

**Master Plan Updates** | White Oak, Bethesda, and Lyttonsville | **P. 5**

**Fifth Annual Budgetpalooza Next Month** | The “deep dive” into the MCPS budget will be part of MCCF’s February meeting | **P. 7**

**County Changes in Regulatory Reviews for Cell Tower** | Sue Present of Hillandale lays out the details | **P. 9**

**Civic Associations Target of Wire-Transfer Scams** | What happened to a local CA and how to recognize the swindle when it happens to you | **P. 13**

**Volunteers Needed:** Nominations Comm. **P. 20** | Awards Comm. **P. 21**

## Visit and ‘Like’ MCCF’s New Facebook Page

A Facebook page has finally been created for the Montgomery County Civic Federation. Use the link below to see photos of our meetings and links to stories of interest.

If you have your own FB page, please “Like” us. Be sure to add your own comments about our meetings and topics of interest to residents of Montgomery County. Share reminders of our meetings and events with your own friends and urge them to become involved!

**Like our new Facebook Page and follow us on Twitter.**

**TO PRINT, USE PRINT VERSION**

## of note

### Next MCFF Meeting

January 9, 2017, 7:45 p.m. @ the Executive Office Building in Rockville. “Review of Community Toolkits—How to Make Your Community Stronger”

**AGENDA, P. 2 • PROGRAM, P. 3**

### January’s Community Hero

It’s Anita Neal Powell, of Rockville.

**READ PROFILE**

### Meeting Minutes

December 12 Meeting #881 **P. 15**  
Executive Committee Meeting **P. 17**

### Membership Application

Join or Renew Now **SEE FORM**

## Federation Meeting 882

Monday, January 9, 2017

7:45 p.m.

Lobby Level Auditorium

**Executive Office Building**

101 Monroe Street, Rockville

### AGENDA

- 7:45 Call to Order/Introductions
- 7:50 Approval of Agenda
- 7:51 Announcements
- 7:55 Approval of Minutes, #881  
December 12 Meeting (**P. 15**)
- 7:56 Treasurer’s Report
- 7:57 Community Hero:  
Anita Neal Powell
- 8:00 Program: Community  
Toolkit Presentation
- 9:25 Committee Reports
- 9:35 Old and New Business
- 9:45 Adjournment

## About MCCF Meetings

**All monthly MCCF meetings are open to the public.** They are held on the second Monday of each month, September through June, at 7:45 p.m.

The January meeting will be held in the **Lobby Level Auditorium of the Executive Office Building at 101 Monroe Street, Rockville, Maryland.**

Walkers can enter by buzzing security at the door. You can park for free either in the lot at E. Jefferson and Monroe Streets or in the lowest level of the EOB. Drive onto the ramp in the front of the building (ignore “permit parking only” sign), turn left at the second, lower level; use the intercom at the gate to the parking garage and at the door to the elevators to inform security you’re attending the MCCF Meeting. ■

The **Montgomery County Civic Federation, Inc.**, is a county-wide nonprofit educational and advocacy organization founded in 1925 to serve the public interest. Monthly MCCF meetings are open to the public (agenda and details at left).

The *Civic Federation News* is published monthly except July and August. It is emailed to delegates, associate members, news media, and local, state, and federal officials. **Recipients are encouraged to forward the *Civic Federation News* to all association members, friends, and neighbors.** Permission is granted to reproduce any article, provided that proper credit is given to the “*Civic Federation News* of the Montgomery County (Md.) Civic Federation.”

### Civic Federation News

civicednews AT montgomerycivic.org

**TO SUBMIT AN ARTICLE, SEE PAGE 20**

## January Program: Review of Community Toolkits

*By Danila Sheveiko, Recording Secretary*

The January general meeting program will focus on strengthening existing civic associations and establishing new ones. We will review Community Toolkits published by the **Bethesda-Chevy Chase** and **Mid-County Regional Service Centers**. These Toolkits compile a multitude of resources that can be useful for both existing civic/homeowner associations and communities wishing to organize for the first time.

The Toolkits include everything needed to start a civic association—sample bylaws, procedures for communication and approval of budgets, links to useful localized County government resources, and much more. The Toolkits also include guidance on how to keep a



civic association together by building consensus, resolving conflict, and addressing issues in your community.

After the presentation, the floor will be open for ideas to improve these toolkits, adapt them for other Regional Services Centers around the County, and use them for outreach to **neighborhoods that we have not heard from in a while.** ■

## Anita Neal Powell is This Month's Community Hero

*By Alan Bowser, 1st Vice President*

Anita Neal Powell of Rockville has dedicated her life to the service of others in Montgomery County.

