



CIVIC FEDERATION NEWS

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Serving the Public Interest Since 1925

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MARCH 2004

March Program: Prologue to the Proposed FY 2005 County Operating Budget

By Chuck Lapinski, Public Utilities and Finance Chairman

The March program will focus on operating budget issues. The Executive's proposed FY 2005 Operating Budget for the county will be submitted to the County Council on March 15th, a week after the March delegate's meeting. Even though we will not have the proposed budget to work with, (that is why this is a prologue!) there are some problems and issues that we need to understand in preparation for developing and submitting our testimony to the council the second week of April. The County Council will begin hearings on the proposed operating budget the night of our April Delegates meeting.

Invited panelists include Councilmembers Steve Silverman and Marilyn Praisner, and representatives from the Executive's Office of Management and Budget (OMB), Finance Department, and staff. They will address the following areas:

Trends and Growth in Revenue Sources

- Personal Income Taxes
- Property Taxes and Property Assessments
- Construction Impact Taxes and Fees
- Other Miscellaneous Taxes and Fees

Operating Budget Cost Drivers

- Employee Compensation: Need for a Review
- Benefits
- Productivity Improvements
- Process and Equipment Recapitalization

Reserve Funds (Rainy Day) Accounts

Affordability Process, Prudence and Discipline

- Priorities and Constraints
- Short Term Perspective: Avoiding Long Term Implications
- Budget Optimism and Realism
- Waiting for a Miracle!

The decisions we make about our capital and operating budgets must be guided by the principle of fair and equitable

treatment of all players: the taxpayers, the schools and county employees.

Finally, we will gain some insight into what this proposed budget may mean to you, the county citizen and taxpayer.

Andrew White to be Honored as March Community Hero

By Luella Mast, Treasurer

In the January Civic Federation Newsletter President Cary Lamari wrote: "For more than a century volunteer fire fighters and rescuers have risked their lives to protect the lives and personal property of their neighbors. This form of volunteerism is probably the oldest and most noble form of citizen participation we have. Montgomery County has been well served by these heroic individuals, and we tax payers have enjoyed significant fiscal savings due to their volunteer work."

Over the years the Civic Federation has often recognized the heroic efforts of the volunteer and paid members of our fire service delivery system. This month we focus on one individual, standing for many, who has given uncounted hours of time to ensure efficient, effective, safe fire and rescue services in his local community, in communities throughout Montgomery County and throughout the State of Maryland.

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Mr. Andrew (Andy) White is currently on the Executive Board of the Community Volunteer Fire and Rescue Association, serving as liaison with the 19 local fire and rescue departments. As such, Andy has been responsible for sharing the views of our volunteer fire and rescue service leadership with the County Council and larger community as the Council debates Bill 36-03. Andy's quiet, careful, thoughtful, reasoned remarks would, in a reasonable world, be enough to convince sponsors of Bill 36-03 that this legislation has serious flaws. We commend and thank him and those many with whom he volunteers for their efforts on behalf of our entire community.

Petition Signature Collection Begun

By Dale Tibbitts, Chairman, Election Reforms Committee

The drive to collect 10,000 registered voter signatures to force an amendment onto the November ballot has begun. We seek to change the composition of the County Council to elect all 9 members from separate districts by the 2006 election.

At its May 12, 2003 delegates meeting, the MCCF adopted the resolution to change the County Council's make up to 9 single-member districts and no "at-large" representatives. Before overwhelming adopting the resolution, the MCCF considered:

- The average population of a County Council district is 174,668. A Council district is larger than a Maryland state legislative district by 65,500 people. If the number of districts is not increased, district populations are expected to be nearly 200,000 after the next census.
- A Montgomery County Council at-large seat is the second largest legislative jurisdiction in the State of Maryland. Only the governor's and U.S. Senate seats are larger.
- The cost of countywide political campaigns has escalated. The six competitive candidates for the 2002 Council at-large seats raised an average of \$132,000 each. Slates, PACs and advocacy groups pumped in about \$800,000 to Council races. These additional monies substantially increased the financial stakes for the at-large seats.
- Potential qualified candidates are discouraged from running because of the overwhelming fundraising requirement to mount a competitive race. The lack of diversity stifles political discourse.
- Large donors with special interests dominate political contributions. Nearly 50% of political contributions are from just one business sector.
- Those large special interest contributors appear to exert undue influence on County policies and actions.

- Direct personal voter contact and grassroots organizing have been overwhelmed by impersonal, excessive campaign financial expenditures.
- Smaller, neighborhood districts in which a candidate can effectively organize, be personally known and campaign with fewer financial resources will offset the trend towards increasing campaign contributions from special interests. The result will be a more representative and responsive county government.

We believe that if community policing, community prosecution, and community based planning are desirable because they put the government closer to the citizens it serves, why not community representation?

The petition form will be available from the MCCF website at www.montgomerycivic.org for downloading. There will also be a letter outlining our reasons for initiating this action, a list of frequently asked questions about petition circulation, and a memo on how to properly collect signatures. The best opportunity for collecting signatures will be at our election polling places this March 2. All of the people exiting the polls will be registered voters and eligible to sign the petition.

