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TO PRINT, USE PRINT VERSION

of note

Next MCFE Meeting

April 17, 2017, 7:45 p.m. @ the Executive Office Building in Rockville. "The Montgomery County Fiscal Year 2018 Operating Budget"

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March's Community Hero

It's Valarie Barr and Charlotte Coffield of Silver Spring. [P. 21](#)

Meeting Minutes

February 13 Meeting #883 [P. 21](#)
March Exec. Cmte. Mtg. [P. 23](#)

Membership Application

Join or Renew Now [SEE FORM](#)

Federation Meeting 884

Monday, April 17, 2017

7:45 p.m.

Lobby Level Auditorium

Executive Office Building

101 Monroe Street, Rockville

AGENDA

- 7:45 Call to Order/Introductions
- 7:50 Approval of Agenda
- 7:51 Announcements
- 7:55 Approval of Minutes,
February 13 meeting **P.21**
- 7:56 Treasurer's Report
- 7:57 Community Heroes: Valarie
Barr & Charlotte Coffield **P.21**
- 8:00 Program: The Montgomery
County Operating Budget
- 9:25 Committee Reports
- 9:35 Old and New Business
- 9:45 Adjournment

About MCCF Meetings

All monthly MCCF meetings are open to the public. They are usually held on the second Monday of each month, September through June, at 7:45 p.m.

The April 17 meeting—a week later due to Passover—will be held in the **Lobby Level Auditorium of the Executive Office Building at 101 Monroe Street, Rockville.**

Walkers can enter by buzzing security at the door. You can park for free either in the lot at E. Jefferson and Monroe Streets or in the lowest level of the EOB. Drive onto the ramp in the front of the building (ignore “permit parking only” sign), turn left at the second, lower level; use the intercom at the gate to the parking garage and at the door to the elevators to inform security you’re attending the MCCF Meeting. ■

mccf

The **Montgomery County Civic Federation, Inc.**, is a county-wide nonprofit educational and advocacy organization founded in 1925 to serve the public interest. Monthly MCCF meetings are open to the public (agenda and details at left).

The *Civic Federation News* is published monthly except July and August. It is emailed to delegates, associate members, news media, and local, state, and federal officials. **Recipients are encouraged to forward the *Civic Federation News* to all association members, friends, and neighbors.** Permission is granted to reproduce any article, provided that proper credit is given to the “*Civic Federation News* of the Montgomery County (Md.) Civic Federation.”

Civic Federation News

civicednews AT montgomerycivic.org

TO SUBMIT AN ARTICLE, SEE PAGE 24

April 17 Program: Montgomery County's Fiscal Year 2018 Budget

By *Jerry Garson*

Our program for April 17, 2017, meeting will be on the Montgomery County Fiscal year 2018 budget.

Our guest speakers will be **Jennifer Hughes**, Director of Office of Management and Budget, and **Steve Farber**, the Council Administrator of the Montgomery County Council.

The Montgomery County Executive released his Recommended FY18 Operating Budget of \$5.4 billion for the year that begins on July 1, 2017, a budget that increases County spending on the Montgomery County Public Schools (MCPS) by \$54 million and holds property taxes at the Charter Limit by reducing the tax rate by 2.54¢ per \$100 assessed valuation. For homes that have not been reassessed, there will be a reduction in the real estate bill

of approximately 2.5%.

Under the FY18 Recommended Operating Budget, the proposed property tax rate is \$1 per \$100 of assessed valuation, or 2.54¢ below the current rate. The median tax bill (for a house assessed at \$400,000) will see an annual increase of \$20 (from \$4,106 currently to \$4,126 in the coming year), due entirely to increased property values. This amounts to \$1.67 a month. It includes a \$692 tax credit for owner-occupied residences.

The County executive went on to say: "Given the continued budget uncertainty at the State and Federal levels, and the potential impact any Federal employment and spending reductions would have on the local economy, we must remain cautious in our spending. Many of the Feder-

al job centers located within Montgomery County are vulnerable to significant cutbacks and the potential resulting harm to the County's economy cannot be overstated.

"Last year, the Council increased property taxes by \$33.7 million over what I had recommended and, in addition, increased the recordation tax in order to include additional spending. This created greater pressure on this year's budget. Given these parameters, I have chosen not to increase taxes either this year or next."

Leggett's recommended budget continues to restore funds and services to public libraries. The \$42.7 million budget brings them to 6% above their pre-recession funding and represents a 50% increase in Library funding since FY12. The ad-

MORE

April Program, cont.

ditional funding will increase public service hours at three branches.

Among budget highlights:

■ A tax-supported County government budget (not including the Retiree Health Insurance Trust) of \$1.5 billion, a 3.1% increase over this year.

■ A total Montgomery County budget of \$5.44 billion, a 2.7% increase over this year.

■ A budget of \$2.5 billion for MCPS and a record County contribution of \$1.66 billion—an increase of \$54 million over last year, or 2.6%—\$25 million over the legally required State MOE and 99.7% of the Board of Education's request.

■ Montgomery College would receive \$309.3 million. The County contribution is \$136.1 million, or \$2 million over MOE. With the recom-

mended funding level, the County contribution to Montgomery College would increase by 44% in total and 71% on a per-student, full-time enrollment basis since 2013. The budget assumes an additional use of \$709,000 in fund balance and reserve use and additional unanticipated State aid of \$275,000.

