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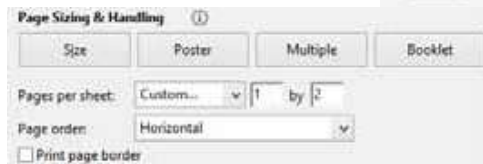
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of note

Next MCCF Meeting

Monday, 12 October 2015, 7:45 p.m.
at the County Council Office Building
in Rockville. "How Does the Development Review Process Determine Adequacy and Need for Public Facilities and Infrastructure?"

[AGENDA](#) • [PROGRAM](#)

Meeting Minutes

21 September Meeting [SEE MINUTES](#)
Executive Committee Meeting on 24
September [SEE EXCOM MINUTES](#)

Membership Update

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Membership Application

Join or Renew Now [SEE FORM](#)

Federation Meeting 869

Monday, 12 October 2015
7:45 p.m. • 1st Floor Auditorium
County Council Office Building
100 Maryland Avenue
Rockville, Maryland

AGENDA

- 7:45 Call to Order/Introductions
- 7:55 Approval of Agenda
- 7:56 Announcements
- 8:00 Approval of Minutes,
September 21 Meeting | [SEE](#)
- 8:01 Treasurer's Report
- 8:05 Program: Development
Review Process | [MORE](#)
- 9:15 Committee Reports
- 9:40 Old and New Business
- 9:45 Adjournment

MCCF Membership Update

This is a reminder that MCCF's membership year is from 1 July 2015 through 30 June 2016. Thank you to all who have renewed your membership and provided updated contact information.

Some organizations have not yet sent their renewals. Please check with your organization's Treasurer to be sure your dues for the year have been sent.

We appreciate your participation and want to be sure you continue to receive our communications. Click on our [renewal form](#) to see it, or the form can be accessed from our website at montgomerycivic.org. Click on "About" and see "Download Membership Application" under "How to Join."

Thank you for your support! ■

[NEXT](#)

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.

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 | Co-Editors

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October Program: How Does the Development Review Process Determine Adequacy and Need for Public Facilities and Infrastructure?

By Harriet Quinn, Planning and Land Use Co-Chair

For our program on October 12, we'll continue our ongoing series on the County's Development Review Planning Process. The focus at our January meeting was an overall review of the process and how it has recently been streamlined by the Departments of Planning and Permitting Services. The focus of this session will be on the County's Adequate Public Facilities Ordinance (APFO), which is part of the County's Subdivision Staging Policy regulations. The objective of the APFO is to ensure that public facilities will be in place concurrent with growth.

Our speakers will include **Glenn S. Orlin**, Deputy Council Administrator for the Montgomery

County Council, and **Eric Graye**, Senior Transportation Planner for Functional Planning and Policy at the Montgomery County Planning Department.

The County APFO states: *A preliminary plan of subdivision must not be approved unless the Planning Board determines that public facilities and services to be examined will include roads and public transportation facilities, sewerage and water service, schools, police stations, firehouses, and health clinics.*

Some of the items to be discussed during our meeting include:

- A review of the evolution of the

County's APFO, and comparison with other jurisdictions.

- How does the Planning Board determine "adequacy"?

- What tests are used and what do they measure?

- Is the County's infrastructure keeping pace with development?

- Who is responsible for administering the APFO and measuring its effectiveness?

- Why are there over **416 portable classrooms at the County's 196 schools?**

- Why are 16 of 25 school clusters over 105% of capacity?

- Are development impact taxes (Transportation Impact Tax, School Impact Tax) being collected and if so, how much do they contribute to

MORE

October Program, cont.

the infrastructure required to support the new development?

- What changes to these policies and tests are being discussed through the quadrennial review of the Subdivision Staging Policy which will be taken up by the County Council in 2016?

At the end of the evening we should all have a better understanding of the criteria for the administration of the APFO, the required tests for adequacy of infrastructure, how the costs for the infrastructure are allocated, and how effective the overall policy is. If you would like to know more about how decisions are made regarding how our public infrastructure is provided to support development, please join us for this very important discussion. ■

MCCF and 'Community Toolkit' Need Your Input

By Peggy Dennis, Co-Editor

Please visit our redesigned MCCF website at www.montgomerycivic.org. The name is the same, but the look and organization are new. The look and formatting of this MCCF newsletter, the *Civic Federation News*, are also new. It now matches the website and was designed for optimal viewing on a computer monitor. What do you think?

Please give your comments, complaints, and constructive suggestions to Jacquie Bokow at jcbokow@verizon.net. We want both media forms to be attractive and highly useable for all our members/readers.

COMMUNITY TOOLKIT

Also, we will be putting a publi-

cation called "Community Toolkit" onto our website soon. We want all of you to share your insights and useful information on website builders and build-it-yourself web programs so we all don't need to "reinvent the wheel."

