

Worksession

MEMORANDUM

June 25, 2009

TO: Management and Fiscal Policy Committee

FROM: Amanda Mihill, Legislative Analyst *A. Mihill*

SUBJECT: **Worksession:**
Bill 21-09, Boards, Committees, and Commissions – Amendments
Bill 20-09, Boards, Committees, and Commissions – Committee Evaluation
Review Board (CERB) Recommendations
Resolution to repeal the Dickerson Area Facilities Implementation Group
Resolution to implement recommendations of the Committee Evaluation Review
Board

The above bills and resolutions, sponsored by Councilmember Leventhal, were introduced on April 21, 2009. A public hearing was held May 12. At today's worksession, the Committee will hear from members of affected Boards, Committees, and Commissions (B/C/Cs) and receive an overview of the provisions of the bills and resolutions. A second worksession will be scheduled with a detailed analysis of the bills and resolutions.

Background

Combined, this package of bills and resolutions would:

- terminate the recreation advisory boards and establish a recreation subcommittee on each Regional Services Center Citizens Advisory Board;
- codify the Agricultural Advisory Committee (which is currently established by resolution), establish the Agricultural Preservation Advisory Board and the Rustic Roads Advisory Committee as subcommittees of the Agricultural Advisory Committee, and repeal certain resolutions creating and restructuring the Agricultural Advisory Committee;
- terminate the Committee on Hate/Violence and rename and amend the duties of the Committee on Ethnic Affairs;
- terminate the Silver Spring Transportation Management District Advisory Committee and assign its duties to the Silver Spring Citizens Advisory Board and require the Silver

Spring Citizens Advisory Committee to serve as the Silver Spring Urban District Advisory Committee;

- merge the Cable and Communications Advisory Committee and the Cable Compliance Commission;
- terminate the Dickerson Area Facilities Implementation Group and assign its duties to the Solid Waste Advisory Committee;

Bill 20-09 and the Resolution to implement recommendations of the Committee Evaluation Review Board would implement recommendations of the 2004 CERB Report that the Council did not implement as part of Bills 2-05 Boards, Committees, and Commissions – General Provisions or 3-05, Boards, Committees, and Commissions – Specific Provisions. Bill 21-09 and the Resolution to repeal the Dickerson Area Facilities Implementation Group would implement suggestions from agencies and the community in the same vein as the 2004 CERB Report. The County currently lists 84 Committees on its website (©41-52). CERB noted in its 2004 Report that Montgomery County had more Boards, Committees, and Commissions than any of the neighboring jurisdictions that it surveyed:

Jurisdiction	Number of Boards, Committees, and Commissions
Anne Arundel County	44
Baltimore County	35
Howard County	34
Montgomery County	84*
Prince George's County	51
Fairfax County	73
Arlington County	42

Passage of Bill 20-09 and 21-09 and the accompanying resolutions would reduce the number of committees in Montgomery County by 12 to 72.

The fiscal impact statements for Bills 20-09 and 21-09 are attached on ©24 and ©37. The statement for Bill 20-09 indicated that there is no economic impact associated with the bill, but asserted that the legislation may result in additional staff time. The fiscal impact statement for Bill 21-09 indicated that there was no fiscal or economic impact because the functions for the terminated B/C/Cs are not eliminated. Council staff has questions about these conclusions but as of the time this packet went to print, Council staff did not have the opportunity to seek clarification from the Office of Management and Budget.

* The 2004 CERB report identified 83 committees; Council staff has amended this CERB chart to reflect the current total of 84.

Overview

1. Recreation Advisory Board and Citizens Advisory Boards.

Current Law. Current law provides for recreation advisory boards for each recreation area to encourage the development of desirable recreational and park opportunities in the designated recreation areas of the County. Council staff understands that there are currently 4 area recreation advisory boards in addition to the County-wide Recreation Advisory Board: Down-County, East County, Mid-County, and Up-County. The County also has 5 Citizens Advisory Boards which advise the Executive and Council on issues and needs for their respective areas and advocate for regional priorities.

Bill/Resolution. Bill 20-09 and its accompanying resolution would terminate the area recreation advisory boards and require the Executive to appoint 3 members to each Regional Service Center Citizens Advisory Board to serve as a subcommittee on recreation issues (©8-13).

CERB Recommendation. CERB recommended that “each of the regional recreation boards be discontinued and their work be subsumed by the Regional Services Centers’ Citizens Advisory Boards” and that there be “formal liaison positions between the Regional Services Centers’ Citizens Advisory Boards and the County-wide Recreation Advisory Board (©53-59).

Correspondence/Testimony. The Mid-County Citizens Advisory Board and the Down-County, East County, and Mid-County Recreation Advisory Boards opposed the proposed merger of the Recreation Advisory Boards into the Citizens Advisory Boards (©60-65). Marv Weinman submitted a letter supporting the efforts to consolidate B/C/Cs (©110).

2. Agricultural Advisory Committee, Agricultural Preservation Advisory Board, and Rustic Roads Advisory Committee.

Current Law. Under current law, the AAC, APAB, and RRAC are separate committees with separate membership requirements and duties. The 15-member AAC was created to advise the Executive and Council on all matters affecting agriculture in the County. The 5-member APAB is a state required board that advises the Executive and Council on establishing agricultural districts, easement purchases, and promotes preservation of agriculture. State law has certain membership and duty requirements that the County must adhere to. The 7-member RRAC promotes public awareness and knowledge of the County rustic roads program and reviews and comments on classification of rustic roads, exceptional rustic roads, Executive Regulations, and other County policies and programs that may affect the rustic roads program.

Bill/Resolution. Bill 20-09 and its accompanying resolution would merge these committees into a 19-member Agricultural Advisory Committee with 2 required subcommittees (the RRAC and the APAB). The 2 subcommittees would retain their current duties and membership criteria (©3-7).

CERB Recommendation. The CERB Report recommended “a unified Agricultural Board with a broader mission and goals and topic related subcommittees would be a better use of staff time

and allow for greater participation from the widest segment of the farm community”. CERB recommended merging these 3 committees (©66-69).

Correspondence/Testimony. The Council received testimony and letters from the AAC, APAB, RRAC, and the League of Women Voters of Montgomery County opposing the merger of these committees (©70-77). The AAC, however, did not oppose the portion of Bill 20-09 that would have codified the existence of the AAC (the AAC is established by resolution). Marv Weinman submitted a letter supporting the efforts to consolidate B/C/Cs (©110).

3. Committee on Hate/Violence and the Committee on Ethnic Affairs.

Current Law. Under current law, the 26-member Committee on Ethnic Affairs, among other duties, advises the Executive and Council on public policy that relates to ethnic affairs, participates in community events in celebration of ethnic diversity, and promotes maximum involvement of all ethnic groups in the County in government, business and community affairs. The 15-member Committee on Hate/Violence advises the Council, Executive, and County agencies about hate/violence in the County. They also recommend policies, programs, legislation, or regulations necessary to reduce the incidence of acts of hate/violence and develop and distribute information about hate/violence in the County. The Committee on Hate/Violence is also required to establish a subcommittee to manage the Partnership Fund for Victims of Hate/Violence.

Bill/Resolution. Bill 20-09 would terminate the Committee on Hate/Violence and assign its duties to the Committee on Ethnic Affairs, which would be renamed the Multicultural Affairs Advisory Committee (©13-19).

CERB Recommendation. CERB recommended continuing the Committee for Ethnic Affairs and studying a merger with the Committee on Hate/Violence because “there are many important issues that the two groups could more efficiently address together” (©78-79).

Correspondence/Testimony. At the public hearing, Amina Makhdoom, on behalf of the Committee on Hate/Violence, urged the Council not to merge these two committees. The Council also received correspondence from the Director of the David S. Wyman Institute for Holocaust Studies opposing the proposed merger of these Committees (©80). Marv Weinman submitted a letter supporting the efforts to consolidate B/C/Cs (©110).

4. Silver Spring Transportation Management District Advisory Board, Silver Spring Urban District Advisory Committee, and Silver Spring Citizens Advisory Board.

Current Law. There are currently four B/C/Cs that explicitly serve the Silver Spring area: the Silver Spring Transportation Management District Advisory Board, Silver Spring Urban District Advisory Committee, Silver Spring Citizens Advisory Board, and Down-County Recreation Advisory Board (see page 3 for a discussion of the Recreation Advisory Board). The Silver Spring Transportation Management District Advisory Board advises the County on all aspects of implementing a transportation management system in the Silver Spring Central Business District and vicinity. The Silver Spring Urban District Advisory Committee advises the County on all

aspects of the program, management, and finances of the urban district. As discussed above, the Silver Spring Citizens Advisory Board advises the Executive and Council on issues and needs for the Silver Spring area and advocate for regional priorities.

Bill/Resolution. As discussed on page 3, Bill 20-09 and its accompanying resolution would merge the Recreation Advisory Board into the Citizens Advisory Board (©8-13). Bill 21-09 would terminate the current Silver Spring Urban District Advisory Committee and require the Citizens Advisory Board to serve as the Urban District Advisory Committee (©33-34). Finally, Bill 20-09 and its resolution would terminate the Silver Spring Transportation Management District Advisory Board and assign its duties to the consolidated Citizens Advisory Board (©22-23).

CERB Recommendation. CERB recommended discontinuing the Silver Spring Transportation Management District Advisory Board “as it duplicates efforts” by the Silver Spring Citizens Advisory Board and the Silver Spring Urban District Advisory Committee and has continual problems with filling and keeping members, which prevents the Board from effectively meeting its goals. CERB recommended that the Transportation Management District Advisory Board’s work be done by one of the other Groups (©84-85). CERB recommended continuing the Silver Spring Urban District Advisory Committee with some changes (©85).

Correspondence/Testimony. The Council received testimony and letters from the Silver Spring Transportation Management District Advisory Committee opposing the elimination of their Committee (©86-87). The Council received testimony and letters from the Silver Spring Urban District Advisory Committee, Greater Silver Spring Chamber of Commerce, and Ernest Bland opposing the merger of the Silver Spring Urban District Advisory Committee and the Silver Spring Citizens Advisory Board (©88-92). The Silver Spring Citizens Advisory Board opposed both of these proposals (©93-94). Marv Weinman submitted a letter supporting the efforts to consolidate B/C/Cs (©110).

5. Cable and Communications Advisory Committee and Cable Compliance Commission.

Current Law. Under current law, the 15-member CCAC provides advice and recommendations to the Executive, Council, and the Department of Technology Services on all telecommunications issues, including the administration of Chapter 8A, Cable Communications, and any franchise agreement or application. The 5-member CCC adjudicates subscriber complaints involving customer cable service and other consumer protection claims.

Bill/Resolution. Bill 21-09 would consolidate these committees into a single 17-member Committee on Cable and Telecommunications, which would have all of the functions and duties of the CCAC and CCC (©26-31).

