Civic Federation News
February 2014
Serving the Public Interest since 1925

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New Screen-friendly format

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February Program: A Bundle of Bills
By Peggy Dennis, *News* Editor

Our program on Monday, February 10 will feature Councilmember Roger Berliner, District-1, Chair of the Montgomery County Transportation, Infrastructure, Energy & Environment Committee. Mr. Berliner has introduced an impressive package of 13 bills covering energy and environmental issues designed to underscore and support the County's commitment to sustainability. These bills are designed to (1) promote increased energy efficiency; (2) increase use of renewable energy; (3) decrease consumption of gasoline and support electric vehicles; and (4) create more accountability and responsibility within County government for achieving the County's goal of reducing greenhouse gas emissions 80% by 2050. The following is a brief description of each measure:

Renewable Energy

- Bill 9-14, Renewable Energy Purchasing --50% Renewables by 2015; 100% by 2020 – Today the County purchases approximately 30% of its energy from renewable energy resources. Washington, DC; Austin, Texas; and Portland, Oregon are already at 100% renewable energy.
- Bill 8-14, Renewables Onsite – This bill, modeled after a recently passed law in Prince George's County, would require new or extensively remodeled county buildings, to generate at least 1 kilowatt of renewable energy for every 1,000 square feet of floor area.
- Bill 10-14, Greentaping Solar – Two of the impediments to increased solar utilization are the cost and time involved in getting permits. This measure, patterned after a successful program in Chicago, requires our Department of Permitting Services to devise an expedited and less costly process for solar related permits.

Federation Meeting

Session 853

Monday, February 10, 2014
7:45 1st Floor Auditorium
County Council Office Building.
100 Maryland Avenue
Rockville, MD

Agenda:
7:45 Call to Order & Introductions
7:50 Approval of Agenda
7:51 Announcements
7:54 Approval of Minutes of
      January 13 meeting
7:55 Treasurer's Report
8:00 Community Heroes: Milstein
      & Hensell
8:00 Program: Councilmember
      Berliner on Legislative
      Package
9:15 vote to Confirm Nominations
      Committee
9:15 Committee Reports
9:45 Adjournment

- ZTA 14-02 Solar Zoning Accommodation– Current set back requirements limit the use of solar in residential dwellings. This ZTA would modestly amend our zoning laws to permit solar to extend 2 feet into the side or rear setback.

Energy Efficiency

- Bill 2-14, Benchmarking Buildings -- This legislation, modeled after laws in New York, Chicago, and the District of Columbia, would require building owners to measure the energy efficiency of their buildings, make that information public, and periodically commit to ensuring that their energy efficiency equipment is working properly.   It is designed to work with the recently passed PACE program to create market based incentives for building owners to increase the efficiency of their buildings. Information provided would aid tenants in forecasting future utility costs.
- Bill 3-14, Silver LEED for New Buildings – Current county law requires new commercial buildings to be LEED certified, while county buildings must meet the more environmentally stringent Silver standard. This bill would require all new commercial buildings to meet Silver LEED.
- Bill 5-14, Cost of Carbon -- The use of conventional fuels, particularly coal, extracts a cost on society that is not reflected in its price. These "external" costs should be factored into the cost/benefit calculations that the county utilizes when it assesses the potential for energy efficiency improvements. This bill would require the County to use EPA's "social cost of carbon" calculation or a comparable methodology for those purposes.
- Bill 4-14, LED Street Lighting --   it is generally recognized that LED lighting is far more energy efficient and requires far less maintenance. This bill would require DOT, upon the expiration of its current contract for street lighting, to contract with an LED company.

Transportation

- ZTA 14-01, EV Infrastructure – Electric Vehicles will only become mainstream when there are sufficient charging stations to inspire confidence in the public. California recently passed legislation requiring all new buildings over a certain size to be "EV ready." This ZTA would require all new buildings to install 1 EV charging station for every 50 parking spaces.
- Bill 11-14, Greentaping EV stations – Just as in solar installations, EV charging stations can be subject to a lengthy and costly permitting process. This bill would require DPS to institute an expedited and less costly permitting process.
- Bill 12-14, Teleworking -- Teleworking is becoming far more common and accepted. Other jurisdictions, including Fairfax, have made significantly more progress in establishing teleworking goals and meeting them. This legislation would require the County Executive to publish regulations that set forth a definitive teleworking policy and a requirement to designate a telecommuting manager.

Government Incentives & Accountability

- Bill 6-14, Create an Office of Sustainability within DEP – This bill would create a new Office of Sustainability within DEP. When the Council passed legislation in 2008, it tasked a Sustainability Working Group with the responsibility of guiding our County's greenhouse gas reduction implementation. It is now time to make this a fundamental responsibility of the county government and to hold ourselves accountable.
- Bill 7-14, County Green Certified Businesses – The County has created a program whereby a local business can be "green certified" by adopting good sustainable practices.   This bill calls upon the County Executive to issue regulations that would give a preference in contracting to local businesses that are green certified.