■ Reduces the property tax rate by 2.51¢ per \$100 of assessed valuation (from \$1.025¢ to \$1). The median County residence, valued at \$400,000, would pay an additional \$1.67 a month, or \$20 a year.

■ Provides \$146.6 million—a 3% increase—for the Maryland-National Capital Park and Planning Commission.

■ Includes savings and efficiencies totaling \$9 million for County government, \$20 million for MCPS, and \$5.8 million for Montgomery College.

■ Adds 13 new police officers, including five focused on suppressing gang activity in Montgomery Village, and continuation of the important School Resource Officer program.

■ Continues expansion of the enhanced Advanced Life Support service in our Fire and Rescue Service, providing a more responsive and efficient means of responding to the growing number of EMS calls.

■ Boosts services in two major initiatives serving potentially at-risk populations—Positive Youth Development and Vital Living for Seniors—and continues to fund programs that protect the County's most vulnerable.

■ Increases funding by \$53 million for the creation and preservation of affordable housing units—amounting to 2.5% of the County budget—and bringing the total for affordable

April Program, cont.

units created or preserved to 59,000 and the spending for new or preserved affordable housing during Legget's administration to more than \$900 million, with a trend toward \$1 billion by FY19.

▮ Increases support by \$300,000 for "New Americans" through community grants that strengthen food pantries, immigration counselling, and mental health needs for children, while also boosting English literacy programs by an additional \$100,000.

▮ Provides an additional \$1.6 million to enhance landlord-tenant outreach, tenant protections, and housing code enforcement, adding more program staff and outreach for the Office of Landlord-Tenant Affairs and funding enhanced housing inspections for the Office of Housing

Code Enforcement, which performs thousands of inspections of the County's single-family, multifamily, and condominium rental units to ensure safe and sanitary conditions.

▮ Provides resources to continue County efforts supporting the Great Seneca Science Corridor, the White Oak Science Gateway, and the White Flint Plan, as well as the transition to transit-oriented development around the Shady Grove Metro. These efforts will help create at least 100,000 new, quality jobs in Montgomery County and thousands of additional housing units.

▮ Increases funding by \$1.4 million to the Montgomery County Economic Development Corporation and WorkSource Montgomery, Inc., to strengthen their efforts to market and develop target industries—especially cybersecurity and information technologies—to match trained

workers with identified needs and to retain and attract businesses and talent in the County.

▮ Adds \$125,000 to strengthen the County's Rockville and Germantown Innovation Centers which are managed by BioHealth Innovation (BHI). BHI, in collaboration with MITRE Corporation and Montgomery College, provides support to start-ups and seeks to attract early-stage companies in targeted technology industries. These partnerships will help position Montgomery County as a nationally recognized center of biomedical commercialization.

▮ Provides approximately \$24.1 million to construct and enhance bus transit services on major County routes to support economic growth and employment opportunities.

▮ Provides capital and operating funding for ultraMontgomery, a

April Program, cont.

high-speed fiber-optic network that will connect people with opportunities and drive economic growth by linking our business, academic, and federal institutions and transit-oriented smart-growth communities.

■ Adds funds for the Stop, Triage, Engage, Educate, and Rehabilitate (STEER) deflection program to connect people to substance abuse treatment and direct them away from jail and into an intervention program.

■ Implements a Monitored Exchange and Supervised Visitation program to provide a monitored safe exchange of children and/or supervised visitations for families where a supervised visitation or monitored exchange has been ordered by a judge.

■ Adds funds for the East County Opportunity Zone, an initiative de-

signed to enhance safety net services for the East County area and the Safe Space Program, to provide a safe space for the highest risk and currently gang-affiliated youth in the Germantown and East County areas to keep them off the street and provide critical programs and services to them.

■ Provides funds to ensure that the wage paid to Developmental Disabilities providers is 124% of the County minimum wage.

■ Funds two additional staff for the Adult Protective Services Investigative Unit.

■ Supports 120 units of mixed-income senior rental housing at the East County Regional Services Center.

■ Funds Collective Bargaining Agreements for each of the three bargaining units within Co. Government.

■ Fully funds County reserves at the policy level of \$457.1 million (8.9% of total revenues), continuing our shared commitment to keep Mont. Co.'s finances sustainable.

■ Funds PAYGO in the Capital Improvements Program at \$34 million (10% of current revenue) to match the amount of General Obligation Bonds to be issued in FY18, consistent with County fiscal policy.

■ Maintains funding for the mandated level of funding to pay for future County retiree health benefit obligations.

■ Retains the energy tax at the level approved by the Council for FY17, preserving an important, stable, and broad-based revenue source that includes County-based federal institutions that otherwise pay no taxes in exchange for County services. **The full budget and highlights are available on the County's website.** ■

County DOT Takes Over Bus Rapid Transit Study, State Agencies Out of the Process

The County Executive has decided that the corridor with the least amount of study (Route 29) will be the first to experiment with BRT. Although no engineering has been done, and no specific details provided, the County Executive is already requesting construction approval and funding for the Montgomery County Department of Transportation (MCDOT) proposal.

MCDOT has taken over the Route 29 BRT study process from the Maryland Transit Administration (MTA) and Maryland State Highway Administration (MD SHA)

The State closed its study of alternatives after determining that it could not recommend a BRT alternative. ([View the MTA study here.](#))

On January 31, the same date that MTA announced it was closing

the study, MCDOT announced at the Community Advisory Committee (CAC) meeting that the County wants to move forward with its own proposal because the County Executive wants to implement something by 2020. The County's proposal was not part of the State study which is now closed.