CERB Recommendation. CERB recommended continuing the Cable and Communications Advisory Committee with changes (©95-96). CERB did not review the Cable Compliance Commission.

Correspondence/Testimony. Suzanne Weiss, on behalf of the Cable and Communications Advisory Committee generally opposed the elimination or reduction of the number of B/C/Cs (©97). Marv Weinman submitted a letter supporting the efforts to consolidate B/C/Cs (©110).

6. Solid Waste Advisory Committee and Dickerson Area Facilities Implementation Group.

Current Law. Under current law, SWAC advises the Council and Executive on all matters relating to solid waste management in the County. By resolution, DAFIG was created to address community and environmental issues and concerns pertaining to the operations of the County's solid waste facilities located in the Dickerson area, which include the Resource Recovery Facility, the Yard Trim Composting Facility, properties originally purchased for the Site 2 landfill, and property associated with the original Matthews Farm.

Bill/Resolution. The proposal would terminate the Dickerson Area Facilities Implementation Group and require SWAC to advise the County on the execution of the policies and strategies in the Facilities Master Plan for the Solid Waste Operations in the Dickerson Area, in addition to its other duties (©31-33, 36).

CERB Recommendation. The CERB Report noted that the Dickerson Area Facilities Implementation Group's advisory goals overlap with those of the Solid Waste Advisory Committee, but ultimately recommended continuing both Committees (©100-101).

Correspondence/Testimony. The Council received letters from SWAC, DAFIG, and resident Anne Sturm opposing the merger of these committees (©102-109). Marv Weinman submitted a letter supporting the efforts to consolidate B/C/Cs (©110).

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Bill No. 20-09
Concerning: Boards, Committees, and
Commissions - Committee Evaluation
Review Board (CERB)
Recommendations
Revised: 4/16/2009 Draft No. 1
Introduced: April 21, 2009
Expires: October 21, 2010
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Leventhal

AN ACT to:

- (1) establish an Agricultural Advisory Committee;
- (2) establish the Agricultural Preservation Advisory Board and the Rustic Roads Advisory Committee as subcommittees of the Agricultural Advisory Committee;
- (3) terminate the recreation advisory boards and the Committee on Hate/Violence;
- (4) rename and amend the duties of the Committee on Ethnic Affairs; and
- (5) generally amend County law regarding the membership, structure, and functions of boards, committees, and commissions.

By amending

Montgomery County Code
Chapter 2B, Agricultural Land Preservation
Section 2B-1

Chapter 27, Human Rights and Civil Liberties
Sections 27-53 through 27-57, 37-61, and 27-63

Chapter 41, Recreation and Recreation Facilities
Sections 41-21 through 41-30

By adding

Montgomery County Code
Chapter 2B, Agricultural Land Preservation
Article III, Agricultural Advisory Committee
Section 2B-20

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

26 (B) 3 members to a 1 year term who have no significant direct
 27 financial interest in farming, to represent broad non-farm
 28 County interests; and

29 (C) the following members to a 3 year term:

30 (i) 1 member who knows rural preservation techniques
 31 through practical experience and training;

32 (ii) 1 member who knows roadway engineering through
 33 practical experience and training;

34 (iii) 1 member who represents civic associations located
 35 in the Agricultural Reserve; and

36 (iv) 1 member who represents civic associations in areas
 37 located outside the Agricultural Reserve where there
 38 are rustic roads.

39 (3) The Committee may designate ex-officio members as necessary.

40 (4) Notwithstanding subparagraph (2), those members who are
 41 appointed to the Agricultural Preservation Advisory
 42 Subcommittee serve a 5 year term.

43 (5) If a member is appointed to fill a vacancy before a term expires,
 44 the successor serves the rest of the unexpired term.

45 (d) Officers, meetings, subcommittees, and compensation.

46 (1) The Committee must elect a chair and vice-chair from among the
 47 Committee's members.

48 (2) The Executive must designate, subject to confirmation by the
 49 Council, a Rustic Roads Advisory Subcommittee. The
 50 Subcommittee must consist of 3 members appointed under
 51 subparagraph (c)(2)(A) and the 4 members appointed under
 52 subparagraph (c)(2)(C). The Chair of the Planning Board must

53 designate a member of the planning staff as a non-voting
 54 Subcommittee member.

55 (3) The Executive must designate, subject to confirmation by the
 56 Council, an Agricultural Preservation Advisory Subcommittee.
 57 This subcommittee serves as the Agricultural Preservation
 58 Advisory Board required under §2-504.1 of the Agriculture
 59 Article of the Maryland Code and established in County Code
 60 §2B-2.

61 (4) A member serves without compensation. However, a member
 62 may request reimbursement for mileage and dependent care costs
 63 at rates established by the County.

64 (e) Duties.

65 (1) The Commission must:

66 (A) advise the Executive and Council on all matters affecting
 67 agriculture in the County;

68 (B) bring matters of particular importance to the attention of
 69 the Executive and Council; and

70 (C) comment on matters referred to it by the Executive and
 71 Council.

72 (2) The Rustic Roads Advisory Subcommittee must:

73 (A) promote public awareness and knowledge of the County
 74 rustic roads program;

75 (B) review and comment on classification of rustic roads and
 76 exceptional rustic roads; and

77 (C) review and comment on Executive Regulations and other
 78 County policies and programs that may affect the rustic
 79 roads program.

107 (5) one member who represents civic associations in areas located
 108 outside the Agricultural Reserve where there are rustic roads.

109 The Chairman of the Planning Board must designate a member of the
 110 planning staff as a non-voting Committee member.]

111 [(b) *Officers.* The Committee must elect a chair annually. The Committee
 112 may select other officers annually as it finds appropriate. A member
 113 must not serve as chair for more than 2 consecutive years.]

114 [(c) *Meetings.* The Committee must meet at the call of the chair as often as
 115 required to perform its duties, but at least 6 times each year. The
 116 Committee must also meet if two-thirds of the voting members request
 117 in writing that a meeting be held. The Chair must give reasonable
 118 advance notice of all meetings to members of the Committee and the
 119 public. A majority of the members are a quorum to transact business.]

120 [(d) *By-laws.* The Committee may adopt by-laws to govern its activities.]

121 [(e) *Duties.* The Committee must:

122 (1) promote public awareness and knowledge of the County rustic
 123 roads program;

124 (2) review and comment on classification of rustic roads and
 125 exceptional rustic roads;

126 (3) review and comment on Executive Regulations and other County
 127 policies and programs that may affect the rustic roads program;
 128 and

129 (4) report on June 1 of each even numbered year to the Executive,
 130 the Council, and the Planning Board on the status of the rustic
 131 roads program.]

132 [(f) *Staff.* The Chief Administrative Officer must provide the Committee
 133 with staff, offices, and supplies as are appropriated for it.]

134 **Sec. 2. Sections 41-21 through 41-30 are amended as follows:**

135 **41-21. Recreation board.**

- 136 (a) There is a County Recreation Board. Each member is appointed by the
137 County Executive and confirmed by the County Council for a 3-year
138 term beginning on July 1. A member serves until a successor is
139 appointed and confirmed.
- 140 (b) The voting members of the Board are:
- 141 (1) 1 representative from each [recreation area advisory board]
142 Regional Service Center's Citizens Advisory Board; and
- 143 (2) 15 members appointed from the County at-large to represent a
144 cross-section of the population of the County.
- 145 (c) The ex officio, nonvoting members of the Board are:
- 146 (1) a representative of the Department of Parks of the Maryland-
147 National Capital Park and Planning Commission;
- 148 (2) an administrative representative of the Board of Education;
- 149 (3) the immediate past Chair of the County Recreation Board, unless
150 that person serves on the Board in another capacity;
- 151 (4) a representative of the Office of Community Use of Public
152 Facilities;
- 153 (5) a representative of the Community Action Board;
- 154 (6) a representative of the Commission on Aging; and
- 155 (7) a representative of the Commission on People with Disabilities.
- 156 (d) The Executive must also appoint 3 members to each Regional Service
157 Center Citizens Advisory Board to serve as a subcommittee on
158 recreation issues. Each subcommittee must advise the Advisory Board
159 to which it reports on recreation (but not parks) needs in that geographic

160 area, and must communicate regularly, through the Advisory Board,
 161 with the County Recreation Board.

162 **41-22. Same-Duties and responsibilities.**

163 The County Recreation Advisory Board must:

164 * * *

165 (h) [Coordinate the activities of the recreation area advisory boards]
 166 collaborate with the various Regional Service Center Citizens Advisory
 167 Boards on area recreation issues.

168 **[41-25. Recreation area advisory boards-Created.]**

169 [In each recreation area created pursuant to this article, there shall be one (1)
 170 recreation area advisory board which shall serve as the representative body for such
 171 area on recreation matters.]

172 **[41-26. Same-Purpose; goals and opportunities.]**

173 [The recreation area advisory boards shall encourage the development of
 174 desirable recreational and park opportunities in the designated recreation areas of the
 175 county, so that all the people may live enriched lives, find greater enjoyment and
 176 happiness, have better mental health, greater physical vitality and deeper moral
 177 strength. To accomplish this purpose, each board shall be concerned with the
 178 following recreational goals and opportunities:]

179 [(a) Opportunities that reflect the interests and needs of recreation area
 180 residents.]

181 [(b) Opportunities within the financial ability of all the people.]

182 [(c) Equality of opportunity for all people, regardless of race, origin,
 183 religion, age or sex.]

184 [(d) Year-round opportunity for all ages and both sexes.]

- 185 [(e) A wide range and diversity of individual choices (e.g., camping, dance,
186 drama, athletics, fine arts, performing arts, games, music, social
187 recreation, crafts and special events).]
- 188 [(f) A balanced emphasis within the range of individual choices.]
- 189 [(g) Opportunities for varying degrees of skill.]
- 190 [(h) Opportunities for the individual, the family and groups.]
- 191 [(i) Opportunities for progressive advancement.]
- 192 [(j) Opportunities for creative expression.]
- 193 [(k) Active and passive opportunities.]
- 194 [(l) Opportunities that utilize other community resources.]
- 195 [(m) Relating opportunities to other community agencies.]
- 196 [(n) Opportunities for residents to participate in recreational planning.]
- 197 [(o) Assistance to individuals and groups seeking their own opportunities.]
- 198 [(p) Indoor and outdoor recreation opportunities centrally located and easily
199 accessible.]
- 200 [(q) Advice on the acquisition of open space to satisfy recreational pursuits,
201 prevent overcrowding, make the district a more attractive place to live,
202 conserve wooded areas and stream valleys, preserve historical,
203 geological and horticultural features, and preserve areas of natural
204 beauty.]
- 205 [(r) Recreation grounds and facilities based upon user interests and needs
206 and population ratio.]

