



# CIVIC FEDERATION NEWS

*Official Publication of the Montgomery County Civic Federation  
Serving the Public Interest Since 1925*

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## Charter Amendment Petition Drive Succeeds--November Ballot to Include "Question C"

by Dale Tibbitts, District 5 Vice President & Election Reform Chair

The MCCF successfully spearheaded the collection of 15,149 petition signatures from the registered voters of Montgomery County to place a Charter amendment on the November ballot to change the make-up of the County Council from five district and four at-large members to nine district members. Our success was publicized at a press release on the steps of the Council Office Building on August 2 and the petitions turned in to Council staff the same afternoon. (Photos by Fernando Bren and George Sauer.)



MCCF Press Conference on August 2, 2004



Fernando Bren speaks at Press Conference



President Dan Wilhelm is pleased



Big pile, big smiles: petitions are presented to Patrick Lacefield, Council staff by Drew Powell, Wayne Goldstein, Dale Tibbitts, Lois Sherman, Al Brock, Allan Runquist and Dan Wilhelm.

**Charter Amendment *continued***

A total of 120 individuals participated in the collection effort from all around the county. Like the recent weather, the forms came flooding in the last two weeks before the deadline on August 9. People kept working right up to the end to build a sufficient buffer to guarantee 10,000 valid signatures. The petition has now been certified by the Board of Elections, and the County Council has placed it on the ballot as "Question C".

By law the County Council writes the actual text that appears on the ballot. Council staff recommended, "Amend Sections 102, 103, and 104 of the County Charter to:

- Divide the County into 9, rather than the current 5, Council districts; and
- Elect all Councilmembers by district, rather than the current 5 by district and 4 "at large."

Councilmember Praisner amended the language by adding "-- eliminate each voter's ability to vote for a majority of the Council by reducing from 5 to 1 the number of Councilmembers that a voter can vote for." Councilmembers Perez, Andrews and Denis argued against the biased addition but lost 6-3. The County Attorney advised the Council that it may have crossed over the legal requirement to be fair and accurate. They amended the language again to read, "-- reduce from 5 to 1 the number of Councilmembers that a voter can vote for." Thus, the final ballot question will include three points: the two recommended by Council staff plus the one added by the Council.

An "at-large" seat on the County Council represents

almost one million people, far more than a Congressional seat. In recent years the at-large campaigns have become so expensive that special interest contributors, such as developers and land-use attorneys, are effectively controlling the outcome of elections for those seats.

**Bill Henry, Kay Cummins and VASAP  
Volunteers: September's Community  
Heroes**

By Dan Wilhelm, President

The Community Hero Award for September will be presented to William "Bill" Henry and Kay Cummins, co-chairs of the County's "Victim Services Advisory Board" (VSAB), and to the volunteers of the "Victim Assistance and Sexual Assault Program" (VASAP). These men and women give thousands of hours of their time to help the victims of vicious crime, sexual assault, abused spouses, and their families. Led by a small staff of employees, the volunteers are called to hospitals and other locations, at all hours of the day or night, without compensation, to provide comfort and counseling to victims and their families. With the police, they are often the first to respond to a victim's needs. They help lead the victim out of the confusion and terror of the situation, and assist in the path to recovery, justice and rebuilding shattered lives. The VASAP has recently instituted a program to continue victim assistance into the courthouses as well.

As VSAP co-chairs, Kay and Bill successfully lobbied the County Council and Executive for changes in the Victims' Service budget including the reinstatement of a budget cut that would have reduced the amount available by 50%. They also lobbied successfully for the enactment of legislative and regulatory changes in police and prosecutorial procedures that will aid victims in recovery of their health and economic well being, and their rights in the criminal courts. Bill and Kay also lobbied successfully for changes in state law before legislative committees often confronting indifference, and educating legislators and staff about victims' rights and the way they were being treated by state agencies. These efforts resulted in many improvements in crime victims' compensation and in sentencing, parole, and probation of offenders.

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In addition, Bill devotes approximately 25% of his legal practice to provide pro bono services to crime victims and their survivors. Kay became active in victims' rights advocacy, first as a co-founder of the "Wings of Hope" group and its' newsletter, and then as the newsletter's editor for five and a half years. I believe the depth and scope of their efforts make them worthy of our recognition as true Community Heroes.

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## **President's Message**

By Dan Wilhelm, MCCF President

Summer is typically a time to relax since civic activities slow down. This summer has turned out to be very atypical. We have been extremely busy.

First, in early June we had less than 2000 of the 10,000 signatures needed to place our charter amendment question on the November ballot. In less than two months, we collected approximately 13,000 signatures. We ended up with over 100 people collecting signatures. I thank all those who collected signatures, whether you collected 10 or 1500.

Second, we held a press conference and are now starting our effort to educate the public about the ballot question. We will have informative articles on our website. We encourage you to copy them onto your associations' newsletters to help spread the word. We are also planning to visit many different civic groups during September and October to inform them and answer their questions. If you want us to visit, or if your group can provide volunteers to work the polls (we have some 200 precincts!) on November 2, please send me an email: [djwilhelm@erols.com](mailto:djwilhelm@erols.com).

The third major activity this summer has concerned 12 council bills, zoning text amendments and subdivision regulation amendments that affect MPDUs, accessory apartments and rural neighborhood cluster zones. The Housing Committee has studied these proposals in depth and has recommended positions on each piece of legislation. Delegates will vote on the committee's recommendations (see article, page 3) at our regular meeting in September. We are working to coordinate our positions with different groups who are active on these

topics so that we can present a unified position to the Council. Many of the proposals would have major impacts on neighborhoods throughout the county.

