



CIVIC FEDERATION NEWS

Official Publication of the Montgomery County Civic Federation

Serving the Public Interest Since 1925

728th Session

www.montgomerycivic.org

May 2001

A Region Divided

—by Chuck Lapinski
Public Finance Committee Chair

The Brookings Institution's policy report, "A Region Divided: the State of Growth in Greater Washington, D.C.", has raised questions about the breadth and complexities of the challenges of growth here in the Greater Washington, D.C. area. The report claims that we suffer divisions by race, income, jobs, and opportunity. Even the affluent "western" side of the area, according to the report, includes "pockets of poverty."

The program at our May meeting will look at the long-term implications on growth and the quality of life in our area. Chuck Lapinski will chair the program. The guest speakers will be the authors of "A Region Divided", Ms. Amy Liu and Mr. Robert Puentes, from the Brookings Institute Center on Urban and Metropolitan Policy.

Their initial results addressed the significant differences in policies among the jurisdictions in the region, and how these policies shape the differences in income, housing, schools, jobs, transportation,

and even the evolution and composition of our neighborhoods and communities. In many respects the report is an indirect assessment of what has evolved from the original "wedges and corridors" regional plans devised in the fifties and sixties, how well those plans have been followed and what the effects have been.

Many of us have seen most of the results in other briefings. What is different now, is that the team has had some time to reflect on the results and the characterization so that they could focus on the long-term implications of the various policies and



—Photo by Winnifred Klein.

W. Gregory Wims was recognized by Federation President I. Dean Ahmad) as a community hero at our April meeting for his tireless work for crime victims, culminating in the establishment of the Victims Rights Foundation.

what the impacts are on growth and quality of life issues. Some of their initial thoughts are a little of what we might expect. But, most of what they see is not only thought provoking, but it also challenges our current perceptions and thinking. Simply put, many of our well-intended policies have some undesirable and/or unintended consequences that affect our quality of life. These effects may be costly not only in the financial sense, but also emotionally. But, we have some limited time to try and change them, and soon may not be soon enough.

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What I most appreciated from the last open discussion and presentation they made in January, is the focus on the long-range implications of our policies from the '70s and '80's, but also more current policies from the '90s. And, no, I am not going to even give you any hints, or even an example. The characterization and the context of their study drove the results and preliminary conclusions. There are challenges and changes that must be made if we want more desirable results.

In summary, the region will continue to grow. Montgomery County and the State of Maryland will grow with it. And if we choose, we can lead the region in growth while retaining the infrastructure and quality of life that we want.

Delegate Meeting Minutes April 9, 2001

–by Richard Zierdt, Recording Secretary

Meeting called to order by Dr. Dean Ahmad, MCCF president, at 7:55 pm. 727th session of the MCCF.

Announcements. Greg Wims: softball tournament (April) 28th and 29th at Wheaton Regional Park. Dean: Awards committee (for annual awards) is meeting. Contact Bill Skinner, chair. Nominations committee is meeting. If you're interested in serving the MCCF, let Chuck Lapinski know. Also, a MCCF Planning Board, Board of Appeals committee, a special committee to interview candidates for vacancies on the Board of Appeals and the Planning Board. If you're interested in serving on that committee, let Dean know. Those present introduced themselves. Secretary counts 28 persons present at 8:00. Dean declares a quorum.

Agenda. Snow removal is added (5 mins). Chestnut Lodge added (5 mins). Matthew Henson trail (3 mins). Budget issues (3 mins). "Son of ICC" (Muncaster Mill) (3 mins).

Minutes of the March 12, 2001, delegates meeting are approved with no objections.

Community Hero Award. Dean Ahmad introduces Gregory Wims and describes his (Greg's) efforts in victim advocacy in Montgomery County, including formation of a Prison Ministries program, and

president of the Boys' and Girls' Clubs (MC region). Founded Victim Rights Foundation in 1997. Greg addresses the MCCF briefly.