For instance, if your association has a website, did you hire a professional or amateur website builder to create it? Were you satisfied with the experience? If you built it yourself, what program did you use and how did it work out? What are the good and the bad aspects of the product?

Let's all share information so our individual organizations can get better and stronger. Communication is the key! Send your notes to me at hotyakker@gmail.com. ■

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The County Executive's Independent Transit Authority: Part Dough!

By Jim Zepp and Jerry Garson

For the second time, County Executive Ike Leggett has convened his Transit Task Force. The first time was to recommend his 172.2-mile BRT network (including the Corridor Cities Transitway) that would cover 18 major County roadways. This has subsequently been reduced to 48 miles on three roads (Rockville Pike, Viers Mill Road, and Colesville Road) and the Corridor Cities Transitway (CCT) for immediate consideration. The Transit Task Force was reconvened by County Executive Leggett to recommend how to obtain the billions of dollars in tax money needed to finance this BRT network (see [MoCo website](#)).

The Transit Task Force concluded that Phase 1 of the BRT projects (subsequent project phases and their

related costs and timelines remain largely unspecified for public consideration) could create **a legacy of 30+ years of debt for taxpayers that it estimated would likely be \$2.5 billion or more to build just the initial portions of the three BRT routes and the CCT. With financing, operations, and maintenance costs added, the estimated total is \$5.76 billion.**

This does not include significant related costs (such as additional required roadway improvements and administrative/overhead costs for any new agencies) that the Task Force chose to not recognize in its assessments of the total project financial impacts.

The Transit Task Force explored several financing variations, from entirely relying on property taxes

to fund these projects' capital and operating costs to spreading these costs across different combinations of property, excise, and local sales taxes, as well as reducing the total tax burden by assuming that the state or Federal governments would decide to contribute \$40 million a year to defray local expenses from some unknown funding source.

The Task Force was careful to keep the estimated tax increases below the maximum politically acceptable amounts for residential and commercial taxpayers. This was believed to be \$300 per year for a home with an assessed value of \$440,000, 30¢ per sq. ft. of rental multifamily or commercial property, and 1/2¢ local sales tax. However, if property taxes were the sole source

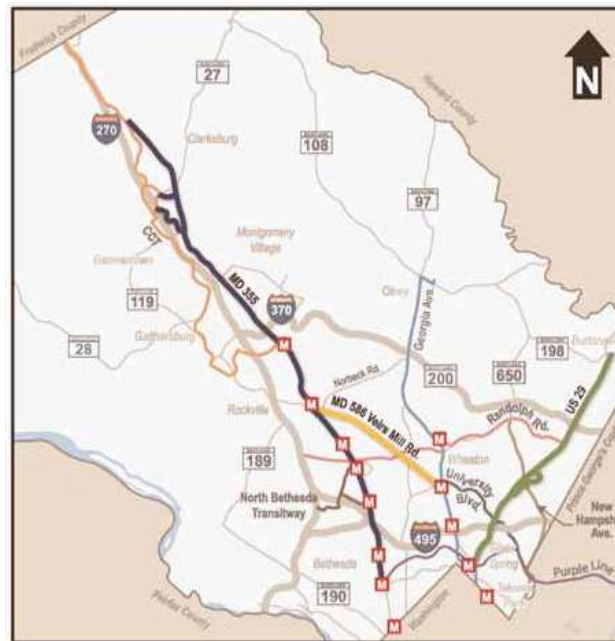
MORE

County Executive's ITA, cont.

of financing the BRT projects, then a homeowner with an average home with an assessed value of \$440,000 would expect to pay an additional \$381 per year in property taxes. Consequently, several variations of other forms of taxation were calculated to shift the increased tax burden over \$300.

Under existing law, the County could impose an excise tax on property rented to residential or commercial tenants, which would mainly affect renters in apartment buildings and businesses that rent their storefronts or offices. A local sales tax would be added to the 6% State sales tax and would be paid by anyone purchasing goods or service in Montgomery County.

Because Montgomery County has Spending Affordability Guidelines



BRT Planning Studies

- MD 355
- US 29
- MD 586
Veirs Mill Rd.

Currently in Design

- CCT
- Purple Line

Other Master Planned Corridors

- Georgia Ave.
- Randolph Rd.
- North Bethesda Transitway
- University Blvd.
- New Hampshire Ave.

MORE

County Executive's ITA, cont.

as well as borrowing limits used by credit rating agencies that would result in it being charged higher interest rates if the County government exceeded these restrictions to fund the massive costs associated with the BRT projects, the County Executive has been exploring ways to not have the costs count against these limits, while incurring this debt and increasing tax burdens. Consequently, last January the County Executive submitted a proposed bill in the last State Legislative Session that would have allowed the County to create an Independent Transit Authority (ITA).

Among other powers, the proposed ITA would have been able to sell bonds to finance the BRT and other transit-related projects. The purchasers of these bonds would be

paid back through County property taxes that would be on top of the current taxes paid by homeowners and businesses. Because of its independent agency status, the ITA's debt would be considered overlapping debt, i.e., not counted against the County's debt limits, but County taxpayers would be obligated to pay the resulting principal and interest payments incurred by the ITA.