Dale Tibbitts is coordinating the petition drive effort for MCCF. He is available at DATibbitts@aol.com, 301-219-6475, or 9511 St. Andrews Way, Silver Spring, 20901.

Lobby State Legislators to Support Election Reform Legislation By Peggy Dennis, Editor

Last autumn the Federation voted overwhelmingly to support legislation to create a system of voluntary public funding for state election campaigns. Now, the time has come to act. The Hurson-Clagett-Pinsky bills (SB 725 and HB 1317) have been introduced. Special interest groups will be working hard to defeat this legislation. The grass roots movement supporting the bills must grow fast and deep. Please call or write your state legislators now in support of the bill, especially if you live in District 20. Although a co-sponsor, Sheila Hixson will come under heavy pressure to kill this bill in her committee. But we need to do even more! Cut out and copy the flyer on the next page and mail it to friends throughout the state. Download it with other supporting materials from our website (www.montgomerycivic.org) and email it to other Marylanders. We can't afford to wait to take back our most important democratic institution!

Lobby Your State Delegates & Senator for passage of

**THE HURSON-CLAGETT-PINSKY BILL
FOR PUBLIC FUNDING OF CAMPAIGNS IN MARYLAND (SB725/HB1317)**

**THE TIME IS NOW IN MARYLAND
FOR ARIZONA-STYLE PUBLIC FUNDING OF CAMPAIGNS**

Special interests pumped \$75 million into Maryland's 2002 elections - double what they spent in 1998. This accelerating campaign inflation rate enables those who have money - the rich and big business - to exercise more power than ever in deciding who gets elected in Maryland. These same moneyed interests enjoy privileged access in Annapolis because lawmakers, in effect, owe their jobs to them.

The vast majority of Marylanders can't afford to play this game. Less than 1% of Marylanders can afford to give a campaign contribution of any kind. When it comes to campaign contributions, environmentalists are outspent by developers and polluters 100-1 according to some measurements; labor by business 9-1. Other groups, such as women and minorities, are not outspent by a specific opponent. But the fact that they donate so little in absolute terms means their voices all too often get drowned out in Annapolis.

Most lawmakers, too, don't like the current system. They spend more and more time fundraising. And, to remain competitive, they feel obliged to accept money from interest groups whose agenda they might not support. And many challengers are dissuaded from running by the exorbitant costs of running a campaign.

THE SOLUTION: ARIZONA-STYLE PUBLIC FUNDING OF CAMPAIGNS

Strict limits on fundraising and expenditures seem to be the straightest path to reform. But the Supreme Court refuses to countenance mandatory campaign expenditure limits, calling them a violation of free speech. It is futile to tinker around the edges of a campaign finance system whose main features the courts declare sacrosanct. We need to adopt a proven alternative to that system. That alternative is public funding of campaigns as practiced in Arizona and Maine. Here's how it works:

- To participate, a candidate must demonstrate broad community support by collecting a large number of small contributions in the district he wishes to represent.
- If successful, he receives enough money from the public Treasury to wage a competitive campaign.
- If a privately financed opponent outspends him, he receives offsetting funds to keep pace, up to a certain limit.

Advantages of Arizona-style reform:

- It enables citizens with community support but ordinary financial means to run for office.
 - By encouraging electoral competition, public funding widens debate.
 - It frees candidates and lawmakers from incessant fundraising, removing the appearance and reality of corruption.
 - Publicly funded candidates who win owe nothing to fat cat contributors, reducing the latter's privileged access in Annapolis.
 - Participation in the publicly funded system is voluntary; by leaving the private campaign finance system alone, the Act is immune to judicial challenge.
 - Maryland's publicly funded system would cost less than \$2 per resident per year - a small price to pay for real democracy and significantly less than the current system, which lavishes pork on special interest contributors.
 - **This reform has already been implemented in Maine and Arizona**, where it is accomplishing all the benefits described above.
-

**IN 2004, MARYLAND HAS AN UNPRECEDENTED OPPORTUNITY
TO MAKE GOVERNMENT SERVE THE PEOPLE, NOT JUST THE SPECIAL INTERESTS**

In 2002, the General Assembly passed a bill to create an official task force to examine public funding of campaigns and make recommendations for Maryland. This distinguished, bipartisan study commission, chaired by the Dean of Liberal Arts at the University of Baltimore, Carl Stenberg issued its final report in February 2004. It recommends in favor of Arizona-style reform for General Assembly races. Del. John Hurson, Del. Virginia Clagett, and Sen. Paul Pinsky are sponsoring legislation based on the Stenberg recommendation. The bill (SB725/HB1317) arrives at a moment ripe for campaign finance reform in Maryland:

- **Everybody Agrees That Maryland Suffers from a Campaign Finance Problem.** The 2002 election cycle was by far the most expensive in Maryland's history. The campaign inflation rate doubled between 1998 and 2002. Since 1990, the gubernatorial inflation rate has skyrocketed 726%. During the 2002 campaign, the media reported incessantly on the unprecedented sums of money spent. A record \$1 million in contributions from the gambling industry alone - timed to influence the high profile fight over legalization of slot machines -- has reinforced the general consensus that Maryland suffers from a campaign finance problem. Even the FBI is investigating the campaign finance mess in Annapolis.
- **Strong Support from the Media.** The Washington Post and Baltimore Sun both support Arizona-style reform, so editorials could help create a pro-Stenberg climate that lawmakers will find difficult to ignore.
- **Key Legislative Leaders Support Public Funding of Campaigns or are Persuadable.** Senate President Mike Miller has not ruled out support for the Stenberg recommendation and says he looks forward to reading its report. Speaker Mike Busch is a progressive Democrat who will give this issue a fair-minded hearing. Del. Sheila Hixson, whose committee will consider the bill on the House side, is a cosponsor of the legislation. Sen. Paula Hollinger, whose committee considers the bill in the Senate, cosponsored the bill to create the Stenberg Commission and supports the Arizona model.
- **The Hurson-Clagett-Pinsky Bill is Affordable.** The Fiscal Note will put the cost at only \$27 million for a four-year election cycle. That comes to only \$6.75 million per year - i.e., 0.03% of the state's annual budget, or \$1.30 per Marylander per year. As implementation of the system would be delayed until the 2010 election cycle, this modest expense would kick in after the 2006 election - i.e., when the current budget deficit will be a distant memory. Moreover, the system could be financed not with tax-dollars, but instead through a surcharge on repeat drunk-drivers and speeding violators.
- **Arizona-style Reform Will Help Close the Budget Deficit.** Over the past year, advocates of better government have demanded closure of hundreds of millions of dollars in corporate tax loopholes as the best way to balance the state's budget. A focus on loopholes, in turn, has prompted the natural question: "How did they get there?" And this question, in turn, is giving advocates of public funding of campaigns one of our strongest arguments in favor of reform: tax loopholes are payola to corporate campaign contributors. If Maryland wants to climb out of this budget deficit and achieve more fiscal discipline in the future, the single best step we can take is to enact Maine-style campaign finance reform.
- **Arizona-style Reform is Incumbent-Friendly.** As incumbent lawmakers learn how the system works in Maine and Arizona, they see that this reform is in their self-interest. Already in Maine and Arizona, almost half of incumbents use the publicly funded system. And in both states 90% of incumbents still win re-election (as they do in Maryland). Why? Because incumbents enjoy plenty of other advantages over challengers besides a fundraising edge. They have superior name-recognition, more contacts among activists, better campaign skills, more experience, a proven track record, etc. Incumbents in both states like the system because it eliminates the worst aspect of their job (fundraising) and frees them after the election to vote their conscience (not as contributors and corporate lobbyists demand).

Marylanders should not only endorse the Hurson-Clagett-Pinsky bill (SB725/HB1317), we should make its passage a top priority in the 2004 session of the General Assembly. Join the growing movement in Maryland to bring Arizona-style reform to our state, a movement that includes the Montgomery County Civic Federation, Progressive Maryland, Common Cause/Maryland, NAACP, League of Women Voters, Sierra Club, AFL-CIO, NOW, and dozens of other groups. **To get involved, contact Peggy Dennis of MCCF (301-983-9738), Sean Dobson (301-495-7004) sean@progressivemaryland.org, or James Browning (410-269-6888) ccmd@crosslink.net**

Message from the President

By Cary Lamari

This month I'm discussing two issues of importance to citizens and taxpayers throughout the County. I must start by thanking those who worked so hard the past year and a half on our election reform committee, particularly the committee chair, Dale Tibbitts. The election of 2002 convinced us not only that our county election and governance system "is broke," but that we should find practical ways to fix it.

The first of these constructive efforts is our petition drive to change the make up of the County Council to nine members, each representing a single district with no "at-large" members. Several factors justify this reform. First, each of our five councilmanic districts now represents a population of almost 200,000. We boast of "community based" policing, and fire and safety services. The State Attorney has had great success with "community based" prosecution. One can only conclude that councilmen elected by and from smaller districts (about 110,000 each) will have a much better handle on the issues and concerns affecting their communities, that they will be more responsive to their constituents and more accountable for their actions. Why do away with "at-large" councilmen? They were supposed to represent the interests of the county as a whole. But each at-large councilman represents a constituency of almost a million people. Running an election campaign for an at-large seat now costs upwards of \$200,000. It has become as costly as running for County Executive and more costly than running for state delegate or senator! The great sums of money needed to finance these campaigns were not amassed from thousands of small contributions from individuals but from large contributions made by special interests, notably the development community. If you're skeptical, just visit the NeighborsPAC website (www.neighborspac.org) to see where the "End Gridlock" group on the current Council got their campaign money from! While this was not illegal, does it result in elected officials who serve the broad and long term best interests of the county as a whole? I think not. The actions of the Council speak for themselves. Our old rate of growth was deleterious and unsustainable. It resulted in overcrowded classrooms and schools, transportation congestion, strained public safety services and a lack of health services (especially mental health services) for those lacking health insurance. The current developer-funded council has removed "Policy Area Review" from the Annual Growth Policy and done away with the few building moratoriums protecting already strained areas from more development.

These actions will further accelerate our rate of growth and will most likely cost taxpayers an additional 30 million dollars a year to build the infrastructure demanded by thousands of new homes and families. The interests of the entire county are now being disserved by those whose campaigns were financed by special interests. Moreover, the blatant dishonesty and smear tactics of the End Gridlock slate would discourage many civic-minded candidates from running for at-large seats in the future. I therefore believe that going back to smaller, community-based councilmanic districts is the only way to bring representation of the people back to the people.