Fourth, the Bylaws Committee has been active and has focused on improving our annual Achievement Awards event. Many of us feel that the award ceremony will be better attended and the honorees will get more coverage and acclaim if the awards are presented at a major social affair rather than in the Council Office Building's first floor auditorium and its lobby as part of the June Annual Meeting. The proposal developed by the Bylaws Committee and approved by the Executive Committee (see article, page 7) is to combine the reception for elected officials with the awards event and hold both together in early May at a nice restaurant. In addition to having a much more pleasant and congenial atmosphere, this should improve attendance as neither bad winter weather nor scheduling conflicts during the busy holiday period will apply.

Our July planning session and potluck dinner was a great success. We discussed a variety of issues of concern to citizens of this county, issues which we will attempt to address during the coming year. Of paramount importance to our effectiveness is participation and communication. Please plan to attend as many regular meetings as possible, volunteer to help at the polls on November 2 and serve on at least one committee, and find ways to transmit the concerns of your organizations to us, and ours to your members. When it comes to local politics and civic activism, each of you is an educator and a promoter of the healthy "grass roots" activism we so badly need!

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## **Proposed MCCF Positions on Housing Legislation**

By Sarah Gilligan, Housing Committee Chair

On the evening of September 23, the County Council will conduct a hearing on nine pieces of legislation that address residential development and Moderately Priced Dwelling Units (MPDUs). A separate hearing will be held on September 30 concerning accessory apartments. If passed, this legislation will present broad and sweeping changes to the current codes that determine land use and

development in the County.

Although the Civic Federation has signed up to speak, it is unclear at this time whether we will get a slot. If you and your group want to testify, we urge you to call the Council at 240-777-7931 as soon as possible. If told the speakers' list is already full, ask to be wait-listed. At the very least, we urge you and your neighbors to write to the Council and voice your opinion on these proposals before the September 23 hearing.

The membership will be asked to determine MCCF's final positions at our September 13 meeting. The Executive Committee recommends the membership support the positions identified below. A detailed explanation of the bills and amendments is available on our web site at [http://www.montgomerycivic.org/documents/committees/housing\\_200407.asp](http://www.montgomerycivic.org/documents/committees/housing_200407.asp)

**Support Bill 27-03** sponsored by Councilmembers Perez and Andrews. This bill would end the option for developers to buyout of building the required MPDUs in their projects.

**Support Bill 25-04** sponsored by Councilmembers Praisner, Andrews, Leventhal, and Perez. This bill encompasses virtually all of the legislation Council staff recommended in the comprehensive report, *Strengthening the Moderately Priced Dwelling Unit Program: A 30 Year Review*. It is our belief that the components of this bill would do more to add to and protect the stock of new MPDUs than any of the other legislative proposals. Except for those discussed below, the specific components are:

- Extend the control period to 99 years. (Currently 10 years for sale units and 20 years for rental units.)

As of the end of 2002, only 3909 of the 11,210 units built were still under the MPDU control. A number of people feel that some measures are needed to allow the home owner to build equity and to provide an economic incentive to maintain the unit.

- Require MPDU units to have the same number of bedrooms as the market rate units to

accommodate families.

- Reduce the development size where MPDUs are required from 35 to 20.
- Allow MPDU owners to pay only the maintenance fee and not the amenity fee to allow the monthly payment to remain within their affordability limit.

All of the proposals outlined below were sponsored by Councilmembers Floreen, Leventhal, Knapp, Subin, and Silverman.

**Oppose Bill 24-04.** This bill addresses the same points made in Bill 25-04. Since it does not include enough of the council staff substantive recommendations, it would fail to produce more MPDUs than those already required under current law.

**Oppose ZTA 03-09.** This proposal would apply the MPDU requirements to rural large-lot zones (RE-1, RE-2 and RNC) for the first time. We feel as stated in the General Plan that MPDUs should be in areas reasonably close to employment centers, shopping, public transportation and recreational facilities. These facilities are typically not near these zones. We recommend instead that a rigorous site-specific analysis be done by master plan advisory committees to identify suitable locations for affordable housing and the results be identified in the master plans.

**Oppose ZTA 04-11.** This proposal would reduce the amount of required green space from 45% to 20% in multi-family dwellings in R30, R20, R10, and R-H zones. Green space is important to provide play space for children and communal space where adults can interact. This ZTA will unacceptably diminish the green space for use by occupants of both market rate units and MPDUs.

**Oppose ZTA 04-12.** This proposal would eliminate or reduce open and public amenity space requirements (like seating areas and plazas) in the Central Business District (CBD) and transit station zones. It also increases the density and floor area ratio (FAR) resulting in bigger buildings in projects with MPDUs.

**Oppose ZTA 04-13.** This proposal allows developers to build CBD, RMX, and Planned Development zone projects to the maximum height and density allowed

regardless of master plan recommendations in order to achieve the full MPDU requirement. We believe the master plan restrictions were placed there for a reason and that they need to be followed. We suggest instead the use of the flexible standards proposed in Bill 25-04--reduction of required percentage of MPDUs to as low as 10% on site, or locating MPDUs at alternative site locations within 1/2 mile of the market rate project (at 12.5% or greater).

**Oppose ZTA 04-14.** This proposal would increase the maximum allowable percentage of attached units to 100% in R-90 through R-200 zones - a threat to preservation of the character of these areas.

**Oppose Subdivision Regulation Amendment 04-01.** This proposal would eliminate the requirement that the Planning Board find a project's preliminary plan in conformance with the applicable master plan.

### Accessory Apartments

**ZTA 04-10**, on accessory apartments, was introduced by the County Council at the request of the County Executive, and will have a hearing the evening of September 30th.

We do not believe that ZTA 04-10 has specific enough guidelines to avoid subjective decisionmaking that may have a negative impact on neighborhoods.

