

"Federation Corner" column
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A call for improved government performance

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In his acceptance speech upon being reelected to office this week, President Obama remarked that good citizenship involves more than just voting, it also requires us to meet our responsibility for self governance. In part that responsibility involves keeping informed about decisions being made by our elected and appointed officials, weighing in on those issues so the will of the people is clearly known, and demanding improved institutional performance from all levels of government.

Members of the Montgomery County Council this week are wrestling with one of the tougher issues they are called on to face: the Subdivision Staging Policy (known as the county Growth Policy until the name was changed in 2009). That policy is the vehicle by which Council members define what constitutes adequate public infrastructure to support the increased number of jobs and households they have approved; and by which they decide how to fund the costs of needed public facility improvements.

It is in the spirit of the President's call to duty that I comment one last time on the Subdivision Staging Policy, before the Council vote takes place this coming Tuesday. (The next time the Policy is scheduled to come up for revision is in the year 2016.)

In our county the Planning Board approves all development projects. And Section 50-3 of the County Code requires the Board, before approving the preliminary plan for any new development, to make a finding that public facilities will be adequate to support and service the area of the proposed building project. Public facilities and services to be examined for adequacy include "roads and public transportation facilities, sewerage and water service, schools, police stations, firehouses, and health clinics."

But it is the County Council that must decide what constitutes "adequate" infrastructure to support growth. And it is the Subdivision Staging Policy (SSP) in which Council members set the standards for adequacy, and establish a process for collecting revenue from new development projects to pay for infrastructure improvements in areas of the county where inadequacies exist.

The last two times the Growth Policy was amended, in 2007 and 2009, the Council approved a single test for transportation that weighed the adequacy of roads against transit. That test allowed areas of the county to have less than adequate road capacity (meaning overly congested traffic conditions) so long as that was balanced by better than adequate transit service, and vice versa.

This time around the Council was given a proposal formulated by the Executive Branch Department of Transportation, and recommended by the Planning Board, which separates the analysis of roads and transit adequacy into two separate tests. The split tests proposed in the 2012 SSP will better enforce the Adequate Public Facilities law because they require adequate roads and transit in each of the county's twenty-one policy areas, not one or the other.

Council member George Leventhal has publicly stated that he intends to vote against adoption of the SSP. While I will staunchly defend his right to vote his conscience, I cannot understand how the Council member does not appreciate the vast improvements this SSP offers over past versions of the growth policy.

I recall Council members Phil Andrews and Marc Elrich stating their displeasure with the Great Seneca Science Corridor Master Plan before the Council vote took place. Yet both members voted to approve the plan with its flaws, stating they wanted future generations to view a Council unified in its desire to create a welcoming environment for bioscience companies in the county and the new jobs they would bring. I wish Mr. Leventhal could see the new transportation tests and plan to generate funds for transportation improvements in the 2012 SSP as being equally important to future generations of county residents as Messrs. Andrews and Elrich viewed the Great Seneca Science Corridor plan.

During the Council worksession on the SSP this past Tuesday, Mr. Leventhal stated that he believes the county needs a plan to "raise real money to pay for real transit improvements", such as the proposed countywide bus rapid transit system. But in a straw vote he and six other Council members agreed to exempt all new development projects in Metro Station areas from paying any fees to improve transit adequacy, even though all six policy areas with Metro Stations in them fail to meet the standard set by the Council of no more than fourteen minutes average between buses in peak rush hours.

Around one-third of all new development projects from now until the year 2040 will be built in Metro Station areas of the county. But only two Council members--Phil Andrews and Marc Elrich--voted to collect fees from those projects to pay for improved bus service to correct the current inadequacy. No wonder Mr. Leventhal thinks the SSP will not raise real money; he and six others on Council voted last Tuesday to let one-third of development occurring in the next thirty years be built without paying a penny for needed transit improvements. If the improvements are made, it will be existing residents and businesses that pay the bill--not the developers who will profit from projects in Metro Station areas but will pay none of the costs for infrastructure to accommodate the growth.

For decades county officials have known there is a deficit of infrastructure needed to accommodate growth. Now they are poised to cripple a plan that promised a way to eliminate that deficit. Residents should heed President Obama's call to meet our responsibility for self governance. You can communicate your opinion to all nine Council members by sending an email to county.council@montgomerycountymd.gov. At the very least you should remember the inadequate performance of elected officials, when it occurs, and hold them accountable in the 2014 county election.

The views expressed in this column do not necessarily reflect formal positions adopted by the Federation. To submit an 800-1000 word column for consideration, send as an email attachment to theelms518@earthlink.net

[NOTE: Following the publication of the above column, the County Council on November 13 approved the 2012 Subdivision Staging Policy with a fee schedule that will collect less money from new development to pay for needed transportation improvements than the policy which had been in effect, and will demand higher fees be paid by new residential development than by new commercial development.]