



CIVIC FEDERATION NEWS

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Serving the Public Interest Since 1925

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Next Steps for Transportation Policy

-by Dan Wilhelm,
Transportation Committee Chair

The Council recently decided that it could not possibly deal with the totality of issues raised by TPRII before the fall elections. Therefore, we are going to come to grips with a limited number of the issues this summer and the remaining issues will be deferred until the summer of 2003. One point strongly emphasized by several of the Council members was their concern about ensuring adequate public input into the process. This is the view the Civic Fed expressed to the Council in its February testimony. Those issues slated for discussion this summer include:

- List of road and transit projects which could be implemented over the next 10-15 years
- Recommended changes to expand and improve the bus system
- Recommended transportation demand management measures (TDMs)
- Recommended transportation for the aging

Given the Council's timetable, the Executive committee agreed on the following schedule for the Civic Fed:

- At our April meeting, we will develop a list of transportation projects. As time permits we will also devote time to brainstorming priorities;
- At the May 13 meeting, discussion will include: general land use strategy and transit-oriented development; enhanced bus service;

the desirability of developing a strategic plan for MD 355 (the Planning Board report called for the creation of long-term visions for Rockville Pike and Georgia Ave, both of which "suffer from neglect"); and transportation demand management measures.

- In early June, we plan on holding a Saturday morning forum. We shall determine the agenda over the next few weeks.

There are some fundamental points which emerged from the Task Force and Planning Board reports which have not been given the attention they merit:

In This Issue ...

Next Steps in Transportation Policy	Page 1
Transport for Aging and Disabled	Page 5
Delegates Meeting	Page 6
ExComm Meeting Minutes	Page 7
Community Service Awards	Page 8
Preserving the Agricultural Reserve	Page 9
Pew Report Gives County a "B"	Page 10
Escalante School Denied Again	Page 11
Legislative Scorecard Planned	Page 12
Hard Times for Environmentalists	Page 12
Special Exceptions	Page 13
Nominating Committee Established	Page 14
Community Hero Award	Page 14
Election Judges Sought	Page 15
From the President	Page 15
Agenda for Delegates Meeting	Page 16

- Despite investment levels of \$8-9B recommended by the Task Force, whether emphasizing transit or roads, the forecast is that congestion by 2050 will be worse than it is today --i.e., we can't spend our way out of the problem.
- Both the Planning Board and Task Force Reports pointed out that funding at the \$8-9B level would be far above the current rate of spending (which is some \$1.4B over the next 25 years). The Task Force report identified the need for additional funds and provided some recommendations for finding the needed funds.

Goals

The list of projects that the Civic Fed decides to endorse needs to be one that supports a set of goals and objectives. The goals that follow are those which we suggest the Civic Fed support.

The Task Force was told that the goals and objectives it developed needed to be in agreement with the County's General Plan. There was no disagreement with that direction. The General Plan land use goal is to "Achieve a wide variety of land use and development densities consistent with the Wedges and Corridors pattern." The Transportation goal is to "Enhance mobility by providing a safe and efficient transportation system offering a wide range of alternatives that serve the environmental, social and land use needs of the county and provide a framework for development."

The five goals developed by the Task Force and accepted by the Planning Board are:

- Support balanced and orderly growth. This includes objectives to minimize cut-through traffic on subdivision streets and other impacts on our neighborhoods.
- Provide a transportation system that efficiently and reliably moves people, goods, and services locally, countywide, and regionally.
- Protect the environment from the negative impact of growth and transportation
- Ensure the cost-effectiveness of public investment in transportation
- Improve pedestrian and traffic safety

The Task Force Report contains a number of objectives under each of these goals. This more detailed list is available on the Task Force web site and will be handed out at the April meeting.

If there were one solution that maximized all of these goals and objectives, the transportation needs would be a far easier problem to solve. The difficulty is that these goals are often mutually exclusive. None of the facility networks and land uses evaluated in TPR II satisfied all of these goals simultaneously. Also, nothing tested going out to the year 2050 kept forecasted countywide congestion to current levels. The MCCF recommendations need to take all the goals into account and select projects and policies that achieve a balanced approach to meeting them.

The TRP Task Force developed two scenarios: a transit-oriented one and a road-oriented one. Both had a mixture of road improvements and transit improvements. My recommended thrust for MCCF is closer to the transit-oriented scenario. The major road improvements included in the road scenario are the ICC, any version of the Techway, and beltway widening. I recommend MCCF (continue to) oppose these because of their impact to existing communities, to the environment, and the limited benefit for the high cost.

The two lists that follow begin with the existing Council priorities for the state (Categories 1-4), adds those projects (Category 5) identified on the Council list not as priorities but as projects the state is working on. I added a Category 6, which contains those major projects for which I recommend MCCF support. In the case of Montrose Parkway, I have added that project to the list as Category 6. However the west segment is a County funded project and the interchange at MD 355 and Montrose Rd would be a state funded project. With the exception of the widening of the Beltway in Category 5, I recommend that MCCF support all the projects in Categories 1-5. At the end of the highway list, I identify a handful of major road projects I recommend MCCF oppose. The Category 4 projects under transit will be discussed at the May meeting since they relate to local bus and TDM. The cost numbers are those developed by TPR and cover only capital costs.

In a few cases I have identified projects that I recommend but I believe they are a low priority. I have labeled them as such. I have not included 24 small road

projects in the Rockville, Gaithersburg, Germantown and Clarksburg area. I don't object to these small projects. Their cost is \$669M.

Transitways.