The subsequent outcry by the public and some elected officials over the lack of notice and failure to allow outside input resulted in the County Executive's withdrawal of the bill. However, he indicated his intent to reintroduce the bill in the next State Legislative Session, if no other alternatives were brought to his attention.

Last April, the Transit Task Force began meeting to produce a final report by 30 Sept. 2015 that

would recommend an organizational structure and financing plan for funding the BRT projects. Because the original capital cost estimates produced when the Council approved the BRT routes in 2013 were considered unacceptably high at \$1.8 billion (for the Rockville Pike, Viers Mill Road, and Colesville Road BRTs), the Task Force directed its consultants to develop lower estimates. As a result, a "Phase 1" capital estimate for these three BRT routes of \$1.6 billion was issued. The addition of the CCT Phase 1 pushes the total initial capital cost to be incurred by the ITA to \$2.5 billion.

Several possible changes were discussed to the original ITA bill to make it more politically acceptable to citizens, businesses, unions, and community organizations that had

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County Executive's ITA, cont.

expressed serious concerns about its unrestricted powers and lack of accountability. However, the Task Force's draft report keeps the ITA's purpose of imposing debt beyond the County's current limits on taxpayers.

Still subject to any changes that might be made by the County Executive, the State Legislature, or the County Council, the major characteristics of the proposed ITA currently are:

- ITA Board Members appointed by County Executive;
- Have control over BRT and Ride On transit service planning and operations;
- ITA Capital Improvements Program (CIP), capital, and operating budgets may be approved by Council;

■ Can sell bonds, condemn property, and enter into agreements with governments and corporations;

■ Condemnation notice to property owners will be conveyed via proposed projects' inclusion in the County's voluminous annual CIP document;

■ Proposed caps for possible property (7%), excise (30¢ per sq. ft.), and local sales (1/2¢) taxes; and

■ Ride On staff remain County employees; status of BRT-related staff TBD.

The Transit Task Force has scheduled a public forum for feedback on 30 Sept. 2015 and written comments on its draft report will be accepted up to 6 Oct. 2015. The Task Force expects to have its last meeting on 7 Oct. 2015 and its final report will be transmitted to the County Executive on 8 Oct. 2015. More information from the Transit

Task Force is available [on its website](#).

It is unknown as to the County Executive's future actions following this and whether he will submit a revised ITA bill or seek another alternative for financing his planned BRT system.

In response to his call for alternatives to improving transit services, addressing traffic concerns, and identifying options for affordable solutions, the MCCF Transportation Committee has been meeting since last Spring to draft a report providing answers to these questions. Members of the Committee met with the County Executive on 17 Sept. 2015 to discuss the alternatives being considered and to directly express on him that there are a range of more immediate, more affordable, and less disruptive solutions than

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County Executive's ITA, cont.

the course of action that he is pursuing.

For example, the Washington Metropolitan Area Transit Authority (WMATA) is planning to provide enhanced express bus service called MetroExtra Service on both Colesville Road and Viers Mill Road starting in 2016, while the BRT routes for these roadways won't be available until 2025 and 2023, respectively, if there aren't any unexpected problems or delays.

The County Department of Transportation has submitted an application for a Federal grant to provide a similar service called Ride On Plus for Rockville Pike that would start in 2019. The Rockville Pike service is planned to begin operations in 2025/2027. However if approved, the ITA would start col-

lecting taxes to fund these projects in 2017.

The WMATA MetroExtra and Ride On Plus bus services would be nearly comparable to full BRT service at a fraction of the cost to build and operate and would be more appropriate for the projected demand estimated by the transportation planners.

Finally there are substantial operational issues that have not yet been studied and important design decisions have not been made that have significant impacts on the final estimated and actual costs. These include eliminating left turns at intersections without traffic lights to facilitate BRT speeds, but may create hardships for businesses and communities that would have greatly reduced access for residents and customers.

Another concern is the BRTs'

impact on major features along these roadway corridors, such as: the Beltway interchanges, segments without parallel streets to absorb traffic displaced by the creation of exclusive BRT lanes, bridges and overpasses that may require widening, and possible expansion of Ride On and WMATA bus service needed to support or assure BRT ridership. Consequently, the creation of the ITA and the 30-year commitment to billions of dollars in debt is extremely premature before substantial design and operational aspects of the BRT are studied and important decisions determined.

These ideas were presented to the MCCF members in the September program on Sept. 21st. To see the video recording of the program and slideshow, visit the [Transportation Issues page on the MCCF website.](#) ■

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Park and Planning Commission October 2015 Activities

By Harriet Quinn

Check the Planning Board [Agendas and Staff Reports](#) page two weeks prior to a meeting for specific times and details. Work sessions are held at Montgomery Planning Headquarters, 8787 Georgia Avenue, Silver Spring, Md. 20910.