MCDOT proposes to build special stations for the 60-foot articulated buses, implement transit signal priority for buses at 15 unspecified intersections, and operate the buses on the shoulder in the northern part of the corridor and in regular traffic in the southern part of the corridor. The buses would stop at a limited number of stops at least every 15 minutes seven days a week. Regular local buses would stop at existing bus stops.

MCDOT's preliminary capital cost estimate for the project—without having done any engineering—is \$31.5 million, excluding costs for road work, right-of-way acquisition, and financing.

After two years, the first public open houses to introduce the Route 29 study were held March 7, 13, and 15, 2017, and the County Executive is already requesting construction approval and funding for MCDOT's proposal. No engineering has been performed yet and no specific details provided. The neighborhood associations connected to the corridor have many questions about the new MCDOT proposal and requested a report/analysis from the County since its proposal was not included in the State study.

County BRT Plans, cont.

Many have also requested that the County's proposal be compared with WMATA's proposal to implement Metro Extra Service on Route 29. WMATA currently has 20 buses available for implementing this service in Montgomery County in a matter of months, not years. This is an option included in all the other corridors under study for BRT (Route 355, Veirs Mill Road, and Upper Georgia Avenue).

Metro Extra is a limited-stop service to the same stops and at similar frequency as proposed by the County but at a much lower impact and cost. The service has been very successfully implemented in other areas of the County and in Washington, D.C. So far the County has not supported this increased and improved service for Route 29 and has been unwilling

to include a comparative analysis in its study.

The County Council has scheduled a public hearing on approval of construction of the County's Route 29 proposal on April 18.

MTA held the second round of public open houses for the Route 355 BRT study in February. On March 9, an interjurisdictional meeting was held with the MTA, the Montgomery County Council, and the Mayors and Councils for the City of Rockville and the City of Gaithersburg. MTA is working to narrow down the number of alternatives to be retained for detailed study.

The Veirs Mill Road BRT study, which has been ongoing since 2009, held its third round of public open houses in September. The State published a **Draft Report** on the alternatives retained for detailed study and comments closed in October.

The County Council has received a briefing on the study.

The steps in the standard transportation project planning process are: Planning Feasibility Study, Alternatives Analysis, Alternatives Retained for Detailed Study (ARDS), Selection of Locally Preferred Alternative (LPA), Engineering to 30% Design, Detailed Engineering to 100% Design, Right-of-Way Acquisition, and Construction. After a project has reached 30% engineering design, a decision is made about whether to move forward.

Although none of the BRT studies have reached the LPA stage, and the only study that has reached ARDS is Veirs Mill Road, the County Executive has decided that the corridor with the least amount of study (Route 29) will be the first to experiment with BRT. In addition,

County BRT Plans, cont.

although none of the studies have done any engineering details, the County Council has provided MC-DOT with more than \$1.25 million in public funds to hire Chesapeake Strategies, a public relations and lobbying firm, to market and brand the BRT to the public. They have been out providing promotional materials since November to build public support. You may hear from them in the near future as part of their promotional campaign. ■



The Tower Committee: What it Does and Doesn't Do, Pt. 2

[This is the fifth article in a series on the County's cell tower facility application approval process.]

By Sue Present, Hillandale

Several members of the public showed up at the recent February Tower Committee meeting, including County resident Greer Dellafiora. Before the meeting began, Ms. Dellafiora says that she raised concerns about apparent flaws that existed in the Transmission Facilities Coordination Group (TFCG) application for a cell tower near her home. The Tower Committee had “conditionally recommended” this application at a prior meeting. According to Ms. Dellafiora, one of the Tower Committee members explained to her that application materials are lengthy documents, so he may browse through them, but he doesn't

read them before voting on them. “**We just rubber stamp,**” he said, per Ms. Dellafiora. This is the second part of the article that examines what the Tower Committee does and doesn't do. It's the fifth and final article in our series on cell towers.

As was discussed in [Part One last month](#), for each TFCG application, the Tower Coordinator conducts a technical review, prepares a report with advice for the Tower Committee, shares the information with the applicant, and then forwards the information to the Committee. At the Tower Committee's monthly meetings, it takes up this information, and it votes to “recommend” or “conditionally recommend” or “not recommend” the application. [Tower Committee minutes](#) demonstrate

Tower Committee, cont.

that meeting deliberations were lively in early years. Recent years' minutes show that the Committee devotes little time and discussion to agenda items, and that its votes are generally unanimous to "recommend" or "conditionally recommend" applications, which suggests that **the current Committee gives little scrutiny to the applications.**

Section 2.58E of the County Code, first adopted in 1996, "established procedures for coordinating the application, review and siting of telecommunications transmission facilities (including cell towers) **with emphasis on a streamline process, colocation of telecommunication transmission facilities, and minimizing the adverse impact to citizens and telecommu-**

nications providers." This regulation requires that members of the Transmission Facility Coordinating Group (TFCG or "Tower Committee") be representatives from various governmental agencies, including some specific agencies. The Committee must "review and comment, with due regard for the schedule in any pending action or proceeding, on any pending transmission facility policy or siting issue." And, as the County has explained to the FCC, "the TFCG determines whether there is a need for the facility and whether there will be any radio interference to existing facilities created by the applicant."

