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## of note

### **Next MCCF Meeting #941**

Monday, March 13, 2023, 7:30 p.m. *online via Zoom*. Topic: “Affordable Housing in Montgomery County.”

! **Join the Zoom Meeting Here**

*[See further instructions on page 2. No password is required.]*

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February 13 Meeting #940 **P. 19**

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### **Membership Application**

**JOIN ONLINE | MAIL-IN FORM**

**TO PRINT, USE PRINT VERSION**

## Federation Meeting #941

Monday, March 13, 2023

7:30 p.m.

Online Zoom Meeting

### AGENDA

1. Call to Order/Introductions
2. Approval of Agenda
3. Approval of Minutes: February 13 General Meeting **P.19**
4. Treasurer's Report
5. Announcements
6. March Program: Affordable Housing Montgomery County **P.3**
7. Committee Reports
8. Old Business
9. New Business
10. 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. Since the beginning of the pandemic, the start time is now at 7:30 p.m.

**The March 13 meeting will be held online via Zoom** (see page 3 for program) at 7:30 p.m.:

■ To be part of the video conference, first **visit the Zoom website** to download the program for your phone or computer.

■ Date and Time: Monday, March 13, 2023, 7:30 p.m. Eastern Time.

■ To **join the Zoom meeting from your browser, use this link.**

■ To participate by phone (audio only), call 301.715.8592. The meeting ID is 850 6388 4416. No password is required.

We hope you will join us! ■

# mccf

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 26**

## March Program: Affordable Housing in Montgomery County—Next Steps

*By Alan Bowser, President*

The March 13 meeting of the Montgomery County Civic Federation will focus on issues of affordable housing in the County. Our guests for the March program are both subject matter experts on housing issues in the region—Dr. Scott Bruton, Deputy Director of the Montgomery County Department of Housing and Community Affairs, and Mr. Michael O’Grady, an expert on government-sponsored, local-level workforce and community development policies.

Before being confirmed as the County’s Deputy Director of DHCA, Dr. Bruton served as the senior vice president for housing policy, research, and development for the Coalition for Nonprofit Housing and Economic Development (CNHED) in Washington, D.C. In this position,



he served as a national and local expert on affordable housing and homelessness-prevention policies and programs for elected officials, government staff, practitioners, and policy and advocacy organizations. He spearheaded development of an legislative agenda on affordable

housing and homelessness prevention to further affordability, equity, and social and economic mobility, testifying over 50 times on D.C. legislation and regulations; organized and participated in panel discussions; and educated legislators, agency officials, advocates, and other organizations on affordable housing and homelessness prevention policies. His work included analyzing the District of Columbia budget and developing recommendations and advocacy strategies for affordable multifamily rental and ownership housing and homelessness-prevention priorities, which contributed to the appropriation of over \$1.5 billion in funding in recent years. And he has identified and monitored federal and local laws, regulations, and poli-

## March Program, cont.

cies to assess relevancy and impact on economically vulnerable tenants experiencing housing insecurity. Dr. Bruton will provide us with a high level view of Montgomery County's housing policies and priorities. You can find [information about housing policies in the County here](#).

Information about the Montgomery County Planning Department's work on [Attainable Housing Policies can be found here](#).

**Michael O'Grady** is a research economist and geographic information system analyst at Virginia Commonwealth University's Center for Urban and Regional Analysis. He formerly worked for Arlington Economic Development. A lifelong resident of Arlington, Virginia, he has been closely involved in discussions related to affordable housing



**MICHAEL O'GRADY**

in the County, with a particular focus on the discussions related to missing-middle housing. He has discussed issues related to upzoning and the essential role of government finance in supporting affordable housing, commenting that some form of up-zoning is inevitable in

Arlington. His analysis suggests that the missing-middle framework would increase market pressures, while offering no safety nets for vulnerable residents. He writes that the missing middle framework under discussion in Arlington will not result in measure reductions in prices nor increases in affordable stocks. [See Arlington Analytics article here](#).

The experience and insights from these experts will help to educate our members about the most important issues surrounding the affordable housing discussion in Montgomery County. Our March meeting will provide up-to-date information about the County's efforts to develop new desperately needed affordable housing, the preservation of existing affordable housing, and ways to help renters to stay in their homes in an increasingly challenging housing market. ■

## Montgomery County Councilmembers Unveil Tenant Assistance and Protection Package to Address Growing Crisis in Housing Affordability

*By Alan Bowser, President*

On March 2, 2023, Councilmembers Natali Fani-González, Andrew Friedson, Gabe Albornoz, Marilyn Balcombe, Sidney Katz, and Dawn Luedtke announced a new proposal to alleviate pressures on the County's most vulnerable renters. Like most similar jurisdictions throughout the country, Montgomery County faces a housing affordability crisis.

The County has a tremendous housing challenge, with 41,000 housing units needed by 2030 to accommodate population growth and alleviate pressure on County renter households that are cost burdened. Based on a [County-specific study](#), extensive research—including from the [NYU Furman Center](#) and the real-world experiences of other

jurisdictions across the country, particularly Oregon, Minnesota, and California—the Tenant Assistance and Protection Package will provide direct assistance to the most vulnerable residents, protect against rent gouging, provide access to homeownership to build generational wealth, and increase the supply of income-restricted affordable housing.