Thursday, 1 October: Following the September 10 public hearing for the [Montgomery Village Master Plan](#), the Planning Board will hold its first work session to discuss issues that were raised.

Saturday, 3 October, 11 a.m. – 4:00 p.m.: [24th Annual Harvest Festival](#), Agricultural History Farm Park, 18400 Muncaster Rd., Derwood, Md.

Monday, 5 October, 6:00 p.m.: Planning Board third work session for [Bethesda Downtown Sector Plan](#).

Tuesday, 6 October, 7–9 p.m.: Fifth and final community kickoff meeting for the [Bicycle Master Plan](#), Walter Johnson High School, 6400 Rock Spring Drive, Bethesda. Focus on White Flint area.

Thursday, 8 October: Planning Board will discuss the Scope of Work for the [Rock Spring Master Plan](#).

Thursday, 8 October, 6:00 p.m.: Planning Board will discuss the Working Draft of the [Greater Lyttonsville Sector Plan](#).

Thursday, 15 October: Planning Board second work session for the [Montgomery Village Master Plan](#).

Thursday, 22 October: Planning Board fourth work session for [Bethesda Downtown Sector Plan](#).

Monday, 26 October: Planning Board first of four work sessions for [Westbard Sector Plan](#) Public Hearing Draft.

Thursday, 29 October: Planning Board third work session for the [Montgomery Village Master Plan](#).

■ Updated information on [development projects in your area](#).

■ Update your Organization's contact information for the [Planning Department's mailing list](#). ■

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Transportation Alternatives: Rural MoCo Bicycle Rides

By Peggy Dennis, Transportation Committee Member

The Washington Area Bicyclist Association has no Adult Bicycling or City Cycling classes in Montgomery County during the next month, but if you own a bicycle, here's a wonderful way to get back in the saddle and enjoy the autumn.

On Sunday, 11 October, the [Montgomery Countryside Alliance](#) and the [Potomac Pedalers](#) invite you to join them for the sixth Montgomery County Farm Tour and Picnic, featuring the family farms and orchards of our cherished Ag Reserve. Moderately hilly routes of approximately 17, 25, 35, 55 and 75 miles will depart from Poolesville Golf Course. If you're a novice or if you haven't done much bicycling lately, join a group on one of the shorter

rides. You may think 17 miles sounds like an impossible grind, but when you're with a group of friendly cyclists peddling along our quiet back roads, the miles will fly by. This is a great outdoor event for the whole family, with [SSL Hours Available](#) if you have high school children who can volunteer to help with the ride. You'll enjoy our rural landscapes with views of Sugarloaf Mountain, and the Farm Tour's signature gourmet picnic at [Kingsbury's Orchard](#). Our on-site caterer ([Flying Fork](#)) is back, along with salads from [Whole Foods Market](#) and the award-winning [Rocklands Farm Winery and Market](#) has been added as a stop. Proceeds from the Farm Tour will go to MCA! See details about the ride and [register here](#). For more information or to volunteer, contact ellen@mocoalliance.org. ■

Community Heroes and Membership Involvement

By Paula Bienenfeld, President

For many years, the Civic Federation has been awarding members of our community with certificates of thanks for their volunteer service as "Community Heroes." Who is chosen for these awards? Each month the topic of "Community Hero" is on our Executive Committee agenda and we bring up suggestions to fellow board members based on what we are hearing around the county.

The amazing thing about our community heroes is their willingness to step up and devote hundreds of hours of their volunteer time and in some cases, their own money, to work tirelessly for the betterment of our communities.

This year we are asking you, the

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Community Heroes and Civic Federation Membership Involvement, cont.

members, to provide suggestions to recognize our community heroes. You know your neighborhoods, and you belong to numerous organizations that work to better and to maintain the quality of life here in the County.

Many of you are suddenly facing the threat of a much larger school than you consider good for your children. Some of you are confronted by the possibility of a 200-foot cell tower and compound across the street from your home, or a large retaining wall where an appropriately sized neighborhood school had existed before.

Others are being told that density, with increased traffic, failing intersections, more overcrowded schools, and poor air quality, is actually good for your neighborhood,

even though you know otherwise.

You attend meeting after meeting; meet with Planning Board members and staff, Board of Education members, and councilmembers. You prepare testimony, write articles, and notify your neighbors. You host neighborhood meetings and volunteer hours needed to bring the issues to the attention of others.

Some neighbors have taken on environmental issues, realizing that Maryland, as a coastal state, is threatened by sea level rise and increases in sudden storms and rainfall that our aging infrastructure cannot handle. We are seeing the increase in what NOAA has called "nuisance flooding."

Others have taken on fiscal issues, wondering how the county can

borrow endlessly and in even greater amounts.

