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Peggy Dennis, Editor Phone: 301-983-9738 Email: hotyakker@aol.com

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In Search of a Transportation Policy

-by Stan Schiff, 2nd V.P.

There are those, frustrated by what seems ever increasing congestion, who are convinced that salvation lies in the construction of this or that road, this light rail system or that heavy rail, or maybe a new bridge. Regrettably, as George Gershwin so astutely observed—"it ain't necessarily so." There are many forces and factors that shape the transportation problem. Among them, none is more important than decisions about land use. Where things get located in relation to each other has a strong bearing on the transportation problem. (Let it be noted that congestion is not the only evidence of a "transportation problem." Many lower income residents, young students and the physically handicapped must overcome totally inadequate bus service before they can enjoy the luxury of worrying about congestion). The Transportation Policy Task force spent long hours trying to formulate a broad policy on land use that, over time, would alleviate some of the stress on the roads.

Although the Planning Board issued a separate report, its recommendations are similar to those produced by the Task Force. Neither report calls for radical change. Rather, both emphasize tightening the reins on development patterns, and bringing about greater proximity between jobs and housing within the county. The objectives: to reduce traveling distances, to make the use of transit more feasible, and to encourage people to make greater use of their legs. Reflecting this policy emphasis, both Planning Board and Task Force advise shifting future job growth from the I-270 corridor to the eastern part of the county and a reverse shift in future growth in the housing stock toward the western side of the county.

Closely related to this general thrust is the desire to concentrate more development around transit stations, known in the trade as "transit-oriented development" or TOD. The general land use strategy proposed by both Planning Board and the Task Force, along with transit-oriented development will be the chief topics for our May 13 meeting. Dan Wilhelm will lead the discussion on land use, and John Carter who, as Chief of the Community Planning Branch at the Planning Board worked closely with the Task Force, will explain TOD and answer questions about its ramifications. Will land use strategy and mixed-use development around transit stations produce a miracle cure? No. There is no one answer to our transportation woes, but these strategies could be of significant help.

AND THERE'S MORE TO COME. Please mark your calendars for Saturday, June 15. The agenda is not settled, but we will have an all morning special session on several major topics related to transportation, specifically funding and priorities. We sent a request to

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Council President Steve Silverman, the appropriate Executive agencies and the Planning Board to prepare a factual summary and analysis of past trends and the outlook for future federal, state and local financing for transportation. We've been told the report will be done by June 1, in sufficient time to be worked into our June 15 meeting. That information should help provide a realistic insight into what the county may be able to afford. Coupled with this information on costs and funding are the time estimates for completing projects. Taken together this information should be helpful in sorting out priorities. These may highlight the necessity of examining those policy alternatives which may, in a more cost effective manner, relieve the pressure on our transportation system rather than a policy based largely on large scale construction projects, whether road or rail. Please join us on June 15 for what should be a lively and informative discussion.

A Recommendation On Bus Service

–by Dan Wilhelm, Chair
Transportation Committee

The WMATA study on local bus service found that people want:

- Bus stops closer to home, work and other destinations
- Faster service (decreased travel time)
- More frequent service

To achieve these goals, I recommend that MCCF support the concept outlined in the Task Force report and strongly supported by the Planning Board at our special meeting on June 15. Improvements to local bus service should complement the objectives of balanced jobs and housing along with transit-originated development that will be discussed at the May meeting. They should also complement the dedicated rail or bus routes discussed last meeting. The concept calls for:

Providing a routing system that will better connect activity centers in the county. The enhanced routing system should provide more frequent service on main or “backbone” routes in the system, and provide better and more frequent service to residential and employment areas so more potential riders are within

walking distance of bus stops on subsidiary or “feeder” routes.

Providing many additional “transfer nodes” (points where major routes intersect such as Randolph & Viers Mill Roads), needed for safe and convenient rider transfers.

Increasing the frequency of bus service. In general, the buses should be scheduled at least every 10 minutes on backbone routes, at least every 15 minutes on feeder routes and more often during peak periods.

The WMATA studies and TPR report also called for a number of other important supporting improvements as well. These include the following:

- Provide a range of bus shelters.
- Provide comfortable seating, climate control and appropriate amenities at transfer nodes.
- Provide a new model bus with comfortable seats and a low floor for ease of entry.
- Increase marketing and promotion of service to let people know what is available and to break down negative socioeconomic stereotypes of bus users.
- Provide real time information about service.
- Improve customer service (better telephone handling of inquiries and complaints).
- Coordinate signal changes to keep buses on schedule.
- Make road changes (e.g. “queue jumpers” or bus lanes at intersections) to decrease travel time.
- Add more commuter stores (sales of route maps, tickets, smart cards, etc.).
- Promote use of smart cards for all transit to facilitate use and reduce impression of high cost.
- Provide improved pedestrian and bicycle access to transit stops.

Delegate Meeting Minutes April 8, 2002

–by Richard Zierdt, Recording Secretary

Meeting is opened by MCCF President, Dean Ahmad at 7:45 PM

Self introductions are made.

Announcements. Bill Skinner noted the next meeting of the Nominating Committee would be Saturday, April 13 at 2 PM at 103 N. Adams Street in Rockville. Dick Strombotne reported that the Citizens for Referendum Reform has started collecting signatures and packets are available for volunteers. Dave Michaels reported on his success with collecting signatures. The next CRR meeting is April 30, 7:45 PM, at 103 N. Adams Street, Rockville.

Agenda is adopted as amended.

Council member Phil Andrews speaks about a walk along the right of way of the ICC on Saturday April 27, 10 AM, starting at Lake Needwood.

Ms. Lisa Stevenson and Mr. Norm Latker speak on ZTA 01-08, mixed-use in C2 zones. This issue affects more than Bethesda. Height limit would increase from 42 foot to 75 feet. Dick Kauffunger moves that the **MCCF urge repeal of ZTA 01-08**. Five seconds. Passes 19-0-3.

Minutes from March 11 delegates meeting are accepted as printed in the newsletter.

Program: TPR. Dan Wilhelm distributes and presents a report and some recommendations regarding the Transportation Task Force. Discussion ensues. Cary Lamari moves that **these recommendations be considered at a MCCF forum to be held after the next MCCF delegates meeting where the text of the recommendations will be available**. Seconded. Motion to end debate passes 26-0-1. Motion then passes 27-0-0. A map of projects will be available at the special session.