Project	Improvement	Status	Cost
Category 1 Fully designed and Ready to be programmed for construction			
Silver Spring Transit Center	Build Center	Funded for Design	\$8M
Category 2: Have Planning approval and ready for detailed design			
none			
Category 3: For which Federal planning approvals have not yet been granted			
Corridor Cities Transitway	Shady Grove to Germantown	In Planning Stage	
Inner Purple Line	Bethesda to New Carrollton (SS to College Park \$476M)	In Planning Stage	\$934M SS-N Carrollton
Georgetown Branch	Bethesda to Silver Spring. Part of Inner Purple Line	Funded for EIS	\$256M
Inner Purple Line Spur	Langley Park to White Oak	Not Funded	
Georgia Ave Busway	Glenmont to Olney	Not Funded	\$69M
Viers Mill Road	Bus priority system Wheaton to Rockville	In Planning Stage	
Category 4: Operational programs and minor capital improvements for transit			
Cross-county bus routes	Double Frequency	Not Funded	
Intercounty bus routes	Add new routes	Funded Smart Movers	
MARC Rail	Enhanced service	In service	
Park-and-ride facilities and transit centers	Add new facilities	Funded at MD 117	
Reduced fare programs and Transportation Management Districts (TDMs)	Add incentives	Not funded	
Category 6 Recommend that MCCF support for adding to list			
Additional Metro rail cars			
Extend Inner Purple Line to Tyson's Corner	Second lowest priority of Category 3 transit projects; Georgia Ave lowest		\$963M
Langley Park Transit Center			\$3M
MCPS Metro Station	Add		\$40M
MARC Station	New North Bethesda		\$3M
Germantown Transit Center & park & ride lots	Add		\$6M
Clarksburg Transit Center			\$3

Highway Facilities

Project	Improvement	Status	Cost
Category 1 Fully designed and Ready to be programmed for construction			
Darnestown Rd	Widen to 4 lanes, Key West to Riffleford	Funded for Construction	\$40M
E-W Intersection Improvements	Widen various intersections	Funded for construction, build or in construction	
I-270 @ Old Georgetown Rd	Rebuild intersection	Funded for Construction	\$29M
I-270 Spur @ Fernwood - Democracy	Rebuild interchange	Funded for Construction	\$22M
US 29 @ Briggs Chaney	Build interchange	Funded for	\$223M

		Construction	Includes next two lines
US 29 @ Randolph/Cherry Hill	Build interchange (not on Council list but added since they supported it)	Construction starting	See line above
US 29 @ MD198/Blackburn/Dustin	Build interchanges	Funded for Construction	See two lines above
Category 2: Have Planning approval and ready for detailed design			
US 29 @ Fairland/Musgrove	Build interchange	Funded for design	\$59M
US 29 @ Tech Road	Build interchange	Funded for design	~\$37M
Category 3: For which Federal planning approvals have not yet been granted			
Clopper Road	I-270 to Seneca Park	Funded for Design	
Frederick Ave	Reconstruct thru Gaithersburg	Not Funded	
Georgia Ave	Reconstruct thru Montgomery Hills	Not Funded	
Georgia Ave	Brookeville bypass	In planning stage	\$33M
Georgia @ Randolph	Build interchange	Funded for design	\$46M
I-270/Watkins Mill Road Extended	Build interchange	In Planning Stage	\$100
Norbeck Road	Widen to 4 lanes Georgia Ave to Layhill	In Planning Stage	\$113M Includes next two lines
Norbeck Road Extension	Widen to 4 lanes Layhill Road to New Hampshire	In Planning Stage	See above line
MD 198	Widen to 4 lanes from New Hampshire to US 29	In Planning Stage	See two lines above
Woodfield Road	Widen Midcounty Highway to Warfield Rd	Funded for Design	\$170M (To Ridge)
Category 5: Major Projects proposed for funding but not now on Council's priority list			
Beltway HOV (Recommend MCCF oppose)	Add 2 lanes	In planning Stage	\$578M
Georgia Ave @ Norbeck	Build interchange	Funded for design	\$48M
Downtown Rockville interchanges	MD 355 @ Middle Ln MD 355 @ MD 28 MD355 @ MD 586	In Planning Stage	\$200M
US 29 @ Greencastle	Build interchange (Make low priority)	Funded for design	~\$37M
US 29 @ Stewart Lane	Build interchange (Make low priority)	Funded for design	~\$37M
Category 6 Recommend that MCCF support for adding to list			
Randolph @ Connecticut, New Hampshire, & Viers Mill	Build interchanges		@ \$29M = \$87M
MD 355 @ Cedar Lane	Build interchange		\$66M
MD 355& Ridge	Build interchange		\$66M
MD 355 & Nicholson	Build interchange		\$66M
MD 355 & Gude	Build interchange		\$66M
MD 355 & Montgomery Village	Build interchange		\$66M
I-270 West Spur	Add one lane in northern direction		\$68M
I-270	Add 2 HOV lanes MD 124 to MD121		\$420M
I-270	Add 2 HOV lanes MD 121 to I-70		\$735M
I-270 @ Clopper	Upgrade, add parking		\$9M
I-270 @ Newcut extended	Build interchange		\$41M
Key West @ Great Seneca	Build interchange		\$66M
Ridge @ Observation	Build interchange		\$29M
Sam Ekg Hwy @ Great Seneca	Build interchange		\$66M
Montrose Parkway (County)	Montrose Rd (nearI-270) to MD355, 4 lane		\$70M
MD355@ Montrose Rd (state)	Build interchange		\$85M
	MD 355 to Viers Mill		\$60M
	(Build all of nothing)		
Viers Mill Road	Twinbrook to Randolph. New three above		\$42M

	Randolph intersections as well		
Midcounty & Muncaster Mill	New 4 lanes Shady Grove to Muncaster Mill Widen Muncaster Mill to MD 28		\$34M ~\$33M
Eastern Connector	New 6 lanes US29 to US1 Needed whether or not ICC built		\$116M
Fairland Road	Widen 4 lanes US 29 to Randolph		\$6M
Great Seneca	Widen to 6 lanes Darnestown Rd to Middlebrook		\$18M
Darnestown Rd	Widen to 4 lanes Key West to Riffle Ford		\$40M
Muddy Branch	Widen 6 lanes West Diamond to Darnestown		\$60M
Ridge Rd	MD 355 to MD 108 in Damascus		\$106M
River	Beltway to DC line		\$81M

Recommend MCCF Oppose:

- ICC (\$1434M)
- Techway Light (includes River, Darnestown, Germantown and Piney Meeting house widenings - \$408M)
- Widen Beltway (\$578M)
- Georgia Ave widening north of Olney (\$304M from MD 28 to Howard Co)
- Clopper - Richter Farm Road to MD 124 (\$335M)
- Midcounty Highway from Shady Grove to Stringtown (\$207M) MCCF voted to ask for more environmental study of this road.
- River Road (Beltway to Falls) \$42M.