We are now in the process of a petition drive. We are collecting the 10,000 signatures required to put this issue on the 2004 ballot, to give the electorate the opportunity to decide for itself if community-based representation is in our self-interest. I ask all presidents of our member organizations, delegates and individual members to help collecting signatures. The petition with proposed changes to legislation can be downloaded in PDF format from the MCCF website. Anyone interested in helping with the petition drive should first contact me (301-924-2746) or Dale Tibbitts (301-587-9358).

Second, I would like to congratulate and thank Mark Adelman and the Education Committee for the wonderful job they did in organizing and running the February 12 forum for candidates for the Board of Education. The forum had a good turnout, and I was extremely impressed with the fair and impartial way the process was handled. The issues affecting Montgomery County Public Schools are many and tough, but the most basic is the lack of money. The county is facing a 200 million dollar shortfall next year and the State, a 700 million dollar shortfall. With the lack of "core facility space" and hundreds of "portable" classrooms sprouting like mushrooms around schools that are already seriously overcrowded, with the shortage of money to both renovate our older schools and build the new schools needed for new communities, with a growing number of economically disadvantaged kids and students needing ESOL services, and with the higher demand for quality education for special needs and gifted/talented students, members of the Board of Education must be even tougher in demanding the resources our students need. They should also fight off any attempts to give up sites for future schools for yet more housing development. These few precious "future school sites" may not be needed now, but they constitute the sole inventory of room to grow that our children may need for our grandchildren. They should not be sacrificed for the short term profits of the development and construction industry.

Proposed WSSC Rate Increase

by Charles Pritchard, Environmental Chair

In a press release on December 17, 2003, the Washington Suburban Sanitary Commission (WSSC) proposed a 3% combined water-sewer consumer rate increase in its fiscal 2005 preliminary proposed budget, which earmarks \$691 million to achieve its goals. The proposed rate increase would amount to \$12-15 per year and household.

In the release, WSSC Chairman Jinhee Kim Wilde stated, "While the sudden tragic events of September 11 are behind us, we continue to address their lasting impacts on our operations. More than \$100 million in facility improvements are being accelerated because they offer enhanced security benefits in addition to upgrading our products and services. This is one of the major factors contributing to the proposed rate increase."

The WSSC Chairperson did not provide specific information on possible improvements in the security of the sewer and water supply lines. Understandably, to provide details openly could compromise security effectiveness. It is generally conceded by counter terror specialists that urban chaos can be created by attacking sewer and water lines with explosives. Such attacks would release enormous amounts of raw sewage into rivers and, in our case, the Chesapeake Bay. Merely losing our potable water supply to sabotage would be devastating.

The citing of security by WSSC is an argument in favor of the rate increase, and a careful study of the security aspects by the Montgomery County Executive and the Council's Public Safety Committee is advisable. If the vulnerability of the sewer and water supply is a potential threat to the US national capital area, perhaps we should be asking for federal funds from the Homeland Security grant program to harden WSSC facilities from sabotage.

Vulnerability to terrorist attack notwithstanding, our sewer and water system clearly needs upgrading and modernizing. An article in the January 29 Washington Post laid much of the blame for chronic pollution in the lower Anacostia watershed on its tributaries in Prince Georges and Montgomery Counties, namely the Paint Branch, Northwest Branch and SligoCreek, where major sewer lines routinely leak and pollute the streams. A number of environmental organizations in Montgomery County support this evaluation.

In early February 2004, a WSSC public hearing on the rate increase was attended by representatives of the Anacostia Watershed Society and Friends of Sligo Creek. These environmental organizations are working actively in partnership with Montgomery and Prince Georges Counties and the Washington Council of Governments (COG) to

improve water quality in the Anacostia watershed. The environmentalists requested that the WSSC allocate some funds derived from the 3% rate increase to increase monitoring of the aging sewer lines in the upper Anacostia watershed. Simply finding sewer leaks will expedite their repair. The resulting improvement in water quality dovetails nicely with the Prince George's and D.C. plans to carry out the Anacostia Waterfront Initiative, which is an ambitious long-term program of urban renewal in the Bladensburg-Peace Cross area.

County Seeks to Impose Fees for Ambulance Services

by Michael J. Weiner, President, CVFRA

The following represents the position of the Community Volunteer Fire Rescue Association (CVFRA) on the County Council's proposal to charge ambulance fees to emergency medical patients:

"In its efforts to find money anywhere possible, Montgomery County is strongly considering sending bills to patients who use an ambulance or paramedic unit for transport to the hospital.

"Once our residents are aware there will now be a charge for transport, many may hesitate to call for critical help, denying themselves or their families urgent medical attention because of fear of incurring a bill.

"Next, our residents are already paying \$120M a year in taxes for fire rescue service. Ambulance fees are a form of a tax on a tax. We believe this is an unfair burden which, in effect, means the residents will be paying twice.

