: Rita Regino, President; Jonathan Genn, Project Management
- **CentroNia**: Myrna Peralta, President & CEO
- **Davis Carter Scott, Architects**: Doug Carter, Principal; Ernest Ulibarri, Project Architect

A few examples of  
Gudelsky Family's  
"Quiet Philanthropy"  
serving Downtown  
Silver Spring:



AFI Theatre Restoration



Round House Theatre



Mr. Roger's Neighborhood

(62)



# Overview of Proposal

**Vision:** State-of-the-art, early child care and education center that respects and builds on the history, green space, and residential character of the site.

**Design:** Preserves and Renovates existing building with additional 2 story building surrounded by expansive landscapes and walkways.

## **Programs/Services:**

- Serving **125-150+ children**, ages 0-5, in an intergenerational, multicultural, mixed-income setting between 7am-6pm
- Creating **~50 new full and part-time jobs**.
- Community space for before and after school activities, evening and weekend use by community groups.
- **Increases by 15 the inventory of affordable senior residences (*off-site*)** in Downtown Silver Spring area.



**Former First Lady, Michelle Obama, at CentroNia in 2012**

Objective #1 – Increase senior housing in the Silver Spring Area. A minimum of 30% of the total units affordable are desired to be for households at or below 60% of the area median income (AMI).

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### Increasing Senior Housing Opportunities in the Silver Spring Area:

MBGCDC proposes to make available (and/or subsidize market rate units sufficiently to create) **15 additional affordable senior residences (off-site)** in the Silver Spring Area.

#### NOTES:

- “Objective #1” does not require added affordable senior housing to be on-site; but merely, “*in the Silver Spring Area.*”
- Hypothetical on-site mid-rise (or high-rise) with 50 units x 30% affordable = 15 affordable senior residences.
- **PROBLEM:** Putting on a 2.3 acre site **BOTH** a 50 unit mid-rise (or high-rise) senior residences **AND** a “Platinum Quality” state-of-the-art early child development center to serve 125-150+ children would likely require:
  - (a) complete demolition of the existing former library building;
  - (b) paving over a significant percentage of the property’s remaining green space; and/or
  - (c) substantially increasing the building heights to 4-6 stories or higher.
- Such a proposal would fundamentally change the “feel” and character of this property, and would not be as compatible with the adjacent community park or surrounding neighborhoods as would be the proposal by MBGCDC and CentroNia.



Objective #2 – Contribute to the growing need for childcare services in Montgomery County by providing a facility that meets all regulatory requirements for services to young children.

## Early Child Care and Education Services

- This need has been identified as the #1 priority by Montgomery Moving Forward (with “Call to Action” in 2018), and the strategic plan of Mont Co’s DHHS
- 125-150+ new child care “seats” for children of mixed-income families helps meet Mont Co’s recognized demand and lack of inventory
- MBGCDC is determined to increase mixed-income child care “seats” and services (beyond initial 125-150+ children)
- CentroNia’s 30 years of experience in operating licensed child care facilities in DMV, including its Takoma Park center
- Former Silver Spring Library site easily adaptable to meet all federal, state and county regulatory requirements;
- Location supports partnership with downtown businesses





Objective #3 – Rely on the Offeror's ability to perform the capital for improvements to the existing building and/or for construction of a new building at no cost to the County, and to provide a financially sustainable model for the proposed improvements and services.

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### Ability to Perform:

- **MBGCDC has already established the funding** stream for the capital development costs
- **Mont Co will bear no costs** of capital for the preservation, renovation, and additional construction of the Child Development Center, nor any maintenance of the property
- MBGCDC/Foundation contributions, together with federal, state, county grants (and parent fees, according to ability to pay) will be more than sufficient to cover all budgeted operating costs of the center
- Project management staff and child care leadership team are highly experienced in cost-modeling and fiscal controls at both the development and operating stages

Objective #4 – Incorporate green space that blends with adjacent public park space to the best possible extent.

## Green Space Priority

- Concept/design already integrated into existing park/green space; **~30% of the property remains open space/green area (not factoring the children's play area)!**

- At top of ridgeline of additional building, the **height is less than 5' taller than the existing building** (respecting residential "view shed" and minimizing late afternoon shadows)

- Child care regulations require quality outdoor space for play, exercise

- Landscaping critical to using outdoor space as "classroom" for children to learn about science, environment, and participate in enrichment activities



(67)



# Compatibility and Integration with Community and Surrounding Neighborhood

## History/Preservation of the Site:

- **Preservation and architectural upgrade, rather than demolition and replacement**
- **Renovation and development will respect and build on prior use as community resource**

## Relationship with Residents:

- **Much needed child care services for families with young children living and working in the neighborhood and broader Silver Spring community**
- **Space available for intergenerational and neighborhood events/activities**

## Community Resource:

- **Meeting space for evening/weekend Mont Co forums**
- **Information and referral on county services**



MBG CDC proposal preserves and renovates existing library building



(68)



# Timing

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## Proposed Project Schedule