For all these efforts, the Civic Federation wants to recognize you and your neighbors as Community Heroes. We know that professional organizations are out there giving awards to their members for projects within professional fields. At the moment there is no recognition, and no organization apart from the Civic Federation, that acknowledges all the hard work civic activists do on a daily basis.

So, please come forward, and let your fellow Federation members know about the Community Heroes in your neighborhood. For more information, and a list of past winners, see the [MCCF website](#). Thanks! ■

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Testimony to the Mont. County Council on the County Spending Affordability Guidelines

22 September 2015

Council members:

Good afternoon, my name is Jerry Garson; I am representing the Montgomery County Civic Federation, Inc. (MCCF). The MCCF's member associations serve over 150,000 households or nearly half of the County's population.

The question posed to our residents and businesses is, are the Spending Affordability guidelines and targets for General Obligation Bonds correct and affordable.

Section 305 of the Charter requires the Council to set spending affordability guidelines for the Capital Budget each year. The real question is **can the residents and businesses in Montgomery County afford the increase in taxes proposed.**

We see, in addition to these costs, proposed Bus Rapid Transit routes on MD 355, US 29, and Viers Mill Road and the Corridor Cities Transitway that would cost **\$2.2 billion**, with operating costs exceeding **\$80 million** per year.

These costs are not included in the spending affordability guidelines. We do not know why.

In January, the County Executive requested new State legislation that would allow Montgomery County to overhaul the current government structure for providing transit services, by creating an Independent Transit Authority (ITA), and perform an end-run around our County Charter and the County Charter's taxing limits.

The bill, would create a county-wide special taxing district and raise

real estate taxes above those allowed by our County Charter.

The ITA would be an independent agency run by a five (now seven) person board appointed by one person—the County Executive. No oversight of its operations is provided for. It would have its own procurement process and the authority to enter into contracts with other governments and private parties and to take property through eminent domain if the project is included in the CIP. CIP projects are normally limited to 3 or 4 pages of discussion, with no detailed list of properties to be condemned for public use, and hearings are held one night. It would be neither answerable to, nor accountable to us—the taxpayers and residents. The Authority could

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Testimony on Spending Affordability Guidelines, cont.

build bridges, tunnels, ports, freight or rail terminals, tracks, subways, parking areas, parking structures, and building structures. The Authority would have a significant payroll for Board members and administrative personnel.

There are some easier, cheaper and faster alternatives that are possible:

■ Provide free Ride On bus services, which would provide more mobility and cost less than the costs of the BRT lines proposed. The cost last year for free Ride On services would have been \$22 million. Next year it probably would be \$ 23 million. This is the amount of fare contribution made by its riders.

■ Accept the WMATA proposals

for the Q9 on Viers Mill road and the Z9 and Z29 on US Route 29. This is at no cost to the County and will be implemented by June 2016.

■ Implement the 355 Ride On Plus Transit Improvements, a \$21 million proposal instead of Bus Rapid Transit, saving \$1,020,400,000 of capital cost along Md. Route 355.

The principal reason for this radical change of bypassing the Spending Affordability limits in the County Government is to finance the construction and operations of the proposed BRT system, but the new ITA would have far-reaching powers that would extend to the creation of bridges, ports, subways, tunnels, and any other related projects it so desired. The extent of the County government's control would be limited to the approval of ITA projects in the

County CIP budget and provisions in relevant master plans.

Page 4 of the Memorandum to the Council dated 18 September 2015 from Glen Orlin states:

"How each scenario meets the five debt indicators is shown below. The table indicates the number of years within the CIP period the indicators met (maximum total score=30)." The memo shows a total score of 6 out of 30 in scenario.

"These scores are extremely poor, especially compared with the experience prior to the Great Recession. Debt has normally not exceeded 1.5% of real property value in any year, but the projection under every scenario is that it will exceed 1.5% of real property value in every year."

On top of this debt, the county

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Testimony on Spending Affordability Guidelines, cont.

wants to add the debt of the BRT, which, by some method, should be considered independent of the County Debt; however, the taxpayers would still be required to pay for it as part of their property tax bill.

What are you going to do reduce operating and capital expenditures to help the taxpayers in this county and to stimulate job creation and economic development? Or are you trying to make Montgomery County less competitive with surrounding jurisdictions and the rest of the United States?

The County Executive's Transit Task Force Public Draft Report and Recommendations on page 17 states:

"The County has a pressing need to create better transportation access for people who earn less than

the median County wage and rely on public transit to commute to their jobs, particularly given that the median wage is falling with the increasing proportion of lower-wage jobs in the County. These 'captive' riders may find that owning and operating a car to commute to work either is cost-prohibitive or takes a significant bite out of their household budgets. At the same time, the limitations of our current transit system may reduce their economic as well as physical mobility, as some jobs are literally out of reach from the places where they can afford to live."

Would these people prefer free Ride On service and a WMATA-style BRT-commuter-type system being implemented by June 2016, or would they rather wait until full completion in Fiscal Year 2026 of the \$2.2 billion dollar system?