We encourage all delegates, members and the general public to attend this meeting to learn more and to provide us with our usual probing questions and scintillating discussion.

February Community Heroes: Abbe Milstein and Eric Hensal
By Paula Bienenfeld, First Vice President

During this cold winter month, it is timely to present the Civic Federation's Community Hero Award to two individuals who have been working hard to push PEPCO, the County, and the State government, towards a reliable, sustainable and safe energy system for our community.

Abbe Milstein and Eric Hensal both saw the need for a new relationship with PEPCO, the monopoly energy provider in Montgomery County. When power went out during unseasonably hot and cold periods of the year, both stepped up to work to make the change and demand accountability, Abbe starting Powerupmontco, and Eric, Public Power for Montgomery County (http://mocopublicpower.org/). Together the sustained pressure and publicity they have brought to bear on the government and PEPCO has shed light on the doings of PEPCO and the Public Service Commission (PSC); the history of how the county came to be held hostage by a monopoly business that answers only to its stockholders; and our options for sustainable energy and accountability from an energy organization.

Both Abbe and Eric have long histories of civic activism and political action.

Abbe received her B.A. from Goucher College and her J.D. from Widener University School of Law and was admitted to the Pennsylvania Bar in 1994. After working for several years at a law firm in her home state of Pennsylvania she became a law clerk for Sen. Patrick Leahy, on the Senate Judiciary Committee. She then joined the Democratic Leadership Council's Progressive Policy Institute where she worked on domestic policy issues. She next moved more into the political arena, becoming deputy campaign manager for Democratic Congressman Joseph M. Hoeffel, the first time he won his Congressional seat, representing Pennsylvania's 13th Congressional District.

Abbe founded Powerupmontco as a response to the frustration citizens experienced from unreliable energy service, and lack of responsiveness from both PEPCO and the government. The primary function of Powerupmontco is to educate consumers and elected officials about the utility rate case process before the PSC. After hearing from many Powerupmontco supporters who struggled financially with power outages because they had home-based businesses, Powerupmontco decided to intervene in its first rate case, Case No. 9311 last year. 9311 is currently under appeal by many parties. That turned out to be a pivotal case because the decision by the PSC to grant a tracker to Pepco broke with historical legal precedent. Another issue she identified is the existence of contact voltage risk zones, risk areas for contact or stray voltage, located throughout the state. The contact voltage zones issue came about as a result of reading through COMAR statutes in preparation for Powerupmontco's/AARP Reliability Seminar.

Eric received his B.A. from Kent State University, holds a certificate from the National Labor College, and has a Masters degree in Public Administration from the University of Baltimore. He has worked on labor and progressive issues for many years, and is the owner of Murray Hill, Inc. a Public Relations and Communications firm.

Eric founded Public Power for MoCo (https://www.facebook.com/pages/Public-Power-for-MoCo/127828317261890) in 2011, an organization that is fighting to end the legal perpetual franchise owned by PEPCO and win some measure of local accountability. Public Power focuses on

the public power option. Public Power is requesting that the County hire an independent consultant to conduct a feasibility study for a publicly-owned electric utility in the County, similar to what has been done, for example, in Boulder, Colorado.

The two organizations came together last December 11th when Eric and Abbe held a joint news conference to highlight the contact voltage risk zones, which can be deadly. The best known tragedy in our area is the death of 14-year-old Deanna Camille Green of Baltimore, who died in 2006 when she touched a fence while playing softball in a neighborhood park. 277 volts of electricity leaching from faults in underground wires killed her. PEPCO has identified 190 acres in the Bethesda Central Business District, 186 acres in downtown Silver Spring and 69 acres near Courthouse Square in Rockville as contact voltage risk zones.

The Civic Federation is honored to present the Community hero award to Abbe and Eric for all the work they do in our community.

The New Newsletter
By Peggy Dennis, Newsletter Editor

By now you will have noticed the new format we're using for the Civic Federation's monthly *News*. Doing away with the "two column" approach facilitates reading the electronic version by the great majority of our readers. No more scrolling down the left column, then scrolling back up to read the right column. And, at the request of the Executive Committee, we'll put the agenda for the upcoming meeting on the front page, so there will be no more scrolling down to the last page to see what's coming up.

When I took over as editor from Jorge and Sharon Ribas in 1999 (yes, it has been that long!) we were having 450 copies printed each month. The logistics were daunting. I had to drive to Silver Spring to pick up the printed sheets. My family had to help with collating, folding, fastening and putting on address labels. Then the 400 or so copies to be mailed had to be sorted into piles according to Zip Code so we could qualify for the lower price of bulk mailing. Finally, I had to drive the huge box of sorted and labeled and rubber banded newsletters out to the Shady Grove Post Office for special handling.