In Montgomery County, as a President of the National Association for the Advancement of Colored People (NAACP), as President and CEO of the Lincoln Park Historical Foundation and the Leroy E. Neal African American Research Center, and as a Commissioner of the Rockville Historic District Commission and the Montgomery County Fire and Emergency Services Commission, among other important positions, she has taken leadership roles in organizations that have worked to improve the quality of life throughout the County.

**MORE**

## Community Hero, cont.

With particular attention to community-building and civic engagement, Powell has been an effective advocate for Montgomery's communities of color. She has worked tirelessly to strengthen the Montgomery County community through her advocacy and volunteer activities involving church, schools, government, and nonprofit organizations.

As President of the Lincoln Park Historical Foundation, Powell has worked to enhance community pride by focusing on the contributions made by African-Americans in the County. She has encouraged community participation through training programs, facilitated communication among diverse groups, empowered residents through knowledge of their collective history, and provided dynamic educational

programs to underserved areas in the County.

Powell served as the President of the Montgomery County NAACP Branch from 2013 to 2015. In this role, she organized a myriad of innovative programs to promote small businesses, the role of women in the public and private sectors, and the strategic priorities for the NAACP in education, health care, and the economy.

Powell has been called to community service by many of the County's leaders. She was a member of community interview panels for the Superintendent of Montgomery County Public Schools and the War-den of the County's Department of



Corrections.

Throughout her career, Powell has emphasized the importance of engaging Montgomery County's youth on the critical issues of education, voter's rights, public safety, and criminal justice reform. She has given special attention to mentoring the County's young people so that they will recognize their own

responsibility to civic life and will grow up to be valuable contributing members of the community.

A member of the Committee for Montgomery, she was inducted into the Montgomery County Human Rights Hall of Fame in 2006. She has been recognized as one of Maryland's Top 100 Women and now, as a "Community Hero" by the Montgomery County Civic Federation. ■

## Master Plan Updates—White Oak, Bethesda, Lyttonsville

*By Harriet Quinn, Planning and Land Use Committee Chair*

In January, the County Council will begin taking up issues related to two major master plans: the previously adopted White Oak Science Gateway Plan and the proposed Bethesda Downtown Plan. In addition, the full Council will take up the Greater Lyttonsville Plan which was recommended by the PHED Committee with no major changes to the density recommendations of the Planning Board. The recommendations propose to triple the current density in Lyttonsville.

### WHITE OAK

The White Oak Science Gateway Master Plan was adopted by the County Council in July 2014. At the time, the Council approved additional

density of 25 million square feet of new private development without addressing transportation requirements in a suburban area six miles from the nearest Metrorail station. The 25 million square feet of new development does not include continued expansion of the campus of the U.S. Food and Drug Admin., also in the plan area.

This is the only recently approved master plan where the proposed density increase is not staged with infrastructure improvements and, therefore, the Plan is not in land use/transportation balance, which all other master plans have. In 2014, the Council also agreed to fund a MCDOT Local Transportation Study that would study the entire plan area, project what intersection improvements would be needed, estimate how much the local improvements would cost,

and then determine a rate each development would contribute depending on how many “trips” the development could potentially generate.

The long-awaited transportation study results and recommendations were just released prior to the December recess, and a public hearing has already been scheduled for the Council’s first day back from recess, despite no public meetings or outreach to stakeholders discuss the study. A quick review of the study over the holidays indicates that there are many inconsistencies in the analysis and the County has so far refused to meet with communities.

In addition to the public hearing on the Transportation Study, there will also be a public hearing on the terms of the new General Development Agreement between the County Executive and developer Percontee.

MORE

## Master Plans, cont.

The terms of the first General Development Agreement that were already approved by the Council proved to be short-lived due to information that the County became aware of that was not previously disclosed.

Subsequently, the County Executive has proposed a land sale of the County-owned property to Percontee at less than market value. Previously, the General Development Agreement provided for a partnership in which the County would share in the profits of the development.

Details of Council dates are below.

### BETHESDA DOWNTOWN PLAN

County Council public hearings on the Bethesda Downtown Plan were held in October and the first PHED Committee worksessions are scheduled for this month. The Plan propos-

es an additional 4.6 million square feet of new development. But, in order for a developer to be able to add any additional density above what is currently allowed, they would be required to pay a park impact fee to finance the acquisition of new green space, and also required to set aside 15% of all new residential units as affordable or workforce housing.

In addition, plans would have to be reviewed by a design review panel. The communities around the plan area have expressed concerns about the projected traffic congestion, impact on schools that are already over capacity, as well as the heights of 290 feet that would be permitted immediately confronting single family homes.