207 **[41-27. Membership.]**

- 208 [(a) Each recreation area advisory board consists of 9 members and 2
209 alternates, each of whom resides in the designated recreation area. Each
210 member is appointed by the county executive, subject to confirmation
211 by the county council. Individual appointments to a board must reflect a

212 wide diversity of recreational interests. The Executive must consider
213 geographical representation from different neighborhood centers in the
214 recreation area. In order to maintain continuity on each recreation area
215 advisory board, the Executive must appoint 3 members of each board
216 annually and appoint the 2 alternates every 3 years. Each member serves
217 3 years or until a successor is confirmed. A regular board member must
218 not serve more than 2 consecutive full terms, but any member may be
219 reappointed after a lapse of one year. A vacancy occurring before a term
220 expires is filled for the remainder of the unexpired term of the
221 predecessor. Appointments to unexpired terms are not a full term.]

222 [(b) When the Executive appoints an alternate member of a recreation area
223 advisory board, the Executive must designate whether the appointee
224 would serve as the primary or secondary alternate. Alternate members
225 may participate in board discussions but must not vote unless acting for
226 an absent board member. When a board member resigns, the first
227 alternate becomes a full member for the remainder of the former
228 member's term and the second alternate becomes the first alternate.]

229 [(c) A municipality with an active recreation program in a designated
230 County recreation area may designate one or more representatives to
231 serve as non-voting, ex officio members of the recreation area advisory
232 board for that area.]

233 [(d) The members of each board serve without compensation. The
234 department of recreation must designate a department employee to
235 advise each board, and the director of the department must ask the
236 Maryland-National Capital Park and Planning Commission to have a
237 staff member present at meetings of each board.]

238 **[41-28. Same-Chairperson and vice-chairperson.]**

239 [The chairperson and vice-chairperson shall be elected by each recreation area
240 advisory board from among its members. The term of the chairperson and vice-
241 chairperson shall be one (1) year, and each shall be eligible for reelection for an
242 additional one-year term. No chairperson or vice-chairperson shall serve
243 consecutively for more than two (2) years.]

244 **[41-29. Meetings; quorum.]**

245 [Each recreation area advisory board meets in public session on call by the
246 chairman as frequently as necessary to perform its duties, but not less than 10 times
247 annually. Reasonable notice must be given for all meetings of the board. A majority
248 of the members of the board is a quorum for the transaction of business, and a
249 majority vote of those present at any meeting is required for any action taken by the
250 board.]

251 **[41-30. Duties.]**

252 [Each board must advise the county recreation board, the county executive, the
253 county council, the director of the county department of recreation, and the
254 Montgomery County Planning Board about the appropriate number and nature of
255 recreation programs, neighborhood and community parks, and facilities for leisure
256 activities and the well-being of county residents. A board also may:]

257 [(a) Study and appraise the existing and future recreation needs of its
258 recreation area in terms of program, facilities and services, and suggest
259 plans to meet those needs.]

260 [(b) Provide general comments on annual budget requests for recreation and
261 parks, programs and facilities.]

262 [(c) Support high standards in recreation leadership and in quality of
263 program service.]

- 264 [(d) Encourage cooperation with other related agencies and assist in
 265 correlating community forces for the development of recreation and
 266 parks.]
- 267 [(e) Render advice on the design and layout of recreation grounds and
 268 facilities.]
- 269 [(f) Advise the county council on legislative and budgetary matters
 270 regarding recreation.]
- 271 [(g) Inform the Regional Citizens Advisory Board about matters related to
 272 recreation and parks, and collaborate with the Regional Board on
 273 planning, conservation, environment, and other issues that affect park
 274 and recreation facilities and services.]

275 **41-25 – 41-30. Reserved.**

276 **Sec. 3. Sections 27-53 through 27-57, 27-61, and 27-63 are amended as**
 277 **follows:**

278 **Article VII. Multicultural Affairs Advisory Committee [for Ethnic Affairs].**

279 **27-53. Multicultural Affairs Advisory Committee [for Ethnic Affairs] –**
 280 **Established; membership; terms of membership; chairperson.**

- 281 (a) [Establishing the Committee] *Established*. The County Executive must
 282 appoint, subject to confirmation by the Council, a Multicultural Affairs
 283 Advisory Committee [for Ethnic Affairs is established for an indefinite
 284 term].
- 285 (b) *Membership*.
- 286 [(1) All members must be appointed by the County Executive and
 287 confirmed by the County Council.
- 288 (2) There must be] The Committee has 26 members, of whom:
 289 [(A)] (1) 14 are identified with ethnic groups in the County; and

290 [(B)] (2) 12 are identified with the general public, including the
 291 business and education communities.

292 (c) *Terms of members.* Each member must be appointed for a 3-year term
 293 that begins on April 1, except for a member appointed to complete an
 294 unexpired term. A member appointed to fill a vacancy serves the rest of
 295 the unexpired term. Each member continues in office until a successor
 296 is appointed and qualified.

297 (d) *Chairperson.* The Committee must elect a chairperson. The chairperson
 298 serves a one- year term, unless reelected.

299 **27-54. Responsibilities of the Committee.**

300 The Committee should:

301 (a) create a forum for all ethnic groups in the County, help to integrate
 302 diverse communities in the County, and identify existing and potential
 303 problems and possible solutions[.];

304 (b) advise the County Executive[,] and County Council[, and the Office of
 305 Minority and Multicultural Affairs] on public policy that relates to
 306 ethnic affairs;

307 (c) emphasize the richness of the lingual and cultural diversity in the
 308 County, including the promotion of interaction and interchange among
 309 ethnic groups;

310 (d) advise the [Office of Minority and Multicultural Affairs] Executive or
 311 the Executive's designee about the organization of an annual heritage
 312 festival to celebrate ethnic diversity in the County;

313 (e) advise the [Office of Minority and Multicultural Affairs] Executive or
 314 the Executive's designee about ways [of introducing and welcoming] to
 315 introduce and welcome permanent and temporary residents from other

- 316 countries to the County and [integrating] integrate them into the
 317 community;
- 318 (f) advise the [Office of Minority and Multicultural Affairs] Executive or
 319 the Executive's designee about special needs of ethnic groups for public
 320 services, including interpreters, health, housing, employment, and
 321 education, and monitor any programs that provide these services;
- 322 (g) advise the [Office of Minority and Multicultural Affairs] Executive or
 323 the Executive's designee about providing information in as many
 324 languages as possible;
- 325 (h) advise the [Office of Minority and Multicultural Affairs] Executive or
 326 the Executive's designee about promoting involvement of all ethnic
 327 groups in the government, business, and community affairs of the
 328 County; [and]
- 329 (i) communicate with the Maryland State Ethnic Heritage Commission and
 330 other comparable public and private organizations[.]; and
- 331 (j) address issues relating to hate/violence in the County, including:
- 332 (1) develop and distribute information about hate/violence in the
 333 County;
- 334 (2) advise the Council, the Executive, and County agencies about
 335 hate/violence in the County, and recommend policies, programs,
 336 legislation, or regulations necessary to reduce the incidence of
 337 acts of hate/violence; and
- 338 (3) establish a subcommittee, with members designated by the
 339 Executive under Section 27-26(a)(4), to manage the Partnership
 340 Fund for Victims of Hate/Violence.

* * *

342 **27-55. Annual ethnic heritage festival.**

343 (a) The [Office of Minority and Multicultural Affairs] Executive or the
344 Executive's designee must:

- 345 (1) organize an annual ethnic heritage festival; and
346 (2) provide for citizen participation in the festival planning.

347 (b) The Committee should assist the [Office of Minority and Multicultural
348 Affairs] Executive or the Executive's designee in planning the festival.

349 **27-56. Reports.**

350 (a) By December 1 each year, the Committee must report to the County
351 Executive[,] and the County Council[, and the Office of Minority and
352 Multicultural Affairs].

353 (b) The report must include:

- 354 (1) a summary of the activities, accomplishments, plans, and
355 objectives of the Committee[.]; and
356 (2) the source and amount of any contribution received to support the
357 Committee's activities.

358 **27-57. Committee support.**

359 The [Office of Minority and Multicultural Affairs] Executive or the
360 Executive's designee must provide appropriate support to assist the Committee in its
361 work.

362 **27-61. [Reserved] Contributions.**

363 The Committee may solicit and accept contributions from public and private
364 sources to support the activities of the Committee, notwithstanding any provision of
365 Chapter 19A to the contrary. Committee staff must not solicit or accept contributions
366 for the Committee, but may be assigned administrative tasks related to Committee
367 fundraising.

368 **[27-63. Committee on Hate/Violence.]**

369 (a) *Members.* The County Executive must appoint, subject to confirmation
370 by the County Council, a Committee on Hate/Violence. The Committee
371 consists of 15 voting members and 6 ex-officio nonvoting members.
372 Each voting member must, when appointed, reside in the County.

373 (1) *Voting members.* The voting members must broadly reflect the
374 geographic, economic, and social diversity of the County.

375 (A) At least 9 voting members should be identified with ethnic
376 or other groups in the County frequently subject to acts of
377 hate/violence.

378 (B) At least 2 voting members should be parents of school-age
379 children.

380 (C) At least one voting member should be identified with the
381 County business community.

382 (2) *Nonvoting members.* The County Council, County Executive,
383 Department of Police, Commission on Human Rights,
384 Montgomery County Public Schools, and Montgomery College,
385 should each designate an ex-officio nonvoting member of the
386 Committee.

387 (3) *Term.* Each voting member serves a 3-year term. A voting
388 member must not serve more than 2 consecutive full terms. A
389 member appointed to fill a vacancy serves the rest of the
390 unexpired term. Members continue in office until their
391 successors are appointed and qualified.

392 (4) *Compensation.* Voting members receive no compensation for
393 their services.

- 394 (5) *Removal.* The County Executive, with the consent of the County
 395 Council, may remove a voting member for neglect of or inability
 396 to perform the duties of the office, misconduct in office, or
 397 serious violation of law. Before the Executive removes a
 398 member, the Executive must give the member notice of the
 399 reason for removal and a fair opportunity to reply. Section 2-
 400 148(c) applies only to voting members of the Commission.]
- 401 [(b) *Chair and Vice Chair.* The Committee must annually elect one voting
 402 member as chair and another as vice chair, and may elect other officers.]
- 403 [(c) *Meetings.* The Committee meets at the call of the chair as often as
 404 required to perform its duties, but at least 10 times each year. The
 405 Committee must also meet if a majority of the voting members file a
 406 written request for a meeting with the chair at least 7 days before the
 407 proposed meeting. A majority of the voting members are a quorum for
 408 the transaction of business, and a majority of the voting members
 409 present at any meeting may take any official action.]
- 410 [(d) *Staff.* The Office of the Commission on Human Rights must provide the
 411 Committee with staff, offices, and supplies as are appropriated for it.]
- 412 [(e) *Duties.* The Committee must:
- 413 (1) adopt rules and procedures as necessary to perform its functions;
 414 (2) keep a record of its activities and minutes of all meetings, which
 415 must be kept on file and open to the public during business hours
 416 upon request;
 417 (3) develop and distribute information about hate/violence in the
 418 County;
 419 (4) promote educational activities that demonstrate the positive value
 420 of ethnic and social diversity in the County;

- 421 (5) advise the County Council, the County Executive, and County
 422 agencies about hate/violence in the County, and recommend
 423 policies, programs, legislation, or regulations necessary to reduce
 424 the incidence of acts of hate/violence;
- 425 (6) submit an annual report by October 1 to the Executive and
 426 Council on the activities of the Committee, including the source
 427 and amount of any contribution received to support the activities
 428 of the Committee; and
- 429 (7) establish a subcommittee, with members designated by the
 430 Executive under Section 27-26(a)(4), to manage the Partnership
 431 Fund for Victims of Hate/Violence.]