Email allowed us to "go electronic" and offer a small discount for those foregoing the print version, and our order dropped to about 100. That eliminated our bulk mailing rate and the drive to Shady Grove, but it meant I had to put a stamp on each copy, and the price of stamps has gone up, yet again. Kinko's would print rapidly and give us collating and folding for a reasonable price. This year has seen our order drop to 35 a month with 27 hard copies being mailed out. A number of the hard copy recipients are past presidents: some have moved away, many are inactive. Virtually all recipients of the hard copy have computers and can take the newsletter electronically. And the e-version has the big advantages over the print version. First, everyone receiving it via email can (and is encouraged to) forward it on to all members of their organizations, friends, neighbors, etc. And you know what I say about information: it's like manure – it's only good if it gets spread around liberally!   Second, the e-version has all those wonderful "links" that can be clicked on to instantly take you to other websites for more information. Third, you can print out the whole thing, print out only a bit or two that you want to tape to the inside of your kitchen cabinet for ready reference, save the whole thing in your computer, or hit "delete" – as you wish. No more paper to be tossed into the paper recycling bin. Save a tree!

With all of the advantages of going electronic, I recommended to the Executive Committee that we follow the way of so many other organizations and move to an all electronic newsletter. This will save wear and tear on both me and my car, (we're not getting any younger) and save money for the Civic Federation. This recommendation has been approved, so starting in September, 2014, we will go paper-free! Yippee!

If you are the one person who does not have a computer, let me know, and we'll see if we can accommodate you. Or better yet, join us in the 21st Century.

Awards Committee Needs Your Nominations
By Peggy Dennis, Editor

The 2014 Awards Committee – Paula Bienenfeld, Jim Humphrey and Peggy Dennis – needs your suggestions for our upcoming award recipients. Last year we honored the Montgomery County Taxpayers League with the Sentinel Award, Steve Kanstoroom with the Wayne Goldstein Award, and Virginia Sheard with the Civic Federation's Star Cup.

Here are the descriptions of the awards and the rationale for each award:

- The Wayne Goldstein Award: awarded to an individual or group for outstanding service to the people of Montgomery County.

- The Sentinel Award - sponsored by the Montgomery Sentinel newspaper and awarded to an individual or group for a significant contribution to good government at the local level.

- The Star Cup - sponsored by the Federation and to be awarded to a Delegate or Committee of the Federation for outstanding public service on behalf of Montgomery County.

If you can think of an individual or group whom you believe we should honor, please send us your nominations as soon as possible at: montgomerycivic@yahoo.com

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Second Annual *Budgetpalooza!*

Please join the Civic Federation, the Montgomery County Taxpayers' League, and the Parents' Coalition of Montgomery County for the Second Annual **Budgetpalooza!**

DATE: Wednesday, February 5th

TIME: 7 pm – 9 pm

LOCATION: Rockville Memorial Library, 100 Maryland Ave., Rockville

We will go through the Montgomery County Public Schools/Board of Education proposed Fiscal Year 2015 $2.28Billion Operating Budget chapter by chapter.

Please join in. Sign up for a chapter at http://www.signupgenius.com/go/10C094CADAC28A3FB6-budgetpalooza.

See you there!

Mark Your Calendars Now For The
Montgomery County Civic Federation's

2014 ANNUAL AWARDS BANQUET
Friday, May 32, 2014

Reception 6:00 to 7:00 p.m.

Banquet Dinner Buffet 7:00

Awards Presentations 8:15 - 9:30 p.m.

Golden Bull Grand Cafe

7 Dalamar Street, Gaithersburg 20877

The Montgomery County Civic Federation, the Sunlight Foundation, the Montgomery County Taxpayers League and the Parents' Coalition of Montgomery County, Maryland announce The Great Montgomery Hackathon.

DATES: Saturday, February 8th, and Sunday, February 9th, 2014

TIME: February 8: 9:30 am - 6 pm; February 9th: 9:30 am - 3 pm

LOCATION: Bethesda-Chevy Chase Regional Services Center, Bethesda, MD

Drop-in is fine, you don't have to stay for the whole time!

Bring your laptop! Don't have one? Come anyway, there will be plenty to do!

On twitter @hackMontgomery Hashtag: #hackMontgomery

What is a Hackathon?

"The word **hackathon** is a portmanteau of the words **hack** and **marathon**, where **hack** is used in the sense of playful, exploratory programming, not its alternate meaning as a reference to computer crime." –Wikipedia

A *civic* hackathon is an event where civic activists come together with computer programmers to develop new web applications that can make life easier in our county.

The hackathon will focus on four projects, although more are welcome from citizens.

- Transit - Help us build a multilingual mobile web app that will help people find Ride On bus stops as quickly and easily as possible
- Demographics - Create a tool to help people location important areas and locations on a map and find out the demographic makeup of the area using data from the US Census Bureau.
- Public Information - Start a service that will help people submit Maryland Public Information Act (MPIA) requests and track the responses, opening up them up to the public.
- Follow the Money - Help create a usable, easily searchable database from State of Maryland pdf files on lobbying activities.

