



Civic Federation News

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Serving the Public Interest Since 1925*

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February Program

By President Dan Wilhelm

The featured speaker at our meeting on February 13 will be Dr. Glenn Orlin. Dr. Orlin serves on the Council's staff. He develops staff reports and recommendations on the Capital Improvement Program (CIP) Budget for the Council and is thus an important person during the Council's budget deliberations. He will give us an overview of the proposed CIP Budget and answer questions.

Every other year the County Executive submits a CIP Budget to the Council. The proposed budget has just gone to the Council and can be found on the County's web site. The Council has scheduled public hearings at 7:00 p.m. on Feb 7, 8, and 9. Although the hearings will occur before our February 13 program, the Council will be considering the budget until May, so you can still learn more about the proposed budget and get your comments into the Council for their consideration.

President's Message

By Dan Wilhelm

I write this message with a degree of hesitation and concern about the criticism that may follow. However, I believe that the unfolding of events that started with the Clarksburg situation also offers an opportunity to effect significant improvement in the planning process not only for citizens, but also for developers, business and government.

The Planning Board held a hearing on January 5 and the Council on January 17 dealing with a number of zoning text amendments (ZTAs) that focused on several of the issues resulting from the various site plan violations. Chief among them was whether to transfer site plan enforcement from the Planning Board to the Department of Permitting Services (DPS). At the January 5 hearing, I presented a comprehensive list of changes I believe are needed for the planning process. The five pages of changes were developed after listening to comments from many different citizens at MCCF meetings over the years, as well as my personal experience with the process, which goes back to 1979. The National Capital Building Industry Association also presented changes they want that go beyond the ZTAs, and which fit well with the changes I proposed. We happened to talk briefly after the hearing, and I gave them a copy of my testimony. At both hearings, the citizens, development industry, land use attorneys and Board of Trade all testified more or less along the same line. When was the last time we've seen that happen?!

Inside

Awards Committee	2
Nominating Committee	2
Annapolis Matters	3
How Much do You Know about the County Budget?	3
Education Committee Report	4
Report from the Environment Committee	5
Transportation Report	6
Supersizing the Beltway	6
Closing County MARC Stations	7
Future Meetings & Events	7
Status of Issues	8
Minutes, Federation Meeting	8
Minutes, Executive Committee Meeting	9
Member Organizations	11

The Civic Federation notes with great sadness the passing of Jeanne Goldstein, an active, respected and well-liked delegate to the Montgomery County Civic Federation. Jeanne served for some years as our Corresponding Secretary. She died on December 19, at her home in Chevy Chase, after a battle with cancer. She was 73. She is survived by her husband, Philip Goldstein, and her sons Marc and David. Our heartfelt condolences go out to Jeanne's family.

Since then I have met twice with a representative of the Building Industry Association and obtained a copy of their January 5 testimony. Based upon their written testimony and our subsequent discussion, our positions appear to work well together. The Building Industry has four main points - community involvement, establishment of a reasonable expectation of when the process will be done, site inspections, and enforcement when inspectors find violations. My testimony included the first, third and fourth points plus suggested changes to clean up the internal Planning Board process, many of which came from the Planning Board and which they are already working to implement. Needless to say, my main focus would be to improve community involvement by both improving the master plan process and the process in which specific development proposals are initiated, developed and brought to fruition. The master plan changes I suggested expand upon the ideas the Planning Staff is presenting dealing with "Revitalizing Centers, Reshaping Boulevards, and Creating Great Public Spaces".

The degree to which citizens, developers, and businesses actually agree is hard to know without getting into the details. This raises two questions. First, how do we determine where we agree or can work out something acceptable to all parties? At first glance, we may be able to agree on 80% to 90% of the issues. The second question is then how to get the County to implement the changes on which we agree. Maybe there is a better way, but the way that comes to my mind is to form a task force composed of citizens (MCCF), developers (Building Industry Association), business (Board of Trade), Planning Board, and Council. The objective would be to look into the details of the various proposals to see what proves acceptable to all the parties.

My question to you is this: is there any interest in having detailed discussions on this proposal? Is there a better way to approach finding out where we agree or how we can craft an acceptable compromise? Let me know your thoughts on this issue.

Awards Committee

by Dan Wilhelm

MCCF has three awards that it will present at the May 12, 2006 Awards Dinner. Please mark your calendar if you have not already done so. The awards are:

1. The Sentinel Award, presented to an individual or group for a significant contribution to good government at the local level.

2. The Gazette Award, presented to an individual or group who performs exemplary volunteer service for the residents of the county.

3. The Star Cup, awarded to an MCCF delegate or committee for outstanding public service on behalf of Montgomery County.

Since I am late in proposing an Awards Committee, I will be presenting it to the Membership at the February meeting for approval rather than Executive Committee as called for in the Bylaws. I am proposing the following to be on the Awards Committee:

- Sandy Vogelgesang, Chairperson (District 15 VP and Delegate from West Bradley CA)
- Carol Rose (Delegate from Wildwood Manor CA)
- Arnold Gordon (2nd VP and Delegate from Norbeck Meadows CA)

If you have ideas for people or groups to receive the awards, please contact one of the above people.

Nominating Committee

by Dan Wilhelm

MCCF will be holding elections for its officers at the June 12 Regular Meeting after a slate has been presented to the delegates in the May newsletter and accepted at the May 8 Regular Meeting. Also, nominations will be accepted from the floor at the May meeting.