432 [(f) *Contributions.* The Committee may solicit and accept contributions
 433 from public and private sources to support the activities of the
 434 Committee notwithstanding any provision of Chapter 19A to the
 435 contrary. Committee staff must not solicit or accept contributions for
 436 the Committee, but may be assigned administrative tasks related to
 437 Committee fundraising.]

438 **Sec. 4. Transition.**

- 439 (a) In appointing the initial members of the Agricultural Advisory
 440 Committee established in County Code §2B-20, inserted by Section 1 of
 441 this Act, the County Executive must appoint the current members of the
 442 Agricultural Preservation Advisory Board to the Agricultural
 443 Preservation Advisory Subcommittee to serve the remainder of their
 444 terms.
- 445 (b) In appointing the initial members of the Agricultural Advisory
 446 Committee established in County Code §2B-20, inserted by Section 1 of
 447 this Act, the Executive must appoint the current members of the Rustic

448 Roads Advisory Committee to the Rustic Roads Advisory
449 Subcommittee to serve the remainder of their terms.

450 (c) The Executive may continue the term of any member who currently
451 serves on the Agricultural Advisory Committee, but the Agricultural
452 Advisory Committee must not exceed 19 members.

453 (d) The Executive may stagger the initial terms of appointed members so
454 that approximately one-third of the terms expire each year.

455 *Approved:*

456 _____
Philip M. Andrews, President, County Council Date

457 *Approved:*

458 _____
Isiah Leggett, County Executive Date

459 *This is a correct copy of Council action.*

460 _____
Linda M. Lauer, Clerk of the Council Date

LEGISLATIVE REQUEST REPORT

Bill 20-09, Boards, Committees, and Commissions – Committee Evaluation Review Board (CERB) Recommendations

DESCRIPTION:	Bill 20-09 would codify the Agricultural Advisory Committee; establish the Agricultural Preservation Advisory Board and the Rustic Roads Advisory Committee as subcommittees of the Agricultural Advisory Committee; terminate the recreation advisory boards and the Committee on Hate/Violence; rename and amend the duties of the Committee on Ethnic Affairs; and generally amend the County law regarding the membership, structure, and functions of boards, committees, and commissions.
PROBLEM:	The Committee Evaluation and Review Board (CERB), in their report on the County's system of boards, committees and commissions, recommended many changes to specific boards, committees and commissions.
GOALS AND OBJECTIVES:	To help the County's boards, committees and commissions run more efficiently and productively. To make it easier for boards, committees and commission to find applicants willing to serve.
COORDINATION:	Council and Executive staff; Chief Administrative Officer.
FISCAL IMPACT:	To be requested.
ECONOMIC IMPACT:	To be requested.
EVALUATION:	To be requested.
EXPERIENCE ELSEWHERE:	To be researched.
SOURCE OF INFORMATION:	Amanda Mihill, Legislative Analyst (240) 777-7815
APPLICATION WITHIN MUNICIPALITIES:	Applies only to County boards, committees, and commissions.
PENALTIES:	N/A

Resolution No: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY MARYLAND

By: Councilmember Leventhal

Subject: Resolution to implement recommendations of the Committee Evaluation Review Board (CERB)

Background

1. Section 2-146 of the Montgomery County Code provides for the appointment every ten years of a citizen's Committee Evaluation and Review Board (CERB) to review the Montgomery County Boards, Committees and Commissions. The most recent CERB was appointed in March 2002 and submitted its final report to the County Executive and County Council in July 2004.
2. The Council adopted Resolution No. 7-1138 establishing the Agricultural Advisory Committee on April 3, 1973.
3. The Council adopted Resolution No. 8-705 restructuring the Agricultural Advisory Committee on March 16, 1976.
4. The latest report of the Committee Evaluation Review Board, issued in July 2004, recommended that the Agricultural Advisory Committee, the Agricultural Preservation Advisory Board, and the Rustic Roads Advisory Committee be merged into one committee.
5. Bill 20-09 would create the Agricultural Advisory Committee in County law.
6. The Council adopted Resolution No. 14-1511 on November 26, 2002 which authorized the County Executive to establish a Silver Spring Transportation System Management Advisory Committee.
7. The Council adopted Resolution No. 8-449 on September 2, 1975 dissolving the Takoma-East Silver Spring Commission and recommending the Executive establish a Silver Spring Area Citizens Advisory Board.

Action

The County Council for Montgomery County Maryland approves the following resolution:

1. Resolution Nos. 7-1138 and 8-705 establishing and restructuring the Agricultural Advisory Committee are repealed.
2. Resolution No. is amended by deleting paragraphs 4, 5, and 6 and deleting references to the Silver Spring Transportation Management District Advisory Committee in paragraph 7.
3. In addition to the duties assigned in Resolution No. 8-449 and other County law or resolutions, the Silver Spring Citizens Advisory Board may advise the Transportation Management Organization, any employer, any party with whom the County contracts under Resolution No. 14-1511 and Section 42A-23(b), and the County government on all aspects of programs, management, and finances relating to the transportation system and demand management in the Silver Spring Transportation Management Districts and its vicinity, including:
 - (a) propose guidelines for traffic mitigation plans;
 - (b) monitor the implementation of the traffic mitigation plans;
 - (c) evaluate progress in attaining the commuting goals specified in the Annual Growth Policy;
 - (d) recommend government, private, or joint actions to facilitate attainment of the commuting goals specified in the Annual Growth Policy;
 - (e) advise the Director of DPWT on parking policies;
 - (f) review traffic patterns and control measures in the Silver Spring TMD and vicinity, including neighborhood parking and pedestrian access and safety; and
 - (g) submit comments and recommendations on the Director's report required under Code Section 42A-27.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council



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OFFICE OF MANAGEMENT AND BUDGET

Isiah Leggett
County Executive

Joseph F. Beach
Director

MEMORANDUM

June 24, 2009

TO: Phil Andrews, President, County Council

FROM: Joseph F. Beach, Director

SUBJECT: Council Bill 20-09, Boards, Committees, and Commissions – Committee Evaluation Review Board (CERB) Recommendations and Resolution to implement recommendations of the Committee Evaluation Review Board

2009 JUN 24 PM 3:56
JFB

The purpose of this memorandum is to transmit a fiscal impact statement to the Council on the subject legislation.

LEGISLATION SUMMARY

The bill would codify the Agricultural Advisory Committee; establish the Agricultural Preservation Advisory Board and the Rustic Roads Advisory Committee as subcommittees of the Agricultural Advisory Committee; terminate the recreation advisory boards and the Committee on Hate/Violence; and rename and amend the duties of the Committee on Ethnic Affairs. The Resolution would repeal certain resolutions creating and restructuring the Agricultural Advisory Committee and terminate the Silver Spring Transportation Management District Advisory Committee and assign its duties to the Silver Spring Citizens Advisory Boards.

FISCAL AND ECONOMIC SUMMARY

The proposed legislation may result in additional staff time. Commuter Services staff will have to attend both the main Citizens Advisory Board meetings and the likely subcommittee, which will be formed to handle TMD-specific issues (since it is unlikely there will be adequate time at the main CAC meetings). However, this impact can be absorbed within existing resources.

There is no economic impact.

The following contributed to and concurred with this analysis: Jeremy Criss, Department of Economic Development; Gabriel Albornoz, Department of Recreation; Bruce Adams, Office of Community Partnership; Natalie Cantor, Mid-County Regional Services Center; Joy Nurmi, East County Regional Services Center; Catherine Matthews, UpCounty Regional Services Center; Ken Hartman, Bethesda-Chevy Chase Regional Services Center; Roylene Roberts, Silver Spring Regional Services Center; Sandra Brecher, Department of Transportation

JFB:brg

Office of the Director

Bill No. 21-09
Concerning: Boards, Commissions, and
Commissions – Amendments
Revised: 4/16/2009 Draft No. 1
Introduced: April 21, 2009
Expires: October 21, 2010
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Leventhal

AN ACT to:

- (1) merge the Cable and Communications Advisory Committee and the Cable Compliance Commission;
- (2) change the duties of the Solid Waste Advisory Committee;
- (3) require the Silver Spring Citizens Advisory Committee to serve as the Silver Spring Urban District Advisory Committee; and
- (4) generally amend County law regarding the membership, structure, and functions of boards, committees, and commissions.

By amending

Montgomery County Code
Chapter 8A, Cable Communications
Sections 8A-3, 8A-30, and 8A-31

Chapter 48, Solid Wastes
Sections 48-38, 48-39, and 48-41

Chapter 49, Streets and Roads
Sections 49-77 and 49-80

Chapter 68A, Montgomery County Urban Districts
Section 68A-5

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

28 **8A-31. Committee on Cable and Telecommunications [Compliance**
 29 **Commission].**

30 (a) *Established.* The County Executive must appoint, subject to
 31 confirmation by the Council, a Committee on Cable [Compliance
 32 Commission] and Telecommunications [is established to adjudicate
 33 subscriber complaints involving customer cable service and other
 34 consumer protection claims that arise under this Chapter, any regulation
 35 adopted or franchise agreement approved under this Chapter, or Section
 36 11-4A].

37 (b) *Membership.* The [Commission] Committee is comprised of [5] 17
 38 voting members [appointed by the County Executive and confirmed by
 39 the County Council. Each appointee must be appointed to a 3-year
 40 term]. The Commission should include:

41 (1) a cable television service subscriber;

42 (2) a broadband Internet service subscriber;

43 (3) an individual with general business experience; [and]

44 (4) an individual with technical experience in communications[.];

45 (5) 1 representative nominated by the County Chapter of the
 46 Maryland Municipal League;

47 (6) 1 representative nominated by the City of Rockville; and

48 (7) 1 representative nominated by the City of Takoma Park.

49 (c) *Officers.* The [Commissioners] members annually must elect a chair
 50 and vice chair of the [Commission] Committee. An individual must not
 51 serve more than 2 consecutive terms as chair.