Thank you for your time. ■

Minutes of the 21 September 2015 Meeting 868

By Jean Cavanaugh, Co-Secretary

Call to Order: President Paula Bienenfeld called the meeting to order at 7:55 p.m.

Introductions of those attending followed. Each attendee named a few issues challenging their community. Issues included: concern about the antipesticide bill; need to sensibly solve transportation and mobility problems in a budget- and community-friendly way; environmental degradation like loss of tree canopy and stormwater management; sector plans including Long Branch, Westbard, Wildwood; Suburban Hospital redevelopment; increased vertical development with-

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September Minutes, cont.

out necessary infrastructure; school overcrowding; WSSC rates and spillage in Olney lake; and inadequate stewardship of the natural areas of Montgomery Parks.

Agenda: Paula Bienenfeld called for and received approval of the agenda.

ANNOUNCEMENTS

■ The **MCCF website** has been redesigned. The Executive Committee continues to work on content and features.

■ The Transportation Committee is collecting its final questionnaires from members on the proposed Independent Transit Authority. Please fill out the brief questionnaire at www.surveymonkey.com/r/9HTVZ8S.

■ Every February, MCCF—along

with others—hosts the MCPS Budgetpalooza on the operating budget for the school system. Please consider taking a chapter to review this year.

■ The MCCF Annual Awards event is held every spring. We need committee members to help organize the event and nominations from members for our three awards.

■ The County Executive is hosting a Summit on the Future of the Library 24 September 2015 at the Silver Spring Civic Building.

■ The Silver Spring Transit Center opened Sunday, 20 September 2015. MCCF shared the 20 May 2013 *Washington Post* article on "**How Silver Spring's transit center plan grew into a fiasco.**"

Minutes: Paula Bienenfeld called for and received approval of the 8 June 2015 minutes as published in

the **September newsletter**.

Treasurer's Report: Jerry Garson, Treasurer, reported income, expenses, and current accounts for the six-month period. MCCF's account balance is \$13,269.74.

Montgomery County Community Hero: Max Bronstein, Strathmore Bel Pre Civic Association and longtime active MCCF member, received this month's Community Hero award for his steadfast commitment to civic issues affecting his community and all of Montgomery County.

Program: Transportation Committee Chair Jerry Garson and Jim Zepp, MCCF VP and member of the County Executive's Transit Task Force, gave an update on the County

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September Minutes, cont.

government's efforts to impose higher taxes on residents and businesses by creating an Independent Transit Authority (ITA). Their powerpoint is available on the MCCF website under [Issues/Transportation](#).

The Transit Task Force released a draft report on 30 August 2015 recommending changes to the County Executive in his bill previously submitted to the State Legislature that would create the ITA. Because the ITA could add billions to the tax burden of County taxpayers, this is a significant issue affecting our communities for decades into the future.

The Task Force will hold a public hearing for 50 speakers only on its draft report 30 September 2015 at 6:00 p.m. Those who cannot speak are encouraged to [write to the Task Force](#). MCCF's ITA task force is fi-

nalizing its own report to the County Executive recommending transit investment alternatives to Bus Rapid Transit (BRT) that the ITA would be created to fund.

The important questions about the ITA and proposed BRT are:

1. What are costs?
2. Who benefits?
3. Who pays?
4. What are alternatives?

Because the County has "maxed out its credit card" for borrowing money for major infrastructure projects, it is proposing the ITA which could issue bonds that supposedly won't count against the County's debt but will use a property tax "overlay" on existing County tax and debt. The ITA would also have the power to condemn and take property without the typical process and public hearing other County agencies are now required to undertake. Seventy-

five percent of property tax collected in the County is from residential real estate. County Executive Leggett has warned recently that there may be a property tax increase of more than 10 percent next year just to maintain current spending levels.

Recommendations from a [report the County commissioned from the Institute for Transportation and Development Policy](#) have gone unheeded by the County Executive and Task Force. The report recommends, "As a practical matter of public administration, however, Montgomery County has limited experience with managing projects of this scope, scale, and complexity. Developing even one BRT corridor will be an administrative challenge in Montgomery County, let alone an attempt to develop and deliver multiple corridors simultaneously; a

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task no other municipality has ever attempted."

There was a brief discussion of options to provide traffic relief, including Metro Extra and a federal grant to improve Ride On service on Route 355. Current estimates show the four proposed BRT routes for Phase 1 (Route 29, Route 355, Veirs Mill Rd., and the CCT) will cost \$2.5 billion to build. The latest estimated cost including financing, operations, and maintenance for the four routes is \$5.76 billion. Three of these four BRT routes have not gone through project analysis or system engineering, so the true cost is not known.

The Transit Task Force's final report is scheduled to be released on 8 October 2015.

RESOLUTIONS

Three resolutions were proposed and passed.

1) Bill 34-15

Resolution in Support of [Bill 34-15, Taxes, Transportation and School Impact Tax – Amendments](#): Passed unanimously.