The Bylaws require the President to propose a Nominating Committee of between 5 and 7 members in the February newsletter and require the delegates to approve a committee at the February Regular Meeting. The existing President and First VP may not serve on the Committee. I am recommending the following members (others may volunteer or be added at the February meeting) for the Nominating Committee:

- Peggy Dennis, Chairperson (Newsletter editor and Delegate from West Montgomery County CA)
- Donna Savage (District 18 VP and Delegate from Kensington Heights CA)
- Luella Mast (Treasurer and Delegate from Greater Colesville CA)
- Charles Wolff (Historian and Delegate from Seven Oaks-Evanswood CA)
- Dean Ahmad (Past President, living in Bethesda)

The Nominating Committee will nominate one person for the

President, First Vice President, Second Vice President, one District Vice President from each of the eight State Legislative Districts, a Recording Secretary, and a Treasurer. Persons nominated and elected must be Delegates at the time of their election (cannot be an associate member) and a Delegate may hold only one elected office. The District VPs are not required to live in the district they represent, but we have a strong preference that they do live there. A Delegate may not serve more than two consecutive terms as president (Dan Wilhelm is serving his second consecutive turn so cannot be re-elected). Officers serve for a term of one year or until their successors are duly elected. Any official not subsequently certified as a delegate by a member organization shall continue to serve until the end of the next June Annual Meeting

If you have ideas for people to serve in any of these offices or wish to volunteer, please contact one of the members of the Nominating Committee.

Annapolis Matters

By Dale Tibbitts, Legislation Chairman

The state legislative session has begun in Annapolis. MCCF will be actively encouraging our legislators to support good government bills.

Actually, the first order of business is to stop a bad bill. In 2004, MCCF lead a charter amendment petition drive to change the composition of the County Council to elect all members from separate districts. It was a **HUGE** effort to collect the required 10,000 valid signatures from registered voters. Delegate Charles Barkley (D-39) has introduced local bill MC 604 to allow the County to change the charter to increase the requirement to not less than 5% but not more than 10% of the total registered voters. Currently there are approximately 520,000 voters therefore the new requirement could be between 26,000 and 52,000 signatures.

10,000 signatures is more than enough to show that an issue is worthy of being on the ballot. Custom designing a state constitutional amendment to thwart the efforts of citizens is abuse of legislative authority. Contact your district legislators and urge them to oppose this undemocratic bill. Full discussion of this issue is under the Current Issues section of the MCCF website and legislator contact information is at www.montgomerycountydelegation.com.

We do have a good bill to support in the Public Financing of

State Legislative Campaigns. Public funding of campaigns is the MCCF's highest legislative reform priority. Public funding will help remove the unfair influence of the big money contributors. Full discussion of this issue is also under the Current Issues section on our website

Finally, once again Senator Brian Frosh (D-15) and Howard County Delegate Elizabeth Bobo (D-12B) have introduced bills to close the multiple corporation/multiple contribution loophole. Corporations spin off Limited Liability Corporations (LLCs) to protect their assets. Each of those LLCs is considered a distinct entity for the purposes of political campaign contributions. Businesses and individuals are limited to giving \$4,000 to an individual candidate or PAC and \$10,000 total to all candidates and PACs in a four year election cycle. But if the same directors control multiple LLCs they can legally give many times the amount intended by the spirit of the existing law. To see how this loophole is abused in Montgomery County go to the Campaign Funds page of www.NeighborsPAC.org - Report on Campaign Finance Abuse in the 2002 Election "Paying for Montgomery County Elections 2002."

How Much do You Know about the County Budget?

by Marvin Weinman, Co-chair Public Finance and Utilities Committee

The appetite for spending and taxation in Montgomery County bodes ill for county taxpayers in the future, particularly for those on fixed incomes. Last year, after overriding the legislated Charter Limit for three consecutive years, the county council voted to abide by the legislated Charter Limit.¹ This was a step in the right direction to support a fiscally, morally responsible budget, except for one fact: the county habitually underestimates tax revenues. The revised revenue estimate for FY 06 exceeded the approved budget by \$91.6 million.

The independent audit for FY04 showed that final revenue collections for the year were \$99 million more than what had been projected. The recently released audit for FY 05 indicated actual revenues exceeded those in the budget by \$139.5 million. \$23.8 million of this "unanticipated revenue" will be used to fund long-overdue one-time efforts such as technology enhancements

¹ The Montgomery County Charter requires that the revenue raised each year from property taxes be no more than the revenue raised the previous year, plus the increase in the Consumer Price Index (CPI).

and general maintenance repair projects that should have been funded previously. An additional \$10 million will be dedicated for direct funding of capital programs.

Will the taxpayers ever see any tax reductions as a result of the over 300 million in "unanticipated revenue"? I think we all know the answer. Let's not forget that in FY04 the Council tripled the "temporary" energy tax rates, and then proceeded to increase the rates another 52.15% in FY 05. These increases scheduled to "sunset" in FY06 are projected to continue in the FY07 budget estimates. For the four previous budgets funded by this council we have seen a total increase of 32.87% .