*Approval Process.* The ZTA proposes the creation of two size classes of accessory apartments and then proposes allowing the normal (or smaller sized) apartments by right to avoid going through the special exception process. **We support continuing the existing approval process** for all accessory apartments as special exceptions granted by the Board of Appeals as a way to provide a method for citizen input. We don't feel that this process need be too expensive for the applicant.

*Concentration.* Current law indicates that there must not be an excess of accessory apartments or other special exceptions, to avoid adverse impact on a neighborhood. ZTA 04-10 defines "excess" as 15% and allows it to be exceeded under certain conditions. The 15% limit is too high in most situations and should never be exceeded. To avoid changing the character of a street, **we propose that there be a limit of two special use houses within 10**

**houses in each direction - a 10% limit. For areas within ¼ mile of a transit node, three special use houses would be allowed since it is assumed that public transportation will be more widely used.** The current law applies the excess concentration to not only accessory apartments but also other special exceptions, rental units and other similar uses (what we call special uses). The bill would apply the 15% to only accessory apartments. We want the limits placed on all special uses since they change the character of the street and nearby neighborhood.

*Ownership.* **MCCF opposes the proposal to reduce the period the owner can be absent from the house to 3 months** since many elderly live in their house only about 6 months a year. We support allowing a parent or child of the owner to occupy one of the units rather than the actual owner.

*Unit Age and Affordability.* Current law requires a house be at least five years old and be owned by the current owner for one year before they can apply for an accessory apartment. **MCCF opposes the proposal to eliminate the requirement that the owner live in the house for at least one year before applying.** The effect of eliminating this requirement would be to make the unit a duplex and thus increase its market value. The effect is contrary to the objective of providing affordable housing.

*Zoning standards.* ZTA 04-10 would allow the Planning Board to approve the inclusion of accessory apartments in new subdivisions, with relaxed lot size standards. Also, the ZTA would allow the Board to approve accessory units on lots of less than 6000 square feet, and in separate structures on lots of less than one acre. **MCCF opposes all of these proposed changes since they would change the character of the neighborhood and are contrary to the zoning ordinance.** The size and closeness of units used for accessory apartments needs to match the remainder of the houses on a street, and meet all existing zone standards.

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**MONTGOMERY COUNTY CIVIC FEDERATION, INC.**  
**PROPOSED BUDGET for the FISCAL YEAR July 1, 2004 – June 30, 2005**

	2005 Proposed	2004 Actual	2004 Budget	Notes
<b>MCCF INCOME</b>				
Dues	3,980.00	3,721.00	4,625.00	
Local Associations	3,400.00	3,286.00	4,225.00	52 @ \$65 av. (58 in 03-04)
Umbrella Associations	45.00	45.00	NA	Not separate in 03-04
Regional or County-Wide A.	135.00	120.00	NA	Not separate in 03-04
Individual Associate	400.00	270.00	400.00	20 @ \$20 av. (12 in 03-04)
Associate Group	0.00	0.00	NA	Not separate in 03-04
Donations	100.00	65.00	100.00	From Organizations & Individuals
Dec. Elected Officials Reception	2,200.00	2,165.00	1,900.00	Income = Expense
Interest (savings account)	0.00	0.00	0.00	
Miscellaneous	50.00	45.00	25.00	Income not assigned elsewhere
In-Kind Contributions/Journal	100.00	100.00	150.00	Non-cash: services, supplies, food
<b>MCCF INCOME TOTAL</b>	<b>6,430.00</b>	<b>6,096.00</b>	<b>6,805.00</b>	
<b>MCCF EXPENSES</b>				
<b>Member Communications</b>	<b>2,500.00</b>	<b>2,119.50</b>	<b>2,835.00</b>	
Newsletter	2,500.00	2,019.50	2,735.00	10 issues, Sept - June
Layout	0.00	42.00	100.00	
Printing	1,500.00	1,459.50	1,385.00	250: 7 @ 12 pages; 3 @ 8 pg
Mailing	1,000.00	518.00	1,250.00	250 x 10 months @ 0.37 each
Web page	0.00	100.00	100.00	
<b>Civic and Social Betterment</b>	<b>4,020.00</b>	<b>3,291.63</b>	<b>3,115.00</b>	
Dec. Elected Officials Reception	2,200.00	2,339.54	1,900.00	Restaurant, invitations, awards
“Yes on C” Charter Amendment	1,000.00	354.14	250.00	9 County Council elected at large
June Awards Ceremony	300.00	277.95	400.00	Awards, food, room (\$87.50)
Community Information Forums	200.00	0.00	325.00	2 planned: fall 04; spring 05
Association Memberships	50.00	50.00	50.00	Committee for Montgomery
Delegate meetings	270.00	270.00	190.00	ICB rental; 9 mtg/yr@3hr@\$10/hr
<b>Organizational Support</b>	<b>670.00</b>	<b>456.87</b>	<b>475.00</b>	
Executive Committee	200.00	85.05	200.00	Postage, copying
President	120.00	120.00	100.00	CfM, Housing Conf., Allied
Committees	50.00	0.00	NA	Housing Conf.
Membership Committee	150.00	151.82	150.00	Postage, copying
MCCF Handbook	100.00	NA	NA	printing costs
Miscellaneous/Journal	50.00	100.00	25.00	Expenses not assigned elsewhere
<b>MCCF EXPENSES</b>	<b>7,190.00</b>	<b>5,868.00</b>	<b>6,425.00</b>	
Transfer from Reserves	- 760.00	0.00	0.00	
Transfer to Reserves	0.00	+ 228.00	+ 380.00	
<b>MCCF EXPENSES TOTAL</b>	<b>6,430.00</b>	<b>6,096.00</b>	<b>6,555.00</b>	

Cash on Hand July 1, 2004: \$7431.48

**Luella W. Mast, Treasurer**

Approved by the Executive Committee August 19, 2004

Note: Per MCCF Bylaws: Article XVII. FINANCIAL MANAGEMENT. Section 1. Annual Budget. An operating budget for the Membership Year shall be adopted to plan and manage the Federation's fiscal affairs. A proposed budget shall be prepared by the Treasurer and submitted to the Executive Committee for approval in August. The budget as approved shall be printed in the September Newsletter and included in the September Agenda for action by the Membership. The budget shall include all planned and expected expenditures and revenues. Federation officials shall assist the Treasurer as requested in developing the budget.