Montgomery College: Dr. Porter, provost and vice president, speaks on the expansion of MC at Takoma Park. Jenny Wells assists. MC/TP was judged as lacking 40,000 sq. ft., and there is no auditorium. There is no room for increased enrollment. Construction of health sciences building is to begin in July, 2002. It is fully funded. County Council and Board of Public Works have approved this project. Currently, there is room for 4,500 students. MC/TP is the most ethnically diverse campus. The new building will provide some health services to nearby residents. Dean Ahmad presents several questions. (1) An apparent gap exists between enrollment figures presented to Maryland Higher Education Commission (MHEC) and Montgomery County Government. Dr. Lynch: figures are calculated differently, using credit hours (or not),

daytime only, part time, etc. (2) Questions the accuracy of MC/TP statements regarding the number of students without internet access. Dr. Porter: records are kept of the number of students applying for financial aid, and other demographic records support the College's estimates. (3) Questions the accuracy of MC/TP estimates of the number of students in health science programs. Dr. Porter: enrollments are capped, so that more students cannot be enrolled (the implication being that additional college capacity will increase enrollment). The College has received requests for more physical therapists. Dr. Lynch: enrollments are cyclical, they go up and down. Facilities are deteriorating, and so previous levels of enrollment cannot be supported today.

Motion to extend debate 10 minutes passes. Sharon Ribas: graduated from MC/TP as a RN in 1977. The same classrooms are still in use. MC/TP is trying to meet an increased need for more RNs. Luella Mast: what about the teaming with Holy Cross Hospital in regard to women's health, particularly reproduction. Dr. Porter: no comment. Jorge Ribas: Motion to extend debate 10 minutes passes 18-9-0. Jim Johnson. Longbranch Civic: Supports the expansion. Chuck Lapinski: Why is the expansion located on the west side of the railroad tracks? Dr. Porter: Takoma Park has height limitations and is a historic neighborhood. Cary Lamari: The discrepancies in reported enrollment figures are a concern. Dr. Porter: understands the concern. Ms. Susan Madden: MC gives to the County actual enrollments, but estimates are given to the State. Wayne Goldstein: unanswered question about enrollment figures. Dr. Porter: will not discuss enrollment figures. Charles Wolfe: The old, worn out buildings discourage enrollment. Most Silver Spring residents want the expansion.

New Business.

Montgomery College. Debate on motion printed in the April newsletter. Dick Kaufunger moves an amendment to insert the words "the health sciences building of" after the words "funding for". Seconded. Fails 5-17. Concern is voiced about the quality of the explanation given by MC/TP officials in response to MCCF questions. Dan Wilhelm moves that the **MCCF support the construction of the Health Sciences building with strong reservations with respect to enrollment figures**. The MCCF has significance concern with respect to the justification to the remaining expansion of the Takoma Park campus. Seconded. Passes 14-10-2. Bill Skinner suggests that

the MCCF question (and seek clarification of) the figures presented by MC/TP staff. Mark Adelman: It's a question of people, not numbers. Passes 15-8-2.

Montgomery County Operating Budget Testimony. Chuck Lapinski. We're not spending our money well. Legacy Open Space is effectively gone (only \$1 million is left).

Bill Skinner. Pew Report. Please read report on page 10 of the April Newsletter. Why does Montgomery County receive only a "B" by an independent audit? Ahmad asked for consent **to include a speaker on the implications of the pew Report on Transportation policy at the June workshop previously approved.** There was no objection. Skinner offered to find such a speaker.

11:03 PM Meeting is adjourned.

Respectfully submitted,
Richard Zierdt

ExComm Meeting Minutes April 18, 2002

–by Richard Zierdt, Recording secretary

MCCF president Dean Ahmad calls meeting to order at 7:54 PM

Quorum is met. 7 officers are present.

ExCom minutes from March 21 are approved.

Treasurer's Report. Dean submits Chris Suzich's written report. \$4175.66 savings, 3285.36 checking.

Special Exceptions (Zoning exceptions). Revised rules are approved by the County Council, 8-1 (Leggett voted against).

TPR issues. Special session on a future Saturday forum. Dean suggests topics: funding, general policy, priorities, and breakout sessions on Montrose Parkway and the Inner Purple Line. Stan Schiff suggests Saturday, June 15 as the date, and for Monday, May 13, land use strategy. Bill Skinner reports that the MC Taxpayers League will provide a speaker regarding Council fiscal management. Ad hoc Committee will

meet and come back with a recommendation. Consensus agreement.

Awards Committee Report. Charles Pritchard. Mark Adelman moves that the three candidates recommended by the committee be approved. Seconded. Richard Zierdt moves an amendment to separate the votes. Seconded. Amendment fails 5 – 8. Original motion then passes with two nays. Announcement of the winners will be withheld until the Award night.

Council and State Delegation legislative Ratings. George Sauer. Dean asks for someone to tabulate votes by county and state politicians.

Membership directory. Steve Howie will be asked to create a membership list so that delinquent members may be called.

Montgomery College, Jessup Blair Park. Wayne Goldstein. The Maryland Historical Trust recommended that the Park, in its entirety, belongs on the national registry. MC felt that only part of the Park was historic. Wayne feels the College has already violated several laws. Pat Cummings: *Washington Post* article reports that the health center will be paid for partially with a grant from Maryland State, and will provide services for the District and Prince Georges. Wayne will write a newsletter article. (Dean Ahmad rules that:) Mark Adelman moves that the ExComm authorize Wayne Goldstein to ask appropriate officials and Montgomery Preservation Inc whether they will seek an injunction to prevent MC from cutting trees in Jessup Blair Park in contradiction of Maryland law. Mark Adelman moves an amendment to "urge them to" for "seek an injunction" Seconded. Passes 9-4. Main motion passes 11-4. Secretary's Note: The final motion is as follows: **The MCCF ExCom authorizes Wayne Goldstein to urge appropriate officials and Montgomery Preservation Inc to seek an injunction to prevent Montgomery College from cutting trees in Jessup Blair Park in contradiction of Maryland law.**

Nominating Committee. Bill Skinner. Two positions need nominations, namely, two second vice-presidents. Committee continues working on the nomination list.