"The entire concept of changing to a fee-based service has the potential to threaten the health and safety of our residents. We believe that any increase in costs to an insurer will most certainly result in greater premiums being passed on to consumers. It is a basic business principle that increased costs will be passed to the customer, rather than absorbed by health insurers, who are already faced with continuously rising costs and shrinking profits. In addition, insurance companies will have the right to deny claims for transport.

"The Community Volunteer Fire Rescue Departments oppose the implementation of ambulance (or user-fees) reimbursements, because of these costly impacts."

The Fire Administrator will be hosting a forum on the proposed (\$350) ambulance fee on Monday, March 8 at 7:00 p.m. in the auditorium of the Executive Office Building. We urge you to come and speak in opposition to this proposal.

Proposed Bylaws Changes

By Dan Wilhelm, First Vice President & Chair, Bylaws Committee

The latest reorganization to the MCCF Bylaws is proposed and will be voted on at the April Federation meeting. These Bylaw changes are not modifying the substance but improve its organization so that information is easier to find. We are also adding some missing information.. The changes are identified below. An explanation of the change is included in bold italic text enclosed in brackets [] and is not part of the Bylaws. Throughout the Bylaws, we will correct the spelling of the word “Bylaw”, to replace “By-law”

[No changes in Articles I through III.]

ARTICLE IV. OFFICIALS AND ORGANIZATION

[Changing the order of the numbered paragraphs as shown below to list the organizations in order of importance from a legal perspective. Other changes are identified below.]

1. *Board of Directors.* There shall be a Board of Directors comprised of ~~the elected officers except District Vice Presidents, the President, First Vice President, four Second Vice Presidents, the Recording Secretary, the Corresponding Secretary, and the Treasurer.~~ It shall have the duties and powers set forth in these by-laws and as may be imposed by state law. The Board of Directors shall meet at least annually. An Affirmative Vote shall be at least five votes, and shall be required for a Board action.

[Made the statement positive.]

2. *Executive Committee.* **No change in text.**

3. *Elected Officers.* **No change in text.**

4. *Appointed Officials.* **No change in text.**

~~5. *Standing Committee Chairs.* The chairs of the Standing Committees shall be appointed by the President and confirmed by the Membership.~~ *[Standing Committee Chairs text combined with Standing Committees as shown below]*

5. *Standing Committees.* The Federation shall have the following Standing Committees with powers and duties as specified in Article IX.

- a. Environment
- b. Education
- c. Legislation
- d. Membership
- e. Planning and Land Use
- f. Public Finance and Utilities
- g. Transportation

The chairs of the Standing Committees shall be appointed by the President and confirmed by the Membership. Committee reports and recommendations shall be submitted to the Executive Committee for approval and any further action.

6. *Committees Established by the Bylaws.* The Bylaws establish three committees: Nominating (Article VI), Awards (Article XV), and Audit (Article XVI). *[New paragraph to list in this article the last of the MCCF organizations]*

7. *Special Committees.* Special committees may be established from time to time by Affirmative Vote of the Federation. The purpose and duties shall be defined at the time the committee is established. Such committees will terminate no later than the next Annual Meeting. *[Sentence added to clarify that the duties must also be established.]*

8. *Eligibility.* **No change in text.**

9. *Performance.* **No change in text.**

10. *Conduct.* **No change in text.**

11. *Recall of Officials* **No change in text.**

[Articles V through XI are reordered to match the order found in Article IV with the result that follows. The title of article VII is changed to add the word "Elected" to make the meaning clearer. None of the text within these articles is changed.]

ARTICLE V. POWERS AND DUTIES OF EXECUTIVE COMMITTEE

ARTICLE VI. ELECTION OF OFFICERS

ARTICLE VII. DUTIES OF ELECTED OFFICERS

ARTICLE VIII. DUTIES OF APPOINTED OFFICIALS

ARTICLE IX. DUTIES OF STANDING COMMITTEES

[Articles X through XV remain unchanged except the title of Article XI is changed to clarify which meetings it applies to.]

Article XI. CONDUCT OF FEDERATION MEETINGS

[In Article XVI, Financial Management, paragraphs 1 through 6 remain unchanged. Paragraphs 7 and 8 are moved to their own articles at the end of the Bylaws. Traditionally, dissolution and indemnity are their own articles (XVIII and XIX) and are placed at the end of the bylaws. They also are not part of financial management and thus do not belong there.]

ARTICLE XVII AMENDMENT OF BYLAWS [Unchanged]

ARTICLE XVIII. INDEMNIFICATION AND EXCULPATION

ARTICLE XIX. DISSOLUTION

Delegates Meeting Minutes, February 9, 2004 by Lyle Schofield, Corresponding Secretary and Richard Zierdt, Recording Secretary.

Call to Order 7:45 PM. Additions to New business: proposal for traffic reduction; Diebold voting machine issue; Strathmore Hall funding issue;. "Disruption of Public Facilities" bill.