Program #1. Chuck Lapinski. County operating budget. Introduces Mr. Joe Beach, from County Office of Management and Budget. Mr. Beach distributes and discusses "Budget in Brief" document. Almost a \$3 billion budget (including reserves). School budget increased 7 percent. Q&A. Cary Lamari: Elderly housing is not as an immediate need as mental health. Jerry Garson: Red light cameras. Would prefer efforts to improve traffic flow instead. Bill Skinner: What about the work force (# of employees)? Ans: New jail has... Will County keep the number of employees per population constant? Ans: No. Cleo Travani: municipalities.

Program #2. Storm Water Management. Cleo Tavani introduces Ellen Scavia, Boyd Church, County Government staff, who present a PowerPoint presentation. Discusses overall storm water management. Next step: Draft legislation for user charge. Q&A. Infill construction? Councilmember Ike Leggett arrives at 9:03 pm. Looking at user fees. Fees would apply to all organizations, such as non-profits.

Program #3: Sierra Club. Betsy Johnson. Building roads will not solve transportation problems.

Time is 9:36 pm.

School Infrastructure Tax. Richard Zierdt moves that the MCCF support a 2% increase in the County piggy income tax. Seconded. Motion fails 5 - 17 - 3.

Home Depot. Rockville Pike. Zierdt moves that **MCCF regrets the approval of the Home Depot on Rockville Pike**. Seconded. Motion passes with 1 abstention.

Election of MCPPC Director. Tom DeGraba. Moves that MCCF work to make the director of the MNCPPC an elected, non-partisan position with a four-year term of office. Motion fails 4 - 13 - 6.

Light pollution motion. Charles Wolfe. "Sky lighting" is too much. Dick Kauffunger: There are no lighting standards in Montgomery. Businesses can light as brightly as they want. Issue is referred to the executive meeting.

Chestnut Lodge. Cary Lamari. County got out of the mental health business. Lamari moves that **MCCF**

urge the County and the State to preserve the programs and facilities at Chestnut Lodge. Seconded. Passes unanimously.

Matthew Henson trail. Charles Pritchard. priorities. Dick Kauffunger: MH trail is in the Aspen Hill area. Moves **MCCF support an ongoing discussion of the issue.** Seconded. Five Motion passes 18 - 3 - 2.

Councilmember Phil Andrews. Time is 9:26 pm. Speaks in support of legislation that will require clearing sidewalks after a storm. It's a community-wide problem. Other jurisdictions have addressed this issue. Warnings will be issued first. Maximum fine is \$50 per storm. Businesses will be required to clear sidewalks in front of their facilities. Cary Lamari: priorities? Andrews: clear sidewalks is a priority. Jean Goldstein: Law would cause injuries by requiring people with disabilities to clear their sidewalks.

Dean Ahmad. Committee to be formed to interview candidates for chairman of MNC/PPC. Moved to **establish the committee.** Seconded. Passes.

Snow renewal. Dick Kauffunger. Moves that MCCF support snow removal legislation. Seconded. Motion fails on 10 - 8 - 2 vote (motions must pass affirmatively).

State Budget issues. Charles Lapinski moves that MCCF oppose the State budget. Five seconds. Motion fails 6 - 9 - 3. Charles Lapinski then moves that **MCCF oppose changes to MEDCO** (Maryland Economic Development Corporation). Five seconds. Motion passes 12 - 0 - 6.

Son of ICC / Muncaster Mill Road. Speaker with GOCA (sp?). Moves that MCCF oppose option C of an east-west highway along the Muncaster Mill right-of-way, and also option B. Fails for lack of five seconds (3 were made). Dean recommends that the issue be referred to the Executive Committee for further deliberation.

Meeting adjourns at 10:59 pm.
Respectfully Submitted, Richard Zierdt



Ike Leggett addressed the April meeting on Storm Water Management.

—Photo by Winifred Klein

Ex-Comm Meeting Minutes

April 19, 2001

—by Richard Zierdt, Recording Secretary

7:45 pm: Quorum is not present.

Announcements. MCCF president Dean Ahmad announces that deadlines for bids for Chestnut Lodge will be extended.

7:48 pm: Quorum is now present.

Meeting called to order by Dean at 7:48 pm.

Modified agenda is adopted.

Minutes from previous ExCom meeting are approved.

Treasurer's report. Chris Suzich wrote checks for \$372 for the newsletter.