### RELATED COUNCIL SESSIONS

**Wednesday, January 11, 7:00 p.m.** Community forum hosted by M-NCPPC: **Walking, Bik-**

**ing, and the New Bethesda Sector Plan.** Room D of the BCC Regional Services Center, 4805 Edgemoor Lane.

**Tuesday, January 17, 1:30 p.m.** Four Council Public Hearings on White Oak: White Oak Local Area Transportation Improvements Program; Resolution to amend Resolution approving Declaration of No Further Need related to the disposition of Site II Property, Supplemental appropriation and CIP amendment of \$47,200,000 for VIVA White Oak Project.

**Monday, January 23, 2:00 p.m.** First **PHED Committee meeting** on the Bethesda Downtown Plan.

**Tuesday, January 31, 7:30 p.m.** Council Public Hearing on ZTA 16-20, **Bethesda Overlay Zone.**

**Monday, February 13, 2:00 p.m.** 2nd **PHED Committee meeting** on the Bethesda Downtown Plan. ■



## It's the Fifth Annual Budgetpalooza! Next Month During the February 13 Meeting

By Paula Bienenfeld, Education Committee Chair

Each year we join with our colleagues at the **Parents' Coalition of Montgomery County** and the **Montgomery County Taxpayers League** to organize the deep dive into the over \$2.5 Billion Montgomery County Public Schools (MCPS) Operating Budget, and this coming year is no exception.

This year, Superintendent Smith is recommending an operating budget of \$2,519,848,012 for Fiscal Year (FY) 2018. Yes, that is right. Over two-and-a-half *billion* dollars. To put this in perspective, the FDA's annual proposed taxpayer-funded FY17 budget was \$2.7 billion, with additional \$2.3 billion coming from user fees. So yes, the MCPS budget is on par with the annual budget request

of the FDA.

Smith is recommending an increase from FY17 of \$62,374,251, a 2.5% increase over last year. Just two years ago, the FY16 budget was \$2,318,713,430. That amount increased by over **\$139 million** in FY17, with the current Operating Budget of \$2,457,473,761. And now, we taxpayers are being asked to pony up another **\$62 million** just one short year later. So, in two years the budget has increased by over **\$200 million**. Are we—and our children—getting what we think we're paying for? Let's find out!

We've starting the organizing work and, as usual, will hold the **Budgetpalooza!** in February 2017. This year the **Budgetpalooza!** will be our regular February 13 general meeting. So, if you'd like to see

where your tax dollars are going, now is your chance!

All are welcome and encouraged to "take a chapter." All the chapters and appendices have been be posted to [www.SignUpGenius.com](http://www.SignUpGenius.com).

The Fiscal Year (FY) 2018 Operating Budget was unveiled by Superintendent Jack Smith in December. Internally, MCPS has been working on developing the budget since last fall when budget submissions were due to the MCPS Department of Management, Budget and Planning (DMBP) in September.

How is the budget put together? Once the Budget is submitted, it is reviewed internally by DMBP, the chief operating officer, the deputy superintendents, the union, Montgomery County Council of PTAs

MORE

## Budgetpalooza, cont.

(MCCPTA) representatives, and the superintendent. These are the parties that are "at the table."

The budget has been uploaded and it's **available online here**.

If you are a member of the PTA at your school, please be aware that *the only members of the public who have access to the "secret table" at which the budget is discussed is the PTA*. So, you have added responsibility for this budget, which affects every resident of our county. Each school has a representative at MCCPTA. Instead of testifying before council that MCPS "needs more money," please take the responsibility to ask your MCCPTA school representative specific questions about the budget and the proposals. Read the budget. \$2.6 billion is a lot of money, and it's all public money.

*Every penny.*

The current FY17 budget is \$2.4 billion, about half of our entire county budget. All our remaining needs, including first responders, the health and welfare of our indigent and most needy, fire, police, libraries, parks, roads, everything else, is the remaining half of our annual budget. The county council has the fiduciary responsibility to approve the MCPS budget.

Public hearings before the BOE are scheduled for January 5th and

11th, 2017, with BOE work sessions to follow on January 17th and 19th. The BOE takes action on the proposed FY18 Operating Budget at their meeting on February 14th, 2017.

And that's where we step in, to do the deep dive that the BOE refuses to do. The Civic Federation believes that our public schools are important to the quality of life in the county; and furthermore, that the enormous budget, about half of our entire county budget, requires close and constant review. So, as we've done in the past four years, we're taking on that challenge again. We can't do it without you!