Announcements. (1) Norbeck Meadows Association will have a meeting on Thurs, Feb 26, 7 pm at Cashell Elementary School with topic "Is the ICC a fait accompli" . (2) Reminder that forum for candidates for Board of Education is on Thursday. Two of the candidates are former MCCF education committee members. Recommendations from MCCF committee will be announced next week (personal recommendations). (3) County Council Bill introduced by Tom Perez on 23rd (flyers in back of room) concerns ethics for council members: example, will council members who are on the Board of Strathmore Hall recuse themselves from Strathmore Hall funding votes? Another example: campaign fundraiser thrown by firefighters union to benefit councilmember backing Bill 36-03 which would benefit union employees. (4) Shady Grove Civic Alliance is hosting a

program for the "other side of ICC", presenting the "pro" side of the ICC by state sponsors of the project, 8 PM, 2/25 Millcreek Town Elementary School.

Minutes 7:56 Minutes of last delegates meeting accepted and adopted.

Community Hero Award presented to Dan Tuten, one of founders of Neighbors for a Better Montgomery PAC. Dan has analyzed cost effects of new annual growth policy and shown that costs of transit and infrastructure adds a deficit of \$5000 per new home built. Very important in light of fact that county is facing a more than \$200M shortfall for this year. Dan honored in appreciation of his commitment to civic advocacy. <http://www.neighborspac.org> formed to promote candidates that have community interests in mind. Goal is to confront officials with facts, since ethics and community interests get little consideration in current political climate. Everything happens behind closed doors, so goal is to shed light on decision making and make things happen for community; to try and blunt special interest money currently flooding county elections.

Program: Voluntary Public Funding of Campaigns. 8:04 PM MCCF Election Reform Committee hosts James Browning, Director, Common Cause Maryland as speaker.

Browning discussed tactics used by "End Gridlock" slate in 2002 elections to eliminate slow growth County Council members. Quirks in MD election law; companies can give unlimited \$ to candidates by setting up multiple partnerships as was done by developers. Also seen by racetrack owners in current slot machine debate. There is no disclosure for large contributors as there is in federal elections (Enron used as an example) We need to know where individual contributors work.

There were coalitions formed to close some of these loopholes, but not successful in previous round of elections. Common Cause thinks way to stop this is to change to public funding to stop the cycle of big money special interest funding election campaigns. Common Cause has done some research on this issue similar to that done by NeighborsPAC at county level.

Stenberg Commission has studied issue and recommended a system of voluntary public funding of election campaigns similar to that already in use in Maine and Arizona. Candidates must collect a set number of small donations to qualify as viable candidates, then able to use set amount of public funds to fund campaign. Lots of consensus that there is something wrong with the status quo.

Questions: Delegate Mandell introduced last year a bill for counties to set finance limits. Might not be introduced this year. What will this bill do for county office holders and what did they do for this bill. Answer: Will break ties that bind. 8:25 PM Richard Zierdt begins taking minutes.

Q: If 282 people gave \$5 each, the candidate would qualify for the \$10K?. Cost projections? Extremists? A: \$27M for a 4-year election cycle. Extremists have not been a problem. Q: Term limits? A: Not a good solution. Q: Why 282 donations? A: The Maine model is where the 282 came from. Q: \$27M estimate? A: Based on two participating candidates in each legislative seat. Q: Dale Tibbitts: How can he get formal support from the MCCF? A: (Cary) Dale is already authorized to support.

Senate bill 5-62. Dick Kauffunger moves that the MCCF support State Senate bill 5-62. Seconded. Motion to table is withdrawn (petitioner thought there was not enough time to read the bill).

Dick Strombotne: Moved **that the MCCF support the concept of voluntary public financing as represented by bill 5-62.** Passes 25-3-4.

Treasurer's Report. Report is on table.

Election Reform Committee report by Dale Tibbitts: Tibbitts shows petition to put Charter Amendment on November ballot to elect all nine members from 9 districts by the 2006 election. County attorney has signed-off on it. Copies must contain

both sides. 10,000 valid signatures required by August. March 2 primary election a great place to collect signatures. Cary asks for volunteers. Q: Who draws the nine districts? A: A County Council-appointed commission. Robin Ficker will have two other questions on the ballot.

Tibbitts discusses State Senate Bill 5-65, which closes the multiple-corporation loophole. Dale thinks it has enough votes to get a floor hearing. Motion made for MCCF to oppose House bill 7-32(?) which would relax electronic campaign financing reports. Motion passes 25-0-5.

Program on Montgomery County Partnership. Bob Abrams introduces Rob Goldman, president of MHP (Montgomery Housing Partnership). Longbranch community: housing prices have increased dramatically. Creates problems for rental property. MHP started in 1989. 1st project was a 109-unit complex off Rt 29 (Dring's Reach). Owns 883 units throughout the County. Owns about 70 MPDUs. Started Community Life Programs. MHP sponsors after-school activities. MHP takes graffiti seriously. A Wheaton mural has not been defaced since it was painted. MHP helps to buy run-down houses and renovate them. MHP helps in community re-vitalization. Q: Has MHP taken a position on MPDU buy-outs? A: MHP is concerned about MPDU buy-outs. Q: What is MHP's annual budget? A: About \$1M/year. MHP is private; HOC is public. Q: Rosemary Village? A: Mr. Golman was not involved in that community (before he became president). Q: Where does your funding come? A: Foundations, private donations, fees, County (less than 2%). Q: Staff is highly professional, highly trained. A: 15 people are on staff now. Q: Is there any movement to tie housing to employment? A: Some jurisdictions have done that. "Walk-to-work" proposals. Q: In Potomac, two areas, reserved for new schools, are targets for affordable housing. Q: End of the buyout program? One-to-one replacement of affordable housing? Does MHP take positions on these? A: Doesn't think MHP took formal positions. MHP is concerned about loss of affordable housing.