Political Campaigning on County Property/Time. Dean Ahmad. Charles Thompson, County attorney replied to Dean's letter.

Quorum. Richard Zierdt: Moves that quorum requirements for Executive Committee meetings be reduced from seven officers to six and that the alternative quorum definition of a majority of the Executive Committee be reduced to two-fifths. Seconded. Motion fails 4 - 7. For Delegate meetings, Zierdt proposes (1) a "two-tiered" process, where quorum is defined twice: once at the beginning of a meeting, and again after two hours (see Zierdt's article on quorum in the April Newsletter), (2) that quorum be reduced from one-fifth to one-sixth of Member organizations, and (3) that once quorum is established at the beginning of a meeting, quorum calls be disallowed for the first two hours of the meeting. Dean proposes that a two-tiered system would be too complicated, and that quorum reductions and quorum call time limit be divided into two motions. Dean's proposal was then moved and seconded. Passes on voice vote. A vote was then taken **to reduce quorum for Delegates meetings from one-fifth to one-sixth of Member organizations.** Passes 7 - 5. A vote on a quorum time limit of two hours fails 6 - 6.

Special Interest Groups at Delegates Assemblies. Zierdt: Sierra Club's "presentation" at the April

Delegates meeting was basically a political message without any opposing viewpoints invited. Dick Strombotne: Too many programs at the last delegates meetings. Dean: two council members also addressed the Delegates, and that extended the meeting. Peggy Dennis: there should be one program only. Charles Lapinski: MCCF is non-partisan. Jean Goldstein: Too many awards, and that takes up valuable time. Dan Wilhelm: This is probably a one-time event. Steve Howie: Meetings are a sacrifice for all attendees; there are too many long opinions; order should be enforced.

Tax Priorities vs. Tax Increases. Zierdt: If this organization supports tax priorities over tax increases, then we should analyze proposed County's budgets, and make our views known. Peggy Denis: MCCF should be more pro-active, before the budgets come out. Chuck: We did have a "budget-101" session a few years ago. One problem is that the County's executive is closed-door to public scrutiny. There is "one pot" - we cannot "pick and choose." School system should show results given the amount spent. Zierdt moves to establish a special committee (ad-hoc) on budget priorities to study the budget. Seconded. Dick Strombotne: isn't there already a committee to do this? Task is assigned to the Public Finance Committee, headed by Chuck Lapinski. Charles Wolff: there isn't enough time. Use last-year's budget and study that. Stan Schiff: first establish priorities, then look at the budget. Broaden the scope. MCCF committees should be involved as well, as per their scope of study.

Nominating Committee Report. Chuck Lapinski would like to postpone the deadline for the newsletter.

Program for May delegates meeting: Chuck: Brookings Institute for May. Brookings will need a good hour.

Program. Fifa Northrop talked with Board of Elections. Discussion about redistricting. Redistricting Commission has been appointed.

Permethrin Spraying. Charles Pritchard: Less will be performed.

Environment Committee. Charles Pritchard felt the Kemp Mill Master Plan is pretty good. State is looking at rights of way for the Purple Line. Kemp Mill is not happy about that.

Land Use and Planning Committee. Stan Schiff. Saturday forum on the Future Commission Report took place. Program will be broadcast on Community TV. Came in under budget. Myrna Taylor helped considerably.

Membership. Peggy telephoned several Council members to reconsider their positions on Chestnut Lodge. Jean contacted three television stations. Praisner, Subin, Denis, Silverman would be the most likely for reconsideration.

Transportation. Dan Wilhelm, dealing with TPR. Annual Growth Policy is before the Planning Board. Steve Silverman: advocating \$1 million more for transit.

Meeting Location/Date for November delegates meeting. Dean recommends Tuesday in the cafeteria of the Council Office Building. No objections.

Bicycling. Zierdt: is riding a bicycle on a sidewalk illegal? Wini Klein: Police ride on the sidewalk themselves. Charles Pritchard: believes children should be trained in proper riding and rules. Dean: bikes should ride on right side of street. [Secretary's note: a subsequent call from Stuart Barr, County staff attorney, reports that Montgomery County code explicitly permits bicycle riding on sidewalks, with conditions.]