52 (d) [Reserved]. *Meetings.* The Committee meets at the call of the chair as
 53 often as required to perform its duties, but at least quarterly. A majority
 54 of the voting members are a quorum for the transaction of business, and

55 a majority of the voting members present at any meeting may take any
 56 official action.

57 (e) *Ethics.* Each member of the [Commission] Committee is subject to
 58 Chapter 19A, except that the member must file a limited public financial
 59 disclosure statement regarding any communication-related activities and
 60 interests and a full confidential financial disclosure statement.

61 (f) *Authority.* The [Commission may] Committee must:

62 (1) advise and make recommendations to the County Executive,
 63 County Council, and the Department of Technology Services on
 64 all telecommunications issues, including the administration of
 65 this Chapter and any franchise agreement or application; and

66 (2) adjudicate subscriber complaints involving customer cable
 67 service and other consumer protection claims that arise under this
 68 Chapter, any regulation adopted or franchise agreement approved
 69 under this Chapter, or Section 11-4A, and in so doing:

70 [(1)] (A) [Require] require a franchisee to provide a refund to a
 71 complainant.

72 [(2)] (B) [Appoint] appoint a qualified person to mediate a case if
 73 the complainant and respondent agree to binding or non-
 74 binding mediation. A consent order resulting from
 75 mediation and approved by the [Commission] Committee
 76 is an order of the [Commission] Committee. If the
 77 mediator or the [Commission] Committee finds that the
 78 parties are not likely to agree to a mediated consent order
 79 within a reasonable time, the [Commission] Committee
 80 must decide the case.

81 [(3)] (C) [Order] order a franchisee to pay damages of up to
 82 \$1,000 to a person injured or aggrieved by the franchisee's
 83 actions. This limit applies separately to each violation.

84 (g) *Hearing Procedures.*

- 85 (1) The Administrative Procedures Act (Article II of Chapter 2A)
 86 applies to a complaint filed with the [Commission] Committee
 87 and governs the [Commission's] Committee's hearings and
 88 decisions, unless otherwise expressly provided in this Chapter.
 89 The [Commission] Committee may issue procedural rules under
 90 method (2) to implement this subsection.
- 91 (2) Before filing a complaint with the [Commission] Committee, a
 92 complainant must file the complaint with the county [cable
 93 administrator] Cable Administrator. If the [cable administrator]
 94 Cable Administrator is unable to resolve the complaint to the
 95 complainant's satisfaction within 30 days, the complainant may
 96 file the complaint with the [Commission] Committee.
- 97 (3) If the [Commission] Committee decides to conduct a public
 98 hearing on the complaint, the [Commission] Committee must
 99 notify the complainant, the franchisee, the county cable
 100 administrator or the County's Chief Information Officer (CIO),
 101 and any other person that [Commission] Committee rules require
 102 to be notified. Except as provided in Section 2A-9, the notice
 103 must be sent at least 15 days before the hearing. The
 104 [Commission] Committee may hold a hearing at the request of
 105 any party to the complaint (which may include the cable
 106 administrator or CIO) or on the [Commission's] Committee's
 107 own initiative, or may decide a complaint without a hearing.

- 108 (h) *Legal representation.* The County Attorney must provide legal advice
109 and representation to the [Commission] Committee and must enforce
110 any [Commission] Committee order. The County Attorney may
111 represent the interests of the County in any proceeding before the
112 [Commission] Committee, consistent with policies established by the
113 Council.
- 114 (i) *Conflicting subscriber agreement.* Any provision in a subscriber
115 agreement, whether written or oral, that conflicts with this Chapter, a
116 franchise agreement, or any regulation or other legal requirement is
117 unenforceable. An unenforceable provision does not affect other
118 provisions of the subscriber agreement that can be given effect without
119 the unenforceable provision. “Subscriber agreement” includes any
120 agreement that the franchisee requires a subscriber to agree to as a
121 condition of receiving cable service or any other products and services.
- 122 (j) *Fee.* The Executive may issue regulations under method (3) setting a
123 reasonable fee for filing a complaint with the [Commission] Committee.
124 The filer must pay the fee to the County when filing a complaint. The
125 [Commission] Committee, [cable administrator] Cable Administrator,
126 or CIO may waive the filing fee upon request if the fee would [be]
127 create a financial hardship for the complainant. If the parties agree to a
128 consent order after mediation, the [Commission] Committee may refund
129 the filing fee. The [Commission] Committee may order the losing party
130 to pay another party’s filing fees or other reasonable expenses related to
131 the hearing, including attorney’s fees, in addition to ordering payment
132 of damages.

133 (k) *Staff and other support.* The Chief Administrative Officer must provide
 134 the services and County facilities that are reasonably necessary for the
 135 [Commission] Committee to perform its duties.

136 **Sec. 2. Sections 48-38, 48-39, and 48-41 are amended as follows:**

137 **48-38. Established; composition; terms.**

138 (a) *Creation:* The County Executive must appoint a Solid Waste Advisory
 139 Committee, subject to confirmation by the County Council.

140 (b) *Composition:*

141 (1) The Committee has 15 voting members.

142 (2) The Committee has one ex officio nonvoting member
 143 representing the Maryland-National Capital Park and Planning
 144 Commission.

145 (c) *Appointment:*

146 (1) The County Executive should appoint members so that the
 147 Committee membership reflects:

148 (A) broad geographic areas of the [county] County;

149 (B) the solid waste industry;

150 (C) business users;

151 (D) a representative of the County Chapter of the Maryland
 152 Municipal League; and

153 (E) the general public.

154 (2) The Executive must request from the Council, and the Council
 155 may submit, a list of nominees to be considered for appointment
 156 by the Executive.

157 (d) *Term:* The term of members of the Committee is 3 years. A member
 158 serves until a successor has been appointed and qualified.

159 **48-39. Duties.**

160 The [committee shall be advisory to the county council and the county
 161 executive on all matters relating to solid waste management within the county. In
 162 particular, the committee shall] Committee must:

- 163 (a) advise the County Council and County Executive on all matters relating
 164 to solid waste management in the County;
- 165 (b) [Review] review and offer recommendations on the ten-year solid waste
 166 management plans for the [county.] County;
- 167 [(b)] (c) [Investigate] investigate and make recommendations on systematic
 168 programs and alternative methods, both public and private, for the
 169 storage, collection, transportation, processing, disposal and resource
 170 recovery of solid wastes, including sludge[.];
- 171 [(c)] (d) [Evaluate] evaluate the impact of the solid waste management
 172 program on citizens, institutions, business, and industry throughout the
 173 [county.] County;
- 174 [(d)] (e) [Recommend] recommend methods to assure public involvement in
 175 solid waste planning, and develop educational programs to inform the
 176 public on all aspects of solid waste management[.];
- 177 [(e)] (f) [Recommend local] recommend County and state legislation
 178 necessary to accomplish effective solid waste management[.];
- 179 [(f)] (g) [Review] review and comment on the annual [county] County budget
 180 for solid waste activities.
- 181 [(g)] (h) advise the County on the execution of the policies and strategies in the
 182 Facilities Master Plan for the Solid Waste Operations in the Dickerson
 183 Area; and

184 (i) [Submit] to the [county executive] Executive and [county council]
 185 Council, and make available to the general public, an annual report of
 186 the activities of the [committee] Committee.

187 * * *

188 **48-41. Administrative and staff support.**

189 The [chief administrative officer shall make available to] Chief Administrative
 190 Officer must provide the [committee] Committee administrative and staff
 191 services and facilities necessary to assist the [committee] Committee in its
 192 work.

193 **Sec. 2. Section 68A-5 is amended as follows:**

194 **68A-5. Advisory committees.**

195 (a) *Composition.* Each urban district must have an advisory committee, or
 196 an urban district corporation board of directors, whose members are
 197 appointed by the County Executive and confirmed by the County
 198 Council.

199 * * *

200 (3) The Silver Spring Citizens Advisory Committee must serve as
 201 the Silver Spring Urban District Advisory Committee [has 11
 202 members. The County Executive must strive to appoint the
 203 members so that:

- 204 (A) two members are persons nominated by the Greater Silver
 205 Spring Chamber of Commerce;
- 206 (B) three members represent optional method developers;
- 207 (C) three members represent a business that employs fewer
 208 than 25 employees;
- 209 (D) two members represent a residential community in the
 210 urban district; and

211 (E) one member represents a residential community in or
212 outside of the urban district and is a member of the Silver
213 Spring Citizens Advisory Board.]

214 **Sec. 3. Transition.** In appointing the initial members of the Committee on
215 Cable and Telecommunications established in County Code §8A-31, inserted by
216 Section 1 of this Act, the Executive may continue the term of any member who
217 currently serves on the Cable and Communications Advisory Committee or the Cable
218 Compliance Commission, but must not continue more than 17 members. The
219 Executive may stagger the initial terms of appointed members so that approximately
220 one-third of the terms expire each year.

221 *Approved:*

222

Philip M. Andrews, President, County Council

Date

223 *Approved:*

224

Isiah Leggett, County Executive

Date

225 *This is a correct copy of Council action.*

226

Linda M. Lauer, Clerk of the Council

Date

LEGISLATIVE REQUEST REPORT

Bill 21-09, Boards, Committees, and Commissions – Amendments

DESCRIPTION:	Bill 21-09 would merge the Cable and Communications Advisory Committee and the Cable Compliance Commission; change the duties of the Solid Waste Advisory Committee; require the Silver Spring Citizens Advisory Committee to serve as the Silver Spring Urban District Advisory Committee; and generally amend the County law regarding the membership, structure, and functions of boards, committees, and commissions.
PROBLEM:	The County has a significant number of committees and sometimes faces difficulties recruiting applicants will to serve on the committees.
GOALS AND OBJECTIVES:	To help the County's boards, committees and commissions run more efficiently and productively. To make it easier for boards, committees and commission to find applicants willing to serve.
COORDINATION:	Council and Executive staff; Chief Administrative Officer.
FISCAL IMPACT:	To be requested.
ECONOMIC IMPACT:	To be requested.
EVALUATION:	To be requested.
EXPERIENCE ELSEWHERE:	To be researched.
SOURCE OF INFORMATION:	Amanda Mihill, Legislative Analyst (240) 777-7815
APPLICATION WITHIN MUNICIPALITIES:	Applies only to County boards, committees, and commissions.
PENALTIES:	N/A

Resolution No: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY MARYLAND

By: Councilmember Leventhal

Subject: Resolution to repeal the Dickerson Area Facilities Implementation Group

Background

1. The Council adopted Resolution No. 13-1498 on December 1, 1998 establishing the Facilities Implementation Group.
2. The Council adopted Resolution No. 15-1165 on October 11, 2005 which changed the name of the Facilities Implementation Group to the Dickerson Area Facilities Implementation Group.
3. Bill 21-09 would require the Solid Waste Advisory Committee to perform the functions of the Dickerson Area Facilities Implementation Group.