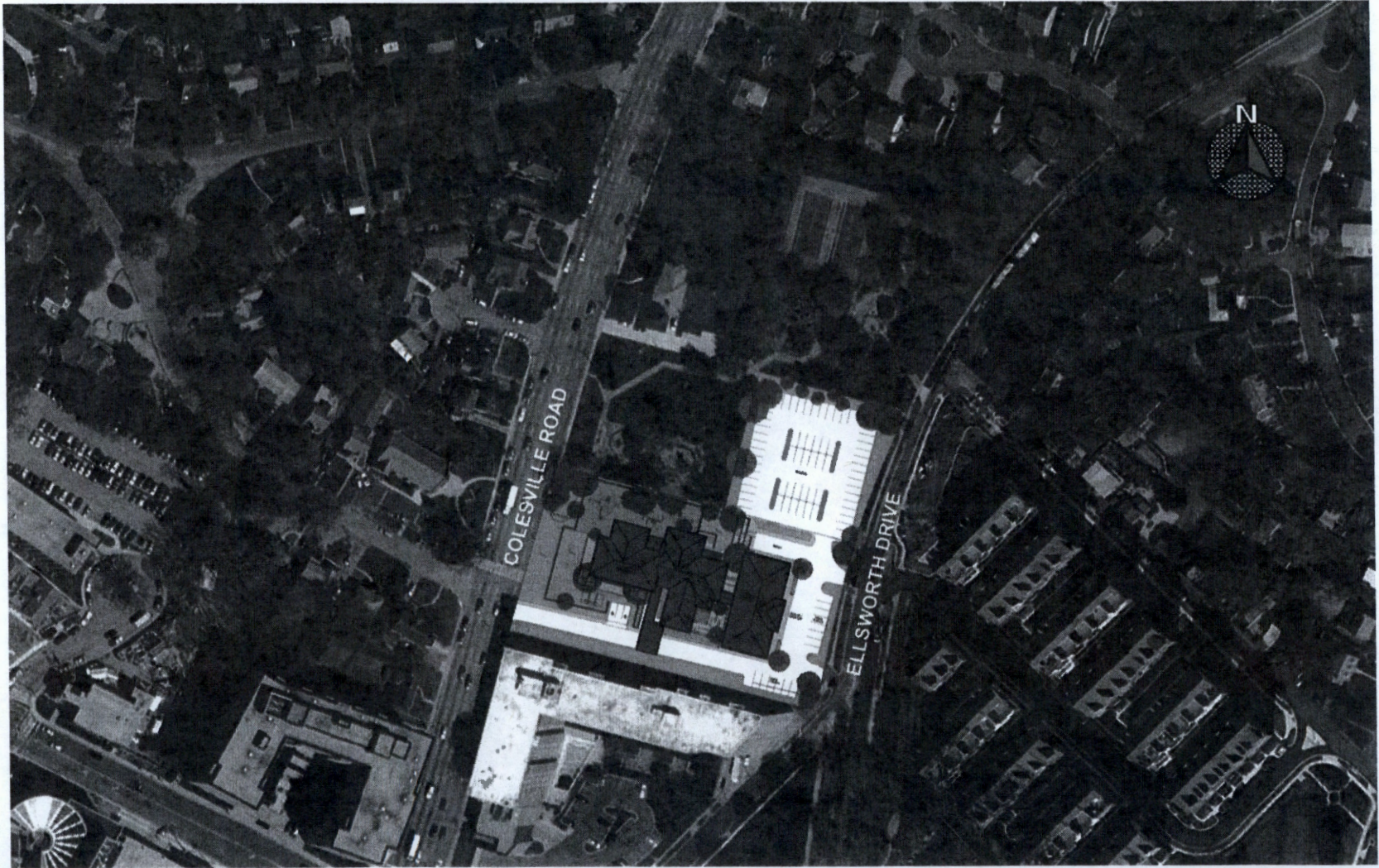
- **Start – December 2017**
- Zoning Approvals – 6 months
- Design Process – January-October 2018
  - Community Design Charrettes – February 2018
- Construction – November 2018 - August 2019
- Staff recruitment/hiring – May - August 2019
- Start Enrollment process – June 2019
- **Open/Occupancy – September 2019**



# Concept Plans/Illustratives

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Aerial View



(70)



View From Colesville Road



(71)



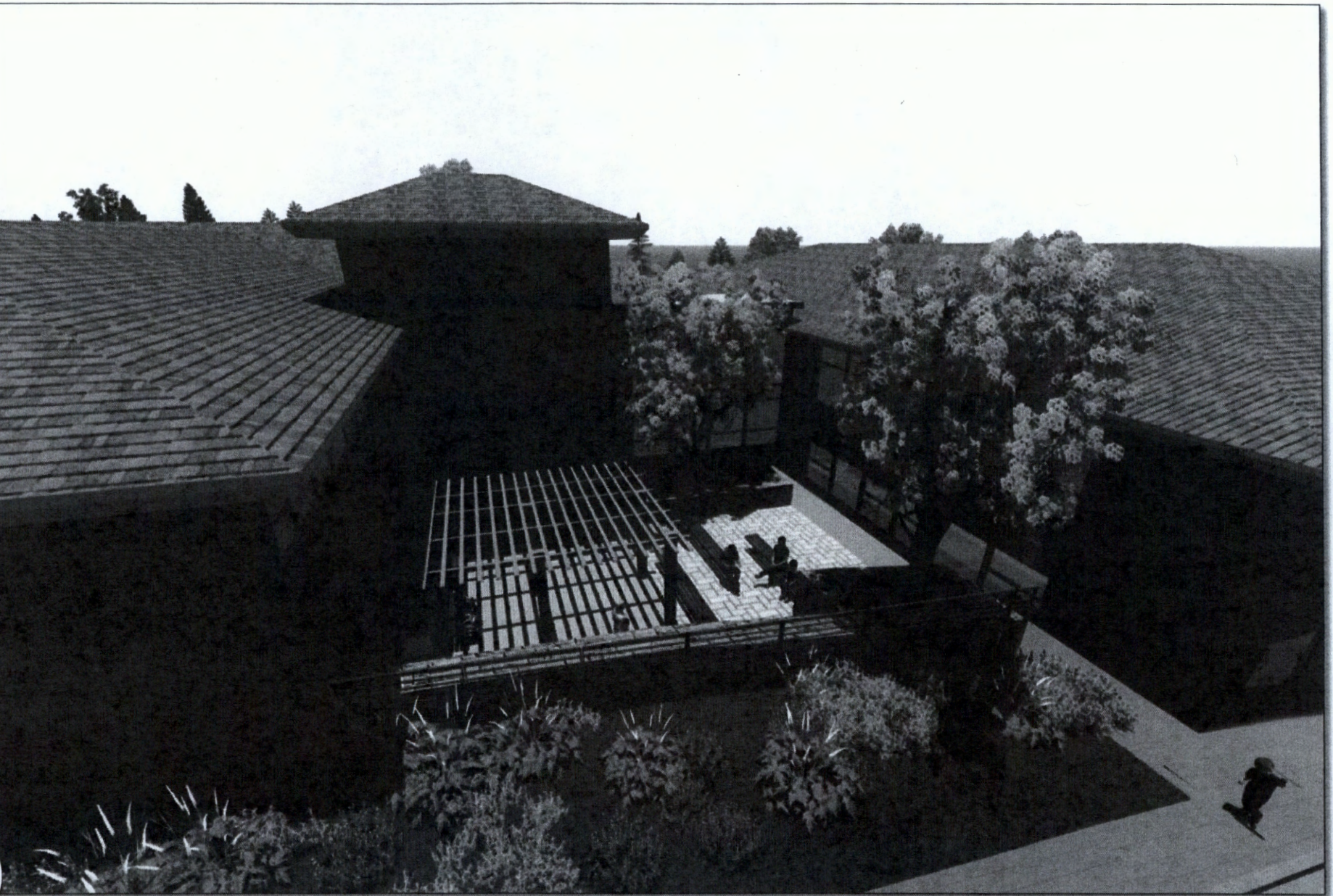
View From Ellsworth Drive



(72)