Transportation For The Aging And Disabled

–by Stan Schiff, 2nd V.P.

That there is, and indeed must be, more to an effective transportation policy than congestion relief emerged clearly from focus group discussions arranged by the Task Force with representatives of seniors and the disabled, as well as with the Aging and Disability Services agency. Despite the existence of a number of special programs in the county for them, the services have serious limitations and leave many in this growing segment of our population deprived of adequate transportation.

Through discussions with the Aging and Disability Services agency, Task Force members learned that they had found a program in Portland, Maine which had some highly desirable features. It offers round-the-clock service for its members who are 65 years or older

to run errands, shop, visit family and friends and is available within a 15 mile radius of Portland.

Drivers (both volunteer and paid) can assist passengers in entering and leaving homes, stores and offices. While the Independent Transportation Network (ITN) cannot take those who need serious medical attention, they can take those who use walkers and wheel chairs. And they can make shorter trips that commercial taxis won't, as well as longer ones.

Riders pay for the service by depositing money in an account on which they draw, permitting the service to operate on a cashless basis. Because this is a service that seniors pay for, it preserves their sense of independence and dignity. The service provides not just a ride but also a person to offer assistance many older people need. Another big attraction is that it offers a transportation vehicle with which the elderly feel more comfortable—a car (taxi) rather than bus or train. In light of the many attractive features about the service, plus the fact that it could plug a serious gap in the transportation available to the aging and disabled, the Task Force urged the Council to give prompt and serious consideration to establishing a similar system here.

The Council agreed to examine the proposal along with buses and TDMs this summer and fall. More recently, the Office of Legislative Oversight (OLO) submitted a report to the Council covering the broader topic of Transportation Services for Seniors and People with Disabilities (OLO Memorandum Report 2002-2, March 1, 2002) which was discussed at a joint meeting of the Health and Human services and Transportation and Environmental Committees. The auguries seem good that this summer the Council will examine the ITM scheme as well as the whole array of

transportation services for those elements of our population who lack adequate access and mobility now.

Delegate Meeting Minutes March 11, 2002

–by Richard Zierdt, Recording Secretary

MCCF President Dean Ahmad calls the meeting to order at 7:49 PM.

Self-introductions are made; president declares a quorum exists.

Announcements. Montgomery County Taxpayers League (has handout). MCTL president Mark Hyman: MCTL rated 40 counties for effectiveness in government. MC was short in two categories. MCTL would like to make a presentation in the future – see handout. Dean asked for outline.

Dick Strombotne: has new forms to get petition on the ballot for referendum.

Stan Schiff: TPR 10 days ago held session. Decided to revive the agenda in two parts, starting in the summer. Some proposed looking at issues in totality instead of piecemeal.

Additions to the agenda:

Recruitment of election judges

Jaime Escalante Charter School

ZTA regarding private school activities

CIP budget item for study on M83 highway

Property tax re-assessments

Agenda is adopted as amended.

Minutes from February 11, 2002 are amended to say “Sewage from Hagerstown...” (not Frederick). Minutes are adopted as amended.

8:12 p.m. Program, Part 1. Police Review. Pat Cummings, moderator. Introduces Steven Bloch, from the Coalition for Civilian Review, and Mary Betters from the NAACP.

Ms. Betters explains the need for an oversight committee. People are discouraged, even by lawyers, from reporting incidents to police internal affairs. People are afraid of police reprisals if they complain.

Police could use less force and be more understanding of personal situations of the people they stop.

Steven Bloch. Works with a group to write a proposal for civilian review system for Montgomery County. A handout is distributed. Review board would review the work of the police internal affairs. Such a system was effective in Portland, Oregon.

Q/A. Q: Size of board? Bloch: 9 members. Q: Compensation? A: Not compensated, but a small professional staff will be paid. Cary Lamari: Members are nominated by the Executive and confirmed by the Council. This breeds a “continuum of support.” A: Executive would obtain nominations from the Coalition for Civilian Review. Q: Would Law Enforcement Officer’s Bill of Rights be affected by the Civilian Board? Ans: Police may be reviewed by officers from a different municipality.

Program, Part 2. Police Helicopters. Michael Fedor and Officer Dave Burkheimer. Many local jurisdictions already have helicopter units. A visual presentation was presented describing the advantages of a helicopter unit. \$1.4 million per helicopter which includes equipment. U.S. military has some surplus helicopters available. Looking for \$800K to \$1M startup costs. Police \$127M police budget. Jerry Garson: could police staff be reduced to make up funding? Fedor: police are already stretched too thin. Q: Police helicopters do not reduce crime. Fedor: statistics say they do. Q: 9/11? A: helicopters could fly anywhere in MC.

Charles Pritchard. Moves that **MCCF support the establishment of a helicopter unit**. Seconded. Dick Kaufunger. Opposes; prefers a comprehensive study instead. Jim Johnson: lives in a high-crime area; it needs helicopter support. Comment against: where will the money be taken from to pay for the helicopters? Cary: helicopters are needed, and now “free” helicopters are available. Passes: 15-3-2.

Old business. 3 proposed changes to the dues structure. Dean Ahmad. (1) Resolved that the **MCCF raise the basic dues \$15/35/50/65 to \$20/45/65/85** (parenthetical explanation printed in the Newsletter is omitted). MCCF wants to go to first class mail. Questions arise as to the current financial condition. Dean says a current statement will appear in the next issue. Passes 16-2-0. (2) Resolved that the **MCCF mail the newsletter by first-class mail beginning with the expiration date of our current bulk-mailing permit (April, 2002)**. Dick Kauffunger: What is the difference

in cost? Ans: it depends on size of newsletter, etc. Motion passes: 17-5-1. (3) Resolved that the **MCCF share the savings with members who elect to receive their newsletter subscription by electronic download by offering a \$5 discount/rebate per “unit” on a one-year trial basis.** Member organizations will make their choices on the membership form. Passes: 19-0-1.

Election Judges. There is a shortage of election judges. Dean will add the phone number of the Board of Elections in the next newsletter.

10:00 PM.

Dean Ahmad: MCPS superintendent has recommended disapproval of the Escalate Charter School.

New Business.