Committee Reports continued. **Transportation.** Dan Wilhelm. Speed humps: two types: parabolic (15-MPH) and "flat-top" (25-MPH). **Motion made to ban the parabolic-style humps.** Seconded. Bill Schrader speaks in favor of keeping both styles; emergency vehicle access is important, but so is residential safety; people drive too fast they endangering residents; humps do not damage cars unless cars drive too fast. Motion passes 23-5-3.

Budget. Charles Lapinski: Urge the County Council to restore roads maintenance funds.

Election voting machines. Dean Ahmad. Problems with electronic voting machines: no paper trails; computer crashes; possibility of crashes and hackers committing fraud. Asks that

this issue come up next meeting. Deborah Volmer: MCCF should support House Bill 53, a bill that would require a paper trail. **Motion is made to give Dean and Deborah flexibility to pursue this issue.** Passes almost unanimously. (Yeas, "a lot", Nays & abstentions, 3-3.

Strathmore Hall funding. Marvin Weinman: County Council to give \$3M more for completion. Motion is made to oppose the County's \$3M. The County owns the property. Dean moves that the MCCF oppose any additional taxpayer funding for Strathmore Hall. Seconded. Motion fails 11-15-2. **Wayne moves that MCCF support the HHS committee's recommendation to pay \$3M, with expected repayment later.** Motion passes 18-7-4.

Senior Flight. Dick Strombotne: bill before the General Assembly that would establish a task force to study why seniors leave Maryland after retirement. Dick moves **that the MCCF support legislation to establish a task force to conduct a comprehensive and objective study of the dynamics of migration of the elderly.** Seconded. Motion passes, 15-6-2.

Nominations for the Awards Committee. Cary nominates Wayne Goldstein, Peggy Dennis, Arny Golden, Lyle Schofield, and Charles Pritchard. Peggy declines.

Nominating Committee. Cary asks for volunteers. Luella nominates Peggy Dennis to serve.

Bill on Disruptive Behavior in Public Places. Larry Dickter, county employee, works in Silver Spring Library, speaks in favor of County Bill 1-04. Wayne Goldstein testified on MCCF's behalf. There are serious issues in our public buildings and in transit areas. This is a citizen protection bill. Citizens should expect safe rides, and effective use of county facilities without fear. Dan Wilhelm takes over as chair. Cary states that the bill does not define what disruptive behavior is. Violators can be banned from public facilities for 90 days. Richard moves that MCCF support bill 1-04. Seconded. Dean feels that the police should be called; constitutional protections should not be violated. Dan Wilhelm: this gives police explicit authority. Dick Kauffunger: Really? Dan: Yes. Arnie: We should study this issue more. We should table this. **Motion to table is made.** Motion to table passes by "a-lot"-3-0.

Bethesda development: Jim Humphrey: Woodmont Triangle housing. Four developers want two properties re-zoned (increased building heights from 64 to 90 feet in one case). Jim moves **that MCCF oppose developer-driven land use planning that excludes citizen participation.** Seconded.

Local merchants would be displaced. MCCF oppose any ex parte application to County Council members for any land use planning prior to the developer's submission before the Park and Planning Commission. Seconded. Passes "a lot"-2-0.

10:44 pm meeting is adjourned.

Executive Committee Meeting Minutes , February 19, 2004.

By Richard Zierdt, Recording Sec.

MCCF president Cary Lamari calls the meeting to order at 7:45 PM.

Announcements. Wayne Goldstein's father died. Alyce Ortuzar. National Building Museum hosting conference on Affordable Housing, March 29 and 30. www.nbm.org

Agenda additions. Livable Communities/Vienna, Austria.

Minutes from the Jan 22, 2004 ExComm Meeting approved. Thanks to Lyle Schofield for taking them.

Treasurer's Report. Luella Mast. Has a written report available to attendees. MCCF is spending less on the newsletter. Date of incorporation of MCCF is July 25, 1928. Dale Tibbitts moves acceptance of the treasurer's report. Passes unanimously.

Ambulance fee. County Executive has proposed an ambulance fee. Cary recommends that the ExComm oppose the proposal. Dale moves that the MCCF ExComm oppose a fee for ambulance service. Seconded. Discussion: Dale received an email that the proposal was \$350 per trip. However, little effort may be made to collect the fee. Peggy Denis offers, then later retracts, a friendly amendment to add the words "in principle." Some suggest a nominal fee might be appropriate. Some feel that without specific language, it is difficult to vote. Original motion passes 10-0-1.

Mansionization. Cary Lamari for Wayne Goldstein. Conference, April 17, 2004, 10 am - 5 pm in the Red Brick Courthouse, sponsored by Montgomery Preservation. A motion is made **that the MCCF co-sponsor the conference on mansionization.** Seconded. No money is necessary. Some feel co-sponsoring an event when the implications of such sponsoring are unknown is troublesome. Motion passes with one abstention.