## Proposed Bylaw Amendments

By Peggy Dennis, Bylaws Committee Chair

The Bylaws Committee recommends amending two sections of the Bylaws. To read the Bylaws as they currently exist, please go to the Website at [www.montgomerycivic.org](http://www.montgomerycivic.org). Existing language to be deleted is shown below encased in [square brackets]. New language is shown in **bold type**.

### Public Safety Committee

We recommend that the section on “Officials and Organization, paragraph 6. Standing Committees” have **h. Public Safety** added. The section on “Duties of Standing Committees” should be amended to add, **9. Public Safety Committee. This committee shall monitor the mission, goals, policies, and practices of public sector and private sector agencies, institutions, and organizations providing public safety and related services, including but not limited to the areas of police, fire and rescue, corrections, public safety-related judiciary, homeland security, public health, and whatever other areas the Committee identifies as pertinent, and to build coalitions with other community groups in furtherance of the mission of the MCCF Public Safety Committee.**

### Annual Achievement Awards

Justification for Achievement Awards amendments: The selection of awards recipients becomes too rushed if left until the spring. The Awards Committee should be treated more like a standing committee with a chair and members nominated and confirmed through a specified process in the autumn. Follow-up responsibilities, if not clearly stated, fall through the cracks and fail to be carried out properly and in a timely fashion. We therefore recommend amending the section on “Annual Achievement Awards” as follows:

1. Annual Awards. The Federation shall make the following awards each year. Awards will be presented with appropriate ceremony at a time and place determined by the Executive Committee.

a. Star Cup - sponsored by the Federation and to be awarded to a Delegate or Committee of the Federation for outstanding public service on behalf of Montgomery County.

b. Gazette Award - sponsored by the Montgomery Gazette newspaper and to be awarded to an individual or group for outstanding service to the people of Montgomery County.

c. Sentinel Award - sponsored by the Montgomery County Sentinel newspaper and to be awarded to an individual or group for a significant contribution to good government at the local level.

2. Awards Committee. An Awards Committee to make recommendations for recipients shall be established [no later than the February Executive Committee meeting] **during the autumn. The President shall call for volunteers to serve on the Awards Committee at the September meeting.** Members shall be nominated by the President and confirmed by the Executive Committee **at the November Executive Committee Meeting.** Notice of the Awards Committee along with a call for suggestions will be published in the **December** Newsletter. **Meetings should commence no later than January.**

3. Selection of Recipients. Recipients of the Awards shall be determined by the Executive Committee at [its May] **the March** meeting, based upon but not limited to recommendations of the Awards Committee. Only members of the Executive Committee may be present during the selection process, and any member of the Executive Committee recommended for any award by the Awards Committee may not participate in the process.

**4. Follow-up Responsibilities. After the March Executive Committee meeting, the Awards Committee shall notify award recipients of their selection and the time and place of the presentation. The committee shall prepare the awards and necessary statements to be used at the presentation and take responsibility for publicizing the awards through the Federation Newsletter and other channels.**

5. [4] Recognition. Recipients of the Star Cup shall not have possession of the original trophy for which the award is presented, but shall be given a suitably engraved small cup as a permanent memento of the award.

### Scheduling of Special Events

The Bylaws Committee and the Executive Committee (August meeting) also discussed a recommendation that the

annual reception for elected officials and the presentation of the achievement awards be rolled together into one “grand event” - a dinner and reception in a nice restaurant. We propose doing this in early May in lieu of the May regular meeting. Doing this will address the shortcomings of both events as they are currently organized:

- The Holiday Reception for elected officials is not covered in the bylaws. This event has evolved over the years for the purpose of honoring and talking with our elected officials. While scheduling the reception for early December provides a pleasing, festive atmosphere, it is a very busy season with potential for both conflicts with religious observances and competing holiday parties, and a likelihood that bad weather will cause last minute poor attendance.
- Presenting the Annual Achievement Awards as part of the June Annual Meeting has a number of shortcomings:
  1. As part of the June regular meeting, the awards are not seen as important. Few, if any, elected officials or members of the press attend.
  2. The venue - the ground floor auditorium of the Council Office Building - is tacky. Attendance tends to be poor, and when we do have a good turnout, seating is limited. The space in the lobby where the post-presentation refreshments are laid out is even smaller and more cramped.
  3. There is inadequate time for refreshments and socializing before the business meeting reconvenes. And those who choose to remain in the anteroom to socialize disturb the election of officials and business meeting with the undercurrent of chatter in the background.

By combining these two events at one large, attractive venue, we believe attendance should be higher. We will not be competing with religious and holiday festivities or coping with bad weather. Honoring our elected officials does not take excessive time and should neither compete with nor detract from the presentation of the Achievement Awards. Elected officials will be glad to be honored at an event with a larger turnout and possible media exposure. And the Award recipients will receive the recognition and

attention they are due, being honored by both members and elected officials.

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## Bylaws Committee Meeting

Monday, September 20, 7:00 p.m. at Suporn's Thai Restaurant, 2302 Price Avenue, Silver Spring (in small strip mall parallel to and east of Georgia Avenue and south off of Price. Free parking in lot). Call Peggy Dennis at 301-983-9738 for agenda.