TPR motion. Dan Wilhelm. Moves that MCCF support as a policy the alternative land use goals studied by the Transportation Policy Plan Task Force and that they be applied to the extent reasonable in regular updates to the County’s master plans. The goals being supported are: (1) Improve the balance of jobs and housing within planning areas in order (a) to reduce commutes by enabling people to live closer to work and (b) to better use existing roads by balancing directional travel and (2) Explore opportunities for more housing at Metro stations and in other activity centers to encourage greater use of transit. (Printed in the March, 2002, Newsletter, pages 6 and 7. Stan Schiff: motion to refer to executive committee. Seconded. Passes.

Cary Lamari. Moves that **MCCF oppose the delay of widening Norbeck Road** and that someone from the transportation committee attend the final focus group meeting. Passes. 9-3-4.

APG, schools. Dan Wilhelm. Moves that the **MCCF support the reduction in school capacity to the 95% threshold for APG tests.** Seconded. Passes 19-0-0.

Dick Kauffunger. Moves that MCCF recommend to the County Council that in the new AGP that the recommended class sizes for grades 1 through 5 are reduced from 25 students, reflecting MCPS reduced class size policy. 5 seconds. Pat makes an amendment that grades 1 through 3 are reduced. Seconded. Amendment passes 11-7. Main motion as amended, that **MCCF recommend to the County Council that in the new AGP that the recommended class sizes for grades 1 through 3 are reduced from 25**

students, reflecting MCPS reduced class size policy: Passes on voice vote.

Election of Nominating Committee. Nomination William Skinner, Peggy Dennis, Jorge Ribas, Charles Wolfe, Charles Pritchard, Lee Shipman, and Dick Kauffunger. Bill Skinner is the Chair. Passes on voice vote.

Rosemary Arkoian. Greater Goshen Civic Association. Moves that the **MCCF write a letter of support for funding an updated study of the feasibility and environmental impact of M-83, from Montgomery Village Avenue to Clarksburg** (place funding in the CIP). One comment: M-83 is part of the ICC. Another comment: No, it isn’t. Passes. 10-4-3.

10:46 PM Dean establishes that a quorum still exists.

Fred Thomas. Moves that the MCCF support state bill HB-892. Seconded. Discussion ensues. 3 minute debate extension passes. Motion is defeated. 1-10-2.

10: 54 PM.

Alice Ortuzar. Ashton-Sandy Spring Civic Association. Moves that **MCCF opposes SB 740 and HB 1034(“Medco revisited”).** Bills are discussed. Motion to oppose passes on a voice vote.

Linda Kauskay. Bradley Boulevard CA. Opposes ZTA 02-01 proposed by Councilmembers Denis and Silverman, would permit private schools to substantially expand their activities. Bill would promote mixed use of the school; a program could be run by an organization other than the private school. Traffic impact could be increased dramatically and encourage commercial. Moves that **MCCF oppose ZTA 02-01.** Seconded. Passes with one abstention.

Meeting adjourned 11:06 PM

Respectfully submitted,
Richard Zierdt

ExComm Meeting Minutes

March 21, 2002

–by Richard Zierdt, Recording secretary

Vice-president Lamari convened the meeting at 7:45pm.

Robert Goldberg gave a report on the proposed water and sewer exception [see p. 9 for an edited version]. Further questions will be addressed at the delegates meeting.

Minutes of previous ExComm meeting, February 21, 2002, are approved.

Agenda was approved.

MCCF Community Achievement Awards. Cary Lamari moves that **MCCF issue awards to high school students who exemplify the ideals of community service, either through endeavors related to the requirement for graduation or other means of serving the community, not to exceed \$200 per student, nor \$1000 collectively per year.** Passes 7-0-1.

Dick Kauffinger moves that the **MCCF recommend to the full delegation to send a letter to the County Council to remove funding for the Montgomery College, Takoma Park Expansion Project until a strategic plan for such project is justified.** Passes 10-0-2.

Advertisements in MCCF newsletter. Bill Skinner states that advertising used to appear in the newsletter. No further action will be taken at this time.

Pew Foundation Report, published in Governing Magazine. Bill Skinner and George Sauer. The report gave MC a “B,” and Fairfax County an “A.” Why don’t we have an “A” County? Bill recommends that the MCCF sponsor a forum on this topic. Bill will write an article for the newsletter.

Candidates Forum. Stan Schiff will call Tom DeGrabba about this.

Education Committee. Mark Adelman. Escalante Charter School application was denied by the school board. School supporters will not re-apply until the State passes legislation in support of charter schools. Mark recommends the MCCF sponsor a forum for school board members. Mark wrote a five-page report on the Escalante School.

Environment Committee. Charles Pritchard. Legacy Open Space may be severely impacted under proposed operating budgets.

Land Use and Planning. Cary Lamari is concerned about possible relaxation of special exception rules.

Public Finance. Cary Lamari for Chuck Lapinski. Discussion centered around a possible 5% increase in County employees’ pay every year. ExComm members request additional information from Chuck.

Public Utilities. Cary Lamari for Chuck Lapinski. Motion is **to have Chuck send a copy of his testimony to all ExComm members on-line, and ExComm members will email Dean Ahmad their comments.** Passes 9-2-0.

Bill Skinner makes two announcements. (1) The Maryland Association of Nonprofit Organizations is holding a roundtable called “Doing Business with Montgomery County Government–Procurement Challenges to the Nonprofit Sector” on March 29, 2002, from 9:30 AM to 12 noon. (2) The Institute on Nonprofit Organizations is holding a forum on Wednesday, May 8, 2002 from 9 AM to 5 PM. A fee is required.

Meeting adjourned 9:45 PM

Community Service Awards

–by Bob Abrams, Dist. 4 V.P.

A motion was made and approved by an overwhelming majority at the Executive Board meeting of March 21, 2002 to support an annual award for community service by high school students. This award will recognize achievements by youngsters who have participated in community activities that made an impact on the quality of life in the county.

It is important that the Civic Federation reach out to future leaders of our county and encourage community participation through recognition of their efforts. The monetary size of the award is not nearly as important as the public recognition we will be able to give these youngsters and the opportunity it provides to pass our ideals onto the next generation. Publicity of the presentations through local news media will be particularly important.

The following criteria are guidelines for implementation of the Community Service Awards:

1. The awards should be made to high school students who exemplify the ideals of community service, either through endeavors related to the requirement for graduation or other means of serving the community.