### ANTI-RENT-GOUGING LEGISLATION

The first component of the Tenant Assistance and Protection package is anti-rent-gouging legislation that eliminates excessive rent increases in a way that doesn't threaten new housing construction which is essential for Montgomery

County to meet its regional targets. The legislation would cap maximum rental increases in multi-unit buildings at eight percent plus inflation (based on the consumer price index). The legislation provides for a 15-year exemption for new construction and provides an allowance for building owners undergoing major renovations or financial hardship to ensure safe and dignified housing.

### \$30 MILLION IN RENTAL ASSISTANCE

Essential support for renters in need of financial assistance is also a key component of the comprehensive package that would increase Montgomery County's Rental Assistance Program to \$30 million. This

## Tenant Assistance, cont.

additional \$18 million investment represents a 150 percent increase from pre-pandemic levels. This puts more resources directly into renters' hands who need it the most.

The sponsors of the Tenant Assistance and Protection Package are calling on County Executive Marc Elrich to include these funds in his recommended budget, due for submission to the Council on March 15.

## \$4.5 MILLION IN HOMEOWNERSHIP ACCESS

With the goal of increasing homeownership opportunities in historically underserved communities and to help residents build generational wealth, the package includes \$3 million in funding to support first-time homebuyers, with \$1.5 million allocated to homeowners who are most at

risk of losing their homes. This \$4.5 million in funding would come from the 2022 American Rescue Plan Act.

Concurrently, the Planning, Housing, and Parks Committee led by Chair Friedson is developing a new revolving affordable housing fund with a goal of reaching \$50 million. This fund will support nonprofit housing providers modeled after the successful Housing Production Fund created in 2022 and augmented in 2023.

This comprehensive package of robust rental assistance, increased affordable housing production, and anti-rent-gouging regulations follows research and lessons learned from other jurisdictions to target support and protections to the most vulnerable residents without discouraging desperately needed investment in housing production and building maintenance. ■

## Councilmember Luedtke Introduces Bill to Improve Transparency of County Boards, Committees, and Commissions

*By Alan Bowser, President*

Councilmember Dawn Luedtke, on February 14, introduced legislation to address Open Meetings Act violations and inconsistencies found in Montgomery County government.

Bill 8-23 would set clear and consistent deadlines for the more than 80 County government boards, committees, and commissions that meet to inform the public and advise policymakers on critical issues impacting the community. The legislation would require the deadlines for groups to publish basic information critical to transparency, including meeting notices, agendas, minutes,

## Transparency Bill, cont.

and recordings if a meeting was recorded.

In August 2022, the State Open Meetings Act Compliance Board found several County boards, committees, and commissions violated existing State Open Meetings Act law by failing to provide reasonable advance notice of meetings, failing to provide information on how to access virtual meetings, failing to post minutes, and more.

“It’s essential for the good of our residents and the good of the volunteers who serve so ably on these public bodies that they operate in a transparent manner,” Councilmember Luedtke said. “It’s important to set requirements above and beyond state law to ensure the County improves on problems found in the past. This legislation will also sup-

port the County in setting consistent rules for the many boards, committees, and commissions providing public forums and influencing County policy.”

Local jurisdictions around the state—including Baltimore City—have also set open meetings requirements in addition to existing state law. Bill 8-23, cosponsored by Councilmember Sidney Katz and Council President Evan Glass, would also create a quarterly reporting requirement to the Council of open meetings complaints and the resolution of those complaints.

A public hearing on Bill 8-23 was scheduled for February 28 at 1:30 p.m.

Councilmember Luedtke represents the new District 7, including Olney, Damascus, Montgomery Village, Derwood, Laytonsville, Sandy Spring, Ashton, and parts of Gaithersburg and Silver Spring. She

is serving on the Council’s Public Safety and Health and Human Services Committees and as the Council’s Lead for Crisis Response.

For more information, the [Council staff report can be viewed here](#). ■

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## Who Should Win in 2023?

**■ The Wayne Goldstein Award**, awarded to an individual or group for outstanding service to the people of Montgomery County;

**■ The Sentinel Award**, awarded to an individual or group for a significant contribution to good government at the local level; and

**■ 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.

Haven’t renewed? [See page 1!](#) ■

## Council Appoints Hedrick, Pedoeem, Bartley to the Montgomery County Planning Board

*By Alan Bowser, President*

On February 28, 2023, the Montgomery County Council appointed James Hedrick, Mitra Pedoeem, and Shawn Bartley to the Montgomery County Planning Board. The Planning Board serves as the County's principal land use and planning advisor. Planning Board members also serve as commissioners of the Maryland-National Capital Park and Planning Commission.

"The Council's public selection process for Planning Board members has led us to make three key appointments," said Council President Evan Glass. "James Hedrick, Mitra Pedoeem, and Shawn Bartley have the combined experience, leadership, and listening skills that are necessary to engage with community members and the Council about

land use and planning issues. These individuals will play an integral role in establishing a vision for the future of our County.