Even after Council proposed property tax reductions to get down to the Charter Limit, the current FY07 Spending Affordability Guidelines (SAG) revenue estimates would be enough to fund an across the board increase in appropriations of 8.6% for county agencies.² The Council has chosen to initially approve agency increases at a 6.0% level, and put \$72.6 million in unallocated resources to support possible later additional appropriations.

Based on the approved FY 06 Aggregate Operating Budget (AOB) of \$3,061.5 million, an 8.6% per year increase for the period of the six-year fiscal plan would increase the budget by \$1.961 billion, a 64.1% increase. At 6%, the increase would be \$1.281 billion, a 41.9% increase. There also needs to be recognition of the increase of up to \$169 million a year, starting in FY 08, to support new federal accounting requirements for early funding of escalating employee benefits. Without long term fiscal planning, even 8.6% yearly increases might be inadequate in future years. Is spending at this rate sustainable over the long term? At this rate how high will our taxes be in six years?

Our elected officials have failed to adequately address the long term revenue problem. Our county government continues to look only at a one-year budget and fails to analyze the impact of additional entitlements and commitments on future budgets. That failure leaves the public vulnerable to an uncertain future. For example, compensation represents 80% of the tax supported budget. As compensation for county employees goes up, so must our taxes. After the recently-approved bargaining agreement for FY 06 through FY 08, an average employee in the covered group will have salary increases totaling 69.7% over the six-year period FY 03 through FY 08, counting both cost-of-living increases and annual step increases.

² Spending Affordability Guidelines (SAG) specify a ceiling on funding from property tax revenues and a ceiling on the aggregate operating budget.

Moreover, they have not made an adequate effort to educate the citizens of the county about revenue and budget matters. They spend over 1.7 billion for public education but virtually nothing for education of the public. The significant numbers of citizens who have been left out of the government's decision making process - a process that directly affects their lives - deserve to have their voices heard. It's time for our elected officials to schedule a public education forum, followed by a public debate, to educate the public and answer questions on citizen concerns about their financial future.

In this, an election year, it's appropriate for our elected officials to let the voters know their position on the most critical matter of spending and how they propose to meet the long term revenue needed for it's financial support. The voters will be looking for Council actions instead of future promises during their next four years in office. The citizens of the county deserve nothing less.

Education Committee Report by Mark Adelman, Chairman

The working group on FAA-RA has submitted its report to the Superintendent. Our Education Committee follow-up position statement should be completed by late January. After MCPS staff and the Board of Education review the recommendations, there will be a release to the public for comment.

We testified on the proposed MCPS Operating Budget for FY2007. Our major recommendation was that the Board of Education (BoE) staff be increased so the Board can fulfill its mandate to oversee the actions of the Office of the Superintendent. We will be tracking how the BoE responds to various comments made during the public testimony phase. And we will testify before the County Council when it holds hearings (expected in April) on proposed County and MCPS Operating Budgets.

In our December 22 article in the Sentinel we reported that the County Council has been discussing transfer of the Carver Educational Services Center site to Montgomery College. We charged the BoE with being uninvolved in this process and urged that the process be immediately opened up to public discussion. It is unclear how the BoE and Council will proceed; expected Council action (to provide supplementary funds to the College to begin planning) appears to have been delayed.

We commented and testified on the proposed revised version of Policy IQD on Academic Eligibility. We believe that this policy

also has implications for how MCPS deals with growing concerns about violence in and around our schools.

Action on the proposed sale of the Peary HS site is stalled, pending response from the County Executive to questions raised by the County Council. See our article in the October 2005 Newsletter for background. We are tracking this and would appreciate any information members can provide.

Revision on Policy BNB (on BoE staffing) was expected to be released for public comment early this year. We attended several working meetings, which provided some of the impetus for our recommendation (item 2 above) that BoE staffing be expanded. Once the revised policy is released for public comment we will prepare our response.

Legal action on the surplussing of the Edson Lane Parcel continues. MCCF is on record as opposing the surplussing of such parcels for purposes other than public education. We are in contact with those pushing the legal aspects of this matter, both for purposes of gathering information, and to offer any help MCCF can provide.

Report from the Environment Committee by Caren Madsen, Environment Chairman

A number of important environmental issues face the county this year. MCCF has teamed up with several new working groups and coalitions to strengthen laws affecting environmental policy and codes in Montgomery County. The Forest Conservation Law (FCL) and the county stormwater permit issued by the Maryland Department of the Environment offer opportunities for improving county environmental policies. The current county stormwater permit, issued as a requirement of the Federal Clean Water Act, expires in June. Stormwater runoff from new development typically has a negative impact on public and private property and, if managed poorly, poses a threat to local watersheds. An environmental engineer serving as a consultant to the Audubon Naturalist Society and the Natural Resources Defense Council has formed a coalition to forge recommendations on the county stormwater permit. Along with Bruce Gilmore, an attorney for the Chesapeake Bay Foundation, and representatives from local civic and environmental non-governmental organizations (NGOs), Diane Cameron has drafted an 11-point set of proposed changes to the Montgomery County stormwater permit. Those 11 points are posted on the MCCF web site so that members can review them and provide comments at the Feb.13 meeting. The coalition is seeking input

from other organizations and support on these recommendations. The goal is for Montgomery to "raise the bar" and set a model for adjacent counties and municipalities to take a comprehensive approach to stormwater management. As outreach to county officials continues, the MCCF Environment Committee recommends that the organization review the proposal and support this carefully crafted proposal.