2. The purpose of the awards is threefold: to recognize distinguished community service by high school students; to encourage others to participate more fully; and to call public attention to the MCCF.

3. The MCCF shall have a committee of three members appointed by the President and approved by the Board of Directors, OR a sub-panel under the Education Committee.

4. The awards shall be a maximum of \$200 per student which may be in cash or a government Patriot bond in addition to a certificate or plaque; the budget and the committee will determine the number of awards.

5. The committee shall establish the criteria for selection, but shall keep the method as simple as possible. The committee should avoid formal applications for awards and concentrate on oral or written referrals from high school counselors, news media, high school newspapers, referrals from MCCF members and others. Emphasis on selection should be low-key, at least until the selections are announced and awarded.

Preserving the Ag Reserve

—by Robert N. Goldberg, *Immed. Past President*
Greater Goshen Civic Association

Farm Development Coop LLC made application (01A-GWC-03) on 21 February 2002 for a Water/Sewer Service Category Change on Brink Road. The application requests approval for a sewer and water hook-up for a proposed church (four houses of worship) complex to a presently undeveloped 119-acre parcel of land in the Agricultural Reserve. This application represents a significant precedent in terms of speculative sewer category changes into the Agricultural Reserve. It is important to recognize that the applicant is a private corporation and is *not* a religious organization.

The Chairman of the Committee on Transportation and the Environment (Isiah Leggett), as reported in the Washington Post, 27 February 2002, would like to expedite a resolution of this issue. Thus, the County Council adopted a compromise resolution (No. 14-1153) on February 26, 2002: "Defer action [on this application] pending the County Council's consideration of the private institutional facilities (PIF) service policy (Chapter 1, Section IV.C.7.). MCDEP [Montgomery County Department of Environmental Protection] staff will either program the PIF policy review to bring this issue back for the Council's consideration before the August 2002 recess, prior to the 2002 Water and Sewer Plan update, or advise the Council that they need additional time for the policy review." Thus, it is highly unlikely that any decision on the Farm Development Coop application will be reached until August.

There are at least two fundamental issues involved in both the PIF study and in the specific application under consideration. Namely, (1) the possible compromise of the Agricultural Reserve and (2) the amount of preferential treatment that religious organizations may receive or can expect to receive from the County. The latter issue is a complex legal one, that a County Attorney stated [Transportation and the Environment Committee meeting of 4 February 2002] would require a careful study before he could give his opinion on this matter.

In its February meeting, the Civic Federation adopted the following resolution: "The Civic Federation asks the County Council to defer action on the referenced item (Request for Water/Sewer Service Category Change on Brink Road - 01A-GWC-03) to allow the affected communities, other interested citizens, and the County Government to properly review, discuss, and comment on the request." The Greater Goshen Civic Association and the Sierra Club took a similar position. Other environmental groups and those organizations concerned with the protection of the Agricultural Reserve now appear to be adopting a position that would deny not only this application but also take a very strong position on the protection of the Agricultural Reserve from any development or encroachment.

The presenter believes that the case of the specific application is very clear in that the applicant is not a religious organization and is therefore not entitled to any preferential treatment that a religious organization

might be entitled to. Therefore, there is no basis for the County Council to approve the application. However, there are broader issues that have also been raised (see above) that should receive careful study by the Civic Federation, by interested citizens, and by the office of the County Attorney prior to the adoption of a final PIF policy by the County Council.

County Gets a “B” Is That All We Can Do?

–by William J. Skinner, MCCF Past President

The Montgomery County Taxpayers League President, Marvin Weinman, attended our March 11, 2002 Delegates meeting to announce the League was seeking collaboration with the Civic Federation in exposing more people to the “Pew Report.” This report is titled “Grading the Counties: A Report Card on Performance” and it was published in a Special Issue of *Governing, The Magazine of States and Localities*, in February 2002.

After George Sauer and I explained to the Executive Committee what the League was asking MCCF to do, I was asked by the MCCF Executive Committee to give you this brief review of the report so that you could determine if this was of interest to your local associations and to MCCF as a project to help citizens learn more about the report. I will touch on just a few points in the report, then tell you how to get the entire report.

The report compares 40 U.S. county governments and rates them according to financial management, capital

management, human resources, managing for results, and information technology. All counties, no matter how different, handle these five tasks. Grades are assigned to each of the five categories, then totaled. There are positives and negatives in each score. A group of academics and journalists met to review the data. Most of the time they agreed, but efforts were made to reach acceptable consensus in areas of disagreement. In a few cases, where there could be no agreement, the editors of *Governing* did the analysis and review. This government performance project is like those done for cities and states.

Each of the five categories has components that lend themselves to comparison. For example, in human resources there are five areas: 1) does the county conduct strategic analysis of present and future human resource needs; 2) can the county obtain the employees it needs by hiring in a timely manner and giving managers appropriate discretion in recruiting and hiring; 3) is the county about to maintain a skilled workforce by training, retaining skilled employees, and disciplining or terminating employees without undue constraints; 4) can the county motivate employees to performance effectively by: rewarding superior performance through cash or other incentives, evaluating the performance of its employees effectively, provide sufficient opportunity for employee feedback, and maintain productive labor-management relations; and 5) does the county have a civil service structure that supports its ability to achieve workforce goals including: a coherent classification system of appropriate size; personnel policies that permit flexibility in civil service and pay structure; and a good communications of human resources policies and goals?

County	Financial Management	Capital Management	Human Resources	Managing for Results	Information Technology	Average Grade
Anne Arundel	C+	C-	C	D+	B	C
Baltimore	A-	A-	B-	B	A-	B+
Montgomery	B+	C	B+	B+	B-	B
Prince George’s	B+	C	B-	C+	B+	B-
And for comparison						
Fairfax, VA	A-	A-	A-	A-	A-	A-
Palm Beach, FL	B	B	C	B-	C-	C+
San Diego, CA	A-	A-	B-	A-	B+	B+

The results are demonstrated in tables and explained in many pages of comments. Each county is summarized alone. Here is how the results stack up, and I believe, why it is important that MCCF work with the League to educate our neighborhood associations about the report. On average grades, only Fairfax (VA) and Maricopa (AZ) received A-minus grades. At the other end of the scale, a D was received by Allegheny (PA) and a D-minus by Nassau (NY).