Don't feel like you will be limited to just these projects. If you have a burning passion to work on something else, come and hack with us anyway!

Don't know how to write code or design? We'll have a number of tasks that even the most non-technical people can help out with!

We'll provide a light breakfast and coffee each morning. We'll also provide lunch with vegetarian options. Beverages and snacks will be available throughout the day and we will wrap up Saturday evening with a happy hour at a local pub.

Schedule

Saturday

- 9:30 am - 10am: light breakfast and coffee
- 10am - 11am: welcome and project introductions
- 11am - 3pm: working!
- 3pm - 4pm: afternoon checkup and project statuses
- 5pm: wrap-up for the day

Sunday

- 9:30 am - 10am: light breakfast and coffee
- 10am - 10:30am: welcome and recap of Saturday
- 10:30am - 2pm: working!
- 2pm - 3pm: project review, next steps, and wrap-up

President's Column: When Does Smart Growth Become Stupid? (Part 1)
By Carole Ann Barth

In the early nineties, smart growth was hailed as the answer to sprawl, urban decay, and inadequate infrastructure. Instead of leap-frog development chewing up farmland and natural resources, development would be guided to places where the infrastructure to support it already existed. The development would re-energize cities that were suffering from blight, flight, and crime.

Developing more densely would use up less space, be easier on the environment, encourage residents to take transit and reduce congestion. Mixed use development would enable people to walk to work, shopping, and entertainment. There were lots of lovely drawings of new cluster developments designed around natural features such as ponds or woods, and a wealth of artists' conceptions of lively urban plazas.

Twenty years later, developers, planners and politicians are still single-mindedly reciting the smart growth mantra. But has smart growth actually fulfilled its promise?   Let's look first at the smart growth and infrastructure promise.

At the time the smart growth concept was being developed, there were studies showing that sprawl development was costing local government more than the increased taxes it brought. This was largely because the locality had to provide new roads, sewers, and schools to accommodate the new development.

To address this, techniques like adequate public facilities tests were developed. The idea was to calculate upfront how much local government would have to spend for these additional necessities, so that developers could be made to pay their fair share.

Moreover, this analysis would permit localities to stage development so it would be in sync with construction of the needed infrastructure. Smart growth was supposed to make this balancing act

even easier, because development would be steered to where schools, roads, sewers, and transit already existed.

The reality has not been so rosy. Politicians, desperate for new revenues (and some would say, eager to please big campaign donors) often jiggered with the adequate public facilities tests until practically every proposal could pass. Like social promotion of kids who hadn't mastered the curriculum, this approach merely postponed the resultant problems, presumably pushing them back into someone else's term of office. Moreover, when fees or in-kind contributions (like funding for road improvements) were required of developers, these requirements often went unfulfilled.

This, coupled with little public investment in infrastructure, led to the huge maintenance and replacement backlogs we face today. Whenever public officials try to enforce development staging, the developers decry the actions as "anti-business" and complain about a "development moratorium".   (That's like complaining you're under a "driving moratorium" because you refused to get a driver's license and insurance.)

So does smart growth avoid this problematic staging scenario? Unfortunately, no.   Infrastructure in developed areas does not have unlimited capacity. We experience this all the time with overcrowded subways and buses, unreliable electricity, frequent water main breaks, and roads full of potholes. Remember, this is also some of the oldest infrastructure we have, and it is long overdue for maintenance or upgrading. For example, WSSC has estimated that they have an 80 year pipe maintenance backlog, and it has taken a Federal court order to force them to step up their repair and replacement program.

Not only that, but it can be extremely complex (and therefore expensive) to deal with the plethora of utilities running through the average block in an urban area.   If you have to disrupt traffic and commerce to get at those utilities, the ripple effect can be even greater. For example, some work on Rt. 29 had to be scheduled around the space shuttle program, because one of NASA's main communication lines ran under Colesville Road, and it could not be disrupted while a shuttle mission was underway. Nor is it painless and easy to add transit facilities, as anyone who uses the Silver Spring metro station knows all too well.

So directing growth to developed areas does not mean that adequate public facilities are guaranteed. Instead, it exacerbates the issues caused by already failing infrastructure. My point is not that we should go back to sprawl development; it's that smart growth isn't smart enough. According to EPA, "It [smart growth] changes the terms of the development debate away from the traditional growth/no growth question to how and where should new development be accommodated."

I think, however, both those questions miss the mark. It's not enough to ask "how and where". Instead, it's crucial to ask "how much", "how fast" and "at what cost."   We simply cannot support infinite growth, no matter where you decide to locate it. Recognizing real-world limitations on growth? Now, that **would** be smart.