In addition to voting on applications, from time to time the Tower Committee discusses relevant issues and policy matters. Attendees representing the industry participate in the meetings. Industry represen-

tatives speak in favor of their own and each other's applications, and they may share information—even a slideshow—to promote upcoming applications. Members of the industry also provide their opinions on policies.

Tower Committee meetings are open to the public and are also accessible through a phone-in conference line. However, the general public, even affected property owners/residents, are **barred from speaking** at the meetings. Marjorie Williams, who chairs the Tower Committee, has explained that **the protocol of allowing only industry representatives to speak** is guided by advice from Assistant County Attorney Clifford Royalty. [**See box on page 7 of the February News.**]

Ms. Williams, who is the Cable Communications representative

Tower Committee, cont.

from the Department of Technology Services, has also said that the “TFCG complies with Maryland’s Open Meetings Act” (MOMA). Recently, **Janis Zink Sartucci, Esq., emailed Mr. Royalty, questioning MOMA compliance,** and pointed out that: “The TFCG Chair only permits members of the public who are in support of the proposed applications to speak and participate. Members of the public who have comments that might be neutral or in opposition to the proposed application are not permitted to speak.” Ms. Sartucci asked Mr. Royalty to defend this “prior restraint.” She underscored that this matter is time-sensitive. Indeed, **the Tower Committee anticipates that more than 100 distributed antenna system (DAS) applica-**

tions will be on the May 3, 2017, agenda.

In addition to chairing the TFCG meetings, Ms. Williams also staffs the TFCG office and, therefore, serves as the public’s contact for information. Recently, she embarked upon efforts to make information more accessible to the public. For example, she began posting spreadsheets listing the addresses or cross streets where new applications propose wireless facilities. She also facilitated the production of **an interactive map of all applications filed for small cell and DAS facilities.** Efforts are also underway to assist the public in tracking TFCG applications after they have been reviewed by the Tower Committee. And Ms. Williams reports that she is currently working toward having new application records digitized, and maintaining copies of all records at the TFCG

office. **For now, records, including the ones anticipated to be reviewed at the upcoming May 3, 2017, meeting, only exist in hard copy at the Tower Coordinator’s off-site private facilities. So members of the public would need to contact Ms. Williams in advance to request specific records be transferred to the TFCG office for review.**

The Tower Committee’s responsibilities include inter-agency coordination. Ms. Williams, discussing TFCG applications requiring land use reviews explained, “once the TFCG acts on an application and the minutes for the meeting have been approved, the TFCG packet and the minutes are forwarded to the Office of Zoning and Administrative Hearings (OZAH) for their review.” The TFCG packet includes the

Tower Committee, cont.

TFCG Application, Tower Coordinator Recommendation (report and advice), and the Record of Action. The OZAH's Sara Behanna reports that OZAH has begun placing all of the TFCG packets and minutes it has ever received from the TFCG into a binder, accessible for public review. No old records are purged. So the public should now be able to access all of the "conditionally recommended" TFCG applications and corresponding Coordinator Recommendations,* even those where the applications would be too old to qualify for Conditional Use filings. As a result, **some of the obstacles that exist in accessing records**

**See, for example, the [minutes of the March 2, 2016, TFCG meeting](#) and the [June 22, 2016, TFCG meeting](#).*

through the Tower Committee office can now be avoided when reviewing those documents that are available through OZAH.

The TFCG has a policy function. Mitsuko Herrera, an administrator with the Department of Technology Services, describes herself as providing "input related to wireless policy planning for the TFCG on an as-needed basis." Ms. Williams also provides TFCG support on policy matters. Both Ms. Herrera and Ms. Williams spoke at the Council's September 12, 2016, [PHED Committee's Worksession](#), at which issues of proposed DAS and small cell towers in public rights-of-way and the then-proposed ZTA 16-05 were discussed. They were also both speakers on the panel at the [County's Forum on Small Cell Towers](#). More recently, Ms. Herrera reported to the Council's Government Operations

and Fiscal Policy (GO) Committee [[see minutes 2:04–2:19 of her recorded testimony](#)] on the status of her work "**soliciting public opinion and working with other departments to create a County Executive update to the tower application process and zoning requirements to address small cell deployments.**"

Ms. Herrera and Ms. Williams participated in filing Montgomery County's March 8, 2017 ([Supplemental](#)) [Comments](#) to the FCC. In addition to filing comments exclusively on behalf of the County, Montgomery County also joined with its fellow members and other organizations in filing comments on behalf of the [Smart Communities Siting Coalition](#). The FCC entertained these comments upon receiving a petition from Mobilitie, LLC, in which the

Tower Committee, cont.

neutral host sought FCC intervention to override local controls over public rights-of-way access, costs of public rights-of-way occupancy, and speeds of regulatory authorizations for the deployment of facilities. Mobilitie is one of the two neutral hosts that has filed large numbers of applications to site facilities in Montgomery County's public rights-of-way. Numerous comments have been filed with the FCC by and on behalf of the industry, siding with Mobilitie. **The County's individual comments and the Coalition's comments represent two very strong government comments that contradict the petition's and industry's assertions.** Several Montgomery County residents also filed comments with the FCC, myself included, which likewise challenge

the petition. The FCC is accepting Reply Comments until April 7, 2017.