New Newsletter Procedures. Dean Ahmad. Newsletter will now be sent via first-class postage.

Candidates Fora. Stan Schiff, Mark Adelman. Mark would like a separate forum for school board candidates in September.

Rates for newsletter ads. Dean Ahmad. What should the rates be? Answer: **\$25 for business-card size ad (1/8 page)**. Consensus agreement.

Community Hero Award. Pat Cummings. Considers Randy Bosin is a brilliant mental health consumer advocate. Writes Op-ed pieces for newspapers. Represents the poor in bankruptcy proceedings. Dean makes the nomination and asks for approval. Passes on voice vote without objection. David Brown and Randy Bosin will be presented Community Hero awards in May.

Programs. Pat Cummings would like a program on mental health. Peggy Dennis: perhaps a program on growth, Smart and otherwise. Dick Strombotne: how will we pay for transportation projects? Tom DeGraba: campaign finance at the state and local level.

Education Committee. Mark Adelman. Committee will meet Wednesday, May 1, 7:30 PM at the Mid-county seveices center, 2424 Reedie Drive, Room 215 in Wheaton. Applicants of the Escalante Charter School will be present. Also working on draft letter regarding the Montgomery College Takoma Park issue.

Environment Committee. Charles Pritchard. Funds for Legacy Open Space and environment were cut, but \$41M was restored. Duncan cut one year's authorization. Charles moves that the MCCF recommend to the delegates meeting in May that the County administration restore this \$3 million cut. Seconded. Motion passes on voice vote without objection.

Land Use and Planning Committee. Tom DeGrabba. Committee is being re-constituted. Letter to Council regarding building heights has been sent.

Peggy Dennis makes an announcement. "Take a Hike" along the right-of-way of the ICC, Saturday, April 27, where Councilmembers Andrews and Ewing will lead a walk along the ICC right-of-way.

Tom DeGrabba: Moves that a program about Medical preparedness plans for bioterrorism be held. Passes by unanimous consent.

Meeting adjourned 10:17 PM.

Respectfully submitted,
Richard Zierdt

Property Value Assessments

—by Fred Thomas
Property Tax Committee Chairman

As became evident at the last general meeting, not everyone is aware that we have a property valuation system distinctly separated from the property tax levy system.

The state government is charged with determining the value of property within the state, in a uniform manner, within a given community or area of the state. The county government is charged with determining a uniform tax rate that they will charge on the state government's determined valuation. This was done to bring more fairness into a system that is prone to favoritism and manipulation. If one allowed the county to determine both the values of property and set the tax rate, would it be fairer, as implied by one vociferous delegate at the past meeting? This is a highly questionable proposition.

The state government has a triennial schedule for assessment in this county, i.e. the county is divided into three sections, and each one is reassessed for the value of property within that section every three years. Thus, only one section per year is up for reassessment. The basis for changes in the value of property is based on the sales prices within a given neighborhood, and on equivalence of value of residences sold to those being reevaluated. For example, if several houses in a neighborhood sell for \$100,000.00 more than they were assessed three years earlier, then the State could use this data to increase the assessment on equivalent homes in that neighborhood by the same amount. This all appears to be fair. However, there are many other factors that should be considered.

The author in studying the system, within his own community, has observed that this is not exactly what happens. First, there was a pattern of underassessment of properties that had been built for developers for their own residences. One major real-estate mogul's home, when sold in 1992 at the bottom of the real-estate

Budget for July, 2000- June 2001

(as approved by Executive Committee August 21 2001)
 (reprinted from the Sept. 2001 issue of the MCCF Newsletter)

		2001 Proposed	2000 Actual	2002 Proposed
Income				
Dues	[1]	8000	5870	5300
Reception (net)	[2]	1500	10	0
Total:		9500	5880	5300
Expenses				
Copying		2000	1779	1800
Postage		1000	1172	1325
Newsletter Layout	[3]	600	568	500
Web page	[4]	500	0	150
COB Rent, Misc		380	240	475
Awards		350	362	400
Reserve		720	1671.5	650
Total:		5750	5880	5300

Notes:

- [1] Assumes 100 orgs @ \$50 avg. plus 20 associates @ \$15
- [2] Assumes annual reception is a wash
- [3] Assumes we continue to pay for newsletter layout. An obvious reduction is here if we can return to the days of free layout.
- [4] This is purely an estimate.

Chris Suzich, Treasurer

market, sold for \$240,000.00 more than its assessed value. Each time such a home is sold it provides an excuse for raising the valuation on every other home in the neighborhood. Thus, one could cynically conclude that the state and county have a conflict of interest. That is, what they lose in taxes on one developer's under-valued home, they make up for when it is sold due to the ratchet effect it has on unfairly increasing the valuations on other homes in the neighborhood.

In the above case, the Congressional Forest Community Assn. had brought this anomaly to the attention of the assessors on several occasions, but could not bring about a wholesale new reassessment of all of the homes in the community. We wanted this in order to obtain a truly fair relative value on all property. After this sale

occurred, the CFCA was able to convince the state that a wholesale reassessment of all property was in order. In general, the more expensive homes were under-assessed and the less expensive homes were selling for prices under their assessed values. The author believes that most communities suffer from similar unfair valuations but lack the capability, detailed data and persistence to bring about change.

County Executive Kramer created the Office of the Public Advocate within the county government to help the taxpayer with disputes over property valuations by the state government. In fact, it was created more to help business and commercial interests with such issues. CFCA, in trying to obtain its help in the above given example, found them disinterested. During the

Potter years they continued to exist with this same mission. However, Duncan decided to abolish this office to save money. It was then that it reappeared with its present function, i.e. to locate property that has sold for less than it has been assessed and force the state to reevaluate it outside the three-year cycle. Appealing, in the name of the county, to the property assessment appeals system does this. Prior to the Homestead Act (which limits increases for personal residence in valuation to 10%/year) there was no need for this action. The upward ratchet effect of undervalued homes took care of the desired increases in tax revenue.

This has several effects. First, it creates an immediate upward ratchet effect on upcoming assessments within the next three-year cycle without the modifying effect of being evaluated along with all sales within a community during a three-year period. For example, it might have been a house that had been given favored treatment and, of course, sold for more than its assessment. (It is probable that every community has such "upward ratchet effect" houses.) They had a very lucrative consequence - forever increasing property tax income for the county government. The consequences of the Homestead Act reversed the county's view of allowing undervalued properties to remain for long undervalued.