Council Makes Major Changes Near End of Zoning Code Rewrite
by Jim Humphrey, Planning and Land Use Chair

On Tuesday and Wednesday, January 14 and 15, the full Council held worksessions on ZTA 13-04, the rewrite of the County's Zoning Code. Members agreed with most of the Planning, Housing and Economic Development (PHED) Committee's changes to an earlier draft version that the Planning Board had recommended to Council, with one notable exception occurring on Tuesday afternoon.

The Council did not adopt a PHED recommended amendment to the mixed-use CR Zone list of "public benefits," from which improvements are identified for a project to provide in exchange for the Planning Board approving the full height and size building allowed on a property. The amendment, by

Councilmembers George Leventhal and Marc Elrich (a majority of the 3-person committee), would have increased points to a project for providing Moderately Priced Dwelling Units (MPDUs) above the required 12.5% and would have struck other items from the public benefits list, thereby encouraging the creation of additional affordable housing.

PHED Chair Nancy Floreen told the Council that she did not think the Zoning Code rewrite was the appropriate vehicle to make such a significant change to the CR Zone. She opined that changes to this zone should be taken up separately at a later time this year, a position with which the Council agreed. Then Ms. Floreen proposed a sweeping change to the very same zone, which allows the maximum building height and size assigned to a CR property to be exceeded to accommodate provision of MPDUs above the minimum required 12.5%.

The Floreen proposal breaks a promise that had been made to developers and county residents alike ever since the CR Zone was created in 2011 for use in the White Flint plan, namely that the maximum building height and size assigned to a property in its CR zoning could never be exceeded for any reason. The Council has now reneged on that promise and gone along with the Floreen proposal, although President Craig Rice mistakenly allowed the amendment as a PHED recommended change, instead of one offered by a single member that requires a motion, a second, and a vote to adopt.

The Council finished consideration of the new Code by the end of the second day's worksession, on January 15, and cancelled the third day of work scheduled for the next day. At the conclusion, Council's zoning attorney Jeff Zyontz was instructed to insert the Floreen amendment to the CR Zone into the new Code, and to make all other associated fixes needed to accommodate the change. Mr. Zyontz will also work with Planning Department staff to reorganize the Euclidian Zones section of the new Code (those zones assigned to properties, rather than ones that "float" onto them by Council approving a zoning change request from the property owner).

In addition, Council member Nancy Navarro alerted fellow members that she, Ms. Floreen, and Planning Department staff would be exploring potential changes to the CR Zone that would allow density transfer to CR properties abutting single-family residential properties. Such transfers are not currently allowed in the existing CR zone, in order to limit size and insure compatibility of new buildings next to single-family homes.

The latest version of the new Zoning Code should be posted on the County Council website (and at montgomeryplanning.org) by the middle of February, with final Council action expected by the end of the month.

The Council did agree to postpone action on the District Map Amendment, the application of the new zones to properties throughout the county, until later this summer. A county map showing the current zoning and proposed new zoning for each property is available online at zoningmontgomery.org

News You Can Use
The Civic Fed now has a twitter feed, @mccivicfed, please follow us!

Be prepared for emergencies

- Sign up for Alert Montgomery to receive emergency alerts that are sent directly to your cell phone or email address. [Sign up online or text MONTGOMERY to 411 911 from your cell phone.]

- Keep emergency and non-emergency telephone numbers handy. Keep your cell-phone charged in case your land line is out of commission.
- Prepare an emergency kit: water, food, flashlight, radio, batteries, clothes and shoes, non-electric can opener, first aid kit, prescription medications, personal hygiene items and important documents.

Don't get bus-ted

Passing a stopped school bus with flashing lights not only puts children getting on or off the bus at risk, it's illegal in Montgomery County. Some drivers pass them anyway. According to county police, these drivers are uninformed, impatient or distracted.

[Automated school bus cameras are here](#) to deter those drivers. For anyone receiving a citation from the automated school bus camera system, the fine is $125 but no points against the driver's license. For anyone pulled over by a police officer for passing a stopped school bus, the fine is $570 and three points.

Maryland Health Exchange Open for Business

3 Easy Ways to Sign Up for Healthcare via the Maryland Health Exchange. Residents who are interested in purchasing health insurance from the exchange have three options for signing up.

1. Go to: www.marylandhealthconnection.gov and complete the online enrollment process
2. Call the Maryland Health Exchange over the phone at 1-855-642-8572 (toll free) or 1-   855-642-8573 (deaf or hard of hearing). Local assistance is also available at 240-773-   8250
3. Meet in person with a Health Navigator or Assister (at over 20 locations in Montgomery County and Prince George's) who can guide you through the process:

   www.capitalhealthconnection.org

Uncovering Tax-Related Identity Theft

The IRS uses your Social Security Number (SSN) to make sure your filing is accurate and complete, and that you get any refund you are due. Identity theft can affect how your tax return is processed. An unexpected notice or letter from the IRS could alert you that someone else is using your SSN, however, the IRS doesn't start contact with a taxpayer by sending an email, text or social media message that asks for personal or financial information. If you get an email that claims to be from the IRS, do not reply or click on any links. Instead, forward it to **phishing@irs.gov**.