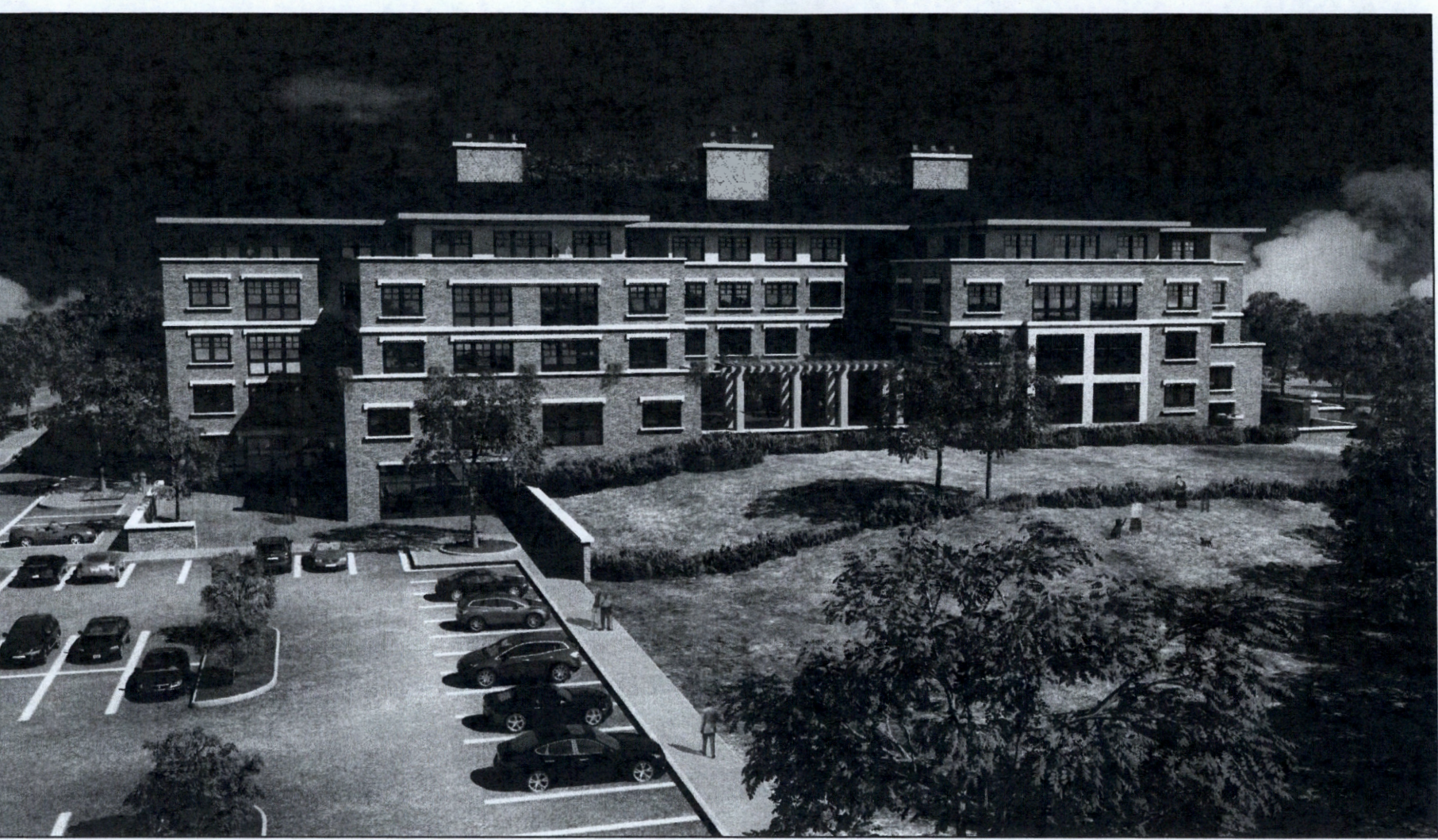


View Into Courtyard (between front and back buildings)



(73)





## SPRING HOUSE





# Team

- **Developer & Owner: Victory Housing**

Deeply experienced mission-driven, nonprofit developer and operator with over 2,000 senior-focused units including 15 properties in Montgomery County.

- Leila A. Finucane, President
- Jeff Blackwell, Vice President



- **Childcare Provider: CommuniKids**

Community-focused childcare providing language immersion and a play-based curriculum serving children in Washington, DC, Falls Church, VA and Richmond, VA

- Raul Echeverria, President



- **Architect: Wiencek + Associates Architects + Planners**

Innovative, award-winning architect with over 80,000 multifamily units designed that focus on sustainability. Over 40 projects in Montgomery County.

- Michael Wiencek, FAIA, President
- Scott Matties, AIA LEED-AP, Vice President



- **General Contractor: Hamel Builders**

Award winning general contractor with a reputation for excellence in the Mid-Atlantic region with over 31,000 units constructed.

- Phil Gibbs, President
- Tom Wahl, Executive Vice President



# Overview of Proposal

- Overall Vision
  - To create a new, inter-generational community to meet both the extreme need for affordable housing for seniors and to provide for a strong childcare program
- Proposed New Community
  - 92 mixed-income apartments for independent seniors
  - CommuniKids childcare program to serve 80-100 children
  - Typical on-site amenities include television room, computer room, game room, library, community room, fitness and wellness centers
  - 92 surface parking spaces planned, including potential Zipcar spaces
- Height/massing:
  - The four-story building massing is broken down into discrete, human-scaled wings employing pitched roofs to reinforce the visual aesthetic
  - The proposed materials – brick, painted siding and single-hung windows – provide a familiar residential palette
- Best use of the site
  - Affordable housing for seniors - only possible with new building

Objective #1 – Increase senior housing in the Silver Spring Area. A minimum of 30% of the total units affordable are desired to be for households at or below 60% of the area median income (AMI).

- Responding to the needs in County for Affordable Housing
- Demographics/Rental Housing Study
  - Approx. 50% of all renter households and almost all households earning 50% of AMI or less are cost-burdened
  - A household earning approximately \$50,000 annually is likely to spend at least \$25,000 of that income on housing costs
  - Active adults (55 and older) are 25% of all renter households
  - One recommendation is the use of public land for affordable housing or co-location of public facilities with affordable housing to meet the need
- Affordability Mix
  - 5 units at or below 30% of AMI
  - 5 units at or below 40% of AMI
  - 17 units at or below 50% of AMI
  - 45 units at or below 60% of AMI
  - 20 units are unrestricted

Objective #2 – Contribute to the growing need for childcare services in Montgomery County by providing a facility that meets all regulatory requirements for services to young children.



- Dedicated 6,000 sq.ft. serving 80-100 children
- 8:1 student teacher ratio
- Inclusive model incorporates cross-generational programming and allows children from different linguistic backgrounds to be in same classroom
- Since 2005, a pioneer in providing language-immersion education to young children in French, Spanish, Mandarin and Arabic
- Began as a parent coop and today has three locations: Washington, DC, Falls Church, and Richmond
- Program is accredited by the National Association for the Education of Young Children (NAEYC)
- High Quality Provider designation in D.C. - first community based organization to partner with D.C. government to provide **FREE** PreK for 3 and 4 year olds in upper northwest DC.