Second, they can have an unfair and unbalancing long-term result. Under the Homestead Act, the increase in any personal home evaluation can not increase more than 10% per year. This has put a limit on forcing persons out of their homes through large increases in value and taxes in a short period of time. This action on the part of the county has the effect of short-circuiting the effectiveness of the Homestead Act for the property in question. The new owner could be one who bought a "favored" property and did not realize what he was buying or that it could be an anomaly. Persons coming from higher cost areas of the country or from abroad sometimes pay more than true market value for property. (Remember the prices paid by the Japanese for the Empire State building or property in Hawaii or new arrivals from the West Coast or NYC with their extremely high real estate markets.)

Third, the household affected by this action probably could be paying more in taxes for an exact duplicate home of his neighbor. This would create the needed jealousy, over time, to wreck the Homestead Act and its protection for the homeowner.

In 2001 there were 220 properties listed by the Office of the Public Advocate as having fit their criteria of selling for \$150,000.00 more than their assessed value. In Montgomery County, during this same year, there were 11,926 homes and 3,342 condos or a total of 15,268 residences sold. The 220 homes targeted by the Office of the Public Advocate represent 1.44092 or 1.45% of the total homes sold in the county during 2001. This is hardly a major issue statistically. However, the county claims that the loss in valuation is \$120,613,296. At the present tax rate (\$0.741 per hundred dollars) this is a loss of \$861,178.96.

The list from the Office of the Public Advocate includes both residential and commercial property but it is not possible from the data given to know which is which. The Homestead Act does not cover commercial property. Of the 220 properties listed the lowest in assessed value is \$49,360 and sold for \$140,000. There were 95 properties valued under \$400,000 or 43% of the 220 properties. There were 46 valued at between four and five hundred thousand dollars, 21%. The remaining 79 properties were valued over that figure, 36%. They ranged in value up to about \$53 million. Mr. Duncan, in public statements, claimed that over 50% of the homes involved were valued at over one half a million dollars.

From a recent study done of CFCA properties, it became clear that recently built homes sold by developers are generally valued prior to sale by the state at about half the price at which they are ultimately sold. How many of the homes in this list were built recently is not clear. However the county would be better served to negotiate with the state assessors office to value newly built homes at their retail value rather than their wholesale value. It would be more expensive for the developer to hold homes for long but it would be fairer to the buying public.

It is the author's judgment that, on balance, it is not wise to support the county in its attempts to collect this extra \$860 thousand. How much of this figure concerns commercial property that is not covered by the Homestead Act? It is highly probable that a great percentage of the residential property involved was "favored" property. Those homes were under-assessed to create the upward valuation ratchet effect on all other homes within a community. It was a financial favor to the owner and the county because of the constantly increasing property tax revenues via the ratchet effect. The Homestead Act put an end to this practice with its 10% limit per year on valuation increases. We, as an

organization, should not want to put this Act under attack by new comers who are not protected by it. We exist to represent community associations, not chambers of commerce or politicians who are generally controlled by developers. The homeowner is our constituency.

They Sent the “A”-Team; We Gave Them an “F”

*–by Mark R. Adelman, Chair
MCCF Education Committee*

For those who did not attend the April 8 MCCF delegates meeting (and for many who did), this is an attempt to provide a background to, and synopsis of, the discussion with officials of Montgomery College at Takoma Park (MC-TP), as well as the motion that was subsequently passed. Because that motion was the subject of extensive (and often heated) debate, and because many delegates may be concerned about the reasons for its passage, I believe it important that the themes that emerged during discussions leading up to that meeting be restated as clearly as is possible.

It should at the outset of this report be strongly reiterated that those who were active in bringing this issue to the delegates for discussion and vote, recognize and are proud of MCCF’s longstanding support of MC-TP, that they value the contributions that the faculty, staff and students of that institution of higher learning have made to Montgomery County (and beyond), and that they most strongly support the extensive efforts to bring equitable educational resources and facilities to the residents of the entire down county, but most especially to those of Takoma Park, Silver Spring and the immediately adjacent communities.

Beginning in late 2001 and extending right up to the afternoon of the meeting, a series of investigative findings raised questions about the methodology by which the officials of Montgomery College had achieved authorization of, and funding for, the expansion project that is about to commence. Questions were also raised about the precision with which this project had been planned and the wisdom of a number of the specifics as to siting, size, etc. And several items found in the public record called into

question the degree to which MC-TP officials had cooperated with other public agencies in the sorts of dialogue that our laws require when such projects are being planned, proposed, and justified. Two consistent themes characterized the numerous E- and Snail-mail exchanges that occurred over this five-month period (my own files are nearly two inches thick and mine are NOT the most complete): 1. the consistently-expressed request that MC officials educate us as to how we were misinterpreting or misstating the facts and 2. the consistent refusal of College officials to refute (or in many cases even respond to) the questions. By late February, both the Education Committee and the Executive Committee were growing concerned that the imminent groundbreaking for the project would occur without any of our questions being adequately answered. Following on an earlier letter by Dean Ahmad, the Education Committee sent a letter to President Nunley asking that she—or her designated representatives—join us at a small meeting to educate us as to the nature of any misunderstandings; we have yet to receive a response to that letter, nor to a follow-up phone call to her office.

At its February 28 meeting the MCCF Executive Committee voted to “recommend to the full delegation to send a letter to the County Council to remove funding from the Montgomery College, Takoma Park Expansion Project until a strategic plan for such project is justified.” Shortly thereafter, and perhaps also in response to the earlier letter sent by our President, officials of MC-TP agreed to meet with Dean Ahmad and one or two MCCF delegates. I was unable to attend (we received very short notice), but Wayne Goldstein joined Dean and the MC-TP officials for what was - as I understand it - a cordial, but not very informative dialogue, at the end of which it was agreed that a small group of MC-TP officials would speak to the April 8 delegates meeting and - after making a brief presentation - attempt to answer a set of questions. The questions were to be prepared by the Education Committee and transmitted by Dean to the MC-TP officials in advance of the meeting.