"The Council appreciates Cherri Branson, David Hill, and Amy Presley for serving as temporary Planning Board members. Their work was essential to providing continuity of service and building a bridge to the new Planning Board. Additionally, we thank all those who applied to serve on the Planning Board and encourage residents to stay engaged and informed about land use and planning issues."

In Oct. 2022, the Council appointed five temporary Planning Board members to ensure continuity of operations at the Montgomery County Planning Board and maintain services for residents. The three

newly appointed Planning Board members will serve out the unexpired terms of the prior members and are registered voters of the same political party as the prior Planning Board members. Shawn Bartley will serve as the Republican member until June 14, 2024. Mitra Pedoeem will serve as the unaffiliated member until June 14, 2025. James Hedrick will serve as the Democratic member until June 14, 2026.

The two remaining temporary Planning Board positions including the Planning Board chair are scheduled to be filled in June 2023. Public notice advertising these positions will be issued at a later date.

Planning Board members generally serve four-year terms and are limited to two full terms. No more



## Planning Appointees, cont.

than three members of the Planning Board may be from the same political party, and each member must be a resident and registered voter of Mont. County when appointed.

The Planning Board's responsibilities include preparing and proposing amendment to the Montgomery County General Plan, master plans and functional plans, proposing amendments to the subdivision regulations, and preparing and making recommendations on text amendments to the Montgomery County Zoning Code. The Planning Board implements area master plans and the subdivision process by reviewing and approving preliminary plans, site plans, and other plans for development and provides advice about the planning implications of capital facilities and other infrastruc-

ture.

Moreover, the Planning Board comments, under its mandatory referral authority, about plans for public facilities of local, state, and federal agencies and proposes the work program and annual operating budget for the Planning Department and the Commission's bi-county offices.

The Planning Board also sits as the Park Commission and proposes the annual Parks Department operating budget and capital improvements program and establishes park policies and fees. Land acquisition contracts and major development contracts for parks development plans and park facilities are approved by the Planning Board.

Montgomery County Executive Marc Elrich must approve or disapprove the Planning Board appointments within 30 days. If no

communication is received, the appointments are approved. Once the Planning Board members are sworn in, they will begin their work immediately. ■

## CIVIC FED TONIGHT!

***SEEKING POSSIBLE SPEAKERS  
FOR YOUR CIVIC ASSOCIATION  
MEETINGS?***

**Members of the MCCF Executive Committee have extensive experience and a community-oriented perspective. If you would like an executive committee member to speak at a meeting, contact President Alan Bowser at *president at montgomerycivic dot org*.**

## MCCF Letter Encouraging Funding of the Office of the People's Counsel

*[The following is a letter from MCCF President Alan Bowser to Montgomery County Executive Marc Elrich urging the Executive to include funding for the Office of the People's Counsel in the FY24 Operating Budget. MCCF members are encouraged to send letters of support to County Executive Elrich at [Marc.Elrich@montgomerycountymd.gov](mailto:Marc.Elrich@montgomerycountymd.gov).]*

The Honorable Marc Elrich  
Montgomery County Executive  
101 Monroe Street  
Rockville, Maryland 20850

RE: Funding the Office of the  
People's Counsel—FY 2024 Operat-  
ing Budget

Dear County Executive Elrich:

On behalf of the Montgomery County Civic Federation, Inc. (MCCF), I am writing again to request that funding be restored to the Office of the People's Counsel (OPC), an agency that is authorized by the County Code to represent the public interest in the County's land use regulatory process.

Please know that at its February 14, 2022, MCCF General Meeting, members voted to submit a letter recommending that this funding be restored in the Fiscal Year 2023 Operating Budget. We greatly appreciated that you included the recommended appropriation in the FY23 budget. We were, however, very disappointed—and somewhat surprised—that the Montgomery County Council did not even discuss and did not approve this crucial important

funding in last year's budget.

Continuing to withhold funding for this agency is not in the public interest and defunding the OPC has led to an imbalance of representation on issues related to land use.

The Office serves to protect the public interest in land use hearings by promoting full and fair representation of relevant issues to achieve balanced administrative records. The Office also provides technical assistance to residents so that they can effectively participate in the County's land use control process. Reestablishing the OPC will help to restore a balance of trust and integrity to the planning and public engagement process.

Furthermore, the County Code requires that, prior to introduction,

## MCCF OPC Letter, cont.

any proposed Zoning Text Amendment (ZTA) be reviewed by a ZTA Advisory Group that includes the OPC. One of the reasons often cited by the Planning Department for the complete rewrite of the County's Zoning Ordinance (which was a seven year process) was to discourage the use of Zoning Text Amendments that bypass the master planning and land use public processes. However, since the Zoning Rewrite was adopted, there have been over 100 ZTAs proposed by a small number of Councilmembers. All of the ZTAs were proposed without the benefit of the OPC review.

Other Maryland jurisdictions have established offices of the People's Counsel including Prince George's County, Baltimore County and Harford County. It's time to

restore Montgomery County's Office of the People's Counsel.

Thank you for this opportunity to submit our recommendation for the FY24 budget on this very important

matter of public interest.