Objective #3 – Rely on the Offeror’s ability to perform the capital for improvements to the existing building and/or for construction of a new building at no cost to the County, and to provide a financially sustainable model for the proposed improvements and services.

- **Financing Sustainability**

- Development Team has 30+ years of proven success
- No Victory Housing community has defaulted on a loan
- Victory Housing is an experienced developer that has a strong asset management team
- Our management team understands the need to adhere to approved operating budgets and consistently operates our communities at 99% occupancy
- Victory Housing is pursuing a \$10,000 annual program grant from Capital One to help fund the resident and childcare programs for the next 10 years

- **Cost to the County**

- Funding sources will include a private first mortgage, funds from the State, and LIHTC
- Due to the level of affordability, the project will require subordinate financing through Montgomery County DHCA that will be repaid



Objective #4 – Incorporate green space that blends with adjacent public park space to the best possible extent.



## Spring House

### DESIGN STRATEGY

Varied massing and pitched roofs break down scale and integrate/relate to adjacent neighborhood

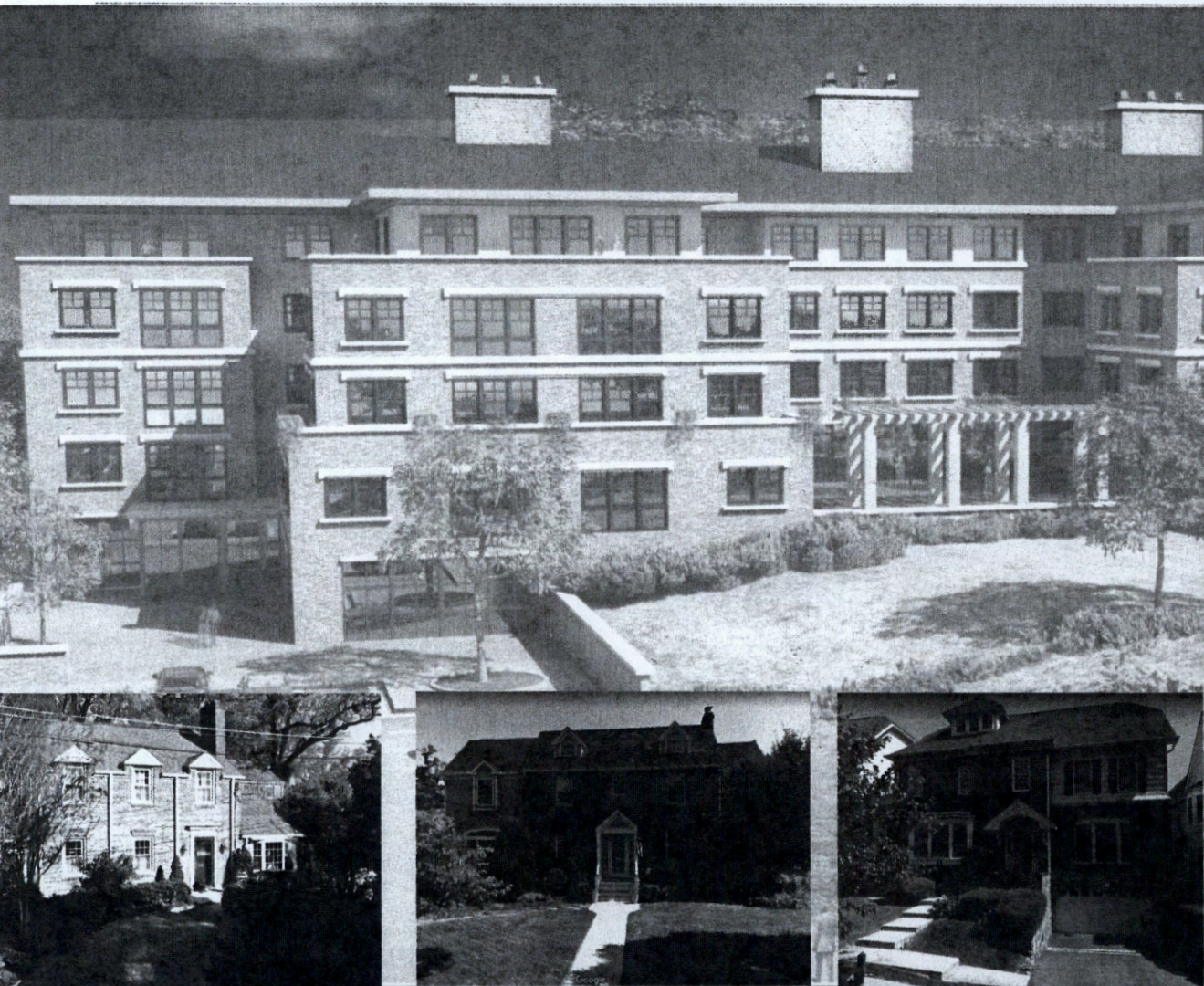
Orient community program and amenity spaces toward Ellsworth Urban Park