Our committee prepared an initial draft of questions that, reviewed by Dean and others on the Executive Committee was felt to be so laden with numbers as to be mind-numbing. A second draft was decided to be too confrontational. The third version (like the third porridge?) was agreed upon as just about right and was the set transmitted to MC-TP; this set is reproduced below, for those who did not hear them, and it should

be emphasized that each is essentially a restatement of one or more questions previously asked:

“1. How does the college explain the differences between the Takoma Park campus enrollment projections reported to the Maryland Higher Education Commission (MHEC) and the same Takoma Park projections reported to Montgomery County for the periods beginning in 2000 and beginning in 2001? MHEC has repeatedly stated that it does not participate in any way with the preparation of enrollment projections for individual campuses.

“2. College officials have repeatedly stated that, at the Takoma Park campus, 75% of the students apply for financial aid and only 20% of the students have access to home computers. However, when the facts supporting these statements have been requested, college officials have either said this information cannot be calculated or that it does not exist. Please explain this discrepancy.

“3. Enrollment in the health sciences programs appears to have dropped, on average, by almost 50% between 1997 and 2001. The college is now claiming that enrollment in all health sciences programs will increase by up to 15% between 2001 and 2011. It thus appears that today, only 4 years after the planning for the pending Health Sciences Building began: (1) enrollment in 2011 may only be at 60% of what it was in 1997; and (2) enrollment in 2011 will be much lower than what it was originally projected to be in 2007. Doesn't it make sense to delay construction of this building until such time as there is a demonstrable need for so much space dedicated to such small specialty programs, and to reuse part of the 167,000 gross square foot Giant bakery building to accommodate some possible, modest expansion needs of these programs?

“4. Maryland law requires that a state agency work with the Maryland Historic Trust (MHT) if their project impacts a historic resource, and to do so before the agency seeks funding for the project. College officials lobbied from September, 2001 to the present to get funding for a pedestrian bridge into Jessup Blair Park, but did not submit a report until last month which showed that the Park was eligible for the National Register and required MHT review. This report was completed last October. How does the college respond to the observation that it has failed to work properly with MHT as it had previously promised and as required by state law?”

On the night of the delegates meeting a planned brief presentation and question/answer session developed into an extended and rather tense dialogue, from which, I believe, no one emerged very pleased. When it was concluded and the MC-TP officials had left, an extended debate about the motion ensued. I would stress that the debate was about the MOTION, and not about the MC-TP presentation, which I believe was uniformly assessed as appallingly poor and/or insultingly non-responsive. [I am an educator and would, had I been asked to grade the testimony, have (generously) given it a grade of “F”.] In view of time limitations and wishing to be civil to our guests, many of us refrained from demolishing the many obviously specious statements made by those guests. But the dialogue about the phrasing of the motion was both extensive and, in my opinion, productive, for what was eventually crafted and passed by the delegates was “MCCF supports the construction of the Health Sciences Building with strong reservations with respect to enrollment figures.” I suspect that no one was really pleased with what we passed, but it accomplished two important things. First, it did NOT recommend a delay in beginning the first phase of the MC-TP expansion (thus it did NOT recommend punishing the community for the transgressions of the MC leadership). Secondly, it sends a very clear vote of “no confidence” in the MC leadership. And when Dean Ahmad sends the requisite letter (at his request our committee is working on a draft, which he will subsequently revise) to the various officials (both governmental and educational) who should receive it, this implicit censure will be clearly heard.

In ending this report, I chose to quote the questions our committee prepared in its second try, the ones that were decided to be too confrontational:

“1. All parties are convinced of the need to use County funds wisely to provide equitable facilities at MC TP. Current budgetary constraints make it essential that every dollar be used to maximal efficacy. Given that MC officials have provided different numbers at different times to different agencies in order to justify the expansion project, how can we trust that MC has strategically planned the impending expansion in the most cost effective fashion?

“2. MC Officials maintain that they have inadequate facilities and space at the TP campus. But MC has not provided consistent data documenting overcrowding of available space and it has recently acquired a large amount of additional space. Why is it not wiser to use

limited current County resources to upgrade the facilities and space now available?

“3. Why have MC officials been so unwilling to answer valid questions raised by concerned citizens in a timely, straightforward and consistent manner? And what does this record of poor communication with the public (and other government agencies) imply about the openness with which the needed strategic expansion plan will be developed?”

While at the time those questions may have been “too” confrontational, I believe that they are now rhetorical, having been proven by the performance of the MC-TP officials who spoke at us on April 8, to have been right on the mark.

And I conclude with one last question, one that I know the MC administration cannot answer and one I ask all MCCF delegates and readers of this newsletter to ponder:

If we cannot trust the officials of Montgomery College to answer straightforward questions in an open and honest manner, how can we trust them to EDUCATE our children or us?

Bull Frogs & Choppers: A Limited View of the County’s Operating Budget

*–by Charles G. Pritchard
Environmental Committee Chairman*

Public hearings on the Montgomery County Operating Budget for FY-2003/2008 took place on April 4, 8, 9 and 10. I watched two of the sessions, testified at one and spent quite a bit of time examining two subjects that were unfamiliar to me—the Maryland General Assembly’s Operating Budget and our own County Operating Budget, which are intertwined because the County depends greatly on grants and subsidies from the state. The common problem, however, even to a duffer, was lack of money, which had a shockingly bad effect on nearly every program. Both the state and county governments face the unpleasant duty of making deep cuts and difficult choices in priorities.

Our County Executive, Douglas M. Duncan brought in a county budget that emphasized transportation, education and public safety/homeland security, the latter priority based on the terrorist events of September 11 and the ensuing anthrax crisis. Education appeared to be in deep trouble. He and the county delegation to the General Assembly went to Annapolis and secured enough money for education to prevent a complete melt down in school construction and other educational needs. The educational crisis eased considerably although there will probably be another big deficit in state and county income next year. The county delegation also did a remarkably brave thing. Facing an election year, they cut the so-called “pork barrel” items that the state presents to the county for local interests. Many of these are cultural or entertainment amenities. Others satisfy more stark needs such as assistance to the needy and non-profit health organizations.

I am the Chair of the Civic Federation’s Environmental Committee, which, until this year, was a pleasant job. Governor Glendenning has been particularly kind to the state and county environment through state-funded projects such as *Program Open Space*, *Rural Legacy* and *Green Print*. These programs functioned statewide to complement county environmental, greenway and open space programs. In the General Assembly this year, the governor’s programs took crushing hits. Toward the end of the budget debate there was a partial recovery in funding.