We encourage you to sign up to take one chapter, review it, and present it at our Fifth Annual **Budgetpalooza!** ■

FIFTH ANNUAL  
**BUDGETPALOOZA!**

MONDAY, FEBRUARY 13, 2017  
7:45 P.M. AT THE MONTHLY  
MCCF GENERAL MEETING

**Part 2 in a Series: County Changes in Regulatory Reviews for Cell Towers**

*[This is the second article in a series on the County's cell tower facility application approval process.]*

*By Sue Present, Hillandale*

Last month's newsletter reported on proposed ZTA 16-05. This legislation offered more rapid deployment for wireless antennas that met the definition of "small cell" and met size limits for the support structures and equipment. The ZTA was promoted by the industry following a confluence of events: (1) a series of FCC-promulgated rules and orders constrained local government regulatory authority and provided wireless carriers with nondiscriminatory access to the public right-of way (PROW); (2) the County received an unprecedented number of wireless applications proposing siting in the PROW; and (3) carriers gave notice

to soon anticipate exponentially greater numbers of wireless applications for new facilities in the PROW (an estimated 700 applications to be filed within the fiscal year).

In addition to eliminating and drastically reducing setback standards, this ZTA proposed establishing "small cell" telecommunications towers in every residential zone as a "limited use," regardless of whether the Zoning Ordinance established a telecommunications tower as a "conditional use" or a prohibited use in that residential zone. A "conditional use," which was called a "special exception" use in the old Zoning Or-

dinance, requires public notice and a hearing.\* A "limited use" is allowed by right with administrative approval if certain standards are met. Thus, as the *Civic Federation News* reported, had it been adopted, the ZTA would have eliminated requirements for public notice and provisions for residents' due process.

Currently, any cell tower that is proposed in a Residential Detached zone is considered a "conditional use." It, therefore, must go through the required public notice and hearing process for regulatory review and siting approval. In these circumstances, a separate application must

---

*\*This legislation proposed eliminating the property-line setbacks for a qualifying tower, reducing off-site dwelling setbacks from 300 feet to one foot for each foot of height of the tower, and reducing the setbacks for the "small cell" antennas attached to existing structures from 60 feet to 30 feet from off-site dwellings.*

MORE

**Cell Towers, cont.**

first be submitted to the County's Tower Committee (TC), which issues technical recommendations on the need and appropriateness of any proposed wireless telecommunications facility or antenna. The TC review process requires no notice or sign be posted at the proposed site; no service of notice to affected property owners, residents, or associations/organizations; and it operates without public input. (More about the TC next month.)

After the TC recommendation is issued, a separate application (petition) must be filed for regulatory review and approval. The conditional use petition must undergo a sufficiency review by Planning Board (PB) staff before it may be filed with the Office of Zoning and Administrative Hearings (OZAH). Public notice

(a sign) is required to be posted at the proposed site promptly after the petition has been filed. Affected property owners, associations, and various government agencies receive mailed notice of scheduled OZAH hearings. PB staff furnish a report to OZAH, which, along with submitted petition documents, is available for public review in advance of the hearing, and thereafter. The OZAH hearing may include testimony and evidence from the applicant and others favoring or opposing the petition.

Following the OZAH hearing, the Hearing Examiner issues a formal determination that can deny, grant, or conditionally grant the petition. This regulatory review process is designed to move swiftly: the TC recommendation must be filed with OZAH at least five days prior to the hearing, and that recommendation must be no more than 90 days old.

All cell sites, including those approved through the conditional use process, are required to have construction reviews and permits provided by the Department of Permitting Services (DPS) before commencing with construction or operation. DPS construction reviews include administrative land use reviews. However, any cell site designated as "limited use" bypasses the conditional use regulatory review process, and then the DPS construction review becomes the sole land use review. The DPS land use review and approval is made with no notice to surrounding residents or opportunities for them to weigh in. And, in contrast to the conditional use process, the applicant has no specified time limit after the TC recommendation is issued to seek/receive a limited use approval.

MORE

**Cell Towers, cont.**

Over the years, there have been many changes to cell tower approval policies and practices that have impacted public notice and due process. In 2012, the PB reversed its longstanding practice of conducting Mandatory Referral (MR) public hearing reviews for commercial cell tower proposals at public schools. That reversal ended the process of leaving the final decision to the School Board's discretion, regardless of whether the cell site would meet County zoning standards. From then on, the carrier and the land owner (Board of Education) were prohibited from siting a cell tower on Board of Education property that was zoned for residential use until an application had gone through the regulatory process and a special exception (conditional use) had been

granted.

Unfortunately, many of the more notable changes seem to have diminished rather than expanded the notice and due process provided to residents. Prior to the passage of **ZTA 10-05** in 2010, a cell tower proposed to be sited in a Residential Detached zone received one technical review by the TC, a three-tier public regulatory review (a land use process), and then a separate DPS construction review. The regulatory review began with the production of the PB staff report. Next, the PB conducted a public hearing. The PB's recommendations, along with the PB staff report, were forwarded to OZAH in advance of the OZAH hearing. Then, an OZAH Hearing Examiner conducted a public hearing and produced a Report and Recommendation to the Board of Appeals (BOA). Finally, the BOA,

at either a public hearing or a public worksession, issued its decision on whether to grant the request. The application for this land use process required residents' notice, which included a sign posted at the proposed site promptly after filing the petition, and mailed notice of the scheduled hearing to affected residents and other parties of interest.