Meeting adjourned 9:45 pm.
Respectfully Submitted,
Richard Zierdt, MCCF Recording Secretary

Proposed Change to Bylaw on Quorum

—by Richard Zierdt

The MCCF Executive Committee recommends the following change to MCCF bylaws, reducing the definition of quorum from one-fifth to one-sixth of member organizations. Currently, there are about 79 paid member organizations to the MCCF. In practical terms at this time, this change would mean that quorum would now be 14 organizations, instead of 16. Keep in mind that quorum is defined as the number of organizations represented, not the number of delegates. This means that at least one delegate from 14 different member organizations would (now)

have to be present to achieve quorum. Quorum numbers also change as the number of paid organizations changes.

This change would make it easier to conduct business at Delegates meetings. If quorum fails at any time during a meeting, the MCCF may take no further official action on any issue.

Below are proposed changes to Article XI (Meetings of the Federation), Section 6 (underlined text is new, [bracketed] text is removed):

- 6. Quorum and meeting length. A quorum for all meetings shall consist of at least one Delegate from at least one sixth [fifth] of all Member associations.

Nominating Committee Names Slate

The nominating committee, elected at the April delegates meeting, consists of Dick Kauffunger, Chuck Lapinski (chair), Selma Poritzky, Jorge Ribas, Stuart Rochester, George Sauer, Charles Wolff. Their nominations are:

OFFICE	NOMINEE	TENURE AS OFFICER
President	Dean Ahmad	> 2 yr.
First V.P.	Cary Lamari	RETURN
Second V.P.	Stan Schiff	> 2 yr.
Second V.P.	Jeanne Goldstein	> 2 yr.
Second V.P.	Vacant	
Second V.P.	Dan Wilhelm	1 yr.
Treasurer	Chris Suzich	2 yr.
Rec. Sec'y	Richard Zierdt	2 yr.
Corresp. Sec'y	Winnie Klein	1 yr.
District 1 V.P.	Fifa Northrup	1 yr.
District 2 V.P.	Dick Strombotne	1 yr.
District 3 V.P.	Myrna Taylor	1 yr.
District 4 V.P.	Bob Abrams	NEW
District 5 V.P.	Mark Adelman	NEW

Any delegate is free to nominate other candidates for these positions at the May meeting. The election follows at the June meeting.

Awards Committee Seeks Your Input

–by Bill Skinner, Awards Committee Chair

The MCCF Awards Committee requests members to tell us of your special nominees for our three annual awards—the Star Cup, the Sentinel Award and the Gazette Award,

The Star Cup has been given since 1927 to the individual delegate or committee of the Montgomery County Civic Federation who has done outstanding public service for the County.

The Sentinel Award goes to an individual or group who has given outstanding service to Montgomery County.

The Gazette Award goes to an individual or group who has helped make "community" in Montgomery County.

There are plenty of people who deserve recognition from MCCF before they move away or die. Do not be bashful in recommending someone you know. But think about the community as a whole especially as you think about a person or persons in the Civic Fed who should be nominated for the Star Cup. Start thinking and pass your thoughts on to a committee member—Bill Skinner, chair (301) 762-3784; Fifi Northrup, (301) 984-9424; Jeanne Goldstein (301) 652-3064, Myrna Taylor (301) 869-4499; and Charles Lapinski (301) 384-0392.

Awards are given at the June meeting. The Executive Committee decides at the May meeting. Help us do this right!

Initiative and Referendum—What's It All About?

–by Dick Strombotne, VP for District 2

The first amendment to the US constitution says that Congress shall make no law that abridges the right of citizens to petition the government for a redress of grievances. This amendment is the basis for the

initiative and the referendum as ways for citizens to have a direct role in the legislative process. The populist movement of the late 19th and early 20th centuries caused legislatures in many states to make one or the other or both procedures available to their citizens.

The initiative is a way for citizens to make laws. The referendum is a way for citizens to say yes or no to laws that have been enacted by a legislative body. Now look more closely at each.