One of our major county environmental programs is *Legacy Open Space*, a program that acquires land that enhances our environment, supports unique flora and fauna (including frogs and invertebrates), preserves historic buildings, turns crowded thoroughfares into tree-lined boulevards and extends parkland and outdoor recreation areas. In the past, state grants have supported LOS objectives. Our county executive kept *Legacy Open Space* on the county books by projecting a five year cycle of budgeting that transferred funds to the out years when hopefully the economy would have improved. The first year cycle of funding for FY-02/03 was to be \$3 million plus. Then he changed his mind and completely eliminated the first year of funding. The Civic Federation has a standing resolution supporting LOS. Taken somewhat by surprise, the Civic Federation will ask the County Council to reverse this cut because we fear that a hiatus in funding does not bode well for the program.

The Executive's *Public Safety/Homeland Security* package provided funds for several sorely needed items that affect both local and national needs: an emergency management center, up-graded and inter-regional communications, and better equipment for our county bomb squad and hazmat teams which participated in both the Pentagon and anthrax crises. Even before these crises took place, the Executive Committee of the Civic Federation was given a presentation on the proposed establishment of a police helicopter unit by two Montgomery County Police officers. It was pointed out that police helicopter units nationwide were effective in reducing crime, ensuring the safety of patrol officers on the ground, reducing accidents in high-speed police pursuits, controlling traffic, providing environmental protection against illegal dumping, and conducting patrols and searches for lost or injured persons in parks and remote places. Initially, the cost of three helicopters was estimated at \$4 million. Later, by obtaining surplus military helicopters at no cost from the US Department of Defense, it was scaled down to \$1 million.

The terrorist events of 9/11 made it clear that response time and the ability to overfly traffic gridlock made the helicopters attractive both for law enforcement and *Homeland Security*. Moreover, there is clearly an increase in crime and public perception of crime in the county as evidenced by the establishment of new "Hot Spot" programs in several areas. At this point, the Civic Federation has adopted a resolution calling on the County Executive and Council to establish the helicopter unit either by adding it into the current budget or through other means, such as applying for a federal grant.

The Civic Federation has been joined in this strong request by the *Allied Civic Group*, the *Long Branch Initiative*, the *Gateway Alliance*, many business groups and individual civic associations. Again, this request comes against a background of reduced county funds. One million dollars does not, however, seem exorbitant in comparison with the billions of dollars already earmarked for homeland security. In the last public hearing, concerns about crime and homeland security surfaced amid requests for local interest and human service items. Moreover, our public safety units responded to the events of 11 September and the anthrax crises and will undoubtedly be called on again in any future terrorist event or disaster. We have several major federal facilities in our county for which we are partially responsible. Finally, for what it's worth, my military service was in a U.S. Army bomb squad. I

have worked with police, fire and civil defense units and see a real need for helicopter support in any emergency management system. Let's cross our fingers and see how the County Council manages its difficult decisions.

Mercury—A National Biohazard in Need of Recognition

—by *Jeanne Goldstein, NIH Liason*

Captain Edward Rau of the Environmental Protection Board, Division of Safety, at the National Institutes of Health heads an ongoing campaign to educate people about the dangers of mercury and what we can do to protect ourselves.

Mercury is found in a variety of common products, but there are alternatives for many of them. Among the examples are thermometers and barometers, fluorescent and high intensity lamps, and contact lens solution that contains thimerosal.

Mercury is also found in some fish, especially swordfish and tuna. The harmful impact of this very toxic chemical in the human body outweighs any benefit from eating these fish.

For more information visit the web site <http://www.nih.gov/od/ors/ds/nomercury/>.

Nominating Committee Names Slate

The Nominating Committee (Bill Skinner, Chair, Peggy Dennis, Dick Kauffunger, Charles Pritchard, Jorge Ribas, Lee Shipman and Charles Wolfe) is pleased to present the following slate of nominees for the 2002-2003 membership year of the Civic Federation. The Committee met three times and all members of the Committee attended at least one meeting. At the time of this report there were two open positions for Second Vice Presidents. The

Bylaws call for four Second Vice Presidents without portfolios to handle special projects.

Nominees for officers are:

OFFICE	NOMINEE	TENURE AS OFFICER
President	Cary Lamari	2 yr.
First V.P.	Dan Wilhelm	2 yr.
Second V.P.	Pat Cummings	1 yr.
Second V.P.	Mark Adelman	1 yr.
Treasurer	Luella Mast	New
Corresp. Sec.	Fifi Northrup	2 yr.
Rec. Sec.	Richard Zierdt	>2 yr.
District 1 V.P.	Diana Conway	New
District 2 V.P.	Dick Strombotne	2 yr.
District 3 V.P.	Tom DeGraba	New
District 4 V.P.	Bob Abrams	1 yr.
District 5 V.P.	Jim Johnson	New

Any delegate is free to nominate other candidates for these positions at the May meeting. The election follows at the June meeting.

Community Hero Award to Randy Bosin

—by Pat Cummings, 2nd V.P.

Randy Bosin is a man of passionate commitment and relentless determination, whose lack of self-promotion has precluded his receiving the kind of recognition he deserves. A dedicated and tireless volunteer advocate for Montgomery County's seriously mentally ill citizens, he has devoted himself to applying his impressive research skills and organizational abilities to their cause.

His involvement in mental health advocacy began while he was in college, where he coordinated a mental health consumers' rights project for the campus affiliate of the Maryland Public Interest Research Group (PIRG), which helped produce the first patients' rights handbook for hospitalized psychiatric patients in Maryland. In 1988, Randy joined "On Our Own", a support organization run by and for mental health consumers. He became vice-president, initiated an organizational restructuring, developed a successful recreational program, and conducted training sessions

to educate members about benefits and programs available to them. His work assisting consumers on Social Security Disability to develop Social Security P.A.S.S. plans so they could move into employment earned him a citation from the Kennedy Krieger Institute.

In 1994, responding to deep cuts in the county's mental health budget, he organized a broad-based campaign to preserve mental health services that included consumers, provider agencies, professional organizations, legal advocacy groups, churches and a union. The campaign engaged in advocacy, research, and educational and legal activities related to the proposed cuts. In 1997, Randy organized consumers receiving services from the county's mental health clinics to testify against the privatization movement.