ZTA 10-05, which was passed in response to an FCC "Shot Clock" Rule and related industry pressures, expedited the technical and land use applications. In addition to creating shorter deadlines within the process, this ZTA eliminated the PB's review/hearing—the land use regulatory review tier at which the PB had been required under the Zoning Ordinance to make "a separate independent finding of the proposed tower's need and location."

MORE

**Cell Towers, cont.**

Then, in 2014, as part of the Zoning Rewrite, the three-tier land use regulatory review process, which had become a two-tier review process in 2010, was further condensed to a one-tier regulatory review and approval process. The Council conferred authority upon OZAH to decide cell tower cases. The PB staff continues to furnish OZAH with its reports in advance of the hearings, and those reports remain with OZAH for public examination. OZAH decisions may be appealed to the BOA. These appeals are heard on an expedited basis to meet the FCC's shot-clock. Also, in 2014, the Council passed **ZTA 14-04**, which added a definition for "small cell" antennas to the Zoning Ordinance, and established them as a "limited use" in all residential zones (even

residential zones where cell towers are prohibited), provided they would be attached to existing structures. This ZTA also reduced minimum attachment heights for these "small cells" on existing structures, and established a new minimum setback from off-site dwellings (a setback that was later proposed to be cut in half through ZTA 16-05).

The aforementioned changes and current status of the cell tower regulatory review process focused on new cell sites. However, over the years, residents' notice and due process protections have been reduced or eliminated for modifications (to revise or expand approved cell sites) and for co-locations, too. A co-location can occur when one or more carriers adds their facilities/equipment to an approved cell site, often resulting in the expansion of facilities or equipment. In 2014, the

FCC issued rules interpreting the Spectrum Act. The Spectrum Act is the Congressional Act that was intended to "advance wireless broadband service" for public safety and commercial purposes and, among other things, provided for "FirstNet," the nationwide first responder wireless network. In general, under the FCC's Spectrum Act Rules, modification and co-location applications for changes within specified size limits cannot be denied by the local government and must be approved within 60 days, even modifications or co-locations to cell sites categorized as "small cells." As a result, once a cell site is approved it can become the proverbial "camel's nose under the tent."

*Next month, we'll discuss How Cell Towers Get Their Initial "Thumbs Up." ■*

## Civic Associations are the Latest Focus of Wire-Transfer Scam Artists

By Jacquie Bokow, CFN Editor

One of the fastest ways to transfer money between two parties is to use wire-transfer. A wire transfer allows you to send money quickly and securely. Although there's a fee involved, funds can be moved within a day and offer a reliable alternative to writing checks or sending money orders. The money also can't be rescinded once it's sent, making it an ideal vehicle for thieves.

Civic associations are the latest target of scam artists using wire transfers. Information on association officers is often online and scam artists are able to send emails that look like they have been sent from one of these—typically the president—to the treasurer. This has happened both to my own civic association just last month and to the

MCCF.

In both cases, the group's treasurer received an email that seemed to be from the president. In my civic association's case, the "sender" was now the immediate past president, suggesting that the information culled from the website took some time to reach the perpetrators.

The original email to the treasurer said:

*Hi [Treasurer's First Name],  
Can we get a wire transfer sent out today? I'm expecting to receive the account information for an outgoing wire transfer shortly and I'll need you to see to it that the payment goes out today. Kindly get back to me as soon as possible to let me know when to forward the wire instruction to you.*

*Best Regards,  
[President's Full Name]*

In the email, the address of the sender looked exactly like the president's, but it was a façade that redirected the response to the scammer.

Unable to reach the President by phone, the Treasurer responded via email [a reply to the original], saying she was trying to work it out with the bank and that, if something had to be done in person, the President could get hold of a second board member, as there's a branch next to where that individual, the former Treasurer, works.

In a wire transfer, the sender is required to provide information about the bank or institution receiving the funds. Any flags that might

**MORE**

## Wire-Transfer Scams, cont.

have been raised in the first email were confirmed as dodgy in the second response to the Treasurer from the scammers [typos retained]:

*[Treasurer's First Name],*

*My phone is not working right at the point. You can easily call the bank to process the transfer, all you need to do is just send bank the account informations and they'll process it on thier end. It's not compulsory you go to the bank before you can process a wire transfer. I'll give you all the neccesary informations that you'll be needing to get the transfer done. All you need is just call the bank [Treasurer], [Second Board Member] does not have to be involved in this it's something you can take care of by yourself.*

*Below is the Account Informa-*

*tion you need to process the transfer.*

*Account name: Christina B Richardson*

*Account Number: 830163174*

*Routing Number: 124384657*

*Bank name: Tab Bank*

*Amount: \$5,500 USD*

*Home Address: 638 privet Dr. Dandridge TN. 37725*

*I'll need you to get back to me with the confirmation receipt once you're done with the transfer.*

The second email was, again, signed by our Association's Immediate Past President and looked like it was sent from her email address.