Utilize familiar materials and forms to enhance residential character

Day Care located in best possible location to utilize open space



# Compatibility and Integration with Community and Surrounding Neighborhood



## Spring House

### DESIGN COMPATIBILITY

- Design respects neighborhood context

- Care demonstrated in use of green elements and connectivity to park

- Development Team Community Engagement critical aspect of finalizing design

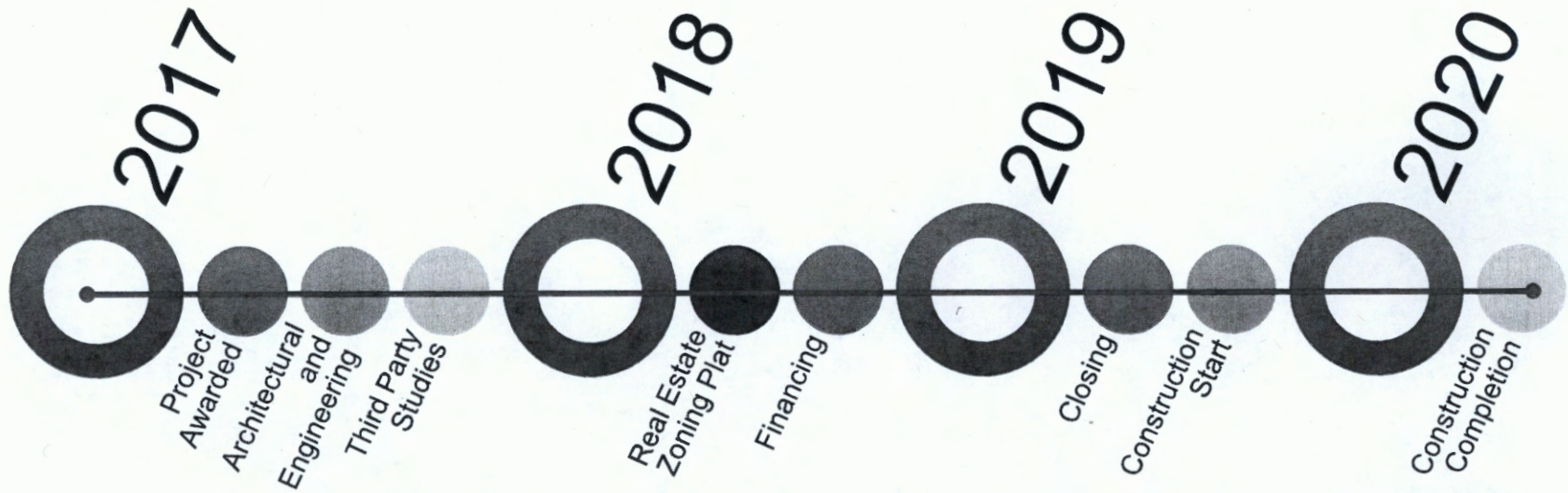
- Affordability, Seniors and Childcare blended together