The Initiative. Twenty-four states have the initiative process in one form or another; Maryland is not one of them. The most common form of initiative process is the “Direct Initiative”. In this form, citizens formulate a law and circulate petitions to put it on the ballot. If enough voters approve, the proposed law goes directly into the statute books. No action on the part of the legislature is needed. If the legislative body does have a role in approving the law passed by the voters then the process is called an “Indirect Initiative”.

Each state has its own rules a.) for reviewing the language of the law before the petitions are circulated, b) prescribing the length of time a petition may be circulated and the processes of collecting signatures, c) specifying the number of signatures required, and d) limiting the number of issues that the proposed law can address. The result of the initiative may be either a new statute law or a constitutional amendment, depending on the rules in an individual state and the intent of the initiator. Citizens’ access to the initiative varies widely from state to state. It can be extremely difficult to get enough signatures to put an issue on the ballot or relatively easy.

The great advantage of the initiative is that the voters as a whole can deal with issues that the legislature will not touch with a 10-foot pole because they are too controversial or because they affect the legislature itself (conflict of interest). Some examples are term limits, limitations on taxes or expenditures, campaign finance reform, and supermajority requirements.

The Referendum. Once again, there are at least two different types of referendum. In the “Popular Referendum”, citizens can petition to put on the ballot for approval or disapproval a law that a legislative body has enacted. They have to collect a significant number of valid signatures and they have only a limited time to do so. Here, too, the specific

requirements vary from state to state. Even within a state, the various local governments can have widely varying requirement for numbers of signatures or whether or not the referendum process exists for that level of government. Coincidentally, the number of states having the Popular Referendum is also twenty-four and this time Maryland is included.

A second type of referendum is sometimes called the “Referral” or “Legislative Referendum” because the legislative body passes a law that is referred to the public for its approval in a subsequent general election. The law may be a constitutional amendment or statute law. Forty-nine states have the Legislative Referendum. Delaware is the only state that does not refer constitutional amendments to the voters for approval, according to the Initiative and Referendum Institute. (Visit it on the web at www.iandrinstute.org.)

From the President

"We need to be proactive!"

It's a refrain we hear repeatedly, not only in the Federation but in our constituent organizations as well. Why does it seem to be so hard to do? For one thing, we don't seem to have much time left to be proactive given all the issues to which we must react. For another thing there are so many different issues different members have strong opinions on (often contradictory) that it seem hopeless to try to come together on a handful of issues that we could pursue to a successful outcome. I am thinking that perhaps the solution is to focus on the issue of PRIORITIES in themselves.

After all, we are constantly challenging the County Council, the Executive, the State legislature, and the governor on their priorities. If we were to make proactive suggestions on what their priorities ought to be, then we might kill too birds with one stone. We would have to, in the process discover our own priorities and filter out the consensus issues from the controversial ones. In the end, by being able to push for our priorities in a proactive manner we might head off many of the problems that we end up having to react to at a later stage of the process.

Such an approach is fraught with peril. Some individuals or organizations in our constituency might find themselves outraged that we do not have a

2000-2001 MCCF Officers and Committee Chairs

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President:	I. Dean Ahmad	301-951-0539	301-656-4714	301-656-4714	deanahmad@yahoo.com
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2nd Vice-Pres.:	Stanley D. Schiff	301-530-6455	same	<not available>	stanschiff@netzero.net
2nd Vice-Pres.:	Jeanne Goldstein	301-652-3064	same	<not available>	<none>
2nd Vice-Pres.:	Steve Howie	301-972-2736	same	<not available>	stevehowie@aol.com
2nd Vice-Pres.:	Dan Wilhem	301-384-2698	same	<not available>	djwilhelm@erols.com
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Dist. 2 V.P.:	Dick Strombotne	301-540-9597	<not available>	<not available>	<not available>
Dist. 3 V.P.:	Myrna Taylor	301-869-4499	same	<not available>	<not available>
Dist. 4 V.P.:	Robert Creager	301-890-4326	301-918-9226	<not available>	creager11@msn.com
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Historian:	Marcella Petree	301-384-1776	same	<not available>	<none>
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Public Relations:	Robert Creager	301-890-4326	<not available>	<not available>	<not available>
Education:	Robert Astrove	301-340-9521	<not available>	<not available>	astrove@hotmail.com
Environment:	Charlie Pritchard	301-593-1781	same	<not available>	erc69434@aolcom
Legislation:	George Sauer	301-762-7260	same	<not available>	<none>
Membership:	Jeanne Goldstein	301-652-3064	same	<not available>	<none>
Pl. & Land Use.:	Stan Schiff	301-530-6455	same	<not available>	<none>
Pub. Fin. & Util.:	Chuck Lapinski	301-384-0392	703-506-4600	<not available>	clapinsk@mcri.com
Transportation:	Dan Wilhelm	301-384-2698	same	<not available>	djwilhelm@erols.com