Election Reform Committee: Dale Tibbitts. Charter Review Commission voted to stay with the current composition of the County Council (4 county-wide districts; 5 local). County attorney approved MCCF's form for its petition to change the

composition of the County Council to 9 locally-elected councilmembers. Dale distributes petitions. Charles recommends that petitions be available at voting locations during this year's primary election. Although asked-for on the form, the date-of-birth is not necessary. A sheet of talking points would be helpful to show people. Collecting signatures at polling places is a great way to collect registered voters' signatures.

President's Report. (1) Issue of community block grants. Cary got letter from Council President Silverman asking various County groups to sit on a panel to discuss ways to achieve fiscal responsibility. Peggy moves that the MCCF ask Chuck Lapinski to represent the MCCF on this panel. Seconded. Passes. (2) Cary receives a set of many site plans reviews, and drops them, "Reagan style," on the table before the ExComm. Development appears alive and well in Montgomery. Dale mentions the petitions that Robin Ficker is championing this year (term limits, cap on tax increases). (3) Awards Committee. Cary offers four names to be on the committee (Lyle Schofield, Artie Gordon, Wayne Goldstein, John Warnock). Cary asks for more volunteers. Charles Pritchard volunteers. The bylaws mention no specific number of committee members. Charles Wolfe moves the acceptance of these five members. Seconded. Passes.

Programs. March: Budget. April: Baltimore model. May: Cary asked that the MCCF conclude its presentation on transportation. We are close to a final transportation program. Jim Humphrey moves that transportation presentation be given in May. Seconded. Passes 11-1-0.

Community Hero. Cary asks for recommendations for March and April. Luella: Andy White, president of the Kensington Volunteer Fire Department (perhaps also the entire County?). Charles Pritchard suggests Boys' and Girls' Homes of Montgomery County. Jim Humphrey suggests Nancy Wendt for her work in Olney and Shady Grove. Cary asks for ExComm approval for Andrew White for March. Passes unanimously. Cary nominates Nancy Wendt for April. Passes unanimously.

Fire Bill 36-03. Cary received a seven-page letter from Thomas Carr, disagreeing with points in Cary's January Newsletter column. Lyle: the Post has a big article today in the Montgomery section. Cary has asked Fernando Bren to chair a public safety committee, with help from Pat Cummings. Cary suggests that the bylaws committee consider the need to add a public-safety standing committee to the by-laws. Peggy so moves. Seconded. Dale: the by-laws committee is working on other issues at present. An ad-hoc public safety committee could be started for the interim. No

vote is taken on the motion.

By-laws committee. Luella Mast. Next meeting will be held at Dan Wilhelm's house on Tuesday, February 24.

Housing Committee. Jim Humphrey. Sent a letter to County Council and the Planning Board regarding zoning text amendments. Montgomery Housing Report.

Website. Lyle Schofield. Distributes a draft policy on MCCF Web Site, and asks for policy guidance. Cary mentions that he received permission from the County to use the County flag on the MCCF web site. The secretary asks for a copy. Discussion ensues about web-site editing policy, first-amendment, liability lawsuits, length of articles, who should be responsible for editing, etc. No action is taken at this time.

More on programs. Chuck Lapinski. A representative from the State of Maryland is on board for the March delegate's meeting regarding budget issues.

Legislation Committee. Jim Humphrey. Bill 01-04 Disruptive behavior in Public places. Jim describes the bill. Committee is working with library staff and others on this bill.

Environment Committee. Charles Prichard. Shipment of hazardous materials by rail. Bonus (tax benefit) to developers who agree to the LEED policy. Anacostia River pollution is caused somewhat from Montgomery County. A discussion about a 3% tax ensues.

Public Finance Committee. Charles Lapinski. Grease from households is a major problem.

Education Committee. Cary reports that the education forum was well-attended. Some residents are concerned about the possible sale or re-use of school properties. The school board has been asked to release three properties in Potomac for housing.

Vienna, Austria livable communities presentation was snowed out. Pam Lindstrom has a program she could present, and would like to give it on Livable Communities. Alyce suggests that Pam give this at a delegates meeting, perhaps in September.

Meeting adjourned at 10:18 pm.

Federation Meeting

Monday, March 8th -7: 45PM
Auditorium

County Council Office Building, Rockville, Maryland

AGENDA-Tentative

7:45 Call to order, Cary Lamari presiding
7:48 Adoption of Agenda
7:50 Announcements and Introductions
7:55 Approvals of minutes
8:00 Community Hero Award, Mr. Andrew White
8:05 Bylaw Nomination Committee Vote
8:10 Program: Budget Chuck Lapinski
9:00 Public Safety Committee, Discussion of chair and duties
9:10 Old Business
Budget Luella Mast
Election Reform Committee: Dale Tibbitts
Committee Reports
9:30 New Business
9:45 Adjournment

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 Saturday March 20. Prepare submission as a MS Word or text-only document, attach it to e-mail, and send it to waynengoldstein@hotmail.com. Please send all address corrections to Dan Wilhelm, 904 Cannon Road, Silver Spring, MD 20904, 301-384-2698, or djwilhelm@erols.com.

NEXT EXECUTIVE COMMITTEE MEETING

Thursday, March 18, 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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