Notice how the scammers used both the Treasurer's and other Board member's first names to lend confidence and tried to convince the recipient that she could "take care of it by herself." Because, obviously, if

she consulted with anyone else, she would realize the request was a trick. They would also want a "confirmation" email so they could extract the cash from the phony account immediately and close it down.

At this point, the Treasurer was able to reach the President and the scam was confirmed and reported to the police.

"It was the second email I received that set off my alarm," said the Treasurer. "First it was the large amount and then, in rereading, I realized it was a hoax because of the bad grammar and spelling."

Cons are called that because they gain your confidence. At first glance, they seem legitimate.

"I always thought I was good at spotting these kind of emails," said our Civic Association Treasurer, "but I won't be so smug about it in the future." ■



## Minutes of the December 12th, 2016, Meeting #881

*By Danila Sheveiko, Recording Secretary*

**Call to Order:** 1st Vice President Alan Bowser called the 881st session to order at 7:51 p.m. Introductions followed.

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

### ANNOUNCEMENTS

■ **Bill 44-16** was introduced by Councilmembers Berliner, Navarro, Elrich to divest the County employee pension funds from holdings in fossil fuel companies.

■ MCCF Newsletter Editor Jacquie Bokow reported on the condition of MCCF President Jim Zepp, who suffered a stroke earlier this month and remains hospitalized.

**Minutes:** It was moved and seconded to approve the minutes of the November 14th general meeting as they appeared in the December Newsletter. The minutes were approved.

**Treasurer's Report:** Treasurer Jerry Garson's distributed report that showed a balance of \$12,787.44 with net expenditures over income for period of \$1,265.58.

### COMMUNITY HERO AWARD

Alan Bowser presented a Community Hero Award to Bernadine "Bernie" Karns for her many years of outstanding leadership and service on behalf of the Calverton Citizens Association, which is located in both Montgomery and Prince George's Counties.

### PROGRAM

The December program focused on two aspects of the County's road network—improving conditions on I-270 and maintaining the 5,200 miles of County primary, residential, and rural roads.

*Rich Parsons* spoke on behalf of [Fix270Now.org](http://Fix270Now.org) to share some data about our travel realities along with a comprehensive, multimodal plan to fix I-270. The D.C. region leads the nation in carpooling and telework, second in transit ridership (NYC is first), but is also one of the most congested areas. 25% of all trips are commuting trips, 75% of all daily trips are non-commuting trips, 15% of work trips use mass transit, 5.5% of all trips use mass transit. Congestion is expensive; currently it costs us 80 hrs/year and \$1,834/resident/year in D.C. region. This is

MORE

## December Minutes, cont.

a hidden tax, a huge drag on the local economy that limits job creation. The proposal is to fix I-270 using a regional multi-modal approach centering on new express toll lanes, regional bus rapid transit using the toll lanes connecting Frederick and Montgomery Counties, and BRT for the Corridor Cities Transitway to connect Shady Grove to Clarksburg.

Director *Al Roshdieh* spoke for the Montgomery County Department of Transportation and presented "Moving Forward Together: A New Vision for Transportation in Montgomery County." The Ride On system of 340 buses picks up 26.4 million trips a year. DOT is responsible for 334 bridges, as well as repair of curbs and gutters, sidewalks, bicycling facilities, storm drains, and driveway aprons; it also collects

140,000 cubic yards of leaves annually for composting. Montgomery's share of the Capital Bikeshare program has grown to more than 50 stations in Bethesda, Friendship Heights, Silver Spring, Takoma Park, Rockville, Shady Grove and the Life Sciences Center area.

Director Roshdieh also spoke about the newly redesigned 2016 **Snow Portal** that he said is more responsive, provides alerts and access to storm operations information, road conditions, and shows completion and progress estimates for specific snow removal service areas.

About \$48 million is required annually to maintain good quality pavement on roads, but this maintenance has been consistently underfunded with agencies requesting less money than needed. For FY2017, \$20.5 million was requested by the County Executive and \$19.2 total

was approved by the Council, far less than the \$48 million estimated for the much needed road resurfacing around the County.

### COMMITTEE REPORTS

#### *Planning and Land Use*

■ Harriet Quinn reported that Bill 41-16 to eliminate the Office of People's Counsel from County Code is on hold.