Rapid loss of mature tree canopy due to new development continues to be a concern. That said, a citizen and NGO workgroup is examining the Montgomery County Forest Conservation Law (FCL) which was originally approved in 1991. The original legislation was significantly watered down by developers who lobbied against it. Through the years, both county officials and citizens have expressed frustration over the applicability and implementation of the FCL. MCCF joins the Montgomery Sierra Club Group, Friends of Sligo Creek, the Glen Echo Heights Citizens Association and the West Montgomery Civic Association in forging a set of recommendations for revising the FCL. A goal is to bring partners from county agencies and members of the development and real estate industries to the table to develop a reasonable set of draft FCL amendments to take to county elected officials for action.

The FCL connection for environmental and civic advocacy groups is clear. Trees are necessary for effective stormwater management since they serve as natural absorption for polluted runoff. They buffer neighborhoods from encroaching commercial development, filter the air, store carbon and help improve air quality. They keep communities cooler and conserve energy use.

Environmental Legislation of Note

Bill No. 26-05 Legislation has been introduced to amend the Chapter 19 stormwater codes and add a component dealing with grading and drainage of runoff to adjacent properties from construction projects. Sponsored by Councilmembers Nancy Floreen, Marilyn Praisner and Howard Denis, Bill No. 26-05 attempts to minimize runoff onto adjacent properties and require detailed plans from builders which would show locations of drainage and effects. The legislation is under review at DPS and due to be taken up soon by the Transportation and Environment Committee of the Council. MCCF Planning and Land Use Committee Chair Jim Humphrey testified on the bill in a recent council hearing.

Bill No. 27-05 A starting point for FCL revision was the recent passage of Bill No. 27-05. This amendment to the existing regulations increases fines for FCL violations and adds criminal penalties for the first time. This amendment followed the

discovery that Redskins owner, Dan Snyder, had violated the FCL last year by deforesting a section of his Potomac estate in order to get a better view of the Potomac River.

Transportation Report

by Byron Bloch, Transportation Chairman

At the November 2005 meeting I introduced the issue of two different styles of speed humps, specifically the standard, grey asphalt speed humps that jar both human bones and automobile suspension systems versus the 22-foot-long combination speed hump/red-brick-paver crosswalk that allows traffic to proceed safely at about 20-to-25 MPH. The second and, I believe, better design is intended for residential streets with posted speeds of 25-30 MPH. It serves to point out and enhance pedestrian safety, and it is more attractive and durable than the first type.

This issue was again discussed at the Executive Committee meeting on January 19, when we voted to recommend to the membership-at-large a resolution to transmit to the County Department of Public Works and Transportation (DPWT) and the County Council supporting the use of the safer, smoother speed humps. The draft Resolution follows:

“Resolved, that the MCCF support the recommendation of the Montgomery County Fire and Rescue Commission to avoid installing the shorter 12-foot-long speed humps which are more jarring and impede the efforts of fire and rescue equipment to respond quickly to emergencies.”

“Resolved, that the MCCF concurs with other Maryland counties (e.g., Prince George's and Anne Arundel) that the 12-foot-long speed humps should no longer be permissible.”

“Resolved, that MCCF recommends that the County permit the installation of the combination red-brick-paver crosswalk and speed hump design, with its smoother 22-foot-long contour for primary and secondary residential streets with speed limits of 25 or 30 MPH. Further, this assumes that the appropriate DPWT application and concurrence requirements must still be met by the affected neighborhoods which may potentially consider or desire such combination crosswalk-and-speed-hump installations.”

Now, here's my take on the Maryland State Highway Administration's proposal to widen the 495 Capitol Beltway to ten lanes, and convert four of those lanes to privately financed and managed toll lanes. I believe this proposal is fraught with problems. First, the beltway is a major public highway. The free lanes will be reduced from the four lanes we now have on each

"loop" to only three lanes in each direction, thus exacerbating congestion in the "free" lanes. Toll or "Lexus" lanes will benefit only those with the money to pay what may prove to be ever-increasing fees. Because the toll lanes (two in each direction) will be in the middle of the ten-lane-wide beltway, there will be traffic safety hazards when the high-speed vehicles try to cross to and from the often-jammed outer public lanes to access the inner toll lanes. I predict an increase in collisions, injuries and fatalities.

There are other negatives to consider as well: the reduction of residential areas and open land required to widen the beltway; the increase in noise and air pollution from yet more vehicles; and the diversion of scarce transportation funds away from public transit options.

The answer to traffic congestion is not inevitably to build more roads and wider roads. It is in smart mixed-use development in areas where public mass-transit already exists or can readily be supplied. There are yet more creative approaches, such as light-rail down the center or adjacent to major highways, and dedicated outer-urban roads just for tractor-trailer trucks. In short, we need to learn from road and transit systems that have been implemented successfully in other cities, both in the US and abroad, to think of better ways of solving our transportation problems then endlessly adding more asphalt to an already overburdened system. If we widen the beltway to ten lanes now, will we then have to expand it to twenty lanes in 2020? Surely this strategy is a recipe for disaster!