consensus on an issue that seems so vital to them. On other issues some may feel it is better to let sleeping dogs lie than to bring up a matter that might provoke a strong reaction from sectors of the community that have their own agendas in conflict with ours. I believe, however, that if we proceed in a prudent manner, and respect not only our own differences, but the perspectives of others outside our own organization, pursuing a proactive agenda in this manner is an experiment worthy of trial.

The Executive Committee has decided that the way to begin a search for a proactive agenda is with fixing priorities for the budget process. If we start now discussing what ought to be the priorities in next year's capital budget, perhaps we can fix the framework for the debate that will begin after the initial budget proposal. To that end, Chuck Lapinski's Public Finance Committee has agreed to take the lead to consider developing an agenda that we can address in the coming year. I encourage everyone interested in working on this issue to let Chuck know precisely where your interests lie and whether you would be assist it in some manner.

One matter in which we should certainly be proactive is redistricting. I encourage all delegates to engage your respective associations in a discussion of how redistricting could help or hurt them and to get

involved in a program to coordinate our constituent organizations' concerns into solid recommendations that would be to the mutual and collective benefit of all the organizations. For example, I know that a state district dividing line rights right through the center of my association, the East Bethesda Citizens Association. If we could redraw the line so that we were entirely within a single district, it would not only improve our representation, but that of neighboring associations. Similarly, the Federation is already on the record as favoring single representative districts. This is the time to rededicate ourselves to that issue and to work for its implementation.

By now everyone must know that Mindy Hurwitz has resigned from the Board of Appeals and William Hussman has resigned as Chairman of the Planning Board. I have appointed Cary Lamari to chair a joint committee with the Allied Civic Group to evaluate candidates for these positions.

–I. Dean Ahmad, Ph.D.

Delegates Meeting

Monday, May 14–7:45 p.m.

First Floor Auditorium

County Council Office Building, Rockville, MD

AGENDA:

7:45 Call to Order, I. Dean Ahmad presiding

7:46 Announcements, Introductions

7:52 Adoption of Agenda

7:55 Approval of Minutes, Officers' Reports

8:00 Program: A Region Divided (p. 1)

- To Be Announced

9:00 Old Business

9:05 New Business

- Bylaw on Quorum (p. 4)
- Nomination of Officers (p. 5)

9:45 Adjourn

The **Montgomery County Civic Federation**, a nonprofit, educational, and advocacy countywide group, was founded in 1925 to serve the public interest. The monthly Delegates Meeting is open to the public and it is held on the second Monday of each month (except for holidays, July, August and December) at 8:00 p.m. in the First Floor Auditorium, County Office Building, Rockville, MD.

The **Civic Federation News** is published monthly. It is mailed to Delegates; associate members; news media, and local, state, and federal officials. Permission is granted to reprint any article provided proper credit is given to the "*Civic Federation News* of the Montgomery County Civic Federation." Deadline for submissions for the next issue: 5 p.m. Saturday, May 17th. Attach submission to e-mail to: Hotyakkher@aol.com file in fully justified 11-point Times Roman font (preferably as a Word document.)

Please send all address corrections to Steve Howie, P.O.Box 325, Clarksburg, MD 20871, 301-972-2736, stevehowie@aol.com.

Next Executive Committee Meeting

Thursday, May 24, 2001, 7:45 p.m.

Bethesda-Chevy Chase Services Center

4805 Edgemoor Lane in downtown Bethesda

(Note: there are two entrances to the parking garage—one on Edgemoor Lane and another on Woodmont Avenue.)

Montgomery County Civic Federation

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