■ Another public meeting on the short-term residential rentals bills, ZTA 16-03 and Bill 2-16, Transient Housing Licensing, was held December 5th at the Planning Department. No additional meetings scheduled at this time.

■ Zoning Text Amendment 16-05 to fast-track approval of cell towers in residential zones and eliminate public notice and public hearing has been delayed. A coalition of

MORE



## December Minutes, cont.

residents has formed and a petition is still being circulated. Please see article on [page 9](#).

### Environment

■ Christine Pendzich, a Delegate from 350MoCo, reported on the finer aspects of the fossil fuel divestment Bill 44-16 outlined on [their website here](#).

### Education

■ 2nd Vice President Bailey Condrey reported on various lawsuits and investigations launched around the nation against [FieldTurf, the sole supplier of defective synthetic turf fields to the Montgomery County Public Schools](#) that is seems content to just let the field warranties expire without challenge.

■ Montgomery County Taxpayers' League is [meeting on December 14th with MCPS Superintendent Dr. Smith](#).

### Public Utilities

■ Chair Louis Wilen reported numerous problems with the Washington Gas billing system that has not

been updated in 40 years.

### Transportation

■ Chair Jerry Garson asked residents to call 311 to report malfunctioning traffic and street lights.

**Adjournment:** The meeting adjourned at 9:54 p.m. ■

## Minutes of the December 15th, 2016, ExComm Meeting

*By Danila Sheveiko, Recording Secretary*

The Executive Committee (ExComm) convened via teleconference.

**Call to Order:** Alan Bowser, 1st Vice President, called the meeting to order at 7:31 p.m. Present: Paula Bienenfeld, Jacquie Bokow, Bailey Condrey, Jerry Garson, Harriet

Quinn, Danila Sheveiko, and Louis Wilen.

### Adoption of Meeting Agenda:

Alan Bowser called for and received unanimous approval of the proposed agenda as corrected and amended.

**Approval of Minutes for November ExComm Meeting:** Alan

**MORE**

## Dec. ExComm Minutes, cont.

called for and received unanimous approval of the minutes.

**Treasurer's Report:** Jerry Garson reported a balance of \$12,697.44.

### ANNOUNCEMENTS

■ Maryland Court of Special Appeals will hear oral arguments in Costco Wholesale Corporation vs. Montgomery County, Md., et al. on the [morning of January 9th at the Robert C. Murphy Courts of Appeal Building](#), 361 Rowe Boulevard, Annapolis, Md. This is the second time Costco has taken Montgomery County to court for denying a special zoning exception to build a [Costco gas station in Wheaton](#).

### ISSUES DISCUSSED

■ January 2017 general meeting

program will focus on strengthening existing civic associations and establishing new ones. Delegates will review community toolkits published by the Bethesda-Chevy Chase and Mid-County Regional Service Centers. These toolkits compile a multitude of resources that can be useful for both existing civic/homeowner associations and communities wishing to organize for the first time.

### COMMITTEE REPORTS

#### Education

■ MCPS released the FY18 Operating Budget with a [request to increase it by \\$62.5 million](#).

■ The synthetic turf issue with FieldTurf Tarkett is heating up nationwide. Newark City school system is the latest to sue them, but the [State of Maryland and Montgomery County Public Schools are yet to take legal action over the defective play-](#)

[ing fields](#).

■ MCCF Delegates are working on a formal complaint to the Maryland Public Information Act Review Board over MCPS refusal to comply with MCCF MPIA request from March 2016 for documents supporting MCPS claims that synthetic turf fields are safe and cost less than natural grass turf.

### Public Finance

■ The MCCF Homeowners Tax Credit online calculator—created by MCCF Utilities Committee Chair Louis Wilen—has been very popular with residents and legislators alike. Feedback from users reported discrepancies between figures calculated by the MCCF and by the State. Chair Wilen reports that Delegate Al Carr (D18) is working on a Maryland House Bill to simplify the calculation

**MORE**

## Dec. ExComm Minutes, cont.

method by streamlining the definition of income.

■ Also, Bill 48-16, Taxation – Credit to Offset Certain Income Tax Revenues – Amendments was introduced at the County Council on December 6th to address some of the issues with application of the Property Tax Credit for Income Tax Offset known as ITOC.

### Public Utilities

■ Sewer installation project to begin in January along parts of River Road and Seven Locks Road.

### Planning and Land Use

■ The **Bethesda Downtown Plan** will be taken up by the County Council's Planning, Housing and Economic Development Committee on January 23rd.

■ On December 13, Council introduced several actions regarding White Oak with a unified public hearing on January 17th. Please see article on [page 5](#).