If someone uses your SSN to file for a tax refund before you do, the IRS might think you already filed and got your refund. When you file your return later, IRS records will show the first filing and refund, and you'll get a notice or letter from the IRS saying more than one return was filed for you.

If someone uses your SSN to get a job, the employer may report that person's income to the IRS using your SSN. When you file your tax return, you won't include those earnings. IRS records will show you failed to report all your income. The agency will send you a notice or letter saying you got wages but didn't report them. The IRS doesn't know those wages were reported by an employer you don't know.

Dealing With Tax-Related Identity Theft

If you think someone used your SSN for a tax refund or a job — or the IRS sends you a notice or letter indicating a problem — contact the IRS immediately. Specialists will work with you to get your tax return filed, get you any refund you are due, and protect your IRS account from identity thieves in the future.

- **Contact the Internal Revenue Service** **IRS Identity Protection Specialized Unit** 1-800-908-4490 and report the fraud.
- Send a copy of your police report or an **IRS ID Theft Affidavit Form 14039 [PDF]** and proof of your identity, such as a copy of your Social Security card, driver's license or passport.

Other Steps to Repair Identity Theft

After you contact the IRS, it's important to limit the potential damage from identity theft:

- ■ Put a **fraud alert** on your credit reports.
- ■ **Order your credit report**
- ■ Create an **Identity Theft Report** by filing an identity theft complaint with the FTC and filing a police report.

Submit a Federation Corner Column
By Jim Humphrey

MCCF continues to submit a Federation Corner column each week to be printed in The Montgomery Sentinel (named Best Newspaper of 2012 by the Maryland-Delaware-District of Columbia Press Association). The column is a way of informing our county government officials and other Sentinel readers about the activities of the Civic Federation and the issues of importance to our members.

If you have an issue, a problem or an activity of significance to your community that you want to receive wider exposure, consider writing a Federation Corner column on the topic. Columns must be between 800 and 1000 words in length, in Word document format, and sent as an attachment to an email to: montgomerycivic@yahoo.com. Please use the same email address if you wish to discuss a future submission.

Nominating Committee for 2014-2015

Harriet Quinn, Jim Zepp, Peggy Dennis, Sandy Vogelgesang and Jerry Garson have volunteered to serve on the Nominating Committee for our elective offices for the coming year. They shall be confirmed by vote at the meeting on February 10

Minutes of the January 13 Meeting
By Sue Schumacher, Co-Recording Secretary

Call to Order: President Carole Ann Barth called to meeting to order at 7:51pm. Introductions followed.

MINUTES: It was moved and seconded to approve the minutes of the December 2 meeting as they appeared in the Newsletter. The minutes were approved.

Announcements: Paula Bienenfeld announced the Budget palooza for Montgomery County Public Schools is scheduled for February 5. People are needed still to take a chapter of the budget for this. She also reminded everyone that the Civic Hackathon will be February 8 and 9 at the Bethesda Regional Services Center. Jim Humphrey announced that Council Member Floreen proposed exceeding the building height and size limits of the CR zone for developers offering more than the required number of MPDUS, as part of the Zoning Code Re-write that is currently before the County Council. He urged those in attendance to write council members to oppose this. Peggy Dennis, newsletter editor, announced that the newsletter has a changed format that will be easier to read in the electronic version now taken by most members

Agenda: It was moved and seconded to approve the agenda.

Community Heroes: Paula Bienenfeld introduced Lindsey Parson and Karen Devitt of Real Food for Kids- Montgomery. The organization's mission is to advocate for fresh, whole and nutritious food in MCPS cafeterias. Both Karen and Lindsey thanked to the Civic Federation for its support.