Sincerely,  
Alan Bowser, President,  
Montgomery County Civic Federation, Inc. ■

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## Rundown of MCCF-Supported State Legislation

### *By Peggy Dennis, Legislation Chair*

As of February 27, here is the status of bills that the Civic Federation is supporting.

### **HB 299: Environment—Synthetic Turf—Chain of Custody Bill on Artificial Turf Fields** *Introduced by Del. Mary Lehman*

This bill has had a very favorable report out of the Environment and Transportation Committee, but has no date yet for a floor vote. Nor does it have a companion bill

in the Senate. I will ask Senator Barve to crossfile and urge others to do so too. Or ask a senator you know and admire to crossfile or co-sponsor. We have supported this bill in the past and hope to spur it through this session.

### **HB 58: Open Meetings Act—State Ethics Commission** *Introduced by Del. Marc Korman*

This legislation expands various open meeting and transparency requirements—including web

## State Legislation, cont.

streaming meetings—to the Maryland State Ethics Commission. This bill is still in the Health and Government Operations Committee. Companion bill, SB 35, has passed in the Senate.

### **HB 129: Courts—Strategic Lawsuits Against Public Participation**

*Introduced by Del. Rosenberg*

Altering the conditions under which a lawsuit is considered a strategic lawsuit against public participation (SLAPP suit); altering the conditions under which a defendant in a SLAPP suit is not civilly liable for certain communications; establishing certain standards and requirements relating to a motion to dismiss an alleged SLAPP suit; and applying the Act

prospectively. This bill has had a “Favorable” report out of the Judiciary Committee. Companion bill SB 619 from Senator Hettleman is awaiting hearing in the Judicial Proceedings Committee.

### **HB 70/SB 16: Safe Access for All (SAFE) Roads Act of 2023**

*House bill introduced by Delegate Lorig Charkoudian; Senate bill introduced by Senators Waldstreicher and Augustine*

These bills require the Department of Transportation to recommend and implement certain design elements for pedestrian and bicycle safety when developing any construction or improvement project, or postconstruction project, preservation, or maintenance; and require the State Highway Administration to submit certain reports including pedestrian and bicycle

safety data, analyses, and plans to the General Assembly by certain dates.

Given the number of deaths and injuries to pedestrians and bicyclists during the last several years, this measure could help us get closer to our goal of “zero” deaths. This bill is supported by the Washington Area Bicyclist Association, Bike Maryland, the County’s Pedestrian, Bicyclist Traffic Safety Committee, and even the NTSB (National Traffic Safety Board).

HB 70 is still in the Environment and Transportation Committee. The companion bill, SB 16, awaits its second reading in the Senate. ■

## MCCF Testimony on Synthetic Turf Chain of Custody Bill Before E&T Committee

*[The following is the text of the testimony given by Jerry Garson, MCCF Treasurer and Transportation Committee Chair.]*

To Delegate Barve, Chair, Environment and Transportation Committee

Dear Delegate Barve and Committee Members:

I am Jerry Garson, speaking on behalf of the Montgomery County Civic Federation, Inc. (MCCF), which represents about 150,000 Montgomery County residents. The MCCF considered bill HB 299, Environment—Synthetic Turf—Chain of Custody. The Civic Federation unanimously voted in favor of the legislation for the following reasons:

This legislation would require the Maryland Department of En-

vironment to establish a system to track the chain of custody of synthetic turf sports or playing fields installed in Maryland. These fields contain dangerous materials. The basic point is we just want to know where these things went and the materials were disposed properly. This is about transparency.

The Fiscal and Policy Note indicates only a \$52,400 cost for Fiscal Year 2024 and only \$13,800 for Fiscal Year 2025.

Last year the Bill was HB 131 and it passed the House of Delegates by a vote of 97 to 34.

The mission of the MCCF is to preserve and improve the quality of life for all current and future residents of Montgomery County, Maryland. Since its founding in 1925, the volunteers of the MCCF have com-

mitted themselves to providing an effective citizen voice to government policy makers, both elected and appointed.

The Civic Federation is a not-for-profit, county-wide umbrella group designed to promote cooperation, education, and effectiveness of civic and community associations in Montgomery County.

It addresses a wide range of concerns in transportation, land use, environment, education, budget and finance, public safety, and ethics. With its strength of numbers and thoroughness of its deliberations, the Federation influences county policy and balances the activities of vested county pressure groups.

Thank you for considering our views.

Jerry Garson ■

## Council President Evan Glass Introduces Bill 11-23, Safe Streets Act of 2023

*[The following is a press release from the County Council.]*

On February 27, 2023, Montgomery County Council President Evan Glass was joined by parents, students, elected officials, and transportation leaders at Newport Mill Middle School to announce major legislation creating safer streets for pedestrians and cyclists on our roadways.

In 2022, 19 pedestrians and bicyclists were killed and 541 people seriously injured on Montgomery County roads. Seven weeks into 2023, the County has had two fatalities and 25 injuries involving pedestrians and cyclists.