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## Public Safety Committee Meeting

Monday, September 27, 2004, 7:30 PM at KVFD Station 5, 10620 Connecticut Avenue, Kensington. Tour of facilities led by KVFD President Andrew White. A speaker from the U.S. Department of Homeland Security has been invited. This meeting is open to all. For further information contact Fernando Bren, Chairman, MCCF Public Safety Committee at 301-299-0899, Tel/Fax 301-299-9455, or [FernandoBR@aol.com](mailto:FernandoBR@aol.com).

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## Executive Committee Appointments

Dan Wilhelm, President

The bylaws require the president to nominate the appointed officials and appoint the chairs of the standing committees. Delegates will be asked at the September meeting to confirm or for continuing officers to reconfirm them. Please refer to page 15 for the list of Executive Committee members, including the proposed appointed officials and committee chairman.

The list includes Fernando Bren as Chair for the **Public Safety Committee**. The Public Safety Committee has not yet been added to the Bylaws by amendment. This approval is therefore conditional upon such an amendment, but the committee is presently operating and will continue to do so pending membership action.

The bylaws also indicate that special committees terminate at the June meeting. To continue or create special committees requires an affirmative vote of the membership. The membership is being asking to approve the appointment of the following special committees:

–**Bylaws**, chaired by Peggy Dennis. This committee has existed for a year with the objective of conducting a comprehensive review of the bylaws and providing recommended changes. Some of the areas being considered are not directly covered by the bylaws - such as the holiday reception. The special committee would continue until the review is complete.

–**Housing**, chaired by Sarah Gilligan. This committee has existed for most of the last year and has been looking at housing issues in the county. They are focusing on the efforts of the Council, DHCA and Planning Board. They provided the May program on MPDUs and will bring a large number of positions before the members for approval at the September 13 meeting. This special committee will continue to address the housing issue as long as it is an active issue within the county.

–**Historic Preservation**, chaired by Wayne Goldstein. Wayne has been and will continue to investigate issues related to historic preservation as they come up during the year.

–**Database**, chaired by Dan Wilhelm. This position maintains the MCCF database of member organizations and members, supports the membership chairman and sends out emails to the membership and government officials.

–**Sentinel Coordinator**, chaired by Dan Wilhelm. This position collects articles and when necessary asks different committees or groups to write articles for the weekly MCCF Corner in the Sentinel Newspaper.

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## Education Committee Needs Your Help

By Mark R. Adelman, 2nd Vice President and Education Committee Chair

I've said it before and will say it again: you have to care about our public school system! MCPS gets over 50% of our County's Annual Budget and it determines the quality of our citizens and our workforce. Because of the large turnout at our Spring Board of Education (BoE) Candidates Forum and because the upcoming election will fill three of the seven seats on the BoE, the MCCF Education Committee has decided to sponsor a second Candidates Forum. MCCF delegates and the public at large will have another chance to evaluate the six candidates running for the three seats. Look for a final decision as to venue and

date (probably Oct. 14 or 20) in the October Newsletter, and plan on publicizing this through your local organizations.

The second half of this article is a request for more people to serve on the MCCF Education Committee. We have SO many tasks we want to tackle and not nearly enough active members. Let me give you a sense of just a few of the topics on which we are focused:

a. Lack of transparency of MCPS and the BoE; related to this is the frequent failure of both to display adequate concern for and response to citizen/community input. The Superintendent and the BoE seem far more concerned about Mr. Duncan's "plan" to expand MPDUs (workforce housing) than the overwhelming outcry from parents and concerned citizens who object to decisions to surplus "unneeded" school sites. We need more people who can take time to attend BoE meetings, speak out, write letters to newspaper editors, etc.

b. Is MCPS getting the most bang for the taxpayer buck? We are working on a joint effort with the Maryland Taxpayers League directed at understanding the intricacies of the MCPS budget. Is it equitable, and what does equitable mean? Is there waste, and - if so - where is it and how can it be reduced? We need sharp eyes (and green eyeshades?) to scrutinize the budget and compare it to budgets of "comparable" school systems in other locales.

c. Is anyone planning for the new schools that will be needed in areas of the County where housing development is exploding? Many citizens would say NO, there is NO coordinated planning. We need help in monitoring ongoing sector plan revisions and meeting with concerned citizens groups. We've made some progress in getting the BoE to at least respond to our Emails. Now we need to convince them that MCCF has carefully reasoned suggestions for improving the way MCPS operates and that MCCF positions ought to be carefully considered.

Bottom line? Consider working with the Education Committee as we strive to help the BoE and MCPS do a better job of educating the children of Montgomery County. And plan to attend the autumn BoE Candidates Forum (and urge others to join you) so your vote this November will be an informed one.

## 2004 Federation Calendar

All Federation meetings are held in the Council Office

Building 1st floor auditorium on the second Monday of the month at 7:45 pm unless otherwise noted. Meetings scheduled for 2004 are:

September 13      October 11      November 8  
(December TBA)

All MCCF Executive Committee meetings are held in the Red Brick Courthouse on the Thursday ten days after the Federation meeting, at 7:45 pm unless otherwise noted. The dates for 2004 are:

September 22      October 21      November 18  
December 16 (tentative)

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## **Regular Meeting Minutes for June 14, 2004** by Richard Zierdt, Recording Secretary

MCCF President Cary Lamari calls the meeting to order at 7:55 pm. Announcements. Arnie Gordon; June 19 State Highway Administration presentation on the ICC.

Cary recognizes several elected officials: Marilyn Praisner, Phil Andrews, Baltimore Mayor Martin O'Malley.