# Timing

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## Projected Timeline





# Spring House – Front Elevation





# Spring House – Rear Elevation



Childcare  
Entrance

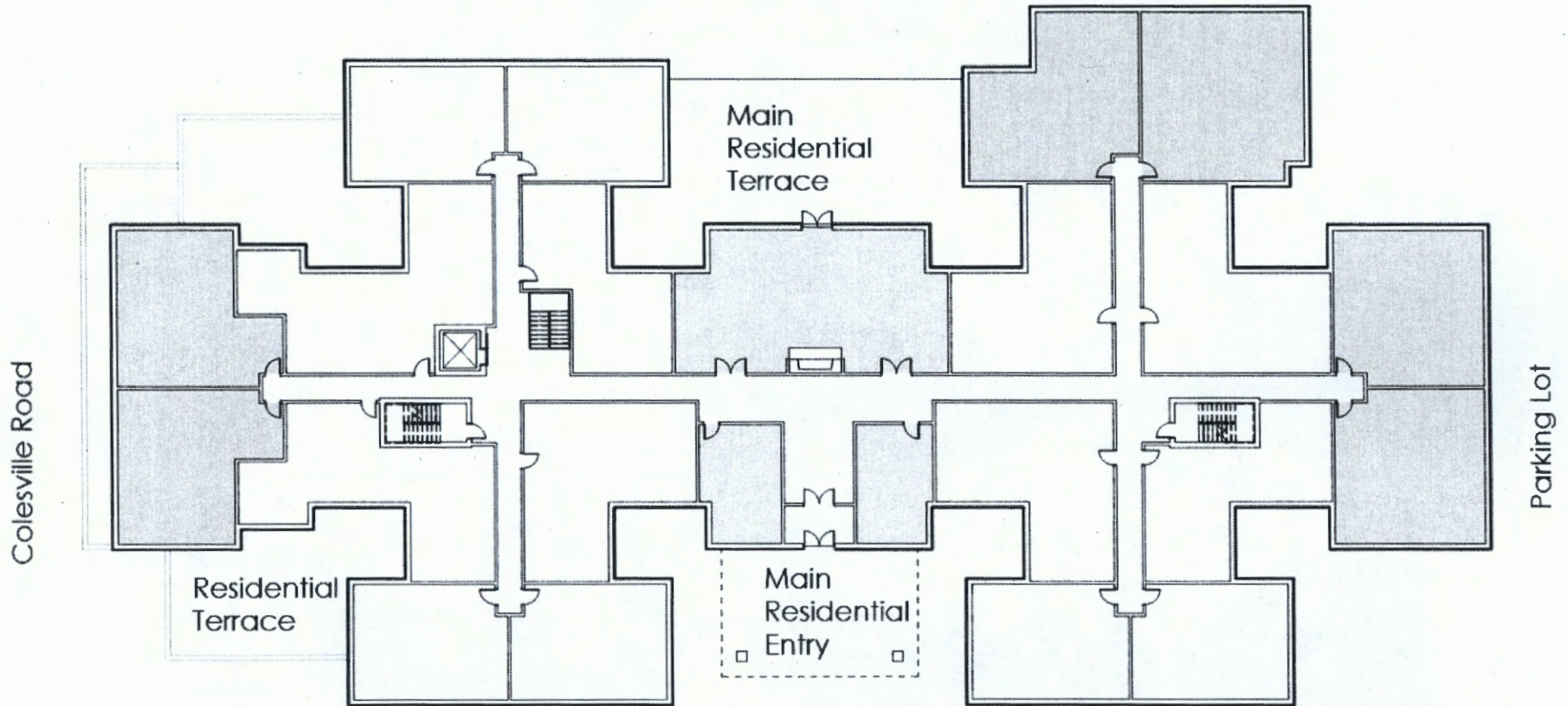
Dog Park

To  
Ellsworth Urban Park



# Spring House – Ground Floor

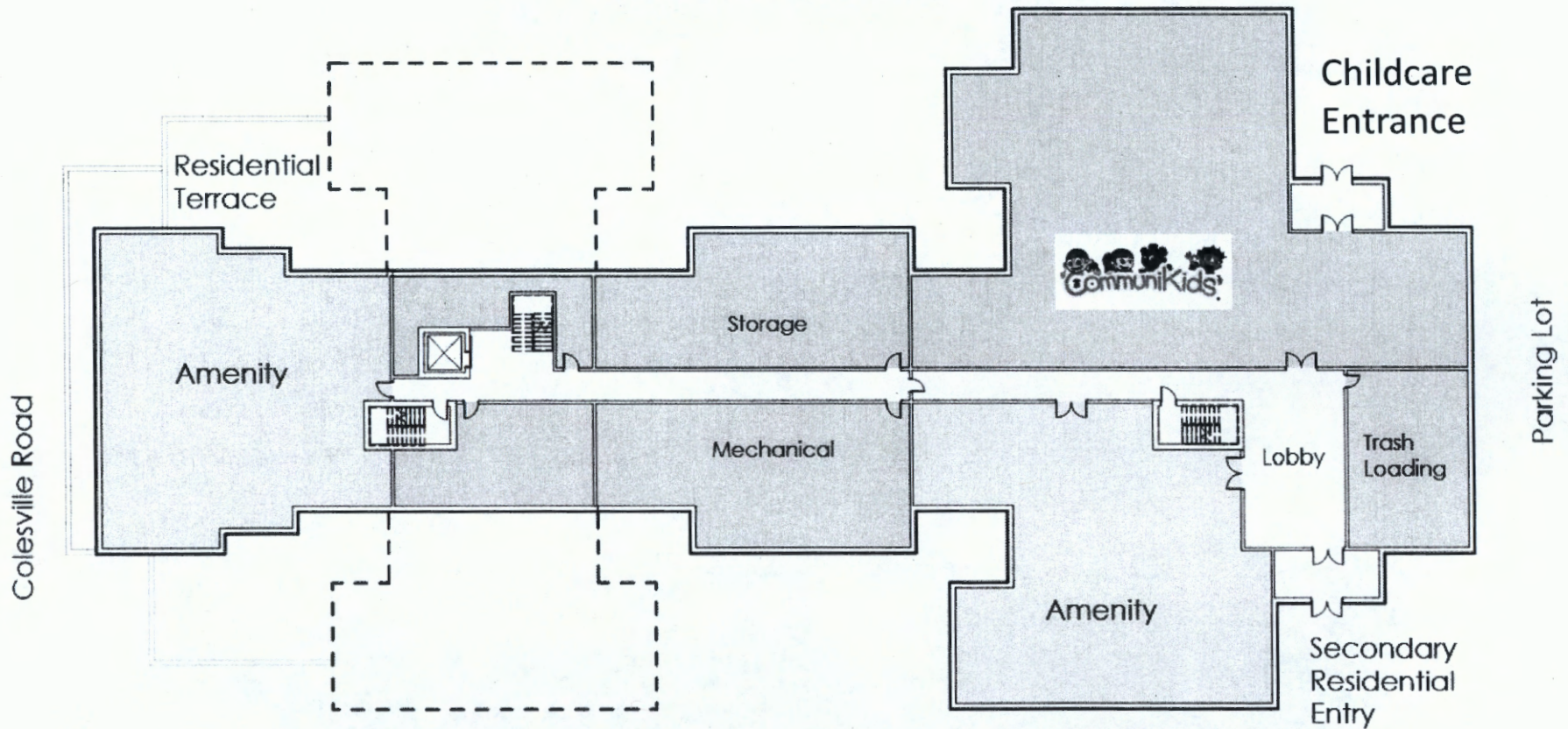
Dog Park & Access to  
Ellsworth Urban Park





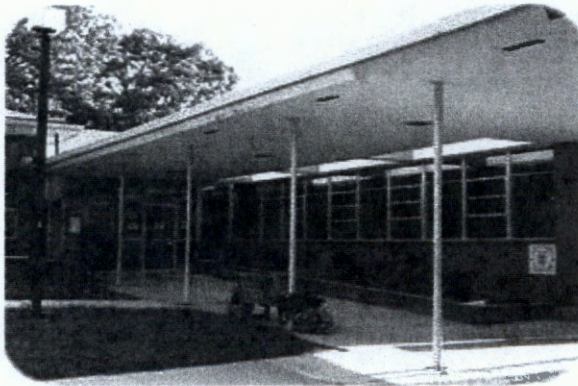
# Spring House – Lower Floor

Dog Park & Access to  
Ellsworth Urban Park





**Montgomery County Government**  
**REQUEST FOR DEVELOPMENT PROPOSALS**  
**for**  
**FORMER SILVER SPRING LIBRARY SITE**  
**8901 & 8907 Colesville Road**  
**Silver Spring, Maryland**



**ISSUED BY:**

**MONTGOMERY COUNTY GOVERNMENT**  
**DEPARTMENT OF GENERAL SERVICES**  
**101 MONROE STREET, 9<sup>TH</sup> FLOOR**  
**ROCKVILLE, MARYLAND 20850**

**RESPONSES DUE BY 4:00PM on FEBRUARY 16, 2017**

**MONTGOMERY COUNTY GOVERNMENT**  
**ISIAH LEGGETT, COUNTY EXECUTIVE**

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**REQUEST FOR DEVELOPMENT PROPOSALS  
FORMER SILVER SPRING LIBRARY SITE**

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## **I. Overview**

Montgomery County, Maryland through this Request for Development Proposals (RFDP), seeks creative, viable development proposals (Proposals) from qualified teams (Proposers) to provide affordable senior residential housing and childcare on County-owned property located at 8901 and 8907 Colesville Road in Silver Spring (Site). The Site is the location of the former Silver Spring Library (Library). Proposals must include delivery methods and operations methods of a childcare center and senior rental housing with a significant affordability component (Project). Proposals may include the adaptive reuse of the existing Library building or new construction or a combination of the two.

## **II. Objectives**

Through a long-term arrangement, the County is seeking Proposals for the Site that can achieve the following objectives:

1. Increase senior housing in the Silver Spring area. A minimum of 30% of the total units affordable are desired to be for households at or below 60% of the area median income (AMI).
2. Contribute to the growing need for childcare services in Montgomery County by providing a facility that meets all regulatory requirements for services to young children; and
3. Rely on the Offeror's ability to perform the capital for improvements to the existing building and/or for construction of a new building at no cost to the County, and to provide a financially sustainable model for the proposed improvements and services.
4. Incorporate green space that blends with adjacent public park space to the best possible extent.

## **III. Site Location and Description**

The Site is two abutting properties. The property at 8901 Colesville Road (tax account number 13-00971462) is improved with a two-story 15,687 square foot building with access to both Colesville Road and Ellsworth Drive. The property at 8907 Colesville Road (tax account number 13-00972821) includes the majority of the parking spaces. Together the properties contain approximately 70 surface parking spaces. The combined size of the two properties is approximately 2.3 acres. The Site is bordered by

Colesville Road to the west, Ellsworth Park to the north, Ellsworth Drive to the east and Colesville Towers apartment building to the south.

**View of Property**



#### **IV. Master Plan and Zoning**

The Site is currently zoned R-60 and is located within the North and West Silver Spring Master Plan (2000) boundaries. The Master Plan confirms R-60 zoning for the Site. Under R-60 zoning, height is limited to 35 feet, lot coverage is limited to 35%, density is limited to 7.26 units per acre. Multifamily housing is not a permitted use in the R-60 zone.

The selected Proposer must seek any necessary zoning changes and amendments to any applicable master plans required to accommodate the proposed development.

#### **V. Existing Building Conditions**

The existing building has a number of maintenance related issues that should be considered and addressed by offerors in their Proposals in the event the Proposal assumes reuse of the existing building. Montgomery County will not be responsible for funding this work. Although the HVAC system is currently functional, it has been the source of numerous complaints and on-going repairs have been significant. The air handling units are over 25 years old, the chiller is almost 20 years old and all HVAC equipment is due for replacement. Major HVAC renovations should be planned.