In a **2011 filing** [see p. 24], Ms. Herrera and Ms. Williams assured the FCC that “the TFCG also provides the public, including nearby property owners, with notice of the proposed placement of facilities on public property.” This assurance does not comport with the statement made by a homeowner at the presentation on **The Cell Tower Approval Process, hosted by MCCF** [see **~minute 1:15:15–1:17:15**], that neither the TFCG nor the public school system provided him or his neighbors any notice of the proposed cell tower at the nearby JFK High School before construction. Nor does the assurance align with information provided to the **PHED Committee** [see **~ min. 1:13:30–1:17:30**]. Other than posting its agenda, **the TFCG provides no notice to affected residents**

when the Tower Committee is reviewing applications, including the numerous Crown Castle applications [see **this agenda, for example**] for DAS nodes in the public rights-of-ways that abut single-family homes.

In 2014, Montgomery County joined with other governments and organizations to file Comments and Reply Comments to the FCC, addressing “Public Rights of Way and Wireless for Facilities Siting” (for broadband). **Those FCC filings**, through text and images, characterize the DAS facility at 7800 Brickyard Road as undesirable for the property owner in its current state and having the potential to get even worse. The same perspective is conveyed, and the documents and images provided to the FCC are further referenced, in the brief that

Tower Committee, cont.

Montgomery County and other jurisdictions filed with the Fourth Circuit Court, challenging the FCC Order on the Spectrum Act. Of course, none of those documents discuss the details of how the Tower Committee approved that DAS facility. But the **memorandum from families in the neighborhood of Node 9**—the DAS facility in front of 7800 Brickyard Road—provides some information: it complains that the Tower Committee **failed to notify affected property owners before the Tower Committee approved the proposed DAS facility in the Montgomery County right-of-way, which now looms over the aforementioned residence.** (Technically, the Tower Committee “conditionally recommended” the application. It did so, in part,

because, **at the time of review, the neutral host did not have a franchise agreement granting rights to occupy the public right-of-way.**) This memorandum is damning: it provides another example where the County’s assurances that it provides public notice of proposed facilities on public property don’t hold up; it identifies **flaws in the TFCG processes;** and it evidences **TFCG failures to minimize adverse impacts upon County citizens.**

The County’s 2011 Comments to the FCC recognize the FCC’s question, “Are there particular practices that can improve processing time frames?” But the County doesn’t really offer County improvements, in response. Improving the County’s processing time frames, i.e., efficiency, should never be the TFCG’s sole objective. Yet, it seems possible that

improvements designed to make the Tower Committee and the County more accountable to residents could also improve the County’s efficiency. For example, **adding balanced viewpoints and more eyes to the TFCG process might catch errors/problems early in the siting review process, which could, thereby, cull the number of potential applications that would proceed to conditional use or DPS reviews.** Likewise, **encouraging or requiring the industry to proceed more responsibly when filing applications and siting and maintaining facilities would likely produce efficiencies for County reviews and resources.** With these thoughts in mind, here are some concrete suggestions for TFCG-related improvements that

Tower Committee, cont.

would promote greater accountability to residents:

Provide a fair and more transparent TFCG process. All documents should be open and easily accessible to the public, meetings should be available on-line (in real time or on-demand), and the public must be able participate in TFCG meetings and have the same access to the TFCG, its staff, and the Tower Coordinator as does the industry. Affected residents should be given advance notice (through signage and mailings) of any TFCG application filing and the date of the Tower Committee meeting at which the application will be reviewed.

Update TFCG application fees to fully cover all processing costs associated with application reviews, including the services

of the CTC contractors, TFCG staff, and the government officials who serve on the Tower Committee. CTC reports that public right-of-way reviews and DAS reviews are more costly to perform. Therefore, revise the fee structure to establish higher rates for those resource-demanding reviews. The TFCG should reject substantially and repeatedly incomplete applications (with no refund to the applicant). The continuous free “do-overs” referenced in the recent Comments to the FCC, submitted by the County, and [referenced to the Planning Board \[see ~min. 1:02:15–1:04\]](#), in 2010, must end.

Establish a revised TFCG application process that requires all applicants to: (1) furnish RF modeling information and any other technical information necessary for the Tower Coordinator to independently verify the need for the facility;

(2) submit all applications in both hard copy and digital formats; and (3) provide notice to surrounding residents upon filing through signs posted at the proposed site(s) and through mailings.

Intensify the County’s non-speculation regulations. Prohibit inactive antennas, which occupy transmission space and can, thereby, create the need for new facilities. Ms. Herrera brought this problem to the attention of the [Planning Board in 2010 \[see ~ min. 1:05:00–1:05:45\]](#), and to the [Council’s PHED Committee in 2016 \[see ~ min. 01:22:50\]](#).

Create and maintain an interactive wireless facilities map, similar to the one created for the DAS and small cell facilities, which identifies all pending TFCG applications, all TFCG-reviewed

Tower Committee, cont.

applications eligible for siting, and existing wireless facilities. Provide links to the digital TFCG applications, too.

I Balance the composition of the Tower Committee: add government agency representatives that represent the interests of residents. Section 2.58E of the Code defines a land-owning agency to mean “any government agency which owns or controls any land on which a transmission facility is located or proposed to be located.” The TFCG has always been stacked with representatives from land-owning agencies, and those representatives’ interests naturally align with the industry, not with the County’s residents.