Montgomery received a B+ on human resources. The **positives** mentioned were: personnel managers were included in high-level decisions; Management Leadership Services offers pay for performance and has reorganized 113 managerial job classifications into three; a strong alternative dispute resolution process has reduced grievances; very good communication with employees; great human resources Web site; expanded probationary period for employees encourages mentoring. The **negatives** mentioned were: Workforce planning still is in early stages; job advertising requirements can delay hiring; and training opportunities are underutilized.

Obviously, there is more that can be learned from Fairfax County, Virginia, by people who want to improve government in Montgomery County. And one could deduce there is more that Montgomery County citizens need to know to help them decide about whom to elect to County Council and County Executive in order to get better grades in such reviews as this. Are too many Montgomery citizens satisfied with a “B”?

The report was prepared with assistance of 31 people from The Maxwell School of Syracuse University, Alan K. Campbell Public Affairs Institute and eight staff persons from *Governing* (a monthly magazine for government officials with a circulation of 86,000). The data collection was done over a period of time and cooperation from the 40 counties was said to be fairly good. The Pew Foundation supplied most of the money for the research and report preparation. You can obtain the entire report on the Web site at www.governing.com/

The question before the Delegates is: Should MCCF help MCTL educate the public about the Pew Report as published in *Governing*, and if so, how can we best do that?

Ed Board Again Denies Escalante Charter School Proposal

–by Mark R. Adelman, Chair
MCCF Education Committee

On Tuesday morning, March 12, I attended a public meeting of the Montgomery County Board of Education (BoE) at which, *inter alia*, the Escalante proposal was discussed. It was, for me, both educational and disappointing. The bottom line is that the BoE approved Superintendent Weast’s recommendation that they “deny the Jaime Escalante Public Charter School application.” As you all probably know, MCCF is on record as supporting the Escalante application. And as you know, previous versions of the application were turned down by the BoE, and there is opposition to the idea of a charter school in Montgomery County, especially at this time. I’m not sure the process worked right, and the Education Committee will be looking into it, and we’ll have some proposals for you to consider. For now, you might want to consider the following:

1. It is unlikely, according to Joseph Hawkins, of the Escalante group, that they will re-apply; at least not until the State of Maryland passes legislation mandating that all Counties consider charter school proposals. Montgomery County appears to have been out in front in establishing a mechanism by which serious groups could apply for permission (and support) to establish public charter schools. But it is clear that many in the Educational Establishment were not, and are not, comfortable with this idea. That is the opinion of many, including some Board members and the level of disagreement amongst Board members was obvious at the meeting (the dialogue was civil but quite tense), during which at least one member stated that it would be impossible for any group to get BoE approval of a charter school proposal.

2. Dr. Weast and his staff prepared a “green paper” (BoE speak for a formal document of a motion) opposing the Escalante application in terms that were clearly unnecessarily harsh and critical of the applicant group. From my limited knowledge, many of the clauses (a series of Whereas-es) were false or misleading. And the Board spent a lot of time debating this. And ultimately the Board deleted most of the “offending” clauses from the document that they ultimately passed. But pass it they did, *by a 4 to 3 vote*.

3. Some of the more cogent concerns and discussion centered on the financial viability of the Escalante proposal and the wisdom of approving it in a time of budgetary constraints. From my point of view, this was/is largely posturing on the part of the Board and the Superintendent (who, by the way, I believe has done a number of very good things since taking over the mess left by the previous Superintendent): the plan submitted by Escalante is not nearly as poorly defined as the green paper suggested, the amount of money and financial risk is not that great, and, given the vast amounts of money we have poured down the public education drain, it seems quite petty to refuse to spend a bit more to try something new. But all this will—and should be—debated again in the future.

4. It is hard to get information about upcoming “public meetings” of the BoE. They maintain an elaborate website, but the downloadable agenda files are simply skeletons until the day before the meeting. And the all-important “green papers” are not posted to the website until after the meeting. Indeed both the agenda and green papers are only available in hard copy format the day before the public meeting, and one must either drive to the Carver building (Rockville) to pick them up (as I did) or call to request they be FAXed. There are stated reasons for this delay (the BoE members need to see the documents before they are made public), but these ring false (one could prepare them sooner and post them to the web at the same time as they are being printed out) and one cannot help but wonder how serious the Board is in its efforts to involve the public.

5. Our Education Committee is planning a meeting with Mr. Hawkins (and others) from the Escalante group. And we will invite Dr. Weast and one or more BoE members to meet with and educate us. We’ll let you know what we learn. And we propose (the MCCF Executive Committee has approved bringing this to you for advise and comment) to host a “candidates’ forum” at which all those running for the BoE in the September primary would come talk to us (and others who are interested in their views). We are thinking about a forum in the early Fall, just prior to the primary, and would welcome your comments and suggestions. Send them to me (adelman3@erols.com) and I’ll forward them to both the EdComm and the ExecComm.

Legislative Scorecard

—by George Sauer, Chair, Legislation Committee

This being an election year for County Council and State Legislators, several of us will be attempting to put together a legislative scorecard. Anyone interested in such a project should contact the Legislative Chairman George Sauer.

As Legislative Chairman I called Brian Frosh to find out the status of two bills he sponsored on which the Federation has taken a position. The first, which we oppose, bans challenges to the assessments of properties that sell for more than \$150,000 above their assessment. This bill passed the Senate and is now in the House Committee where it has been amended to apply to residential property only. It is expected to pass the House as amended so it will be sent to conference committee. This late in the session, it is possible that higher priorities will prevent it from coming back for final passage.

We support the other bill, which would close a loophole via which corporations evade the transfer tax when selling property. They set up a subsidiary whose only asset is the property. then they sell the subsidiary. Since it is the subsidiary that is transferred rather than the property itself, there is no transfer tax due. This bill is hung up in the Senate but the companion bill is close to passing the House. If it does, it will move to the Senate, bypassing the hang-up.

Hard Times for Environmentalists?