In February 2002 Randy, a former CPC-Health client himself, joined other community leaders in the intense effort to save CPC-Health and Chestnut Lodge and to mitigate the damage caused by their closing. When he learned that former CPC clients were being billed inappropriately by the court-appointed collection agency, he alerted county officials and worked with county and legal advocates to protect the former CPC clients from the improper billing.

In March 2002 he originated and organized a statewide rally in Annapolis to force legislators' attention to the funding crisis in Maryland's public mental health system. He then worked with the heads of several mental health advocacy organizations to plan, organize and coordinate this successful event, which attracted more than 500 participants.

In the past year alone, he has had nine letters or opinion pieces related to mental health published in the Washington Post and local newspapers. He was a consumer consultant to the county's Blue Ribbon Task Force on Mental Health; is a member of the Board of Directors of the county chapter of the National Alliance for the Mentally Ill; and has been working actively, though not yet an appointed member, with the Montgomery County Mental Health Advisory Committee.

If only there were more hours in a day, this community hero would, no doubt, find a way to do even more to help improve the lives of people with mental illness.

Interview With Josh Gibson Concerning “Flexcar”

–by Peggy Dennis, Editor

This interview is included because the Executive Committee doubted that we could devote Delegates Meeting time to what might be viewed as a promotion for a new business. Because this business differs significantly from that of the established car rental companies, we decided that I should include a short interview with Josh Gibson, Marketing Community Relations Director, and allow each delegate to decide if they would like to include the information in their own newsletters or invite Mr. Gibson to address their associations directly. If there is enough interest, we will ask Mr. Gibson to make a short presentation in the autumn.

Q. What is the mission of Flexcar and how does it differ from other rental car firms?

A. Flexcar has been chosen by WMATA and Metro to participate in a public-private partnership. It is a car-sharing business which provides an easy and affordable alternative to owning private cars, thus allowing more people to rely primarily on public transit, and reducing autos in congested urban areas and parking garages. Flexcar uses environmentally friendly cars such as new model Honda Civics with increased miles per gallon and low toxic emissions, thus decreasing air pollution. Some special purpose vehicles such as pickup trucks, vans and higher end sedans are also available.

Q. Where did Flexcar start and how widely is it available?

A. Flexcar is patterned after a successful European model. Its first branches opened in Seattle and Portland.

Q. How does an individual or company join and use Flexcar?

A. Anyone may apply to become a Flexcar member. There is a \$25 lifetime membership fee which covers the cost of checking the applicant's driving record to verify that he/she is a safe driver. Once approved, a member never again has to fill out paperwork to rent a car in the cities where Flexcar operates.

Q. How does the system work?

A. Once approved, members select the pricing system that best meets their personal needs: one includes a simple per-hour and per-mile charge. Others provide a set number of hours of usage per month for a fixed rate. For example, for \$35 a month, a member can use a car for 5 hours with 50 miles free. On average, members pay \$6-7 per hour to use a car. This rate includes gas, insurance, maintenance and a reserved parking space. At the end of the month, the member receives a statement of his usage and his credit/debit card is charged accordingly.

Each member receives a key or code that works in every Flexcar vehicle. When you need a car, you call a 24-hour reservation line and select the most convenient pick-up location. If the car is available, it's yours. If it's already booked, you can refer to a car location map to look for another one nearby. You may reserve a minute or a year in advance and use the car for as long as you need it. If you need a car for an extended period, renting from a traditional agency may be more cost effective, but Flexcar will be developing partnerships with rental car agencies to offer discounts to Flexcar members.

Q. Where are the Flexcar locations in Montgomery County?

A. By the end of March Flexcar will have cars available at White Flint, Shady Grove, Bethesda, Friendship Heights and Grosvenor in addition to those at other Metro stops. By the end of 2002, we plan to have a fleet of over 100 cars in the D.C. metropolitan area. All cars are located in well-lit, easily accessible parking spaces in reserved lots or street locations

Do we have your correct address?

Send all address correction
to Steve Howie

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

[For questions, detailed information, or to request a presentation by a Flexcar representative, please contact Josh Gibson at 202-369-9524 or josh.gibson@flexcar.com.]

From the President

Plans are being developed for the special workshop on Transportation Policy in June (tentatively set for June 15). The intention is to combine a Saturday workshop with a special delegate's assembly so that we can take official positions on the policies and projects that have come out of the Transportation Policy Review (TPR). This may be the most massive undertaking we have dealt with in recent years, so please plan on attending.

In recent weeks I have sent many letters promoting the civic Federation's positions on a variety of issues. Here is a sampling of some of the responses to date.

Council President Steve Silverman has responded to our concern that proper follow-up discussion be held on the TPR as mentioned above with a promise that discussions will be held throughout the summer and informing me that he has requested "the staffs of the Planning Board and the Department of Public Works and Transportation develop [needed] background information in coordination with Council staff."

Our letter to Dr. Ruth Kirchstein, Acting Director of NIH advising against reassignment of commuter trips assigned to NIH was warmly received. We were concerned that if businesses in the CBD obtain some of the NIH's commuter trips, these would almost certainly be used primarily during peak rush hour periods. NIH's Director of Office of Community Liaison has replied that NIH has no intention of giving back these trips for reassignment. She wrote that "A decrease in parking spaces due in combination to construction on the campus and security checkpoint requirements has put a strain on parking at NOH. Therefore, NIH would not at present seek to give up any parking spaces and/or commuter trips...."

We received a favorable response to our request that an updated environmental impact study be done for the

proposed extension of the Mid-County highway. According to a letter we received from Councilwoman Nancy Dacek, the Council passed her proposal "for an environmental study of M-83, from Route 27 to Middlebrook Road. The study, which does not include the original M-83 projections through Montgomery Village, will begin in Fiscal Year 2004."

Our concerns about ZTA 02-01 were not heeded, however. Our concerns are that the special exceptions involved are granted in the recognition of the special public interest benefit of education. Residents who put up with some additional traffic for such purposes would not be willing to tolerate the additional burdens for activities that are more commercially motivated.