Whereas development impact taxes are intended to fund transportation and public school capacity improvements necessary to accommodate additional development, and

Whereas in recent years, due to added exemptions, discounts, and credits, impact tax revenues have not been sufficient to significantly contribute to the cost for infrastructure needed to support the new develop-

Be it resolved that the Montgomery County Civic Federation supports Bill 34-15 and efforts to collect sufficient revenues from development in order to fund the necessary infrastructure to support the development.

2) ZTA 15-09

Resolution Opposing Modifications to Accessory Apartment provisions in the new Zoning Code without a separate Zoning Text Amendment: Passed unanimously.

Whereas changes to the process for approval for accessory apartments were thoroughly discussed and deliberated by the Planning Board and County Council in 2013, and

Whereas the County Council was clear in its intent and determined that the applications not meeting the

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September Minutes, cont.

objective standards for administrative approval could apply for approval through the special exception (conditional use) process, and

Whereas, members of the Planning Board have requested substantive changes to approval procedures without notifying the public and submitted the modifications in an Omnibus ZTA meant for technical corrections,

Be it resolved that the Montgomery County Civic Federation opposes the modifications to the Accessory Apartments Section of the Code contained in ZTA 15-09, requests that the Council delete from ZTA 15-09 all proposed modifications to the accessory apartments process, and requests that any proposed substan-

tive changes to the procedures for accessory apartments be submitted in a separate ZTA.

3) Spending Affordability

Emergency resolution in support of Transportation Committee Chair Jerry Garson's testimony before the County Council on Spending Affordability guidelines, specifically objecting to the County Executive's proposal to create an ITA to take on the \$2.2 billion cost plus debt service for four BRT routes. Current County debt is \$3.6 billion. Passed 18-0-1.

[See testimony.](#)

COMMITTEE REPORTS

Public Utilities Committee Report

Local citizen Richard Boltuck presented to MCCF his appeal submitted to the Maryland Public Service Commission protesting WSSC rate structure. WSSC tried to have the appeal dismissed, but

the PSC allowed Richard's appeal to continue. Mr. Boltuck is challenging the "reasonableness" of WSSC rates. He filed his appeal in July 2015 against the volume use charge which discriminates against multiperson households.

WSSC instituted the nationally unique current inverted block schedule in 1978. The result is that people consuming the same amount of water per day pay different prices for water. Mr. Boltuck recommends replacing the current rate schedule with a uniform rate that raises same amount of money yet promotes water conservation. Mr. Boltuck asked MCCF members to [share his petition with their civic associations](#). MCCF voted with a majority to support Mr. Boltuck's appeal.

Adjournment: The meeting adjourned at 10 p.m. ■

Minutes of the 24 September 2015 Executive Committee Meeting (Via Teleconference)

By Jean Cavanaugh, Co-Recording Secretary

The Executive Committee (ExCom) convened via teleconference on 24 September 2015.

Call to Order: Paula Bienenfeld, President, called the meeting to order at 7:45 p.m. Present: Jerry Garson, Peggy Dennis, Jim Zepp, Carole Ann Barth, Virginia Sheard, Jean Cavanaugh, and Harriet Quinn.

Adoption of Meeting Agenda: Paula Bienenfeld called for and received unanimous approval of the proposed agenda as amended to include tentative program calendar for the coming year.

Approval of Minutes for 13 August 2015 ExCom Meeting: Paula Bienenfeld called for and received unanimous approval of the minutes.

ANNOUNCEMENTS

■ Peggy Dennis announced a ribbon-cutting ceremony and grand opening for Fawsett Road, the first orphan road to be approved by the County: Sunday, 25 October 2015, at 3:00 p.m. County Executive Ike Leggett will preside.

■ Jim Zepp is on the WMATA Advisory Council. During his first meeting last week, WMATA discussed the major budget shortfall they are facing in coming years. They have the twin challenges of increasing costs and falling revenue. WMATA is looking at transferring

14 bus routes to local service providers. Maryland Department of Transportation will provide grants for local replacement buses.

Programs: The 12 October 2015 program will focus on proposed changes in the Subdivision Staging Policy and what they mean, focusing on the Adequate Public Facilities Ordinance (APFO). Speakers include County Council senior staff Glenn Orlin and the Planning Department's Eric Graye. [See separate article.](#)

Community Hero: Paula Bienenfeld will write an article for the October newsletter soliciting nominations.

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ISSUES

■ Website and Newsletter:

The ExCom applauded the newly designed website and newsletter and discussed a few design tweaks and need to develop more content, including photos, a “Get Involved” tab, legislative tracking page, and online registration page with PayPal link to pay dues.

■ What’s Next for ITA/BRT.

The County Executive’s Transit Task Force will hold a public hearing on their draft report on 30 September 2015 at 6:00 p.m. in the County Council third-floor hearing room, 100 Maryland Ave., Rockville Md. Not all Transit Task Force members agree with the “majority” report.