Supersizing the Beltway

By Tony Hausner and Ben Ross
Citizens Against Beltway Expansion

The Washington Post had a recent front page article that talked about express toll lanes all around the Washington Beltway. The Governors of Maryland and Virginia had struck a deal on this plan. The State Highway Administration (SHA) has been working on a study for this part of the county for several years and made a presentation to a number of civic associations last winter. SHA proposes to widen the Beltway from the current eight lanes to ten lanes. Two of the five lanes in the center of each loop of the Beltway would then be converted to privately financed toll lanes leaving the three outer lanes in each direction for non-toll payers.

In addition to enlarging the Beltway, this proposal will 1) increase pollution and noise in our neighborhoods beyond their already excessive levels. 2) "take" dozens of homes to increase the right-of-way. Residents who do not lose their homes will, in some ways, be even worse off than those who do, because they will not be compensated for the loss of property value caused by increased noise and pollution. 3) add even more traffic to already congested secondary roadways. It will be harder to enter and leave many of our neighborhoods. 4) have a negative environmental impact on Rock Creek Park.

This proposal makes no sense as a transportation solution. The project's leaders have acknowledged that the four toll lanes will not solve congestion on the Beltway. The three free lanes in each loop will remain at least as congested as they are now, if not becoming worse. Lower-income commuters, already hard-hit by the rising cost of gas, will have to choose between paying exorbitant tolls and risking their jobs by arriving late to work.

There is a better answer: long term, more and better public transportation including the Purple Line will ensure less traffic congestion and a better quality of life for all residents

The Montgomery County Civic Federation Executive Committee has agreed to cosponsor an educational forum on the proposal to widen the beltway. The forum is scheduled for March 7, 7:30 p.m. at Blair High School Auditorium in Silver Spring. Other co-sponsors are the League of Women Voters, Sierra Club, Action Committee for Transit, and Prezco.

Beltway widening can be stopped. Citizens Against Beltway Expansion (CABE, formerly called the Rock Creek Coalition), a coalition of the civic associations in Maryland along the Beltway, has twice succeeded in blocking plans to expand the Beltway. Aroused and well-organized neighborhoods will not be ignored in an election year. But we can only succeed with your help. To learn more or to become an individual member of Citizens Against Beltway Expansion, visit our website at www.nobeltwayexpansion.com or call Tony Hausner at 301-587-6943.

MTA Guilty of Hypocrisy and Deceit In Closing County MARC Stations

by Wayne Goldstein, 1st VP and member of Transportation Committee

When, less than 24 hours after the end of the public comment period on 1/09/06, the Maryland Transit Administration (MTA)

announced it would follow through on its 11/30/05 plans to close the Boyds and Dickerson MARC stations, it proved just how hypocritical its promises to deal with the public are.

Here's the way MTA portrays itself: "MTA Mission, Vision and Values: Our Values - The MTA holds the following as key values: We will: Encourage open and respectful communication among MTA employees and with customers; Conduct business in an honest and ethical manner; Respect the needs, strengths and values of each other; Empower people with responsibility and hold people accountable; Work together as a team to build consensus."

MTA proved it was merely pretending to listen to the public. Despite a county hearing attended by 150 people, despite an MTA hearing with 50 people, and despite the involvement of many county officials and our Annapolis delegation, the MTA confirmed its original plan as soon as it possibly could. It did not encourage open and respectful communication; it did not respect the needs of others; it did not hold itself accountable; and it never tried to work together as a team to build consensus. It was neither honest nor ethical in insisting that it had to install \$116,000 ticket vending machines at each of the 2 stations and a \$300,000 passenger warning system at one station, even as it said it had to close the stations because so few riders used them. The facts are that each station only costs MTA \$670 per year, in part because loyal riders help do maintenance and promised to do even more if the stations remained open. Stopping at these two stations adds only two minutes to the full 90 minute trip.

In a "Listening Session" on 6/23/04 in Dundalk, "All of the participants agreed that the current public participation process does not work well... Hearings should not be held just to explain decisions that have already been made. Hearings should be conducted to explore ideas and demand for services.

The only value that MTA really holds is this: "We do what we want because we can." When Baltimore transit riders stood up for themselves despite MTA's efforts not to be held accountable, MTA eventually realized that it had no choice but to listen and to cooperate. This history can guide our county in its fight to make MTA accountable to us by keeping the MARC stations open.

Future Meetings & Events

Friday, February 3, Public Safety Committee Meeting, 7:00 - 8:30 p.m., Steve Silverman, candidate for County Executive will speak on "Public Safety Plans & Priorities as County Executive",

at Fernando Bren's home. Call 301-299-0899 for information.

Tuesday, February 7, 7:00 p.m. Bylaws Committee meeting at China Chef Restaurant, 11323 Georgia Avenue in Wheaton. Call Peggy Dennis to reserve table space.

Monday, February 13, Regular Federation Meeting, (see back page)

Thursday, February 23, MCCF Executive Committee Meeting (see back page)

Tuesday, March 7, Educational Forum on Beltway Widening, 7:30 p.m. at Blair High School Auditorium in Silver Spring.

Monday, March 13, Regular Federation Meeting, (see back page)

Thursday, March 23, MCCF Executive Committee Meeting (see back page)

Friday, March 24, Public Safety Committee Meeting, 7:00 - 8:30 p.m. Ike Leggett, candidate for County Executive will speak on "Public Safety Plans & Priorities as County Executive"

Friday, May 12, MCCF Annual Awards Dinner at New Fortune Restaurant, beginning 6:00 p.m.