Program: Wayne Goldstein introduces programs called "CITISTAT" and COMSTAT and Baltimore Mayor Martin O'Malley. Mayor O'Malley describes Baltimore as a city in decline in the 1990's. Jack Maple was hired by the city and developed the CitiStat program: Measuring to Manage. Implemented a '311' phone number for citizens to lodge complaints about illegal dumping, rats, sewer, trash collection, graffiti, etc.

Q&A. Peggy Dennis: Potential for use in tracking publicly owned but privately maintained roads? A: Directs question to councilmembers. Q: What was the most important thing you did so that management would embrace CitiStat? A: Results by the police helped managers buy in; in some cases, managers were terminated. Arnie Gordon: At 65, believes things are getting worse in Montgomery County. What about Baltimore schools? A: A work in progress. School system lost track of its finances. School system is independent. Mayor's office tries to help. Jim Snee: Would CitiStat apply to county government? A: It might. It's the rare small local government that measures its effectiveness. Q: Dolores Milmo. Does Mayor have a copy? A: Yes. Q: Are the statistics available to citizens of Baltimore? A:

Yes, on the city's web site, [www.baltimorecity.gov](http://www.baltimorecity.gov). Q: School systems under more mayoral control? A: Made more independent in 1997. Urban Schools that have improved have been under some mayoral help. School system attends CitiStat meetings. When everyone is responsible, no one is responsible. Q: Help for immigrants? A: City has done a lot to help new immigrants. There is now an office to handle immigrant assimilation. Dick Kauffinger: What about your button "Believe"? A: No one is more effective as parents are, or dedicated as neighbors. A 45-minute film ran on Baltimore TV about the city as seen by the eyes of a young boy. Phil: Goal setting? A: Yes, over time, have developed better ideas about what stats are most important. We've become more data-driven, but dialogue is also very important.

Jim Humphrey moves to add an emergency motion to the agenda. Agenda is approved.

Minutes of the May Federation meeting are approved as published in the newsletter.

President's Certificate of Appreciation. Cary presents certificates to Dan Wilhelm, Sara Gilligan, Luella Mast, Peggy Dennis, and Dale Tibbitts for outstanding community work.

Annual Awards.

Sentinel Award. Cary and Mr. and Mrs. Kapilov (owners of the Sentinel Newspaper) present the Sentinel Award to Martha Waddy, long-time member of the Long Branch Initiative. Ms. Waddy expresses her gratitude and thankfulness for her award.

Gazette Award. Cary presents the Gazette Award in honor of the 19 Volunteer Fire Companies. Four fire company representatives, including Jack Murphy, receive the award. Each company receives an award, mounted in individual picture frames.

Star Cup. Former County Council member Ike Leggett presents the Star Cup for 2004 to MCCF President Cary Lamari for outstanding public service.

Old business.

Officers' Reports

Housing Resolution. Jim Humphrey. Be it resolved that the MCCF approves authority for the Housing Subcommittee and the Executive Committee to establish recommendations and positions (by email if necessary)

regarding county housing issues, in particular the MPDU legislative proposal by Councilmember Floreen, during the summer recess prior to the September 13 Regular meeting. Passes 28-0-1.

MCCF Elections. Chuck Lapinski moves the slate of officers as published in the newsletter be Seconded. Passes unanimously. Joe nominates James Snee as 2nd Vice president. Seconded. Passes unanimously.

Dan Wilhelm. The Star Cup is circulated every year. There are many prominent names engraved on it.

Bylaws. Dan Wilhelm. Changes were published in the May 2004 Newsletter. Mark Adelman moves adoption of the amendments to the bylaws. Passes with one abstention.

Meeting adjourned. 10:10 pm.

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## **MCCF Executive Committee Minutes, June 24, 2004**

By Richard Zierdt, Recording Secretary

MCCF president Dan Wilhelm calls the meeting to order at 7:46 pm.

16 present. Tibbitts, Humphrey, Schofield, Mast, Wendt, Lamari, Zierdt, Wilhelm, Dennis, Gordon, Wolff, Adelman, Sauer, Snee, Goldstein, Ortuzar.

ExComm meeting minutes from the May 20 meeting are approved.

Luella moves that the last names of those present in ExComm meetings be listed in the newsletter. Seconded. Lyle Schofield also suggests that crucial votes be recorded. Passes with one abstention.

Treasurer's Report. Luella Mast distributes two reports, and a proposed budget for 2004-05. Treasurer has already paid the ICB rental for 2004-05. Some members wondered whether or not allocating three hours for each delegates meeting should have been discussed first.

MCCF Planning Meeting. Thursday, July 22 at Peggy Dennis' 6:30-7:30 potluck social; 7:30-9:30 planning. RSVP Peggy Dennis 301-983-9738, hotyakker@comcast.net.

Committee Chairman/members: Dan asks for volunteers to chair committees, such as transportation.

Community Hero for September: Two individuals (co-chairs) of the Victim Services Advisory Board are suggested by Arnie.

Election Reform: Charles Wolff. There are five weeks to go. Charles suggests the AFI theatre as one good place to ask for signatures; two showings per night. Arnie moves \$250 to assist the paid petition drive. Seconded. Treasurer is concerned about MCCF finances. A friendly amendment is made to \$200. Accepted. Concern is then raised about the importance of the petition drive and why the MCCF is not supporting it more. An amendment to raise it to \$500 was then moved and seconded. Passes 10-1-1.

Housing. Jim Humphrey; distributes and discusses five points the committee wants to bring before the County Council. (1) Eliminate buyouts county-wide. (2) allow a slightly lower MPDU requirement from (12.5% to 10%) in CBD and metro station areas. (3) require posting of an affordable housing performance bond. (4) Extend period sale units are offered exclusively to applicants on the list from 90 to 180 days; and (5) Extend control period for all units to 99 years. High condo fees (amenity fees) are noted as a problem. Some feel the control period should be in perpetuity, not 99 years. Charles moves that points 1, 3, 4, and 5 be accepted by the ExComm. Seconded. Motion passes overwhelmingly. Discussion moves to point (2). Consensus is to keep the MPDU requirement at 12.5%.