Action

The County Council for Montgomery County Maryland approves the following resolution:

Resolution No. 13-1498 establishing the Facilities Implementation Group is repealed.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council



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OFFICE OF MANAGEMENT AND BUDGET

Isiah Leggett
County Executive

Joseph F. Beach
Director

MEMORANDUM

June 24, 2009

TO: Phil Andrews, President, County Council
FROM: Joseph F. Beach, Director
SUBJECT: Council Bill 21-09, Boards, Committees, and Commissions

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The purpose of this memorandum is to transmit a fiscal impact statement to the Council on the subject legislation.

LEGISLATION SUMMARY

The bill would merge the Cable and Communications Advisory Committee and the Cable Compliance Commission; change the duties of the Solid Waste Advisory Committee; and require the Silver Spring Citizens Advisory Committee to serve as the Silver Spring Urban District Advisory Committee.

FISCAL AND ECONOMIC SUMMARY

The proposed legislation has no fiscal impact as the functions for the terminated Committees and Boards do not go away when they are folded into other Committees and Boards.

There is also no economic impact.

The following contributed to and concurred with this analysis: Richard Hands, Department of Solid Waste Services; Helen Ni, Department of Technology Services; Roylene Roberts, Silver Spring Regional Services Center; Mike Coveyou, Department of Finance.

JFB:brg

- c: Kathleen Boucher, Assistant Chief Administrative Officer
- Dee Gonzalez, Offices of the County Executive
- Richard Hands, Solid Waste Services
- Helen Ni, Department of Technology Services
- Roylene Roberts, Silver Spring Regional Services Center
- Brady Goldsmith, Office of Management and Budget

Office of the Director



Montgomery County Council

From the Office of Councilmember George Leventhal **April 21, 2009**

Contact:

Walt Harris: 240-777-7945 / Chris Gillis 240-777-7811

Councilmember George L. Leventhal's Statement on Introduction of Bills 20-09 And 21-09 Before the County Council

ROCKVILLE, April 21, 2009—Montgomery County Councilmember George L. Leventhal (D-At Large) said the following today after introducing Bills 20-09 and 21-09 before the County Council [Note: Public hearings are scheduled for May 12 on both bills.]:

Currently, there are 84 boards, committees, and commissions in the County. In 2004, the County's Committee Evaluation and Review Board issued a report noting that Montgomery County had more boards, committees and commissions than any of the neighboring jurisdictions that it surveyed:

Jurisdiction	Number of Boards, Committees, and Commissions
Anne Arundel County	44
Baltimore County	35
Howard County	34
Montgomery County	84
Prince George's County	51
Fairfax County	73
Arlington County	42

Today I am introducing two bills and two resolutions that collectively would reduce the number of boards, committees and commissions in the County by 12 to 72. Let me stress that I value the input that the Executive and Council receive from our dedicated citizen volunteers. I am not trying to silence their voices, nor do I want to limit opportunities to participate in democratic decision making. Most boards and commissions have multiple vacancies each year. If my bills pass, those citizens whose seats may be eliminated will have the chance to reapply for other board, committee and/or commission appointments very quickly.

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Bill 20-09 would implement recommendations of the 2004 CERB Report that were not implemented in 2005. It is consistent with a bill that Marilyn Praisner and I introduced in 2005, only a small portion of which was ultimately enacted.

Bill 21-09 would implement suggestions from agencies and the community in the same vein as the CERB Report.

These bills and resolutions, if enacted, would:

- Merge the Agricultural Advisory Committee, Agricultural Preservation Advisory Board, and the Rustic Roads Advisory Committee by codifying the Agricultural Advisory Committee, increasing its membership to 19, and establishing the Agricultural Preservation Advisory Board and Rustic Roads Advisory Committee as subcommittees of the Agricultural Advisory Committee.
- Merge the recreation advisory boards with the area citizens advisory boards.
- Merge the Committee on Hate/Violence with the Committee on Ethnic Affairs by terminating the Committee on Hate/Violence and expanding the duties of the Committee on Ethnic Affairs and renaming the Committee the Multicultural Affairs Advisory Committee.
- Terminate the Silver Spring Transportation Management District and assign its duties to the Silver Spring Citizens Advisory Board.
- Merge the Cable and Communications Advisory Committee with the Cable Compliance Commission by creating the Committee on Cable and Telecommunications and increasing its membership to 17.
- Merge the Silver Spring Urban District Advisory Committee with the Silver Spring Citizens Advisory Committee by requiring the Citizens Advisory Committee to perform the duties of the Urban District Advisory Committee.
- Merge the Solid Waste Advisory Committee and the Dickerson Area Facilities Implementation Group by terminating the Dickerson Area Facilities Implementation Group and assigning its duties to the Solid Waste Advisory Committee.

Making these changes to the structure of the County's committee system would:

- Help the County's boards, committees and commissions run more efficiently and productively;
- Make it easier for boards, committees and commission to find applicants willing to serve;
- Free up County staff time to allow staff to focus on other important issues, thus increasing productivity; and
- Reduce expenses, particularly in operating costs, associated with having committees that in some cases perform similar functions.

I know that some, and maybe all, of these proposals will be controversial. I wish it had been possible to do more outreach to all the affected boards, committees and commissions before I introduced these bills, but I didn't get the staff draft of the bill until last week and in order to have the bills considered while the FY 2010 budget is before us, I had to go ahead and introduce them now. Please just consider the introduction of the bills to be the start of the conversation. I am quite flexible about the specific proposals in both bills.

Some will say that because these boards and commissions are staffed by volunteers, they do not cost the county any money. However, paid county employees do staff each of these groups, with tasks that may include arranging meeting times and locations, preparing agendas, keeping in contact with chairs and/or members, and attending the meetings. We don't yet have an estimate of the actual cost savings of these two bills, but a back-of-the-envelope calculation shows that we could be saving, at the very least, almost 4 weeks of staff time per year. If each of the 12 eliminated boards, committee and commissions has one meeting per month, and requires only one hour of staff time per month, that's 144 hours or more than 3-1/2 weeks. If we find that each group, on average, requires 4 hours per month of paid county staff time -- a very conservative estimate -- that's more than 14 weeks -- nearly four months of staff time -- per year. At a time when the County Executive has proposed to eliminate 400 positions, thereby increasing the workload on all remaining workers, we need to ease that burden where possible.

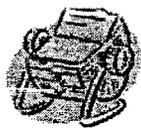
Times were good in 2005, when Marilyn Praisner and I first tried to make progress in this area, and it was easy for Councilmembers to turn down proposals that offered relatively small savings, in the face of opposition from the board, commission and committee members who would have been affected. In 2009, I sincerely hope my colleagues and the Executive Branch will take this under more serious consideration.

I understand that various colleagues will not be able to support every proposal in both of these bills. I will not be critical of any member who takes these suggestions seriously and finds that he or she just can't support some of them. I do request that the Management and Fiscal Policy Committee and the full Council consider these proposals promptly and in the sincere spirit in which they are introduced. With such deep budget cuts being proposed and 400 jobs being eliminated, I think now is an important time to consider whether some restructuring, workload reduction and greater efficiency can be achieved in county government.

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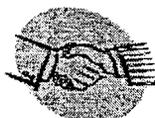
Policy and Procedures



List of Boards, Committees and Commissions



Meeting Calendar



Vacancy Notices



Council Policy Regarding Appointments

Appointments are made by the County Executive and confirmed by the County Council unless otherwise indicated.

☐ indicates Council appointments.

☐☐ indicates dual Executive and Council appointments.

Ⓒ indicates Confidential financial disclosure required.

Ⓓ indicates Public financial disclosure required.

(#) indicates number of members.

Adult Public Guardianship Review Board (11)

Created: Md. Annotated Code, Family Law Section 14-402(a)

Description: Responsible for reviewing each adult public Guardianship twice a year. Members serve three- year terms without compensation

Type of Positions: various

Aging, Commission on (no less than 18)

Created: Mo. Co. Code Section 27-35

Description: Responsible for reviewing issues related to the health and welfare of senior citizens, including local, state, and federal programs that impact elderly residents. Members must be County residents. Members serve three-year terms without compensation.

Type of Positions: Seniors (the majority) and non-seniors

Agricultural Advisory Committee (15)

Created: Mo. Co. Resolution No. 8-705

Description: Advises County officials on issues affecting local agriculture All members serve without compensation. Farmers serve three-year terms; non-farmers serve one-year terms.

Type of Positions: farmers and non-farmers (includes a farm economist and a conservationist)

Agricultural Preservation Advisory Board (5)

Created: Md. Annotated Code 1977, Section 2-504.1; Mo. Co. Code. Section 2B-2 (b) as amended

Description: Advises the County Executive and County Council on proposed land preservation purchases and the establishment and review of agricultural districts. Members serve five-year terms without compensation. All members must be county residents.

Type of Positions: at least 3 owner-operators of commercial farms earning 50% or more of their income from farming, the others are non-farmers

Airpark Liaison Committee (16) Ⓒ

Created: County Council Resolution No. 11-1826

Description: Advises the County Council on issues related to the Montgomery County Airpark in Gaithersburg

Type of Positions: various

Alcohol and Other Drug Abuse Advisory Council (25)

Created: Mo. Co. Code, Section 24-41

Description: Identifies local alcohol and other drug abuse prevention program needs, and assists the Department of Health and Human Services in the development of public education programs and an alcohol and drug abuse plan. Members serve three-year terms without compensation.

Type of Positions: various

Alcoholic Beverages Advisory Board (5)

Created: Maryland Annotated Code, Article 2B, Section 159C, Chapter 832.

Description: Responsible for reporting quarterly to the County Executive and County Council on recommendations for improvement of alcoholic beverage control and enforcement issues in the County. Members serve four-year terms without compensation and must be residents and registered voters of Montgomery County (MC).

Type of Positions: 3 general public; 1 holder of either a Class B or 3 beer, wine and liquor license in Montgomery County and 1 holder of any other class license in Montgomery County

Animal Matters Hearing Board (10) ☉

Created: Mo. Co. Code 5-104

Description: Hears and determines complaints and appeals on animal issues; reviews operations and issues associated with animal control, including the County's animal shelter budget and standards and procedures for dealing with stray animals. Members serve three-year terms without compensation.

Type of Positions: 5 members and 1 alternate for each member: veterinarian or veterinarian technician, Humane Society representative, 3 public members, including a representative of licensed animal fanciers

Appeals, Board of (5) ☉ ☉

Created: Mo. Co. Code, Sections 2-108.

Description: Holds hearings and determines action on certain land issues, including special exceptions, zoning variances and ordinances. Members are appointed by the County Council and serve four-year terms with compensation. All members must be county residents.

Type of Positions: general public (no more than three members may be of the same political party)

Bethesda Urban Partnership, Inc. Board of Directors (11)

Created: Mo. Co. Code Section 68A-10 as amended

Description: Assists in directing urban district services for the Bethesda area, including maintenance and improvement of the streetscape and streetscape amenities, and activities promoting downtown Bethesda. Members serve three-year terms without compensation.