The Safe Streets Act of 2023 (formally Bill 11-23, Motor Vehicles and Traffic—Traffic Control Signals, Devices, and Enforcement Action Plan)

prioritizes pedestrians by enhancing walk times at crosswalks, prohibits “right turn on red” at busy intersections in downtown areas, and requires infrastructure reviews following incidents in school zones. The proposed legislation also requires the County Executive to provide an automated traffic enforcement plan. The legislation is the largest pedestrian safety package since Vision Zero.

“Every pedestrian and bicyclist fatality is an avoidable and devastating loss to our community,” Council President Glass said. “We must take bold steps to address roadway concerns and make our streets safer for pedestrians, bicyclists, and drivers. The Safe Streets Act of 2023 will bring much-needed safety improvements to our roads, help advance

our Vision Zero goals, and prevent additional injuries and deaths in our community.”

Glass, who chairs the Transportation and Environment Committee, is a leading voice for Vision Zero, a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all.

The legislation will be formally introduced on Tuesday, Feb. 28.

**The full bill text can be found [here](#).**

A public hearing will be held on March 21 at 1:30 p.m. ■

## Status of the Purple Line Project

*By Jerry Garson Montgomery  
County Civic Federation, Inc. Trans-  
portation Committee Chair*

Here is the link to the [Official Maryland Purple Line Project](#).

The Purple Line is a 16-mile light rail line that will extend from Bethesda in Montgomery County to New Carrollton in Prince George's County. It will provide a direct connection to the Metrorail Red, Green, and Orange Lines at Bethesda, Silver Spring, College Park, and New Carrollton.

The Purple Line will also connect to MARC, Amtrak, and local bus services. The Purple Line will be powered by overhead wires known as a catenary system. As a transit system separate from Metro, it will operate mainly in dedicated

or exclusive lanes, allowing for fast, reliable transit operations. Most of the alignment will be at the road way level, though short segments will be elevated or underground.

The Purple Line is owned by the Maryland Department of Transportation Maryland Transit Administration (MDOT MTA). In spring of 2016, MDOT MTA originally selected a private sector partner—Purple Line Transit Partners (PLTP)—to design, build, operate, and maintain the light rail system for 35 years. MDOT MTA is the project lead, with the support and close coordination of a team that includes the Washington Metropolitan Area Transit Authority, Montgomery and Prince George's Counties, the Maryland-National Capital Park and Planning

Commission, Maryland Department of Transportation, State Highway Administration (MDOT SHA), and local municipalities in the project area.

Here is the timeline that has not been adhered to:

### **2002 TO 2008**

The Maryland Department of Transportation's Maryland Transit Administration studied a range of alignments and transit modes.

### **2008**

Draft Environmental Impact Study completed.

### **2009**

Light Rail selected as the mode.

## Purple Line Status, cont.

### 2009 TO 2014

Performed the preliminary engineering phase.

### 2013

A P3 (Public-Private Partnership) selected for project delivery.

### 2013

The Federal Transit Administration accepted the Final Environmental Impact Study.

### 2014

The Federal Transit Administration issued the Record of Decision.

### 2014

The MAT issued Requests for Proposals.

### 2016

Purple Line Partners Team select-

ed as the concessionaire. The first P3 then started construction.

The Bethesda-to-New Carrollton rail line was supposed to open in early 2022, but it's been delayed by a lawsuit, environmental reviews, property acquisitions, and coordination with utilities and CSX.

But reports in 2020 said that the companies building the line have said it won't begin carrying passengers until at least 2023, and that's if construction is accelerated. If not, it could open two years late, in 2024.

State agencies believe the companies can do more to speed up construction. The delays have added more than \$200 million to the light-rail line's cost.

Now the latest reports state that Maryland's Purple Line construction faces another seven-month delay.

Unless work can be accelerated, the

long-delayed light-rail Purple Line has a new projected opening date of mid-2027. This would be 25 years from the start of the project.

The latest delays, related to moving utility lines, come as the Purple Line project was supposed to be off to a fresh start under a new construction contract that added \$1.46 billion in costs. In August 2022, a new lead contractor led by Spanish firms Dragados and OHL, began re-opening construction sites that had sat abandoned for almost two years after the original contractor quit in 2020 amid disputes over hundreds of millions of dollars in delay-related cost overruns.

We don't know what the final date for opening the Purple Line will be or if the Light Rail Cars will be in good operating condition after waiting more than five years to be put into service. ■



## Council Broadens Approach to Housing Challenges

*By Elizabeth Joyce, Second Veep*

In the past two months, the Montgomery County Council has taken a range of steps to address the County's housing challenges:

**I Colocating Housing with Public Facilities.** On February 2, members of the Planning, Housing, and Parks Committee (Council Vice President Friedson, Councilmember Fani-González), joined by President Evan Glass held a news conference to announce Bill 33-22, Capital Improvements Program—Affordable Housing Feasibility Study—Required. The bill would strengthen the requirement that the executive branch assess the viability of collocating affordable housing with new or significantly renovated county-owned land or facilities. It requires the County Department of General

Services to conduct and submit to the Council for review an affordable housing feasibility study before completing the planning, requirement development, and site selection or land acquisition for county facilities.