Status of Issues

HOUSING COMMITTEE

- Workforce Housing Program - Bill 30-05 and ZTA 05-16, PHED worksessions continue Jan. 2006.
- County Executive has now authorized 6 publicly-owned properties for creation of housing projects (on Jingle Ln. in Glenmont, Bowie Mill Rd. in Olney, public parking lot on Bethesda Ave. in Bethesda, two sites on Washington Grove Blvd., and public parking lot between Silver Spring and Thayer Ave. in Silver Spring), awaiting selection of developer proposals.

PLANNING AND LAND USE COMMITTEE

- ZTA 05-02, to create a new Transit Oriented Mixed Use Zone, passed Council Jan. 17.
- County Service Park at Shady Grove, County Executive negotiating land deal to swap for other parcel(s) so site near Metro can be redeveloped.
- Shady Grove Master Plan revision approved by Council on Jan. 17.
- Master Plans under revision by Council--Bethesda CBD

(Council vote tentatively scheduled for Jan.) & Damascus (Council hearing scheduled for Jan. 24).

1. Master Plans under revision by Park & Planning--Twinbrook, Germantown, Gaithersburg Vicinity to be held over for transmittal to next Council.
 2. Bi-Weekly Updates on Development Approval Issues (PHED Comm. to continue in Jan.).
 3. Amendment to 10-Year Water and Sewer Plan - PIFs, Council vote pending.
 4. ZTA 05-15, Impervious Surface Limits in AgReserve & Rural Large Lot Zones, Council vote pending.
 5. Bill 35-05, ZTAs 05-17, 05-18 & 05-19, & SRA 05-04, to consolidate Site Plan enforcement under DPS, PHED worksession scheduled for Jan. 30.
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Minutes of the January 9 Federation Meeting

By Richard Zierdt, Recording Secretary

MCCF President Dan Wilhelm calls the meeting to order at about 7:49 pm with introductions and announcements. 33 are present.

Lee Shipman announces the annual "Help the Hungry" Dining Out program for February 7, 2006. Jim Humphrey announces that the County's DHCA MPDU office is open for applications Jan 3 - 31. Applications are accepted only once per year. Seniors are defined as 55+. Peggy Dennis: Park and Planning is having a special hearing on how we would like their hearing process improved on January 19. Jerry Garson announces the ICC Environmental Impact Study is available.

Agenda. Adopted as amended: Workforce housing, Child Lots in the Ag Reserve.

Minutes from December 12, 2005 meeting are accepted as published in the Newsletter.

Treasurer's Report. Luella Mast leaves her report on back table.

Program. Conducting Effective Meetings and Using Robert's Rules of Order. Wayne Goldstein introduces Ms. Mary Ann Bowen and a handout on Robert's Rules is distributed. Ms. Bowen compliments the MCCF on its structure, camaraderie, and influence in the County. MCCF is in good shape. Roberts Rules was based on English Parliamentary processes. Many organizations believe they do not need Roberts (or equivalent) until an issue arises. Some groups feel Roberts is too formal and stifles community. Ms. Bowen argues the opposite: that Roberts enhances community. Without Roberts, Ms. Bowen notes a general lack of courtesy and respect for each other's opinions. Roberts supports and engenders courtesy and respect. Ms. Bowen encourages all organization presidents (or meeting

leaders) to practice saying "I am the Chair." The president sets the agenda with concurrence of the membership. This is not a "perk," rather it is a responsibility. The Secretary helps keeps the president on track in absence of the parliamentarian. The president should be objective. Normally, the president does not vote unless there is a tie, but Ms. Bowen cautions any president in breaking a tie if it will alienate half the participants. The president appoints the parliamentarian. The parliamentarian and the president should work well together. Ms. Bowen discusses the "Rules of Debate," as summarized on her handout. Ms. Bowen suggests that each speaker be limited to two minutes. A three-minute comment is equivalent to two written pages. Ms. Bowen suggests the use of paper "Motion Slips" that the maker of a motion should use to write out her/his proposal. This suggestion resonated with the audience. Motions must have a second. Points of Order do not require a second. The chair must determine their validity.

Committee Reports.

Planning and Land Use. Jim Humphrey. Code violations are not unique to the Clarksburg development; thirteen other projects have site plan violations. Jim wrote an article in the Sentinel about this. Greenway Village in Clarksburg, for example. 100's of improper building permits were issued.

Public Safety. Jerry Garson. Committee met with Prosecutor Gansler and talked about the sniper case prosecution and gang activity. Also met with Dr. Tillman, County Health Officer: Bird flu - It's a question of when, not if.

Education. Mark Adelman. County PTA held a seminar with public officials. Transfer of Carver may be re-thought. School operating budget next Thursday.

Environment. Jim Humphrey. Preservation of Mature Trees. Forest conservation laws of the County. Site in Bethesda may be clear cut by the developer.

Bylaws Committee. Peggy Dennis. Committee recommends that the office of Data Base Manager be specified in the bylaws. Next meeting Tuesday, February 7, 2006.