Membership. A membership chair is badly needed. Rosie Poole has written a membership letter.

Legislation: George Sauer. The County Council approved a new job growth policy of 2% per year.

Transportation: Cary Lamari. The League of Women Voters asked the MCCF to discuss the Annual Growth Policy on Wednesday, June 30 at 2 pm, 11216 Parklawn Drive Suite 101. Dan Wilhelm, Jim Humphrey, and Cary Lamari will attend, possibly with others.

Programs for September through November: Arnie suggests the Prince Georges County Council be invited. Cary suggests the PGCF (MCCF's counterpart). Luella mentions that our local civic association members may prefer local issues/topics. Charles: Bi-County Growth problems. Cary: Trash and recycling. Jim Humphrey:

Cut-through traffic; police enforcement. Lyle Schofield: program on police; invite the police chief. Richard suggests inviting County Executive Doug Duncan. Jim Humphrey suggests the "Montgomery Measures Up!" program.

Meeting adjourns at 9:54 pm

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## **MCCF Executive Committee Meeting, August 19, 2004**

by Lyle Schofield and Richard Zierdt, Recording Secretary

Meeting started 7:45 PM, Redbrick Court House, Rockville MD

Discussion of calendar for year. Need to send out reminders to executive committee and delegates before meetings. Discussion of need for reminding. Probably should send out an Email anyway.

Some committees have some regular meetings. Housing is technically a sub-committee. September 23rd date is in conflict with 10 items on County Council's hearing on MPDUs. Arnie thinks we should be there in force. Probably should move meeting to the day before. Discussion of October 11th. Federal holiday but not a county holiday. Peggy thinks we might want to change some of these dates once bylaws are amended (later subject).

Treasurer's Report: Budget is missing money for food in June's award ceremony. Luella points out how close we run to budget estimates, and the warning is what would happen if we were not close. Revenue is low because membership is below projection. Great deal of thanks for sending out reminder letters for individual members. Good news is we are \$1000 ahead of where we were last year. Reviewed proposed budget for next year. Donations have increased from last year. No funding for handbook, although there was recommendation for this. Peggy thinks money needed for charter recommendation will make this difficult. Discussion of possible advertising in the booklet, discussion of electronic distribution. General agreement to post on web site, allow to be downloaded for printing, then help or volunteer for printing for others if needed. Discussion of what costs for using county's meeting spaces.

8:13 pm: 14 present, including Wilhelm, Lamari,

Goldstein, Adelman, Mast, Zierdt, Schofield, Humphrey, Gordon, Tibbitts, Wolff, Dennis, Gilligan. [others arrive later]

Budget. Luella Mast. Budget is approved with the proviso that a PAC contribution be discussed later. Luella distributes a separate PAC budget.

Community Hero. Luella suggests the people on the Board of Elections staff, especially Betty (last name?) who advised us with our petition drive. However, Betty is a county employee. Wayne suggests Laura Van Tosh, who has dealt with mental health issues. Luella suggests CASA. Arnie suggests the Adopt-a-Road program. No money is set aside for trash cleanup along roads. Prison gangs, volunteers, others do it. Adopt-a-Road program is run by one employee in Dept of Public Works. Cary suggests we honor those who collected large numbers of signatures for ballot question C.

Housing Recommendations. Dan Wilhelm. September 23 hearing on zoning; important issues. Sarah Gilligan. Had good meeting this week with many people from around the County. Recommends the following:

Bill 25-04 to extend control period to 99 years, up from 10 years. Some feel 99 years is too long - that it keeps owners from "really" owning their property, subject to rising market values instead of just inflation. Dale Tibbitts moves support of 25-04. Seconded. Passes 9-3-0.

Bill 25-04 to reduce subdivision size from 35 to 20 for those subdivisions to be subject to MPDU requirements, but retain the character of the surrounding community by, for example, using greater perimeter setbacks than are currently required by code. Passes 8-1-2.

Bill 24-04 to require MPDUs to have as many bedrooms as market-value homes. General support is sensed by this secretary (Richard Zierdt).

Bill 27-03 to end all buyouts of all MPDUs. General support is sensed by this secretary.

Bill 25-04 to separate and limit the amenity fees to open up more developments for MPDU applicants. General support is sensed by this secretary.

ZTA 03-09 - Oppose, as contrary to the General Plan Housing Goal. Passes 11-0-0.

Voted 7 - 2 - 0 to remove accessory apartments language in Rural Large Lot areas.

Support the inclusion of rigorous and specific site locations for affordable housing by all master plan advisory committees. Passes 9-2-0.

ZTA 04-11 Oppose, because of the danger to open green space. General support is sensed by this secretary.

Oppose ZTAs 04-12, 04-13, and SRA 04-01 because they provide no additional MPDUs than is already required by law, and can bypass master plan housing codes. General support is sensed by this secretary.

Oppose ZTA 04-14. General support is sensed by this secretary.

Housing Committee makes six recommendations. General support is sensed by this secretary.

Accessory apartments. Hearing on September 30. A proposed ZTA would define specific limits for accessory apartments, but then eliminate the special-exception process. The ZTA proposes a 15% limit; MCCF proposes 10%. Passes 9 - 0 - 3.

Ownership. Housing committee recommends 6-month per annum residency by owner. Passes 10-?-?.

Unit age and Affordability. Housing committee opposes the elimination of home age requirements before an accessory apartment could be built.

Zoning standards. Opposes the inclusion of new accessory apartments. Passes.