Water leaks have been an ongoing problem for several years. The roof is in good condition but the built-in gutters are continually clogged and cause water leaks. The soffits show many areas of water damage due to these leaks. Replacing the built-in gutters with exterior gutters is recommended to eliminate this problem.

The ADA automatic doors are obsolete and often fail. New entry doors and operators should be installed before occupying the building.

There has been a problem with water leaking through the wall near a stair to the lower level. To eliminate this problem, the wall needs to be sealed by excavating the soil and parging the wall.

## **VI. Other Considerations**

Prior to issuance of the RFDP, the Department of General Services obtained significant stakeholder input from various neighborhood civic associations, interests groups and citizens. Proposers are expected to be cognizant of the community's deep interest in the ultimate disposition of this publically owned land.

Discussion during the gathering of stakeholder comments included concerns about the overutilization of the property with various uses, heights, density, massing and setbacks of the proposed development. There is significant sentiment that the site be incorporated into the adjacent park as well as interest in adaptive reuse of the existing building or incorporating the existing building into future design. Residents also noted that traffic patterns and regulations on nearby residential streets have been modified to address cut through traffic concerns.

Proposers are requested to consider the dynamic interests associated with the Site while meeting the County's objectives listed above.

## **VII. Submission Requirements**

All Proposals must provide a development concept and explanation of key factors and milestones for its successful implementation, as well as a complete description of the

childcare program the Proposer intends to provide. The County reserves the right to request additional information during the review period.

Failure of a proposer to submit all required information may render the Proposal incomplete and ineligible for further consideration. The Proposal must include the following elements:

1. Cover: The cover should contain the RFDP title, the Proposer's name and the submission date.
2. Transmittal Letter: The transmittal letter should not exceed two pages and should contain:
  - A. The name, title and contact information, including the phone number and email address, of the individual with authority to bind the Proposer. This person should also sign the letter.
  - B. The address and legal form of the Proposer. If the Proposer is a joint venture, provide the above information for all participants in the Proposal.
  - C. Statement that the Proposal will remain in effect for one year after the due date.
  - D. Statement acknowledging receipt of each addendum that the County may issue.
  - E. Statement that the Proposer is not in arrears in the payment of any obligation due and owing to the State of Maryland or Montgomery County, including tax payments and employee benefits, and that it shall not become so during the term of the agreement if selected.
  - F. Statement that, if selected, the Proposer will negotiate in good faith with the County.

3. Statement of Qualifications:

Proposers should be organizations that are:

- Professionally managed;
- An established business/organization with a proven track record;
- Financially viable and able to cover expenses for improvements;
- Able to meet applicable building code requirements, especially if the Proposer plans to reuse the existing building;
- Able to cover all operating expenses; and

- Able to and have developed programs with a wide range of different activities that can meet the requirements listed above.
- A. *Background Information*: A description of the Proposer, including organizational structure, identification of principals and length of time the Proposer has been in business. If the Proposer is a joint venture, information for each entity should be furnished, as well as an explanation as to why a joint venture is the preferred arrangement for the Project.
  - B. *Financial Capability*: Description of the Proposer's financial capability to complete the Project including: (1) reuse of the existing building meeting all applicable codes or buildout of a new facility; (2) the ability to maintain the space for a childcare center, including payment of utility and all other operational costs; and (3) the ability to operate the proposed childcare programming and housing component including a description of the Proposer's financial capability to complete that portion of the Project including, with examples, typical financing mechanisms the Proposer has used on similar projects. This section should provide evidence of the Proposer's ability to obtain sufficient financing for the entire Project.

Under separate cover and marked "Confidential", the Proposer and, if applicable, any member of a joint venture having an equity stake of 20% or greater in the business entity to be formed for this Project must provide current interim statements and audited annual financial statements for their respective firm's last three fiscal years. Developers with an equity interest of less than 20%, or having no equity stake at all, must provide current interim and review statements for their respective firm's last three fiscal years. An appropriately authorized officer/managing member of each firm providing financial information should certify that their respective statements present an accurate representation of that firm's financial condition as of the date of the statements.

- C. *Project Experience*: Description of the Proposer's experience with similar community-oriented facilities and residential developments. This information should clearly describe the size, scope and financial structures of those projects, where located and when completed, as well as a description of the programs the Proposer has provided including the number of participants, description of participants and the objectives of those programs. The statement should also include why the Proposer is well-suited to work with multiple public agencies and describe any prior experience partnering/working with a public agency including local/state/national governmental agencies. Proposers should also include relevant experience in successfully planning, managing and completing capital projects. Additionally, provide references and contact information including name, telephone number and email address for each project

described.

- D. *References*: Include names and addresses of at least three commercial or institutional credit references for the Proposer and any member of the proposed partnership, and a letter from each of the credit references authorizing them to respond to inquiries from the County.

4. **Project Vision**: This section should describe the Proposer's vision for the project and how this vision meets the County's objectives. This vision statement should identify the following:

- A. Phasing, timelines, methodologies and milestones necessary to implement the vision (zoning entitlements, permitting approvals, etc.).
- B. Concept plan that illustrates the proposed development plan, layout, square footage and other characteristics of the development, including building height and density and whether Proposer plans to reuse the existing Library building. The concept plan should include a general estimate of square footage for the daycare facility. The concept plan for senior housing must identify the percentage of affordable units, which must be a minimum of 30% of the total units, affordable to households at or below 60% of the area median income. Deeper levels of affordability are preferable.
- C. Project budget showing sources and uses of development funds and a 15-year operating pro forma clearly identifying programming funding. The pro forma must include cost, revenue and inflation assumptions, as follows:
  - Predevelopment costs;
  - Soft and hard costs, including cost to build-out the interior of existing building if reusing the Library;
  - Fixture, furnishing and equipment costs;
  - Operating revenues and expenses; and
  - Cash flows to the Proposer and/or the County.

The Project budget must clearly identify the number of senior units and the percentage and income breakdown of the affordable units. Any assumptions/projections regarding stabilized rents or when stabilized rents will be achieved should be specified.

- D. A statement of whether the proposed development is contingent on any County or State government action (e.g., regulation changes, public funding-grants, loans, etc.) and a listing of these contingencies.

5. **Electronic Files:** One copy of the entire Proposal shall be submitted to the County in PDF format on a thumb drive as one single file. In addition, an electronic copy of the pro forma in Excel format should be saved on the thumb drive.

**VIII. Evaluation Criteria**

Upon receipt of the Proposals, the selection committee may review and evaluate the Proposals in accordance with the criteria listed below. Interviews may be conducted with development teams. The selection committee's decisions and recommendations will be consensus-based.