I And, of course, Tower Committee members should not

“rubber stamp” the Tower Coordinator’s Recommendations. Anyone who is appointed to serve on the Tower Committee must devote the time to read the documents, and engage in thoughtful, independent deliberations prior to voting.
What would you recommend?

Please let the County Executive and the Council know your thoughts. Also, please plan to attend the MCCF’s upcoming May 8 meeting, when the concerns about telecommunications facilities and the County’s regulations and processes will be discussed. ■

Nominations Sought for Next Year’s MCCF Officers

By Paula Bienenfeld

The Civic Fed is working on our annual nominations for officers for the coming year. Per our bylaws, elections will be held at the general meeting in June and officers will assume their duties for the coming year at that same meeting.

Our elected officials are: President, First Vice President, Second Vice President, Recording Secretary, and Treasurer. We have a consti-

tuted Nominating Committee, please let us know if you would like to stand for election to one of these offices. Please contact info@montgomerycivic.org. The slate will be published in next month’s newsletter.

In addition, the Civic Fed board is always seeking members of standing committees, as well as people who would volunteer as at-large members. Please let us know if you’d be willing to serve. ■

Awards Committee Members Sought, Celebration Planned for June 8th in DTSS

By Paula Bienenfeld

The Montgomery County Civic Federation presents three awards annually to deserving residents of Montgomery County. The Executive Committee is seeking both volunteers to serve on the Awards committee and nominations for the awards. The three awards are:

The Sentinel Award is sponsored by the *Montgomery Sentinel* newspaper and awarded to an individual or group for a significant contribution to good government at the local level.

The Wayne Goldstein Award recognizes and honors an individual or group for outstanding service to the people of Montgomery County.

The Star Cup is awarded to the Federation delegate or committee performing the most outstanding public service on behalf of Montgomery County.

If you know of someone or some group in your community or elsewhere in the county who has done

extraordinary, above-and-beyond volunteer work in the county during the past year, please contact info@montgomerycivic.org with a brief (a few paragraphs) description of the person or organization and why they qualify to receive the award, as well as your contact information so we may follow up. If the nominated organization (or person) has a website, please include that.



THE CELEBRATION JUNE 8

As last year, we will hold the Awards Celebration at McGinty's Pub in downtown Silver Spring on Thursday, June 8th. A ticket to reserve a space appears on the next page; it will also appear in the May issue and online.

So mark your calendar now and save the date! ■

Reserve Your Tickets Now for Montgomery County Civic Federation's 2017 ANNUAL AWARDS CELEBRATION

THURSDAY, JUNE 8, 2017

Reception

6:30 to 9:00 p.m.

Awards Presentations

7:15 to 8:15 p.m.

“THE ROOM” AT

MCGINTY'S PUBLIC HOUSE

911 Ellsworth Drive, Downtown
Silver Spring, Maryland

*Reception includes substantial
hors d'oeuvres, wine, soft drinks.
Beer and cocktails at cash bar.*

SPACE IS LIMITED

PLEASE RESERVE BY MAY 31ST

Questions? Call Alan Bowser,
301.523.6659

MCCF Annual Awards Celebration

I/We will attend the Reception on Thursday, June 8, 2017:

\$35 per person

\$60 per couple

(After May 31st or at the door: \$40 per person)

Name(s):

Association or Organization (as applicable):

Contact Information: Phone

Email

Please print or cut off and fill in this form with check payable to:
*Montgomery County Civic Federation, Inc., and mail to Montgomery County
Civic Federation, Awards Celebration, P.O. Box 1123, Bethesda, MD 20827-1123*

New Tax Credit for Elderly in Homes 40+ Years, Retired Vets May Cost Seniors Money

By *Jacquie Bokow*

For seniors age 65 and up who have lived in their homes for more than 40 years, and for retired veterans of the same age, there is a new local property tax credit. Last month, the Montgomery County Council passed Bill 42-16, which will provide a tax credit for people who are over 65 years of age and who either:

■ Have owned and lived in the dwelling that they own for at least 40 consecutive years, or

■ Are retired from one of the United States' armed forces (a Military Retiree).

In either case, the homeowner's name must be on the deed for the property. The credit is valid even if only one person living in the dwelling meets the requirements.

Military service of 20 or more

years is required to qualify as a Military Retiree; one may be a retired veteran and not be considered a Military Retiree for the tax credit eligibility.

The bill provides a 20% credit only on County property taxes, for five consecutive years; the credit is not available after that five-year period. There is only one credit; if you're at least 65 and have lived in the same dwelling for at least 40 consecutive years and a military retiree, the tax credit is still a 20% tax credit on County property taxes only, for five consecutive years.

Note that the term "dwelling" means the entire property, not just the home on the land but both. The assessment on a dwelling is, therefore, the assessment that is shown on your tax bill, as this includes both

For 2017 taxes only, applications will be accepted until September 1, 2017. If you wish to receive a credit for your 2017 taxes, you must apply by September 1, 2017.

For all other tax years, you must apply by April 1. For example, if you wish to receive a 2018 tax credit (for the tax year that begins July 1, 2018), then you must apply for it by April 1, 2018.

the home and the land.

For 40+ years owners, the tax credit is only available if the dwelling has an assessment of \$650,000 or less at the time of the application for the credit. For Military Retirees

New Tax Credit, cont.

aged 65 and up, the dwelling must be assessed at \$500,000 or less. If the dwelling is assessed at more than these amounts, then the property is not eligible and no credit granted.