—by Charles G. Pritchard,
Environmental Committee Chair

During the current session of the general assembly, sharp cuts in Glendenning’s entire environmental program are expected. Both Maryland’s two-term Governor Parris N. Glendenning and William H. Hussmann, former Chairman of the Montgomery County branch of the *Maryland-National Capital Park and Planning Commission* (M-NCPPC) have espoused protection of the environment as a key policy during their tenures in office. Glendenning’s major land preservation programs included *Program Open Space (POS)*, \$40 million over five years, *Rural Legacy*, and

the five-year \$135 million *Green Print* program. All three programs provided statewide funding to preserve undeveloped and agricultural land in several counties. The programs are administered by the Maryland *Department of Natural Resources* (DNR) aided by other branches of the state government, for example, the *Department of Agriculture*. Glendenning is in the last phase of his second term.

In Montgomery County, Chairman Hussmann's counterpart program has been *Legacy Open Space (LOS)*, which was established as a Master Plan in July 2001. LOS is a multi-faceted program to acquire land with unique geologic and rare plant values, improve water quality, preserve historical structures and artifacts, establish a regional park, convert County main highways and roads to "urban boulevards" through landscaping and to construct natural surface recreational trails, including a "hundred mile" trail extending from the Potomac River to the Northwest Stream Valley Park in the Anacostia watershed. The Civic Federation of Montgomery County was an early supporter of LOS. Hussmann has since retired from the Commission and been replaced by Arthur Holmes, who will be also be replaced this year.

The original estimated cost of Legacy Open Space was set at \$100 million. This estimate was initially scaled down by County Executive Douglas Duncan to \$15 million, which the Council raised to \$33 million over ten years. Elements of the Open Space, Rural Legacy, and Green Print programs were factored into LOS land acquisition strategy. For example, as recently as March 13, 2002, Glendenning allocated \$1.4 million Open Space land acquisition funds for Montgomery County's Upper Paint Branch Stream Valley Park, a proposed Sandy Spring Community Park, Wavery-Schuykill Neighborhood Park in Garret Park, Rock Creek Park and the Patuxent River Watershed Conservation Park. Some of these acquisitions contribute to LOS objectives.

In Annapolis, during the State Assembly 2002 legislative budgetary sessions, the Senate Budget and Taxation Committee will probably deeply cut Program Open Space, Rural Legacy and Green Print. The effect of the cuts on the Glendenning's proposal of 1.3 million in Program Open Space funds for Montgomery County remains uncertain.

In contrast with the draconian state cuts, Montgomery County Executive Duncan moved to retain the County LOS program in his budget recommendations with some adjustments that spread funding into the later years

(presumably, in hopes for an improved economy). His recommendation for the overall six-year cycle (2002-2008) was \$43,874,000. This appropriation represents a significant increase over the earlier \$33 million figure. The first year FY-1 increments will be \$3,481,000 for land purchase under the CIP (Capital Improvement Program) and a modest \$75,000 for the Operating Budget.

I would like us to consider budgetary cuts or postponements in such projects as the Montrose Parkway and/or Strathmore Hall to spare projected educational and environmental projects.

Special Exceptions

—by Cary Lamari, Vice President

The Montgomery County Civic Federation, with the Cooperation of the Allied Civic Group was the catalyst for change of our Special Exception land use policies. We fought to establish for the first time a standard of evaluations for Special Exceptions adopted by our County Council and the reversal of the Mossburg standard which was a court imposed standard being used to approve many Special Exceptions to the detriment of our neighborhoods. We also fought to have our Zoning Ordinance revised, updated so to speak to be more reflective of the concerns of a County with almost a million people and its associated dynamics (traffic congestion, lack of infrastructure, and limited capitol resources). We wanted growth to be integrated with our neighborhoods not put there in spite of our neighborhoods.

Unfortunately the citizens of our respective civic organizations have lost their steam and are not participating in the final refinements of our zoning codes however the development communities are busy trying to undermine all our hard work and past efforts. The Montgomery County Council are considering many changes not only on the Zoning Codes but also to the very process which we worked so hard to correct that may have a deleterious effect on our communities. The council is thinking about removing the needs standard on several categories which could allow many apartment buildings in our neighborhoods that may not be needed for their designated purpose and will not only change the character of our neighborhoods but may have unforeseen associated adverse impacts. The County Council are also considering other changes that

are systematic that will have adverse effects on the process, such as removing the super majority voting requirement and giving the Board of Appeals more discretion on the notification of Modifications of existing Special Exceptions and allowing developments to go forward that are being challenged in court because of citizen concerns. The Montgomery County Civic Federation would like to reconstitute our Special Exception Committee to respond to what some of us believe is an attempt to reverse the significant changes that corrected a process that was out of control.

Please contact Land Use Committee Chairman Tom DeGraba @ 301-340-2570 to volunteer for this committee. Also contact the County Council and express your concern on the changes being proposed. we don't want Special Exceptions to dominate our neighborhoods and change the character of Montgomery County for the worse. Special Exceptions should be implemented when it is demonstrated that they are compatible with our neighborhoods and there is a demonstrated need for the uses that could change the character of our neighborhoods. Special Exceptions should be beneficial to our communities not undermine and negatively impact them.

Nominating Committee Elected

—by I. Dean Ahmad, President

As required by our Bylaws, a Nominating Committee was elected at the March delegates assembly to select a slate of officers for the coming year. Article VI. Of the Bylaws states in section 4:

4. *Nominating Committee.* A committee of at least five but not more than seven delegates shall be elected at the Regular March Meeting. The committee shall nominate one person for each of the elected positions. No incumbent officer shall be eligible for election to the Nominating Committee, nor may the Nominating Committee nominate one of its members for any position. The report of the Nominating Committee shall be presented at the May Meeting and published in the May Newsletter.

If you would like to serve as an officer in the coming year or wish to recommend someone to the committee, please contact the committee chairman Bill Skinner (301-762-5483), or any of the other committee members: Peggy Dennis (301-983-9738), Dick

Kauffunger (301-871-1369), Charles Pritchard (301-593-1781), Jorge Ribas (301-258-1910), Lee Shipman (301-229-2005) and Charles Wolfe (301-585-9744).

Community Hero Award to David Brown

—by Richard Zierdt, Recording Secretary

David Brown has managed to do what public outrage has not: Stop the Conference Center, at least for now.