**I Call for Emergency Rental Assistance Funding from the State.** On February 28, Council President Glass introduced a resolution, cosponsored by all Councilmembers, calling on Governor Wes Moore and the General Assembly to allocate \$175 million in the FY2024 budget to help an estimated 17,000 Maryland families avoid eviction. Starting in 2020, with help from federal and state funding, the County rental assistance fund had grown to more than \$100 million, used to prevent homelessness and keep more than 12,000 residents in their

homes. As Montgomery County and all Maryland renters face the end of local rental assistance and reductions in SNAP assistance, the County needs these funds to continue such protections.

**I Urban District to Revitalize Friendship Heights.** On February 28, Council Vice President Andrew Friedson introduced Bill 13-23, Montgomery Urban Districts—Friendship Heights Urban District. The bill would establish and provide funding to support the work of the nonprofit Friendship Heights Alliance to further economic vitality and strengthen the vitality of the area.

**I Tenant Assistance and Protection Package.** On March 2, Councilmembers Fani-González, Friedson, Albornoz, Balcombe, Katz, and Luedtke introduced a set of proposals to address the County afford-

## Housing Challenges, cont.

able housing affordability crisis. The proposal includes:

- | **Anti-rent-gouging legislation.** The proposal would cap annual rent increases in multi-unit buildings to 8 percent plus inflation. It would include a 15-year exemption for new construction and provides an allowance for buildings undergoing major renovations.
- | **\$30 million in rental assistance.** These funds would increase the County's Rental Assistance Program to \$30 million, a 150 percent increase from prepandemic levels.
- | **\$4.5 million in home ownership access.** With the goal of increasing homeownership opportunities in historically underserved communities and to

help residents build generational wealth, the package includes \$3 million in funding to support first-time homebuyers, with \$1.5 million allocated to homeowners who are most at risk of losing their homes. This \$4.5 million in funding would come from the 2022 American Rescue Plan Act.

The Planning, Housing, and Parks Committee is developing a new revolving affordable housing fund with a goal of reaching \$50 million. This fund will support nonprofit housing providers modeled after the successful Housing Production Fund created in 2022 and augmented in 2023.

MCCF applauds the scope and goals of all these proposals and resolutions. We look forward to working with the Council to pass and apply these initiatives. ■

## News on the Bus Transformation Project

*By Peggy Dennis, Transportation Committee*

Those of us who remember the work Jim Zepp put in on getting us the story on Houston's reimagining and transformation of the bus system will find cheer in the fact that the Metropolitan area finally seems to be getting its act together.

In the Jan. 2022 *Bus Transformation Project Progress Report* by the MetroNow Coalition, strategies include (1) providing frequent and convenient bus service, (2) giving buses priority on roadways, (3) creating an excellent customer experience, and (4) creating a regionally coordinated bus system.

Thanks to Delegate Marc Korman for providing the link to the report to us. [View article here.](#) ■

## Minutes of February 13, 2023, MCCF General Meeting #940, Virtual Zoom Meeting

*By Karen Cordry, Recording Secretary*

*[Due to the COVID-19 outbreak, the General Meeting was held via Zoom as a virtual meeting. A total of 53 persons attended on the Zoom platform.]*

**Call to Order:** Alan Bowser, President, called the Meeting to order at 7:35. Meeting is being recorded through the end of the formal program.

**Approval of Meeting Agenda:** moved, seconded, and approved by voice vote.

**Approval of January General Meeting Minutes:** moved, seconded and approved by voice vote.

**Treasurer's Report:** Jerry Garson reported \$977 for the first seven months and expenses of \$1,227 for a net balance of \$249. Bank balance of \$8,454; no activity in the last 30 days.

### PROGRAM

Our speaker was County Executive Marc Elrich. He started his second term in December 2022 and our newsletter has his inaugural remarks and budget proposals.

He noted that COVID had thrown a wrench into a lot of the plans for his first term but they had do a lot of work that let us keep people safe and we had kept the MoCo rate to about 2/3 of the rest of the country. We are highly vaccinated but we continue to take it seriously since it's still much more dangerous

than the flu.

They were able to balance the standard budget without federal money, so the extra COVID funding could be devoted to other projects. They had major revenue increases last year and put record amounts into climate change, housing, and early childhood issues. They have also started dealing with racial equity issues which the Council directed us to work on.

They are also working on the police department including by trying to raise pay scales which aren't competitive. We proposed a bill with raises that wasn't approved by the Council but the last budget did have some increases in pay and benefits. They have improved recruiting numbers but it's still not keeping

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up with those retiring. On the other side, the racial equity analysis has us looking at over-policing and problematic dealings with the public. We are working with consulting firm to review these issues, including by looking at body-camera footage and we are discussing with both management and the union.

There are 40,000 approved housing units that aren't moving forward. Almost all building is market-rate with few affordable units. MoCo's MPDU program was mostly designed in the 1970s for a mostly white/working class target group. The demographic now is majority minority and income levels are a lot lower than the MPDU model, which doesn't work for those at 30-50% of median income, or in higher-cost areas. Very challenging since

about 3/4 of new households make less than \$75,000, and 1/3 less than \$50,000, so building only 15% units at affordable scale just isn't enough. We are working with nonprofits on 18 properties to build higher percentages and have had about a dozen churches approach us to help them build housing on their land.