Program: Harriet Quinn introduced the participants in the discussion of Open Government-Transparency and Ethics. Alisha Green of the Sunlight Foundation, Robert Cobb, Chief Counsel to the MC Ethics Commission and Jennifer Bevan-Dangel , Executive Director of Common Cause Maryland. Ms. Green explained that Sunlight Foundation is a nonpartisan nonprofit started 7 years ago to utilize the internet to catalyze greater government transparency. It creates technical tools and policy recommendations to expand access to public information. While its scope began with a focus on the US Congress, it now also focuses on open government policies at the local, state and international levels. Montgomery County is one of 2 US counties with an Open Data Law. Robert Cobb then discussed the Montgomery County Ethics Law and gave an online tour of the Commission's web site and online reports. The independent 5 member Commission exercises authority under the County Ethics Law to promote the public's trust of county government and to ensure the impartiality of county employees, including elected officials. While the law applies to county employees and volunteers on most boards, it does not cover the school system or Bi-County Commissions such as the Planning Commission/Staff and WSSC. These agencies have their own internal ethics policies and procedures. The law has provisions for financial disclosure, lobbying registration, and outside employment. The Ethics Commission has oversight of financial conflicts of interest, prohibited holdings, misuse of office and gift rules. Then Ms. Bevan-Dangel of CCMD explained that it is a nonpartisan organization working on ethics, transparency and accountability issues at the state level. The MD State Ethics Law, which is enforced by the State Ethics Commission, applies to state employees but not Bi-County Commissions. Several bills are pending in Annapolis during this session that would strengthen the State Ethics Law, including oversight for boards of education. PDF files are difficult to use for transparency purposes, and Alisha Green added that open source files are best. Many questions were addressed during the Q & A session including inquiries regarding accountability of school boards and planning boards as well as questions about Open Meetings Act (OMA) violations and responses to public information requests. Maryland's Open Meetings Act requires state and local public bodies to hold their meetings open to the public. OMA violations are under the purview of the

independent Open Meetings Law Compliance Board which is supported by staff of the State Office of Attorney General.

Committee Reports:

Transportation: Peggy Dennis reported that so far PEPCO has said no to bicyclists using their land under transmission towers for a shared-use path. Dan Wilhelm, committee chair announced that on January 15, 2014 the Capital Improvement Program will be released. It will address the Bus Rapid Transit program.

Legislation: Dan Wilhelm, Chair announced that the State Legislature started last week.

Parks and Recreation: Carole Ann Barth announced that she is continuing to work on getting plans with the words "under penalty of perjury" to be required for plans submitted to the Planning Department.

Planning and Land Use and Housing: Jim Humphrey, Chair asked for support on Council staff's suggestions on improving the plat approval process, prior to any legislative fix being tried..

Additional Announcements: Jay Harding representing Leisure World commended Dan Wilhelm on his efforts; commended the members of the program panel on their presentations; and asked permission from Carole Barth to use her article on Citizen Participation in classes he teaches.

Adjournment: The meeting adjourned at 9:45pm.

Minutes of the January 23 Executive Committee Meeting
By Co-Recording Secretary, Sandy Vogelgesang

The Executive Committee (ExComm) met at the home of Sandy Vogelgesang.

Call to Order. President Carole Ann Barth called the meeting to order at 7:50 PM.   Present for the meeting, either in person or via teleconference: Carole Ann Barth, Paula Bienenfeld, Alan Bowser, Peggy Dennis, Jerry Garson, Jim Humphrey, Harriet Quinn, Virginia Sheard, Sandy Vogelgesang, Dan Wilhelm, and Jim Zepp.

Adoption of Meeting Agenda. Carole Ann called for approval of the agenda. Jim Humphrey added two items (White Oak Science Gateway Master Plan and response to platting process legislation); Peggy Dennis added one (future email dissemination of newsletter); Harriet added one (amendment of minutes for January 13 general meeting); and Alan Bowser added one item (update on Ten Mile Creek Coalition). ExComm approved amended agenda unanimously.

Approval of Minutes for December 18, 2013 ExComm Meeting. Carole Ann   called for and received unanimous approval of the minutes as published in the January 2014 newsletter.

Treasurer's Report. Jerry Garson, Treasurer, circulated updated report.   The current bank balance for the Federation is $14,548.98. Dan Wilhelm agreed to circulate material in the Federation's Standing Rules and additional information on membership rates for new members and rates for late payment by previous members.

Announcements. President Carole Ann Barth called for announcements.

- ■ Harriet Quinn reported that the Federation is now on Twitter @MCCivicFed.

- Alan Bowser announced that there will be a Save Ten Mile Creek Coalition Rally on January 27. Council President Rice has been invited in order to accept the 1000 handwritten letters, collected by Clean Water Action, urging protection of Ten Mile Creek. ExComm agreed to help publicize the event via notice to members, posting on website and Twitter dispatch.

- Peggy Dennis noted that Congressman John Delaney will report on his first year in Congress at the Rockville Mid-County Democratic Breakfast Club on January 27.

- Jim Humphrey reported latest on Zoning Code Rewrite by Councilmembers Nancy Floreen and Craig Rice. Harriet Quinn agreed to tweet update on Floreen amendment that proposes exceeding height and density limitations of CR Zone as part of the Zoning Code Rewrite before the Council.

Programs. Carole Ann introduced discussion of future programs.

- **February:** Package of environmental legislation proposed by Councilmember Berliner and others in County Council. Peggy Dennis to organize the program.

- **March:** County's Capital Improvements Program (CIP) budget. Jerry Garson to organize.

- **April:** County Operating Budget

In addition, ExComm added to list of future program possibilities the topic of historic preservation.