At the PHED Committee work session, the Council staff suggested that concerns over the potential commercialization of these special exceptions that had been intended for educational purposes only could be met if the Council would "(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." President Silverman asserted in the PHED work session that public schools are under no such constraints. If this is true, then maybe we need to change the laws that govern the public schools as well. If the public schools ever exploited such loopholes to host commercial karate clubs or swim clubs (other than for the principle benefit of enrolled students) that you would hear a major outcry from the community calling for a closing of that loophole. Maybe we shouldn't wait to lock the barn door until after the horse is gone.

Alas, the Council passed the flawed bill. However, there is a move to repeal it. This all seems so unnecessary. The alleged motivation for the legislation (and for the rush to pass it) was the assertion that private schools might have to shut down or constrain EXISTING summer programs. Why then was not a bill drafted to specifically grandfather those existing programs? Don't answer, the question is rhetorical. Clearly, the proponents of the bill just wanted a cover for a more aggressive expansion of special exceptions and the threat of a shutdown of popular summer programs gave them an excuse for a hasty passage of controversial legislation.

2001-2002 MCCF Officers					
Office	Name	Home #	Office #	Fax #	e-mail
President:	I. Dean Ahmad	301-951-0539	301-656-4714	301-656-4714	dahmad@speakeasy.net
Past-Pres.:	Jorge L. Ribas	301-258-1910	<not available>	301-258-1909	sfristoe@erols.com
1st Vice-Pres.:	Cary Lamari	301-924-2746	301-924-2558	<none>	carylamar@yahoo.com
2nd Vice-Pres.:	Stanley D. Schiff	301-530-6455	same	<not available>	stanschiff@msn.com
2nd Vice-Pres.:	Jeanne Goldstein	301-652-3064	same	<not available>	<none>
2nd Vice-Pres.:	Dan Wilhem	301-384-2698	same	<not available>	djwilhelm@erols.com
2nd Vice-Pres.:	Pat Cummings	301-977-6004	301-840-0921	301-840-0967	<call first>
Treasurer:	Chris Suzich	301-417-9522	same	<not available>	jsuzich@erols.com
Rec. Secretary:	Richard Zierdt	301-881-0283	703-464-1617	<not available>	richard.zierdt@landmark.com
Corres. Sec.:	Winifred Klein	301-654-8084	same	<not available>	w-wklein@webtv.net
Dist. 1 V.P.:	Fifa Northrup	301-984-9424	<not available>	301-984-0147	breo@hotmail.com
Dist. 2 V.P.:	Dick Strombotne	301-540-9597	<not available>	301-540-9597	rlstrombotne@ieeee.org
Dist. 3 V.P.:	Myrna Taylor	301-869-4499	202-429-2163	<not available>	MyrnaJT@aol.com
Dist. 4 V.P.:	Bob Abrams	301-946-7291	<not available>	<not available>	robertabr@aol.com
Dist. 5 V.P.:	Mark Adelman	301-942-6893	301-295-3208	301-942-4108	adelman3@erols.com
Historian:	Marcella Petree	301-384-1776	same	<not available>	<none>
Newsletter Ed.:	Peggy Dennis	301-983-9738	same	<not available>	hotyakker@aol.com
Parliamentarian:	William Skinner	301-762-5483	301-762-3784	301-762-3786	wjswtg@aol.com
Public Relations:	Stuart Rochester	301-384-5515	<not available>	<not available>	<not available>
Education:	Mark Adelman	301-942-6893	301-295-3208	301-942-4108	adelman3@erols.com
Environment:	Charlie Pritchard	301-593-1781	same	<not available>	erc69434@aol.com
Legislation:	George Sauer	301-762-7260	same	<not available>	<none>
Membership:	Jeanne Goldstein	301-652-3064	same	<not available>	<none>
Pl. & Land Use.:	Tom DeGraba	301-340-2570	<not available>	<not available>	<none>
Pub. Fin. & Util.:	Chuck Lapinski	301-384-0392	703-506-4600	<not available>	clapinsk@mclean.mcrci.com
Transportation:	Dan Wilhelm	301-384-2698	same	<not available>	djwilhelm@erols.com

Speaking of special exceptions, now may be a good time to mention that a bill has been passed to address the issue of expanded uses of special exceptions. Unfortunately, as of press time, I have not obtained a copy of this legislation. Our Vice President Cary Lamari is going to get a copy and review the legislation for our next newsletter. According to a reporter from the *Gazette*, however, the bill ends up merely asserting that the Board of Appeals “may” review use of special exceptions that go beyond the original scope rather than “must” review such expansions. Stay tuned. More when we know what’s going on.

At the May meeting we will have part 2 of our big Transportation Policy Review discussion. We shall also give out two community hero awards, making up for the mis-scheduling of the award to David Brown that was to have taken place at the February meeting. We shall also hold nominations for the June elections. Charlie Pritchard will propose the reconstitution of the Bylaws Committee for the purpose of considering establishing additional standing committees such as a Public Safety Committee.

–I. Dean Ahmad, Ph.D.

Think about it...

You have just read one of the most thorough and accurate newsletters in the County. For 75 years, elected officials, community leaders, citizens and journalists have relied on the Civic Federation News as an authoritative source of citizen’s concerns and expectations.

Whether it is environmental issues, traffic congestion, ethics in government, unmet social needs, schools or land use, the **Civic Federation News** provides you with timely and accurate information. Join the Civic Federation today. With the exception of giving your own time and energy, it is the best investment you can make for your community.

Download your application form from our website www.montgomery.org/application. Or, call Dean Ahmad at 301-951-0539 for more information.

Delegates Meeting

Monday, May 13–7:45 p.m.

Auditorium

County Council Office Building, Rockville, MD

AGENDA:

7:45 Call to Order, I. Dean Ahmad presiding

7:50 Announcements, Introductions

7:55 Adoption of Agenda

8:00 Approval of Minutes, Officers' Reports

8:05 Community Hero Awards

- David Brown (see April 2002, p. 14)
- Randy Bosin (p. 12)

8:20 **Program: TPR**

- Stan Schiff, 2nd V.P. (pp. 1,2)

9:20 Old Business

9:25 New Business

- TPR Motions (p. 2)
- Nomination of Officers (p.14)
- Bylaw Committee and Recommendations (p. 15)
- 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, May 25 Attach submission to e-mail to: Hotyakker@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, May 23, 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.)

Montgomery County Civic Federation

Steve Howie, Database Manager

P.O. Box 325

Clarksburg, MD 20871

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