Approval Process. Housing committee. Opposes the creation of two-tiered system. Passes.

Public Outreach for Ballot Question. Dale Tibbetts. Another group must be formed to push for Question C. Various names have been proposed. Luella Mast moves that the name be "Yes on C". Cary moves an amendment "For Good Government Yes on C". Seconded. Some feel the name should be decided later. Charles moves to table. Passes 10-2-0.

MCCF can also create its own PAC, but it is not required.

Richard moves that the MCCF allocate \$1000 for the

Question C group. Seconded. Luella Mast notes that the money would come from MCCF savings. Others feel this issue is important enough. Motion passes 11-1-0.

Should the MCCF challenge the County Council's wording of Question C. While the wording is unfortunate, some feel the MCCF would be better to argue our concerns about this Council action in public forums. Interested parties are invited to meet to plan strategy for promoting Question C. Fernando Bren to organize meeting.

Membership Committee. Lyle Schofield has agreed to chair this committee.

Bylaws. Peggy Dennis. Committee suggests two changes: (1) add the public safety committee to the bylaws, and (2) change the wording on the Awards Committee to provide specific process and time table. Richard moves acceptance of the Bylaws committee recommendations. Seconded. Some feel the bylaws should not be too specific; some feel an approximate date provides sufficient reminder and structure. Motion passes 6-4-2. Discussion on changing dates of annual awards and reception for elected officials to occur on same date but not as a part of the June Annual meeting. Luella moves that the MCCF not have a Reception for Elected officials in December, 2004. Seconded. Motion passes 8-3-1. Recommended amendments to be described in next Newsletter and voted on at October meeting.

Wayne Goldstein. Change to Historic Preservation rules dealing with lead paint. Wayne would like the MCCF to oppose the change. No action is taken at this time.

Meeting adjourned 10:45 pm

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## Photos From July Pot-Luck and Planning Meeting

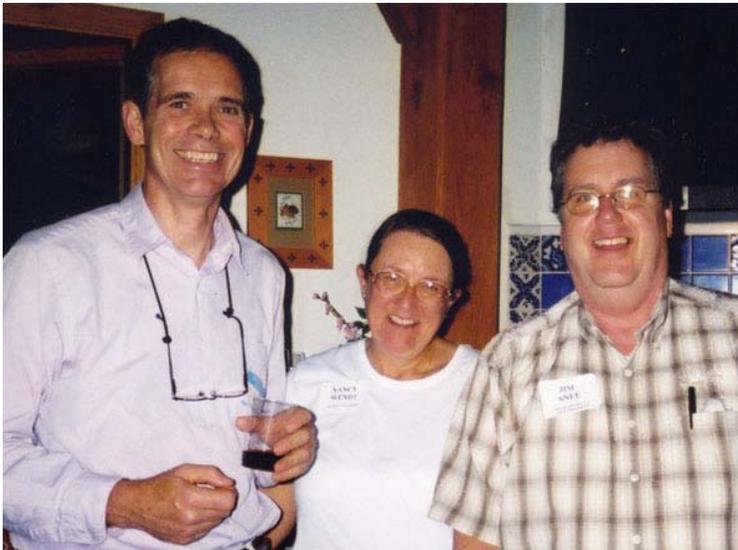
Photos by Lee Shipman



Nancy Wendt, Peggy Dennis, and Luella Mast.



Bob Goldberg, Alyce Ortuzar, Mark Adelman, and George Sauer



Robert Dennis, Nancy Wendt, and Jim Snee



Dick Ramsey and Andy Reed



Charles Pritchard, Luella Mast, and Al Brock

## Executive Committee

<b>Position</b>	<b>Name</b>	<b>Home Phone</b>	<b>Office Phone</b>	<b>Email</b>
		<b>Elected</b>		
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2nd Vice-Pres.	John Warnock	301-656-9164		xnock@erols.com
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2nd Vice-Pres.	James Snee	301-924-6424		snees@estart.com
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Dist. 2 V.P.	<i>Vacant</i>			
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		<b>Past-President</b>		
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Historical Preservation	Wayne Goldstein	301-942-8079		waynmgoldstein@yahoo.com

## **Federation Meeting**

Monday, September 13-7: 45PM

Auditorium

County Council Office Building, Rockville,  
Maryland

### **AGENDA-Tentative**

7:45 Call to Order  
7:47 Announcements and Introductions  
7:50 Adoption of agenda  
7:55 Approval of minutes  
8:00 Community Hero Award  
(No program this month)  
8:10 Housing Issue  
9:20 Approval of Executive Committee  
9:25 Approval of Budget  
9:35 Bylaw Changes  
9:40 Old Business  
9:45 New Business  
10:00 Adjourn

The **Montgomery County Civic Federation** is a countywide nonprofit, educational, and advocacy organization. It was founded in 1925 to serve the public interest. Its monthly Delegates meetings are open to the public and are held on the second Monday of each month (except for holidays, July, August and December) at 7:45 p.m. in the First Floor Auditorium, County Office Building, Rockville, MD.

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

Deadline for submissions for the next issue: Midnight Sunday September 26. Prepare submission as a MS Word, Word Perfect or text-only document, attach it to e-mail, and send it to [hotyakker@comcast.net](mailto:hotyakker@comcast.net). Please send all address corrections to Dan Wilhelm, 904 Cannon Road, Silver Spring, MD 20904, 301-384-2698, or [djwilhelm@erols.com](mailto:djwilhelm@erols.com).

### **NEXT EXECUTIVE COMMITTEE MEETING** **Wednesday, September 22, 2004, 7:45 p.m.**

**RED BRICK COURTHOUSE**  
29 Courthouse Square, Rockville

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

### **MONTGOMERY COUNTY CIVIC FEDERATION**

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