WILL THE BILL REALLY HELP?

“The 40-year longtime homeowner credit is the most useless piece of legislation that the County Council has passed in modern times,” insists Louis Wilen, Chair of MCCF’s standing committee on utilities. “First of all, very few homeowners can even qualify, since hardly anyone stays in the same home for 40 years.

“Even worse, seniors with income under \$60,000—that is, seniors who get the Homeowners Tax Credit, or HTC as it’s known—will have their HTC reduced by half

the amount of the longtime resident credit.” In other words, moderate and low-income seniors will actually lose money if they apply for the longtime resident credit. “They won’t even know that their HTC has been cut,” says Wilen, “because the HTC worksheets are not issued to homeowners by the SDAT except upon request, and almost no one requests their HTC worksheet from the SDAT.”

State Delegate Al Carr sponsored a bill, House Bill 633, to fix this issue, but the bill is not going to become law in the current legislative session because the legislators want to study the issue more.

The reduction in HTC for moderate and low-income seniors (income under \$60,000) actually occurs when any optional property tax credit is issued by Montgomery County, including historical restora-

tion credits, energy savings device credits, and many other credits. Therefore, Montgomery County senior homeowners who receive the HTC should almost never apply for optional property tax credits because the result will actually be a higher property tax bill.

APPLICATION DETAILS

An application must be made each year for the tax credits. The applications are due on April 1, before the tax year that begins on July 1 of the same calendar year. Tax years begin on July 1; the 2017 tax year begins on July 1, 2017.

This tax credit will not be issued on the annual property tax bill that is sent in July. Instead, it will be calculated and issued on a subsequent revision of your tax bill, with the tax credit appearing as a line item

New Tax Credit, cont.

deduction on the bill. When the tax credit is issued, [your revised bill will also be available on the County website](#). The revised bill amount will also be available by calling 311 in County (240.777.0311 out of County).

Here is the [packet of information that the County Council reviewed](#), when they reviewed and voted on the bill on March 7, 2017.

[Click here to open a copy of the application for the tax credit](#). A paper version of the application will be available at the Department of Finance, Division of Treasury, 255 Rockville Pike, Suite L-15, Rockville, Maryland 20850. Or call 311.

Widows and widowers of military retirees are not included. [More information on the credit's eligibility and application deadline are available online here](#). ■

Barr and Coffield are This Month's Community Heroes

By Alan Bowser, First Vice President

Due to the cancellation of the MCCF meeting in March, the Montgomery County Civic Federation recognizes Valarie Barr and Charlotte Coffield of Silver Spring as Montgomery County Community Heroes for the month of April.

As Presidents of the Lyttons-

ville Community Civic Association and the Rosemary Hills Neighbors' Association, respectively, Charlotte Coffield and Valarie Barr have taken leading roles in guiding their west Silver Spring neighborhoods through a long process of planning and land use in their neighborhoods and, specifically, the recent deliberations surrounding the Greater Lyttonsville Sector Plan recently approved by the Montgomery County Council.

See more of their story on page 4 in [last month's newsletter online](#). ■



VALARIE BARR AND
CHARLOTTE COFFIELD

February Meeting Minutes

There was no meeting in March due to the weather. See [page 25 from last month's newsletter online](#) to review the February 13 minutes. ■

Wireless Telecommunications Community Meeting to be Held April 26 in Rockville

Montgomery County will host a Wireless Telecommunications Community Meeting to discuss proposed changes to the County zoning ordinance and process for regulatory review of wireless telecommunications structures, to address new deployment and densification of lower-height (17-foot to 30-foot) wireless technology in residential and commercial areas.

[See the [article on the Tower Committee on page 9](#), or the [previous four issues of the newsletter](#) for articles on the County's cell tower facility application approval process.]

The Community Meeting is planned for Wednesday, April 26, 2017, at the Executive Office Building in the Cafeteria and Outdoor Plaza, 101 Monroe Street, Rockville, Maryland 20850.

COMMUNITY INFORMATIONAL MEETING ON WIRELESS TELECOMMUNICATIONS

WEDNESDAY
APRIL 26, 2017

6:00 PM
EQUIPMENT OPEN HOUSE
OUTDOOR PLAZA

7:00 PM – 8:30 PM
COMMUNITY MEETING
CAFETERIA

EXECUTIVE OFFICE BUILDING
101 MONROE STREET
ROCKVILLE, MD 20850

The County has invited equipment manufacturers to display so-called “stealth” equipment that disguises wireless antennas as streetlights and similar fixtures from 6:00 p.m. to 7:00 p.m. in the Outdoor Plaza.

From 7:00 p.m. to 8:30 p.m., the County will host a discussion regarding potential changes to the zoning ordinance and regulatory review process.

A summary and text of the potential changes will be made available at www.montgomerycountymd.gov/towers one week prior to the Community meeting. For further information, contact Mitsuko R. Herrera, who's the Project Director for ultra-Montgomery. She can be reached at 240.777.2928 or mitsuko.herrera@montgomerycountymd.gov. ■

Minutes of the March 16th, 2017, MCCF Executive Committee Meeting

By Danila Sheveiko, Recording Sec.

The Executive Committee (ExComm) convened at the Mid-County Recreation Center.