Just about every civic group in the County, and most businesses oppose this monstrosity as well. When pro-road and slow-road advocates agree on the same issue, you know it's universal. The Center would put the County Government in the hotel business, and gives Marriott a taxpayer-funded hotel for Marriott's use. The traffic this thing will generate, its impact on Rockville Pike, already known throughout the Washington region as one of the worse traffic spots, will be a disaster. The Center won't even provide what it was originally intended for, namely, a place where large conventions of people can meet in Montgomery County. The Center is too small for that, and will only supplement (and take business away from) what is already available in Bethesda and Silver Spring.

Dave Brown, through his own efforts alone, has filed two suits to stop this project, and is contemplating a third. His time and efforts are Herculean, and should be inspiration to all citizens. He is fighting city hall with all he's got.

The Courts so far have rejected Dave's motions for reconsideration. So what's the big deal? A citizen files a lawsuit and gets shot down. Happens all the time, yes? Well, sometimes no. What Dave has won is time. Time to put doubts in the minds of some financiers who are reluctant to finance projects in litigation, and time for us, the citizens of this County to stop State funding, and Council support, of this project. The MCCF Ex-Comm has re-iterated its opposition to this project, and our State delegation should be made fully aware of this. Also, State Senator Barbara Hoffman from Baltimore, member of a State appropriations committee, should re-examine State funding of this project so opposed by Montgomery citizenry. This is one case where money **not** spent in Montgomery is better.

As Council president Silverman explained to the MCCF Ex-Com at its December 20th meeting, the Council sometimes approves to projects initiated by the County Executive or State delegation, even when the Council feels that it is not in the County's best interests, because the Council does not want to stop something that asks for, and is appropriated (but not spent) State support. The Council wants to be a "team player," even when it is ignored.

What this says about Council-Executive-State relations is alarming. Reading between Councilman Silverman's remarks, the Council is essentially not involved in some projects initiated by the Executive and some State delegates. This practice should stop, and a good way to do this is to stop the Conference Center. (How about it, Council?) Dave Brown has provided a last-chance window of opportunity for the citizens of Montgomery to stop a disaster.

From the Desk of ...



Renee Grove

–Montgomery County Board of Elections

Montgomery County's Board of Elections is seeking individuals to serve as election judges on Primary Election Day, September 10, and General Election Day, November 5.

In accordance with the Election Code, judges must be registered to vote in Montgomery County. They must also be able to speak, read and write the English language, and while acting as a judge must not hold or be a candidate for public or party office.

The Board is currently seeking more than 3000 election judges. In addition, Standby Judges are needed throughout the County. Training will be provided and all judges will be compensated for serving election-day.

Do we have your correct address?

Send all address correction
to Steve Howie

phone: 301-972-2736;
e-mail: stevehowie@aol.com

To apply, or for more information, call the Renee Grove at 240-777-8527.

From the President

I expressed concerns in our newsletter last month that the rush schedule of dealing with certain issues, of which ZTA 02-01 which would expand the commercial use of private school special exceptions was a particular example. Council President Steve Silverman heard our concerns and at his request Derrick Berlage, head of the Council's Planning, Housing and Economic Development (PHED) Committee arranged for us to be allowed to give a brief testimony (two minutes) explaining our dissatisfaction with the bill. I pointed out that the Planning Board had unanimously recommended against the bill for reasons similar to our own concerns. In acknowledgement of such concerns, the Council's own staff had suggested "(1) limit profit making programs to those schools that have direct access to an arterial or higher road, or (2) allow profit making organizations only if a majority of the participants are enrolled in the school." Silverman denied such an amendment was necessary asserting that the public schools allow commercial enterprises, like karate clubs and swim clubs, that don't fit these limits. This came as a surprise to me. Maybe we should be addressing that issue as well! Berlage expressed concern about the issue, but asserting that he didn't know how to resolve it supported the bill without adopting the staff suggestions. Howard Denis, third member of the PHED committee, said nothing.

Some of you will recall Wayne Goldstein's correspondence with Montgomery College over the plans for expanding the Takoma Park campus. I have arranged to meet with officials from the College to discuss these issues before our April meeting. In light of the motion from the ExComm to recommend postponing funding for expansion until after a strategic plan has been developed (see p. 8), I shall invite a representative from Montgomery College to join us and discuss the College's plans at that time.

The April's meeting will also be our last chance to take positions on the operating budget before we testify on April 9.

–I. Dean Ahmad, Ph.D.

Delegates Meeting

Monday, April 8–7:45 p.m.

Auditorium

County Council Office Building, Rockville, MD

AGENDA:

- 7:45 Call to Order, I. Dean Ahmad presiding
- 7:50 Adoption of Agenda
- 7:55 Announcements, Introductions
- 8:00 Community Hero: David Brown (p. 14)
- 8:00 Approval of Minutes, Officers' Reports
- 8:05 **Program: TPR**
 - Dan Wilhelm, Transportation Comm. Chair
- 9:05 Montgomery College
- 9:15 Old Business
 - Private School Exceptions (pp. 8, 15)
- 9:25 New Business
 - TPR Motions (pp. 1,5)
 - Montgomery College Motion (p. 8)
 - Operating Budget Testimony
 - Environmental Budget (p.12)
 - Other new business
- 9:55 Adjourn

The **Montgomery County Civic Federation**, a nonprofit, educational, and advocacy countywide group, was founded in 1925 to serve the public interest. The monthly Delegates Meeting is open to the public and it is held on the second Monday of each month (except for holidays, July, August and December) at 8:00 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." Deadline for submissions for the next issue: 5 p.m. Saturday, April 20 Attach submission to e-mail to: Hotyakk@aol.com file in fully justified 11-point Times Roman font (preferably as a Word document.) Send editorial content to Dean Ahmad, 4323 Rosedale Ave., Bethesda, MD 20814, deanahmad@yahoo.com.

Please send all address corrections to Steve Howie, P.O.Box 325, Clarksburg, MD 20871, 301-972-2736, stevehowie@aol.com.

Next Executive Committee Meeting

Thursday, April 18 2002, 7:45 p.m.

Bethesda-Chevy Chase Services Center

4805 Edgemoor Lane in downtown Bethesda

(Note: there are two entrances to the parking garage—one on Edgemoor Lane and another on Woodmont Avenue.)

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