They are asking to fund an Ombudsman/Office of People's Counsel which was there until the Great Recession in 2009. It was dropped then and never put back but it's still needed.

He also discussed the proposed changes with the Planning Board in the aftermath of last year's issues and the resignation and replacement of the entire Board. There was a bill to actually restructure the Board but that has turned into a study proposal for now. He pointed out that the current Planning Process is slower,

more cumbersome, and more expensive than it needs to be (or is elsewhere) and they hope to streamline it to make it easier to get projects done here. Our taxes are lower than elsewhere but the delays make it hard to get people to decide to come here. He would also like to see impact taxes held and applied separately so that those paying see what they get from those costs. We could do special taxing districts like Virginia that floats bonds to deal with these costs over time and we could look at the taxing structure which now charges business and residential the same. Developers will pay more if the system gives them what they need for those payments.

White Flint is an example where they have been trying to redevelop for three years. Amazon went to Northern Virginia because the last

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governor didn't work with them to get them the tech campus they wanted. Our signature industry is life sciences but we don't have graduate training in that areas near the open sites we have. We are talking with WMATA, U. Md people, and industry folks to try to do a major project to pull all of the aspects we want into a single site. Governor Moore will visit the area this week to look at the site. We also need them to agree to BRT push to be able to transport the people needed for a major project

### QUESTIONS

■ Alan Bowser asked about proposals to colocate affordable housing at County sites. Mr. Elrich strongly agreed with the general proposition and noted they had about 18-19 locations with open spaces that could

be worked on, and were also looking at building above garages and so forth. Also working on putting this into design/build projects to be included from the beginning. They were also looking at more broadly affordable projects both in terms of the numbers of units and the maximum income since the current cap of \$85,000 in income still leaves a lot of folks unable to afford what's out there. They are working on Complete Communities Housing Act to serve the whole area and to try to get affordable housing into all communities, including Bethesda, for instance.

■ Cary Lamari noted that the marketing forces largely dictate what's affordable and naturally occurring affordable housing (NOAH), i.e., the existing lower cost housing stock is what largely houses lower-income residents. As such, the current pro-

posals are self-defeating. Mr. Elrich agreed that simply allowing denser housing would not necessarily solve the issues since it could simply result in more high-priced townhouses, not affordable ones. Indeed, at one point, there was a suggestion to go up to as many as 15 units by right, although MPDUs don't apply until there are 19 units. He agreed that much more detail and requirements needed to be put into any of these proposals to be sure they do what we want.

■ Joel Teitelbaum asked about getting the Purple Line done. Mr. Elrich noted the county didn't have much power since this was a state project. The costs are very high and the contract didn't have binding arbitration so the builder largely controls the project. Starting over would only end taking longer and

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spending even more.

■ Cary Lamari also asked about public safety concerns and Mr. Elrich reiterated that they have raised the pay somewhat to address attrition rates and they continue to push these points.

■ Byron Block asked about the I-270 toll lanes. Mr. Elrich stated that he was on a review group set up by Governor Moore. He noted the northern part of the project could set up reversible without needing more space. The biggest problem areas are along the spur and the western side of I-495. Expanding MARC train line to reduce cars would help. He does hope that Moore will be open to all the alternatives and Mr. Bloch volunteered his services as a 40-year expert in these areas to help look at them.

■ Peggy Dennis asked if Chris Conklin at DOT and his folks could run a volunteer “adopt a road” weed warrior program for vine cutback and he agreed to follow up on doing that.

■ Jamison Adcock asked about light pollution in light of its numerous adverse effects. Mr Elrich asked him to contact Dale Tibbetts and noted that they were already working on it on road lighting and asking buildings to turn off their lights to stop wasting energy and polluting.

■ Kim Persaud commented that the Thrive proposal has been sold as an aid to diversity but that as of now there were plans and proposals for housing that were being pushed without the other ancillary services like schools and parks going in at the same time. Mr. Elrich did some historical analysis of the county and how it had stayed segregated for a

long time until the open housing laws came in but economic limitations continue to preserve much of that separation. He also noted that Adequate Public Facility (APF) was supposed to require things develop as a whole but that was not always adhered to and it was important to do so.

■ Liz Joyce commented further about the bills dealing with restructuring the M-NCPPC and our PB, how can we hold them accountable for their actions over the last few years, and how to make them more transparent and truly responsive going forward. One thought would be to invite the new Board to MCCF and have them talk about these issues. Mr. Elrich agreed there was a lot to be worked on and firing everyone might or might not have been the right approach where some weren't

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necessarily any part of the problem.

■ Lloyd Guerci also asked if any of the changes to the PB would really make them listen to us. Mr. Elrich agreed with the concern and that he had felt ignored when he was where we were. We needed to persist and push the new Board hard and make sure they really meet all of their duties such as dealing with APF obligations.

■ Alan Bowser asked about economic development in the East County. Mr. Elrich noted there were projects moving forward including major housing projects in the works and both the Town Center on Rt. 29 and the Burtonsville Shopping Center are on track to be revamped and opened. They are also working on added BRT service and we have \$40 million holding in the budget

for needed infrastructure as people bring actual projects forward.