Call to Order: Alan Bowser, 1st Vice President, called the meeting to order at 7:22 p.m. Present: Paula Bienenfeld, Jacquie Bokow, Alan Bowser, Bailey Condrey, Jerry Garson, Harriet Quinn, and Danila Sheveiko.

Adoption of Meeting Agenda: Approval of the proposed agenda was voted unanimously.

Approval of Minutes for February ExComm Meeting: Alan called for and received unanimous approval of the minutes.

Treasurer's Report: Jerry Garson reported on revenues and expenses for the period.

ANNOUNCEMENTS

┆ Jerry reported that the public hearing for **Bus Rapid Transit for Route US-29** has been rescheduled for April 18.

ISSUES DISCUSSED

┆ April 2017 general meeting program will focus on Montgomery County Executive's **Recommended FY18 Operating Budget** and feature presentations by Jennifer Hughes, Director, Office of Management and Budget; and Steve Farber, Staff Director, County Council; followed by Q&A and open floor discussion.

┆ May 2017 general meeting topic suggestions: cell towers or a re-

scheduled session on County government transparency that was canceled due to snow emergency.

┆ Consideration of Community Hero awards.

┆ Awards Committee needs nominations for the annual Federation awards; the banquet is scheduled for June 8th [[SEE PAGE X](#)].

COMMITTEE REPORTS

Nominations

┆ Committee is seeking candidates for Recording Secretary to run on the Federation's 2018 slate of elected officers. Contact Paula who is coordinating the nominations committee.

Education

┆ MCPS continues to charge curricular fees. In response to a recent **Maryland Public Information Act**

Mar. ExComm Minutes, cont.

request by the Parents' Coalition, MCPS stated that the fees are not accounted for.

Planning & Land Use

■ Councilmember Berliner's amended **Bill 41-16, "Community Zoning and Land Use Resource Officer,"** was opposed 3-0 at the Council's PHED Committee.

■ MCCF supports full funding for the Office of People's Counsel, not an information officer as a replacement.

■ Applications for the **open seat on the Planning Board** are due April 29.

■ Community activists are asking for a **commitment to more green space in the new Downtown Bethesda Sector Plan.**

■ In the Westbard area, there is a possible African-American cemetery on land planned for development.

The Planning Department is forming a peer review committee to review the future investigation by the developer's consultant.

■ House Bill 321, sponsored by Delegate Ben Kramer, to create an independent inspector general for WSSCC and MNCPPC has been amended; WSSC is removed for now.

Public Safety

■ MCPD is hiring more officers in FY18, to fill school resource officer positions and concentrate on positive youth development, as well as more coverage for gang activity in Montgomery Village and Gaithersburg.

■ **Safe Silver Spring** has been re-instituted with a 13-member Board and three Co-Chairs.

■ **"Coffee with a Cop"** program continues with great success.

Public Finance

■ The proposed **FY18 \$5.4 billion Operating Budget** is out, with MCPS receiving \$54 million above Maintenance of Effort [**SEE PAGE 3**].

Transportation

■ **A bill to study I-270 improvements** is making its way through Annapolis with some support, except for some Delegates and Senators advocating for more money to rural areas.

■ **WMATA is in deep financial trouble** because Virginia is opposed to a safety board, so the federal government withholding their funding. Metro is raising fares and cutting services.

■ County Council is using funds from the increased recordation tax to pay for more lawyers to continue the **litigation of the Silver Spring Transit Center.**

■ The County is phasing out Criti-

Mar. ExComm Minutes, cont.

cal Lane Volume (CLV) standard in traffic tests, to be replaced with a metric that measures delay.

Environment

■ No Council hearing has been scheduled for Executive Regulation 21-15 to adopt the International Green Construction Code. Dept. of Permitting Services is considering several minor revisions to the bill that will weaken our existing green building standards. If the Council does not act by June 30th, the bill will automatically become law.

■ No decision yet from the Maryland Court of Special Appeals on the **Wheaton Costco gas station case**.

■ Delegate Waldstreicher's House Bill 1353 to increase the MCPS tort liability cap is stuck in Judiciary Committee chaired by Del. Vallario.

OLD BUSINESS

■ MCCF 2017 Awards Banquet tentatively scheduled for McGinty's in downtown Silver Spring on Thursday, June 8th.

■ Fossil fuel divestment Bill 44-16 is stuck in Council committees, no revisions from BIT and other bill opponents, lots of resistance from County retirees.

NEW BUSINESS

■ Discussion of MCCF participation with Committee for Mont.

■ Newsletter deadline March 26 to Jacquie Bokow (email at right).

■ Date and location of next ExComm meeting: April 20th via teleconference, 7:30 p.m.–9:00 p.m.

Adjournment: Alan called for and received unanimous approval for adjournment at 9:03 p.m. ■

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The *Civic Federation News* is published monthly except July and August by the Montgomery County Civic Federation, Inc. It is emailed to delegates, associate members, news media, and local, state, and federal officials. Recipients are encouraged to forward the *Civic Federation News* to all association members, friends, and neighbors. Permission is granted to reproduce any article, provided that proper credit is given to the "*Civic Federation News* of the Montgomery County (Md.) Civic Federation."

Submit contributions for the next issue by the 26th of the current month. Send to CFN at [civicfednews AT montgomerycivic.org](mailto:civicfednews@montgomerycivic.org).

Send all address corrections to membership AT montgomerycivic.org.

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