Workforce Housing. Jim Humphrey. Moves that the MCCF oppose Bill 30-05 and ZTA 05-16. Seconded. Jim explains other recommendations that MCCF has made (including employer-provided housing). Motion passes with no objection, and one non-voting abstention. Motion passes unanimously. The full text of the motion is as follows:

"Whereas Council legislation proposes 10% of market rate units in Metro Station Policy Areas as Workforce Housing units, and permits master plans in these areas to be overridden by allowing by right 10% above the maximum density specified in the applicable zone categories; and,

Whereas the proposed legislation would provide Workforce Housing units in Metro Station Policy Areas in which apartments are the primary unit type, thereby failing to meet the needs of

workforce income level households seeking housing of other types or in other areas; and,

Whereas the Civic Federation membership has endorsed alternative initiatives county government should explore to impact overall affordability of housing;

Therefore, be it resolved that the Montgomery County Civic Federation urges Council disapproval of Bill 30-05 and ZTA 05-16."

Child-lots in the Agricultural Reserve. Wayne Goldstein. Motion is made that the MCCF support enforceable child-lot regulations to be used for their intended purpose as child lots. Seconded. Debate ends. Motion passes 28-0-1.

Public Finance and Utilities. Charles Lapinski. Maryland is studying issue of "eminent domain" in view of the 5-4 Supreme Court decision in *Kelo v. City of New London, Connecticut*, where private property was taken by eminent domain to be used for private development.

Adjournment. 9:55 PM

Minutes of the January 19 Executive Committee Meeting

By Lyle Schofield, Acting Recording Secretary

January 19 meeting called to order at 7:45 p.m.

Attending: President Dan Wilhelm, Madsen, Weinman, Mast, Humphrey, Schofield, Dennis, Vogelgesang, Bloch, Tibbetts, Wolff, Gordon, Goldstein, Tony Hausner (guest)

7:48 **Minutes** of the last meeting accepted as printed in Newsletter.

7:49 **Beltway Widening** Hausner handed out document and information from Citizens Against Beltway Expansion. Discussion about widening the beltway to accommodate new toll or "Lexus" lanes. Impacts homes and parks. This group prefers public transit and the "Purple Line". Seeking MCCF support or co-sponsorship educational forum at Blair HS on March 7th. Discussion about Los Angeles area, and the narrowing of the lanes and its impact on traffic safety. MCCF has developed a comprehensive transportation plan. Discussion about how to leverage political issues - who are the right politicians to target for lobbying? Question about time line and decision points. Primary target date is to influence 2006 election cycle. "Motion to support the proposed forum" is made and seconded. Discussion: this is in line with our transportation plan. Question about our position on Purple Line - MCCF position on Purple Line is that it should be underground and not "cut and cover" for environmental concerns, so sponsorship is conditional on following our program. Purple Line studies by state seem slow and half-hearted. Educational forum is not focused on Purple

Line, but about the beltway widening. Forum is educational. Will not end in a vote. Vote on the motion to co-sponsor the educational forum: 5 for, 3 against, 1 abstention.

8:20 **Environmental Report:** 11 point proposal for changes to storm water permit process. Document needs to be reviewed by the board. Discussed with DPS, recommendation to discuss with the County Executive and Council members.

Discussion of 26-05. Hearing already took place (Jim Humphrey testified). Perhaps the information should be put together for vote at the next regular meeting. Could be put together for newsletter (deadline is Saturday night).

Committee has been looking at county's Forest Conservation Law. Amended recently to add criminal penalties and increase fines. Committee feels this is a good starting point but that there should be more attention to this law. Looking at ordinances in other parts of the country. Election year cycle is seen as a good opportunity to influence policy in this area. www.Fosc.org (Friends of Sligo Creek) contains additional information on this.

8:35 **Candidates Forum** All our issues are impacted by the composition of the County Council. Some want a series of public debates for candidates. Discussion: to date, candidates' forums and "debates have had agenda and rules formulated by candidates and do NOT result in real debate. Should initial focus be on Democratic primary for executive and county council seats? Partnering with other groups? Challenges with logistics. Difficult to schedule sitting council members, as they are busy in evenings with regular council work. May may be a good time. Concerns about cost of sponsoring events like this: costs have recently gone up for both newsletter and use of rooms in county buildings. Message will go out to Federation membership to find groups, venues and people that can help define and organize the debate.

9:05 PM **Land Use** Site Plan enforcement study from August has not gotten response from county government. Derick Berlage seems to be the only county employee working hard to fix the problems that led to the Clarksburg-type issues around the county. M-NC/PPC has implemented 18 or so of their 38 points in their action plan already. Park & Planning at least admits there is a problem. Other county government departments have not yet even acknowledged problems.

9:23 PM **Programs** Problem with "weed and seed" program for February meeting. Possible replacements: transportation; teachers' pensions and education related things; CIP budget program. A lot of interest in the budget related topics. Vote: "50-50 program vs. all CIP budget". Vote: 5 for 50/50, 6 for all CIP Budget". CIP Budget will be Feb. Program, we hope with more appealing title.

9:37 PM **Public Finance** Letter to the Gazette from Montgomery Taxpayers League went through three methods for tax rebate. Passed out budget assumptions for school

construction.

9:44 PM **Public Safety** Committee meeting had Doug Gansler as a guest. Costs of sniper trial described as minimal. Maryland needs some equivalent of the RICO statute for gangs and related conspiracy. Some civic groups are expressing increased concern about gang activity in the county. County is not doing enough for prevention, which is more cost effective than enforcement after the gangs organize.

9:52 PM **Membership** Five more members have signed up. Dan has one more.