Type of Positions: various

Cable and Communications Advisory Committee (13-19) ☉

Created: Mo. Co. Code, Section 8A-31, as amended

Description: Assists the County in overseeing the cable television franchise agreement and advises on use of the cable system, allocation of grants for public service, and technology issues. Members serve three-year terms without compensation.

Type of Positions: general public members, representatives of the Md. Municipal League, and the cities of Rockville and Takoma Park

Cable Compliance Commission (5) ☉

Created: Bill No. 28-02

Description: Decides subscriber complaints which have not been resolved by the cable administrator concerning customer cable service or any other product or service that uses the equipment of the franchise agreements such as one-way or interactive video, audio, data and information services.

Type of Positions: Should include a cable TV service subscriber, broadband internet service

subscriber, an individual with general business experience, an individual with technical experience in communications.

Charter Review Commission (11) 

Created: Charter of Montgomery County Maryland, Section 509.

Description: Reviews the County Charter and makes recommendations on proposed Charter amendments. Members serve four-year terms without compensation.

Type of Positions: general public (no more than 6 from the same political party)

Child Care, Commission on (23-25)

Created: Mo. Co. Code Section 27-62

Description: Advises the County Executive and County Council on issues associated with child care policies, programs and services for affordable, high-quality, and accessible care. Members serve three-year terms without compensation.

Type of Positions: parents of children receiving child care services, providers of child care services, the business community and general public, a representative of the Md. Municipal League, Montgomery County Chapter, and other non-voting public agency members

Children and Youth, Commission on (27)

Created: Mo. Co. Code Section 27-48.

Description: Advises the County Executive, County Council, Department of Health and Human Services, and the Board of Education on the development of coordinated community and government policies, programs and services, which support children, youth, and families.

Type of Positions: agency representatives, parents, youth, a private school representative, and required public agencies

Citizen's Review Panel for Children and Advisory Group (7, 5)

Created: Emergency Bill No. 32-00

Description: Implements State law regarding local citizens review boards and evaluates state and local agency responses to child protection needs; the advisory group provides technical and professional advice to the panel about child protective services.

Type of Positions: public members and persons with expertise in prevention and treatment of child abuse and neglect

Committee Evaluation and Review Board (9)

Created: Mo. Co. Code. Section 2-146

Description: Reviews and evaluates the current system of boards, committees, and commissions. Issues addressed by the committee may include length of terms, number of consecutive terms that can be served by a member, conflict of interest standards, and methods used for advertising vacancies. Members serve without compensation. (The CERB was appointed in 2002 and currently completing a study of all BCCs.)

Type of Positions: general public

Common Ownership Communities, Commission on (21)

Created: Mo. Co. Code, Section 10B-3

Description: Advises the County Executive and County Council on ways to handle issues associated with common ownership of property in communities; promotes public awareness of the rights and obligations of living in common ownership communities; and works to eliminate disputes and maintain property value. Members serve three-year terms without compensation.

Type of Positions: residents of self-managed and professionally managed common ownership communities (COC); professionals associated with common ownership communities; real estate sales/developer representatives and ex-officio nonvoting agency representatives

Community Action Board (27-39)

Created: Mo. Co. Code, Section 27-41

Description: Develops and coordinates community action programs for people in need. Members serve four-year terms without compensation.

Type of Positions: 1/3 represent low-income persons, 1/3 public officials; others include representatives from business, industry, labor, religious, private welfare, private education, minority, civic, and other major private organizations

Consumer Protection, Advisory Committee on (9)

Created: Mo. Co. Code Section 11-3

Description: Advises the Office of Consumer Protection on consumer issues related to the agency's duties and functions. Members serve three-year terms without compensation.

Type of Positions: public members, business members and Community Action Board representatives

Criminal Justice Coordinating Commission (30)

Created: Mo. Co. Code Section 2-60 as amended

Description: Evaluates the organization and adequacy of law enforcement and the administration of justice in the County pertaining to local issues and agencies. Members serve four-year terms without compensation.

Type of Positions: 30 members total (twenty are ex-officio). The County Executive appoints, subject to Council confirmation, a member of the MC Council selected by the Council President, a member of the County Legislative Delegation selected jointly by the Chairs of the House and Senate Delegations; 7 members of the public, one of whom must be a member of the Maryland bar who practices law in the County; an employee of the Division of Parole and Probation in the State Department of Public Safety and Correctional Services, after giving the Director of the Division an opportunity to make a recommendation; an employee of the State Department of Juvenile Justice, after giving the Secretary of the Department an opportunity to make a recommendation; and a member of the Advisory Board on Victims and their Families, after giving the Board an opportunity to make a recommendation.

Crossroads Development, Commission on (21)

Created: Memorandum of Understanding Between MC, PG County, and State of Md.

Description: Addresses long-standing procedural issues of inter-jurisdictional communications in the Crossroads (Takoma Park/Langley Park) region. Priority issues are day labor, transit, public safety, education, and training and assistance to immigrant communities.

Type of Positions:

Dickerson Area Facilities Implementation Group (18)

Created:

Description: Addresses community and environmental issues and concerns pertaining to the operations of the County's solid waste facilities located in the Dickerson area.

Type of Positions: various

Domestic Violence Coordinating Council (15)

Created: Mo. Co. Code, Sec. 2-59

Description: Advises the County Executive, County Council, and Criminal Justice Coordinating Commission on policies, programs, and legislation necessary to prevent domestic violence; facilitates community-wide response to domestic violence; coordinates with other domestic violence prevention agencies; develops recommendations to coordinate services; reviews quality of programs; evaluates data; advocates for policy or legislation in conjunction with the Office of Intergovernmental Relations. Members serve three year terms without compensation.

Type of Positions: 10 agency representatives, 5 public members including one attorney and one individual who is a former victim of domestic violence.

East County Citizens Advisory Board (18)

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Created: Resolution 12-1032 (created 1993)

Description: Advises the County Executive and the County Council on issues and needs for the East County area and advocates for regional priorities. Members work closely with the East County Regional Services Center staff. Members serve three-year terms without compensation.

Type of Positions: a cross-section of citizens living and working in the Eastern County

Electrical Examiners, Board of (5) Ⓞ

Created: Mo. Co. Code Section 17-12.

Description: Advises the Director of the Department of Permitting Services on the issuance of licenses for journeyman electricians, master electricians and master electricians limited and shall ascertain by appropriate examination the qualifications and capabilities of all persons who desire such licenses. Reviews the Montgomery County Electrical Code and recommends changes as appropriate.

Type of Positions: 4 licensed electricians (1 who is a professional engineer) and 1 general public member

Energy and Air Quality Advisory Committee (15)

Created: Mo. Co. Code Section 18-A-5, as amended

Description: Advises the County Executive and County Council on matters concerning energy and air quality; develops recommendations to promote energy consciousness. Members serve three-year terms without compensation.

Type of Positions: citizens technically knowledgeable and interested in energy and air quality

Ethics Commission (5) Ⓞ

Created: Mo. Co. Code Section 19A-5.

Description: Administers the County Ethics Law which provides complainants with a forum to report alleged unethical behavior by officials or County employees. Acts on requests for waivers for outside employment by employees and waivers from ethics law prohibitions.

Type of Positions: public members (no more than 3 members may be of the same political party)

Ethnic Affairs, Committee for (26)

Created: Mo. Co. Code Section 27-53

Description: Advises the County Executive and County Council on public policy that relates to ethnic affairs; promotes maximum involvement of all ethnic groups in the County in government, business and community affairs. The committee also assists the County in organizing an annual ethnic heritage festival. Members serve three-year terms without compensation.

Type of Positions: 13 selected from ethnic groups and 13 from business and education communities in the County

Fire and Rescue Commission (7) Ⓞ

Created: Mo. Co. Code, 21-4B, as amended

Description: Responsible for the coordination and direction of the County's fire and rescue services, which includes the independent volunteer fire and rescue corporations and the County's Department of Fire and Rescue Services. Members serve three-year terms with compensation.

Type of Positions: 2 representatives of local volunteer fire/rescue department personnel; 2 county career fire/rescue personnel, and 3 public members

Firearm Safety Committee (7)

Created: Mo. Co. Code Section 57-2 amended 1991.

Description: Approves certificates for target, trap and skeet ranges, and shooting areas which specify the type of gun or ammunition which may be used. The committee also makes recommendations to the County Executive and County Council on the extension of area

(45)

boundaries for firearms use. Members serve three-year terms without compensation.

Type of Positions: general public

Friendship Heights Transportation Management District Advisory Committee (23)

Created:

Description: Advises the County government on all aspects of implementing a transportation management system in the Friendship Heights TMD. Members serve three-year terms without compensation.

Type of Positions: various

Glen Echo Park Partnership Board of Directors (9-25, 3-4 appointed by County Executive)

Created:

Description: Articles of Incorporation and Bylaws of the Glen Echo Park Operating Entity, Inc. Provides policy guidance to direct the affairs of the organization and its management; leads fundraising efforts; provides oversight for the program, site and facilities, finances and public relations activities.

Type of Positions: Park users, residents, cooperators and general public

Hate/Violence Committee (21)

Created: Mo. Co. Code Section 27-63

Description: Advises the County Council, the County Executive and County agencies about hate/violence in the County and recommends such policies, programs, legislation or regulations as it finds necessary to reduce the incidence of acts of hate/violence. There is a Partnership Fund Subcommittee to compensate victims of hate/violence for personal injury and property damage. Members serve three-year terms without compensation.

Type of Positions: various

Health, Commission on (19)

Created: Mo. Co. Code Section 24-23

Description: Advises the County Executive and the County Council on public health issues, programs, services and facilities. Members serve three-year terms without compensation.

Type of Positions: Consumers (the majority) and providers of health care

Historic Preservation Commission (9) ©

Created: Mo. Co. Code. Section 24A-4.

Description: Responsible for reviewing and recommending historic sites and districts to the Planning Board. Also acts on applications for alteration, construction or demolition of designated historic sites and serves as a clearinghouse by reviewing proposals affecting historic preservation in the County. Members serve three-year terms without compensation.

Type of Positions: General public members and at least 1 member with special interest, knowledge or training in history, architecture, preservation and urban design

Housing Opportunities Commission (7) ©

Created: Maryland Code, Article 44A, Section 2-102 (b).

Description: Works to build, manage and finance housing for people with low or moderate incomes. The commission can also issue tax-exempt bonds to finance multi-family rental housing and single-family mortgages. Members serve five-year terms without compensation.

Type of Positions: general public

Human Rights Commission and Case Review Board (15) ©

Created: Mo. Co. Code. Section 27-2.

Description: Receives and investigates complaints of discrimination, and conducts educational programs to promote equal rights for all. Adopts regulations to ensure equal treatment for all citizens under County and State laws. Members serve three-year terms without compensation.