The County's goal is to select the highest ranked proposal from the most qualified Proposer that meets the County's objectives for this key site. The following evaluation criteria will help the County achieve its objectives for the Site:

1.	Overall quality of the proposed program:	20 points
2.	Meeting of County's objectives for this request:	30 points
3.	Expertise and financial capacity to implement the concept:	30 points
4.	Financial benefit to the County including capital improvements:	10 points
5.	Prior experience partnering with public agencies	10 points
<hr/> Total Points		<hr/> 100 points

**IX. Administration of the RFP**

**Proposals are due by 4:00 p.m. on February 16, 2017.** If an agreement acceptable to the County cannot be successfully negotiated with the top-ranked Proposer, the County may proceed to negotiate with the Proposer that submitted the next highest ranked Proposal. Alternatively, and at the County's discretion, the County may elect to negotiate with more than one Proposer until an initial letter of intent or memorandum of understanding is negotiated.

Any amendments to this RFDP will be posted on the Office of Planning and Development's website at: [www.montgomerycountymd.gov/DGS/OPD/Home.html](http://www.montgomerycountymd.gov/DGS/OPD/Home.html).

The County expects the RFDP to follow the schedule shown below, but reserves the right to amend this schedule or, at its sole discretion, to cancel the solicitation and suspend negotiation at any time.

RFDP Release	November 28, 2016
Site Tour/Pre-Submission Meeting (Optional)	December 15, 2016 at 9:00 a.m.
2 <sup>nd</sup> Site Tour (Optional)	January 12, 2017 at 9:00 a.m.



## **X. Submittal Instructions**

All Proposals shall include one original and five copies in 8½" by 11" format with no smaller than 11-point font and will not exceed 25 pages (excluding credit references, Letters of Intent ("LOIs"), Memoranda of Understanding ("MOUs"), renderings, Excel based worksheets/models, tables, charts, etc.). Submissions must be bound and sealed, and must be mailed or delivered to:

Ronnie L. Warner, Redevelopment Manager  
Office of Planning and Development  
Montgomery County Department of General Services  
101 Monroe Street, 9<sup>th</sup> Floor  
Rockville, MD 20850

The envelope must state "RFDP – Former Silver Spring Library Site". Written Proposals will be evaluated upon only what is submitted, and it is incumbent upon the Proposer to submit sufficient information to enable the County to fully evaluate the Proposer's capabilities and experience. Proposals received after the date and time specified will be considered late and will not be considered. The County will not accept faxed Proposals or Proposals sent via e-mail. Unless requested by the County, additional information cannot be submitted by the Proposer after the deadline set for receipt of Proposals. The Proposer may be notified in writing of any change in the specifications contained in this request.

Proposals submitted prior to February 16, 2017 at 4:00 p.m. may be withdrawn only by written notice to the County. Withdrawn Proposals may be resubmitted up to the time designated for the receipt of Proposals, provided that they are then fully in conformance with this request. Any modified Proposal must be submitted at the place and prior to the time designated for receipt of Proposals. Proposals received after the date and time specified for receipt of proposals will not be accepted or considered regardless of the reason or reasons for lateness.

## **XI. Optional Pre-Submission Conference & Tour**

There will be an optional pre-submission tour and conference as noted in Section IX above. The County will not provide transportation to or from the site.

## **XII. Conditions and Limitations**

The County reserves the right, in its sole and absolute discretion, to reject any and all Proposals received in response to this RFDP, advertise for new Proposals or to accept any Proposal deemed to be in the best interest of the County, and to cancel this RFDP at any time, for any or no reason, prior to entering into a formal contract. The County further reserves the right to request clarification of information provided in Proposals submitted in response to this RFDP without changing the terms of this RFDP.

A Proposal submitted in response to this RFDP does not constitute a contract and does not indicate or otherwise reflect a commitment of any kind on behalf of the County. This RFDP does not represent a commitment or offer by the County to enter into an agreement with a Proposer or to pay any costs incurred in the preparation or submission of a Proposal to this RFDP. This RFDP does not commit the County to pay for costs incurred in the negotiation or other work in preparation of, or related to, a final agreement between the selected Proposer and the County.

Any commitment made by the County will be subject to approval by the Montgomery County Council per Executive Regulation 11-13AM, *Disposition of Real Property*. The County will make no monetary contributions toward the project.

Written questions regarding the RFDP should be directed, via email, to Ronnie Warner at [Ronnie.Warner@montgomerycountymd.gov](mailto:Ronnie.Warner@montgomerycountymd.gov). No verbal questions will be accepted.

All questions, and the responses from the County, will be posted on the Office of Planning and Development's website at:

[www.montgomerycountymd.gov/DGS/OPD/Home.html](http://www.montgomerycountymd.gov/DGS/OPD/Home.html).

The Proposals and any information made a part of the Proposals will become a part of the project's official files. The County is not obligated to return any materials submitted or received. This RFDP and the selected team's response to this RFDP may, by reference, become a part of any formal agreement between the Proposer and the County.

If a Proposer contends that any part of its Proposal is proprietary or confidential and, therefore, is limited to disclosure under the Maryland Public Information Act, Md. Code Ann. State Gov't §§10-611 *et seq.* (the "MPIA"), the Proposer must identify all information that is confidential or proprietary and provide justification for why such materials should not be disclosed by the County under the MPIA. The County, as custodian of Proposals submitted in response to this RFDP, reserves the right to determine whether or not material deemed proprietary or confidential by the Proposer

is, in fact, proprietary or confidential as required by the MPIA, or if the MPIA permits nondisclosure. The County will favor disclosure of all Proposals in response to any request for disclosure made under the MPIA.

Proposers should familiarize themselves with the Site and form their own opinions as to suitability for any proposed development on the Site. The County makes no representations as to the Site. The County assumes no responsibility for site conditions including, but not limited to, environmental and soil conditions on the Site. Proposers are responsible for their own background investigation as to restrictions, if any, bearing upon title, zoning, subdivision, transportation, developability, utilities, and physical conditions at the Site. Soils tests and other invasive tests may not be conducted upon the Site during the RFDP stage.

Proposers are subject to the provisions of law pertaining to ethics in public contracting including but not limited to the provisions of Montgomery County Code Chapter 11B, Article XII and the applicable provisions of Chapter 19A.

### **XIII. Minority, Female and Disabled Participation**

The County encourages contracting and development opportunities with business interests reflecting its diverse population and interests. Therefore, the County encourages Proposers to include where possible and to the highest extent, meaningful minority, female and disabled ("MFD") participation in the proposed project. This participation could include, but not be limited to, the Proposer teaming with MFD developers, builders and/or subcontractors for the proposed project.