■ Sheldon Fishman about trying to get rid of synthetic turf fields. Mr. Elrich noted that he supports a current state bill on “chain of custody” to track where such fields end up and that he’d love to ban them altogether and any help with the Council will be appreciated.

■ Karen Cordry asked about crime issues. Mr. Elrich noted that it’s basically a region-wide problem and a lot of it has to do with the disruptions from COVID and loss of connections. How do we get people back on track? They need to do more work on social reintegration and getting mental health clinics back in the community. They are also working on trying to make sure that kids who aren’t college-bound still see a path for their lives.

■ Alan Bowser followed up with a

question about issues in the Silver Spring area. He noted that he is asking for legislation dealing with business staying open all night in areas with crime problems. It would require them to have cameras, lighting, metal detectors, and to keep windows uncovered so you can see in as security protections. The Council has not agreed on actually limiting hours. They have been doing inspections and there has been better compliance and fewer incidents.

■ Eric Cathcart of the North Hills of Sligo Creek noted they have been working with their Police Commander to adopt a community program for their edge of Silver Spring and it’s working well.

Mr. Elrich ended by saying he appreciated the work of the Civic Associations and urged them to persist in representing their members and

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bringing up out concerns and issues.

### OPEN DISCUSSION

There was discussion on a number of issues including proposal for forming action groups to meet with the Council regularly on issues in areas like Silver Spring, and the applicant process for the new Planning Board members which was moving fairly quickly (and didn't necessarily leave time for MCCF to interview them as we had done in the past).

### MARCH PROGRAM

The topic will be Affordable Housing. Executive Committee will obtain speakers.

### COMMITTEE REPORTS

Alan Bowser noted that we are always looking for volunteers for

officers, committee chairs and committee participants.

### Education

■ Alan Bowser noted concerns about anti-semitism popping up in the schools.

### Planning and Land Use

■ Liz Joyce pointed out that we do need to pay close attention to the new Board and make sure they actually do stay transparent as they are promising, including asking how finalists were selected.

■ Harriet Quininn noted we needed to write the Council to support the Office of People's Counsel and Alan Bowser agreed we would do that.

### Public Safety

■ It was again noted that there are issues arising just from the lack of people in the 911 office, etc. Prior

to COVID, one officer resigned per month, now we're at 4.

### Legislation

■ Peggy Dennis noted that a number of bills of interest are outlined in the newsletter and would like to move for approval as a whole. They include:

- | Sen. Kramer's bills on Planning Board issues.
- | Chain of custody for artificial turf.
- | Open Meetings Act for State Ethics Commission
- | SLAPP suits—rein them in and make them more difficult to bring.
- | Safe Access for All—Charkoudian, Waldstreicher, widely supported; design elements for bike and pedestrian safety when doing new projects



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Motion by Cary Lamari to support, seconded by Liz Joyce . Approved by voice vote.

■ Jerry Garson will be testifying on Artificial Turf bill this week.

### *Transportation*

■ Jerry Garson said the Purple Line is delayed again. Probably not until 2027 at the earliest. Been going on for some 25 years.

### *Nominations and Awards*

■ Peggy Dennis said volunteers are needed on the Nominations and Awards Committee.

**Adjournment:** Video recording ended and meeting adjourned at 10:00 p.m. ■

## Minutes of the February 23 Executive Committee Meeting

*By Karen Cordry, Recording Secretary*

**Attendance:** Alan Bowser, Karen Cordry, Jacquie Bokow, Liz Joyce, Peggy Dennis.

1. Meeting began at 7:05 p.m.
2. The topic for the March 13th general meeting is affordable housing. For speakers, Liz will contact Michael O'Grady who wrote an article in *The Washington Post* about Arlington's efforts on the same topic and Alan will contact Debbie Spielberg in CE Elrich's office to get someone from there to talk about their AH programs they are working on. Alan will also talk to someone he knows at one of the developers who could talk about economic feasibility

issues.

3. Peggy Dennis noted that she had written to Rep. Kumar Barve on the Chain of Custody bill for artificial turf fields and the Safe Roads bill (introduced by Rep. Charkoudian).

4. Alan Bowser will update our letter from last fall on the People's Counsel proposal. He also noted that Council Member Dawn Luedtke has introduced Bill No. 8-23 on Transparency in County Boards on Feb. 15, 2023, to set clear and consistent deadlines for 80 County boards and commissions to advise the public on their activities. There will be a March 23 public hearing on the Pedestrian Master Plan. We have been encouraged by CM Eli

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Glazier to distribute the information widely and encourage attendance. We can put in in the March newsletter.

5. Topics for the April meeting were discussed and it was agreed what we look at some of the issues that are arising out of the implementation of the road diet/bike and pedestrian plans. This can include communications with residents, the appropriate balance between current use and higher potential, and how to encourage that additional usage.

6. It was noted that we didn't get volunteers yet for the Nomination/Awards Committees. And we might want to consider going back to at least some in-person meetings or Happy Hours, perhaps starting in

May.

7. Future meetings: Alan will talk to Ike Leggett and maybe think about him as a possible speaker in the future: What he did, what he didn't get done.

8. The meeting adjourned at 8:26 p.m. ■

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