9:54 PM **Treasurer** Reports on the table. No county-wide organizations re-joining so far, perhaps because no membership person has this responsibility. Some said they would follow up on. Request to highlight new membership article for newsletter.

9:56 PM **PR** Instructions to come out on how to define calendar events for the web site.

9:58 PM **Legislative** Our state representatives are not interested in our position on signatures needed for election questions. They are following direction of county politicians and not really interested in position of groups. This is probably the last chance for citizen groups to put anything on the ballot in an election cycle - barrier to citizen activists influencing ballots. Concerns about efforts for ballot questions, and that effort should be on council election.

PG groups are filing suits on zoning amendments. Discussion of voting machines. Suggestion that we join coalition against these issues.

Planning for Annapolis meeting with delegates & senators.

10:04 PM **Transportation Issues** Maintaining of Marc stations in Boyds & Dickerson. Decision made to close them, article for newsletter than vote in general meeting. County plan to widen 7 Locks Road, 2 more high-rise buildings at Potomac's Fortune Park. Documentation difficult to get. Propose a newsletter article about new "brick flattop crosswalk" issue. Firemen would be in favor of this - secondary roads now cannot get these 22 foot traffic humps. Beltway widening issue, didn't mention privatization of toll lanes.

10:17 PM **Community Hero** - none proposed for February

10:20 PM **Nominating Committee and Awards Committee** Progress, nothing to report.

10:21 PM **Historic Preservation** Ad Hoc Committee Wayne went to turn over ceremony for Uncle Tom's Cabin building. A lot of international interest. Property will be used as an educational experience. Program to be held on preservation of Comsat building.

10:25 PM **Newsletter Assignments**

10:27 PM **Meeting Adjourned**

Member Organizations

The following list shows current MCCF member organizations. We thank each for renewing their membership. We also want to welcome Ayrelawn Civic Association as a new member. There are still a number of organizations that have not yet renewed their membership and we encourage them to do so as soon as possible.

Action Committee for Transit	Layhill South Citizens Association#
Allanwood-Gayfields-Willson Hills-Gaywood Estates (AGWG) Civic Association @	Manor Lake Civic Association
Avenel Community Association, Inc.	Maplewood Citizens Association, Inc.
Ayrelawn Civic Association@	Norbeck Citizens Association
Bannockburn Civic Association	Norbeck Meadows Civic Association
Boyds Civic Association	North Hills of Sligo Civic Association
Bradley Boulevard Citizen Association*	Northwood-Four Corners Civic Association*
Brooke Manor Estates HOA#	Potomac Towne Homeowners Association
Carderock Springs Citizens Association, Inc.	Randolph Civic Association, Inc.
Chevy Chase West Neighborhood Association*	Regency Estates Citizens Association
Clarksburg Civic Association	Riverhill HOA
Congressional Forest Community Association	Seven Oaks-Evanswood Citizens Association
Deerfield Weathered Oak Citizens Association	Snowdens Mill Homeowners Association*
Edgemoor Citizens Association	South Tuckerman-Inverness Citizens Association
Fox Hills West Citizens Association#	Springbrook Forest Citizens Association
Greater Colesville Citizens Association, Inc.	Stonegate Citizens Association
Greater Goshen Civic Association	Strathmore-Bel Pre Civic Association
Greater Olney Civic Association	The Preserves @ Smalls Nursery HOA#
Greater Shady Grove Civic Alliance	Tulip Hill Citizens Association
Grosvenor Park Condominium Citizens Association	West Bradley Citizens Association
Hillandale Citizens Association	West Montgomery County Citizens Association
Kensington Heights Citizens Association	Wheaton Regional Park Neighborhood Association
Kenwood Park Citizens Association*	Wildwood Manor Citizens Association
Layhill Alliance	Woodside Park Civic Association Inc.

* Renewal dues not yet received, but delegate has indicated they are coming

Rejoined MCCF after a one year lapse.

@ First time member.

Federation Meeting

Monday, February 13
7:45 1st Floor Auditorium
County Council Office Building.
Rockville, MD

Agenda:

7:45 Call to Order
7:46 Introduction and Announcements
7:55 Adoption of Business Meeting Agenda
7:58 Approval of Minutes and Treasurer's Report
8:10 Program
9:10 Committee Reports
9:20 Member Issues
9:30 Old Business
9:35 New Business
10:00 Adjourn

The **Montgomery County Civic Federation** is a county-wide nonprofit educational and advocacy organization. It was founded in 1925 to serve the public interest. Its 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 Office Building, Rockville, MD.

The **Civic Federation News** is published monthly. It is mailed to Delegates; associate members; news media, and local, state, and federal officials. Permission is granted to reprint any article provided proper credit is given to the "***Civic Federation News of the Montgomery County Civic Federation.***"

Submit contributions for the next issue by: **Midnight, Saturday February 25.** Prepare submission as an MS Word, Word Perfect or text-only document, **attach** it to e-mail, and send it to hotyakker@comcast.net Please send all address corrections to Dan Wilhelm, 904 Cannon Road, Silver Spring, MD 20904, 301-384-2698, or djwilhelm@erols.com.

NEXT EXECUTIVE COMMITTEE MEETING

Thursday, February 23, 7:45 p.m.

RED BRICK COURTHOUSE
29 Courthouse Square, Rockville

(Note: there is free parking in front of the courthouse.)

MONTGOMERY COUNTY CIVIC FEDERATION

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