February Community Hero. Paula Bienenfeld nominated Abbe Milstein and Eric Hensal for their work with Power Up Montgomery County. That organization urges resident action on two bills before the Maryland General Assembly involving natural gas surcharges. ExComm approved the nomination unanimously. Harriet Quinn and Peggy Dennis suggested for future consideration some individuals working on pedestrian safety and Virginia Sheard suggested recognizing volunteers working on the greening of the County, including those working on gardens and community supported agriculture (CSA) projects.

Issues for Discussion. Carole Ann led discussion of the following:

- **Night-time Economy Task Force**. There was extensive ExComm discussion of the Task Force Report due to divergent views regarding the report's recommendations.   It was agreed that Jim Zepp, Public Safety Chair, would prepare a short letter (1) stating the Federation's position on the Task Force report, both positive points and issues of concern, and (2) urging more work before the County proceeds to legislation. Jim will provide that draft for ExComm review.

- **Legislation**. Harriet Quinn recommended support for four bills introduced by the State Ethics Commission two weeks ago for Maryland State Senate consideration (SB90, 91, 92 and 129). ExComm agreed unanimously that Harriet should send letter to the relevant Senate and House committees expressing MCCF support for strengthening the ethics law. Peggy Dennis provided update on bills regarding artificial turf (on which MCCF has previously taken position). She also reported on HB 241 regarding bike safety and urged MCCF support. ExComm voted to support (8 for, 1 opposed, 2 abstentions). Dan Wilhelm stated that he will, as done in past, collect information on proposed Maryland General Assembly legislation and provide for ExComm review and action.

■ **Nominating Committee***.* Harriet Quinn, Jim Zepp, Peggy Dennis, Sandy Vogelgesang, and Jerry Garson agreed to serve. Jim Zepp will check on availability of an additional member.

■ **Candidates' Forum.** Paula will check on potential partners for a program.

■ **Awards Committee.** Peggy Dennis, Paula Bienenfeld and Jim Humphrey agreed to serve. Peggy urged all MCCF members to send nominations.

■ **Councilmember Berliner's Bills.** There was no further discussion since the Councilmember's legislative package of environmental bills had been discussed with regard to the February program.

■ **Change in Newsletter Dispatch.** Peggy Dennis proposed, and ExComm approved, changing to all-electronic dispatch of the newsletter with the 2014-2915 year. The June issue will be the last in print version.

Committee Reports

■ **Planning and Land Use (PLU).** Jim Humphrey, Chair, reported that the Planning Board had voted to eliminate the staff proposal in the White Oak Master Plan for staging, a process aimed at insuring adequate infrastructure for proposed development. ExComm voted to support Jim's recommendation that he send generic letter on the value of staging (10 for, one opposed, no abstentions). ExComm also approved Jim's recommendation that he send letter to the County Council, instead of testimony, supporting staff recommendations for improving the process for approval of record plats, in lieu of legislative proposal to remove DPS as approving entity.

■ **Other Reports.** In view of the late hour, ExComm deferred hearing other reports.

Old Business

■ **Amendment to Minutes.** ExComm agreed (1) to Harriet's request for amendment on coverage of ethics program for the minutes of the January 13 general meeting and (2) to request from Jim that he send amendments on PLU issues to Sue Schumacher for the same meeting.

■ **Hackathon**. Paula confirmed that arrangements are underway for event on February 8 and 9 at Bethesda Chevy Chase Regional Services Center.

■ **WSSC Work Group**. Virginia Sheard reported that drafting of the final report has begun. She will report back to ExComm in February.

New Business

■ **Newsletter.** Peggy reviewed articles to be submitted for February 2014 newsletter.

■ **Next ExComm Meetings.** The next meeting will be on February 20 at the Bethesda Chevy Chase Regional Services Center pending availability. The following meeting will be held on March 20 (location TBD).

Adjournment. Carole Ann called for and received unanimous approval for adjournment at10:20 PM.

The **Montgomery County Civic Federation** is a county-wide nonprofit educational and advocacy organization. It was founded in 1925 to serve the public interest. Monthly Federation meetings are open to the public and are held on the second Monday of each month September through June at 7:45 p.m. in the First Floor Auditorium, County Council Office Building, 100 Maryland Avenue, Rockville, MD. Free parking in garage accessed from Monroe St. or from Jefferson St. heading east from I-270.

The **Civic Federation News** is published monthly, except in July and August. It is mailed or emailed 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."**

Submit contributions for the next issue by: **Sunday, February 23 .** Prepare submission as an MS Word, Word Perfect or text document, **attach** it to an e-mail, and send to **hotyakker@gmail.com**

Please send all **address corrections** to Dan Wilhelm, 904 Cannon Road, Silver Spring, MD 20904, 301-384-2698, or djwilhelm@verizon.net.

Next Executive Committee Meeting

Thursday February 20, 7:45 p.m.
2nd Floor Meeting Room
BCC Regional Services Center

Official Publication of the Montgomery County Civic Federation

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