### Transportation

■ The Council T&E Committee is reviewing the options in the **Veirs Mill Road Bus Rapid Transit Draft Corridor Report**. This segment that would connect Rockville and Wheaton has been under study for seven years. Next Committee meeting is Feb 2.

■ Route 29 BRT schedule has been accelerated. After only one year of study, the final report is being written without any feedback from the public and only one option proposed so far.

■ MCDOT published an RFP for a hockey arena project in Silver Spring. The proposal was not

envisioned by the master plan or discussed in any public meeting. It's proposed by MCDOT because it owns the metro rider parking garages that would be replaced by an arena.

■ The **Takoma Langley Park Transit Center** opened on December 22nd.

### Environment

■ The New Jersey Attorney General is **investigating FieldTurf over the defective synthetic turf playing fields**. It would take a formal complaint to start a similar investigation over the defective fields used by Montgomery County Public Schools.

### OLD BUSINESS

■ Discussion of MCCF communication policies and procedures, interface with Facebook, Twitter,

MORE

## Dec. ExComm Minutes, cont.

approval of content before upload to MCCF Website.

■ Planning 2017 Awards Banquet tentatively at McGinty's in Silver Spring in early June.

### NEW BUSINESS

■ Budgetpalooza is the Civic Federation's annual deep dive into the Montgomery County Public Schools FY 18 Operating Budget. Come help us review the entire budget in depth on February 13th. [Sign up here](#).

■ Federal-level regulations are changing rapidly and it would be good for local state legislators to compensate by strengthening the Maryland Environmental Quality Act to be more in line with the California Environmental Quality Act.

■ Executive Resolution 21-15 to adopt the 2012 International Green Construction Code does not automatically get a public hearing before the County Council acts on it later in 2017.

■ Executive Committee working on a draft resolution in support of fossil fuel divestment.

■ Newsletter deadline and articles Monday, December 26th, at 6:00 p.m. to Jacquie Bokow at [civicfednews@montgomerycivic.org](mailto:civicfednews@montgomerycivic.org).

■ Date and location of next ExComm meeting: January 19th at the **Mid-County Community Recreation Center**. 7:00 p.m.–9:00 p.m.

**Adjournment:** Alan called for and received unanimous approval for adjournment at 9:41 p.m. ■

## Volunteers Needed for 2017–2018 MCCF Nominations Committee

We are seeking volunteers to serve on the MCCF Nominating Committee. There is no better way to help highlight shared County concerns and provide a bigger voice for civic associations.

The Committee will seek nominations to fill the elective positions on the Board of Directors: President, First Vice President, Second Vice President, Secretary, and Treasurer. No travel! No meetings! Most of the work will be done by telephone and will be of short duration.

Please contact Paula Bienenfeld if you would like to help with this important task: EdComm AT [montgomerycivic.org](mailto:montgomerycivic.org). ■

## Volunteers Needed for 2017 MCCF Awards Committee

The Civic Federation's Annual Awards event will be in late spring. More details on the event will follow in future newsletters. The work of the Awards Committee includes accepting nominations for award recipients, evaluating those nominations, and making final recommendations on the awardees. The work should be of short duration and may be done largely by phone. If you would like to help the committee, please let us know.

Please also start thinking now about individuals and/or groups you would like to nominate for the following awards:

### ■ The Wayne Goldstein

**Award:** awarded to an individual or group for outstanding service to the people of Montgomery County.

### ■ The Sentinel Award: spon-

sored 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 awarded to a Delegate or Committee of the Federation for outstanding public service on behalf of Montgomery County.

If you have a nomination or if you are willing to serve on the Awards Committee, please contact Alan Bowser: [veep1 AT montgomerycivic.org](mailto:veep1@montgomerycivic.org). We cannot do this without your help! ■

---

Montgomery County Civic Federation

[www.montgomerycivic.org](http://www.montgomerycivic.org)

info AT [montgomerycivic.org](mailto:montgomerycivic.org)

Twitter Feed @mccivicfed

[MCCF Facebook Page](#)

cfm

The *Civic Federation News* is published monthly except July and August by the Montgomery County Civic Federation, Inc. It is emailed to delegates, associate members, news media, and local, state, and federal officials. Recipients are encouraged to forward the *Civic Federation News* to all association members, friends, and neighbors. Permission is granted to reproduce any article, provided that proper credit is given to the "Civic Federation News of the Montgomery County (Md.) Civic Federation."

**Submit contributions for the next issue by the 26th of the current month.** Send to CFN at [civicfednews AT montgomerycivic.org](mailto:civicfednews@montgomerycivic.org).

**Send all address corrections** to [membership AT montgomerycivic.org](mailto:membership@montgomerycivic.org).

**VIEW PAST ISSUES ONLINE** [HERE](#)