The final TTF meeting is 7 October 2015, where they will vote on their report and transmit it to

County Executive Leggett on 8 October 2015. The MCCF Executive Committee and members will talk to State legislators and County Council members about the MCCF analysis on ITA and transit options. The Montgomery County delegation to the State legislature is now scheduled to have a public hearing on 30 November 2015.

■ **Awards Banquet:** The ExCom approved the date of 6 May 2016 for the annual Awards Banquet. The format will be a cocktail party. The Executive Committee seeks volunteers from the general membership to organize the event.

■ **State Legislation:** MCCF Committees will identify and suggest priorities for State legislation for the 2016 session.

COMMITTEE REPORTS

■ **Environment:** Healthy Lawn

Bill, 52-14 update: On 17 September 2015, the County Council Transportation, Infrastructure, Energy, and Environment (T&E) Committee voted to amend and remove provisions prohibiting the use of cosmetic pesticides on private lawns. The T&E Committee also voted to add an amendment to prohibit using pesticides on private and public playgrounds.

MCCF supports the original bill which prohibited the use of cosmetic lawn care pesticides in: private lawns, county property, including playing fields. Bill 52-14 exempts golf courses and agriculture as well as gardens. The bill also allows for pesticide use for noxious weeds or poison ivy.

The full Council vote is 6 October 2015. The MCCF Environment Committee will affirm support for

MORE

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the original bill.

■ Montgomery County Department of Environmental Protection just released its annual report on stormwater management. At the end of the MS4 permit term (16 February 2015), the County had completed restoration treating 1,726 acres of impervious area or its equivalent, with restoration work treating another 197 acres under construction. Restoration projects to treat the remaining 1,854 acres are in design.

The entire report can be found on [DEP’s website](#).

■ **Education:** The Maryland State Board of Education has decided that Montgomery County does not have to pay \$1.4 million for underfunding MCPS this year.

■ Walter Johnson High School

cluster overcrowding and proposed development of WMAL’s Bethesda broadcasting site has prompted Councilmember Berliner to suggest that the County use its funds to buy land for schools.

■ The County Council’s Office of Legislative Oversight released a [report on MCPS resources and staffing](#).

■ MCPS teachers are begging for money for blackboard erasers and pencil sharpening, and making it known nationally of these shortages in one of the wealthiest counties in the U.S. Meanwhile, the Board of Education is spending \$318,000 to lease classrooms for training for administrators.

■ **Transportation:** The County Council heard many complaints at a recent hearing on removing Ride On bus routes.

■ **Planning:** The Planning Board

heard 4 to 5 hours of testimony on the Westward Sector Plan. The plan proposes tripling density, in spite of no Metrorail service and overcrowded schools. The Greater Lyttsonsville Sector Plan proposes quadrupling density due to the planned Purple Line station.

■ Bill 34-15, which considers school and transportation impact taxes, is not scheduled for committee yet. Council President George Leventhal has asked the Office of Legislative Oversight (OLO) to look into enterprise zones and their effectiveness. Enterprise zones were created to incentivize jobs creation but instead have attracted mostly residential development.

■ **Membership:** We need to set up a page on the website for membership renewal with a link to a Paypal account to pay dues.

MORE

Sept. ExCom Minutes, cont.

OLD BUSINESS

■ Peggy suggested updating the Community Toolkit with information on insurance carriers for civic associations. We should also find out what applications civic associations are using to build their websites.

NEW BUSINESS

■ Jim Zepp warned of the looming and dire County and State fiscal situation. The County faces a \$174 million deficit. WMATA is also facing a deficit. A [2010 OLO report on structural deficit](#) warned the county to deal with this issue. Should MCCF form a committee to track this issue? Or should we ask our State delegation to the legislature to form a statewide commission on balancing the budgets?

■ Peggy will represent MCCF re-

garding the Planning Department's Functional Bicycle Master Plan.

Adjournment: The ExCom meeting adjourned at 9:54 p.m. ■

Looking for Loraxes

By Carole Ann Barth, Past President and Chair, Parks and Rec. Cmte.

We all know that trees provide a multitude of environmental, economic, and social benefits, and we all know that Montgomery County has laws to protect forests and trees. But did you know there is a committee to advise the Executive, Council, Planning Board, and other relevant agencies on forestry policy issues, laws, and guidelines?

The Forest Conservation Advisory Committee is composed of public members as well as representatives

MCCF Membership Time

It's time to join—or renew your membership in—the MCCF for the new fiscal year!

Fill out a [2015–2016 Membership Form](#) and mail it in today!

SUPPORT YOUR CIVIC FED!

from WSSC, the County Planning Board, and various County Departments. Members are appointed by the County Executive for three-year terms.

Currently, the Committee has a number of vacancies, and there will likely be more vacancies come December. Won't you join us and speak for the trees? For more information, see the [County's Department of Environmental Protection website](#). ■