46

Type of Positions: general public

Interagency Coordinating Board for Community Use of Public Facilities (12)

Created: Mo. Co. Code Section 44-3 as amended

Description: Establishes policies to increase access to schools and other public facilities, including fee schedules, use regulations and conditions; develops and implements innovative use of facilities to meet community's needs. Members serve four-year terms without compensation.

Type of Positions: Nine voting members: the Chief Administrative Officer, Supt. of Schools, President, Montgomery College, 1 Planning Board member, 1 County Council member, 1 citizen appointed by the Supt. of schools and confirmed by the Board of Education; 3 citizens appointed by the County Executive and confirmed by the County Council; 3 ex-officio members: Board of Education member, representatives of the Association of Secondary School Principals (confirmed by Council) and the Elementary School Administrators Association (confirmed by Council)

Investment Trustees, Board of (9) ©

Created: Mo. Co. Code, Section 33-59 (1987)

Description: Sets policy and monitors the investment program for the assets of the County's employee retirement system. Members serve three-year terms without compensation.

Type of Positions: various

Juvenile Justice, Commission on (33)

Created: Mo. Co. Code, Section 12-36.

Description: Advises the County Executive, County Council and the Juvenile Court on matters concerning juvenile justice. Work includes gathering and disseminating information from public and private agencies serving youth, monitoring the Juvenile Justice System, visiting facilities, and closely following State and County legislative proposals affecting juveniles. Members serve three-year terms without compensation.

Type of Positions: general public and agency representatives

Landlord-Tenant Affairs, Commission on (15) ©

Created: Mo. Co. Code, Section 29-9, Emergency Bill 8-95, effective June 1995.

Description: Hears apartment license revocation appeals and landlord-tenant disputes. Members serve three-year terms without compensation.

Type of Positions: landlord, tenant and general public (4 each and one alternate in each category)

Library Board (12)

Created: Mo. Co. Code Section 2-46, as amended.

Description: Advises the County Executive and County Council on matters affecting the public library system including the acquisition and location of new library facilities and the adequacy of book collections and personnel needs. Members serve three-year terms without compensation.

Type of Positions: general public

License Commissioners, Board of (5)

Created: Maryland Annotated Code, Article 2B, Section 150, as amended

Description: Issues alcoholic beverage licenses and conducts hearings when violations regarding the sale of alcoholic beverages occur. Members serve four-year terms with compensation.

Type of Positions: general public (no more than three members may be of the same political party)

Local Management Board for Children, Youth and Families (21)

Created:

*Description:**Type of Positions:***Long Branch Advisory Committee (37)***Created:**Description:**Type of Positions:***Mental Health Advisory Committee (22)***Created:* Mo. Co. Code Chapter 24-34, as amended*Description:* Monitors, reviews, and evaluates the allocation and adequacy of publicly-funded mental health services within the County. Members serve three-year terms without compensation.*Type of Positions:* various**Merit System Protection Board (3)***Created:* Montgomery County Charter, Section 403*Description:* Serves as an appeal body on personnel actions. The board also conducts periodic studies and audits of the County's merit and retirement systems. Members serve three-year terms with compensation.*Type of Positions:* general public (no more than 2 members may be from the same political party)**Mid-County Citizens Advisory Board (15)***Created:* Council Resolution No. 9-40*Description:* Advises the County Executive and the County Council on issues and needs for the Mid-County area and advocates for regional priorities. Members work closely with the Mid-County Regional Services Center staff. Members serve three-year terms without compensation.*Type of Positions:* a cross-section of citizens living and working in the mid-county region**Montgomery Cares Program, Advisory Board for (15)***Created:* Mo. Co. Code, Ch. 24-47*Description:* Advises the County Executive, County Council, and Department of Health and Human Services on the development of the Montgomery Cares Program, which provides quality primary health care, referrals to discounted outpatient specialty care, and limited prescription medications for low-income, uninsured County residents. The Board's goal is to ensure a steady and measurable growth in the number of uninsured County residents accessing high quality and efficient health care services. Members serve two year terms without compensation*Type of Positions:* 12 agency and other representatives; 3 members of the public, who may be current or former recipients of services under the Montgomery Cares Program.**Montgomery County Planning Board (5)***Created:**Description:**Type of Positions:***Noise Control Advisory Board (11)***Created:* Mo. Co. Code Section 31-B-4*Description:* Reviews and makes recommendations to the Director, Department of Environmental Protection on the effectiveness of the County's noise control rules and regulations. Members serve three-year terms without compensation.*Type of Positions:* general public**Partnership Board for Victims of Hate/Violence (7)**

(48)

Created: Mo. Co. Code Sec. 27-26F.

Description: Responsible for publicizing the Partnership Fund for victims of hate/violence incidents and solicits private contributions for the fund; may compensate a victim of hate/violence within set guidelines. Members serve three-year terms with compensation.

Type of Positions: general public

Pedestrian Safety Advisory Committee (17)

Created: Council Resolution No. 14-1281

Description: Advises the County Executive and County Council on the status of the implementation of the recommendations of the Pedestrian safety Task Force's Final Report involving education, enforcement, engineering and legislative actions.

Type of Positions: 9 public-at-large and other County and State Departments/agency representatives.

People with Disabilities, Commission on (31)

Created: Mo. Co. Code, Section 27-51 as amended

Description: Advises the County Executive and the County Council on matters relating to facilities and services for disabled County residents and legislation affecting people with disabilities. Members serve three-year terms without compensation.

Type of Positions: people with disabilities, parents of disabled, organizations/agencies that serve or represent people with disabilities; county government representatives

Permitting (Department of) Services Advisory Committee (17)

Created: Mo. Co. Code, Ch. 2-42B

Description: Advises the Dept. of Permitting Services on the performance of its functions and recommends to the Director, the Executive, and the Council any steps necessary to improve the Department's performance. Type of Positions: Regional Advisory Board representatives, civic association and environmental group representatives, and various County Departments/agency representatives.

Type of Positions: Regional Advisory Board representatives, civic association and environmental group representatives, and various County Departments/agency representatives.

Property Tax Assessment Appeals Board (4)

Created: Annotated Code of Maryland, Section 3-103, Tax Property Article

Description: Hears and determines appeals on property tax issues. Members serve five-year terms with compensation. Members are appointed by the Governor from a list provided by the County Executive and the County Council.

Type of Positions: general public

Recreation Advisory Boards (county wide:31, upcounty:11, mid-county: 11, silver spring: 11, east county:11, western area: 11)

Created: Mo. Co. Code Section 41-21-30.

Description: These advisory boards work with the various communities to determine recreational and park opportunities and needs in the County and designated areas. Members serve three-year terms without compensation.

Type of Positions: general public

Registration for Building Contractors, Board of (5)

Created: Mo. Co. Code Section 31C-4

Description: Provides for the licensing of residential building contractors. Members serve three-year terms without compensation.

Type of Positions: no more than two members may be active in the residential construction field

Revenue Authority (5)

49

Created: Mo. Co. Code Section 42-3.

Description: Works to develop, maintain and administer various self-supporting projects for public use, including golf courses, airparks, and HUD-financed retirement homes. Members serve five-year terms without compensation.

Type of Positions: general public

Rustic Roads Advisory Committee (7)

Created: Mo. Co. Code, Sec. 49-80

Description: Promotes public awareness of the County's rustic roads program, and reviews the classification of those Roadways designated as "rustic." Members serve three-year terms without compensation.

Type of Positions: various

Sign Review Board (3)

Created: Mo. Co. Code, Sec. 59-F2.1

Description: Reviews applications for sign permits and grants variances from sign ordinance regulations, as provided by law. Members serve three-year terms with compensation.

Type of Positions: an architect with a State license; a business member; and a general public member

Silver Spring Citizens Advisory Board (18)

Created: Resolution No. 8-449. Advises the County Executive and the County

Description: Council on issues and needs for the Silver Spring area and advocates for regional priorities. Members work closely with the Silver Spring Regional Services Center staff. Members serve three-year terms without compensation.

Type of Positions: a cross-section of citizens living and working in the Silver Spring region

Silver Spring Civic Building Steering Committee ()

Created:

Description:

Type of Positions:

Silver Spring Transportation System Management Advisory Committee (16)

Created: Mo. Co. Section 42A-10

Description: Advises the County government on all aspects of implementing a transportation management system in the Silver Spring Central Business District and vicinity. Members serve three-year terms without compensation.

Type of Positions: various

Silver Spring Urban District Advisory Committee (8)

Created: Mo. Co. Code Sec. 68A-5 (a).

Description: Works closely with the Silver Spring Urban District on activities and issues associated with the downtown business area. Members serve three-year terms without compensation.

Type of Positions: various

Social Services, Board of (13)

Created: Maryland Code Article 88-A, Section 14 and Montgomery County Code Sec. 37-8

Description: Advises the County and State health and human services officials on matters relating to local social services programs. Members serve three-year terms without compensation. Type of Positions: general public and one member of the County Council

Type of Positions: general public and one member of the County Council

Solid Waste Advisory Committee (16)

Created: Mo. Co. Code Section 48-38

Description: Reviews and makes recommendations on the collection, transportation, and

storage of solid wastes and evaluates the County's solid waste management plan. Members serve three-year terms without compensation.

Type of Positions: representatives of the general public, solid waste and business industries and the Maryland Municipal League

Strathmore Hall Foundation Board of Directors (21)

Created: Resolution No. 9-1460

Description: Fosters support for the continuing development of the Strathmore Hall Arts Center and effective use of the center's facilities. Members serve three-year terms without compensation.

Type of Positions: general public

Taxicab Service Advisory Committee (9)

Created: Mo. Co. Code, Section 53-37. (1988)

Description: Examines public interest issues as they pertain to taxicab service in the County. Members serve three-year terms without compensation.

Type of Positions: industry/management representatives, taxicab owners and non-owner operators, and public representatives, including a person with a disability

Technology Investment Fund Loan/Grant Committee (7)

Created: County Council Resolution Nos. 12-1712 and 12-1713

Description: Advises the County Executive and Council on matters relating to the projects submitted for funding under the Technology Innovation Fund projects

Type of Positions: Montgomery County Government, MCPS, HOC, M-NCPPC, Montgomery College, WSSC, and a public representative

Upcounty Citizens Advisory Board (20)

Created: Resolution No. 10-1279, Resolution No. 12-1724

Description: Advises the County Executive and the County Council on issues and needs for the greater upcounty area and advocates for regional priorities. Members work closely with the Upcounty Regional Services Center staff. Members serve three-year terms without compensation.

Type of Positions: a cross-section of citizens living or working in the upcounty region

Victim Services Advisory Board (22)

Created: Mo. Co. Code - Article VII - Sec. 24-56

Description: Works with the County's Department of Health and Human Services to periodically review services and facilities for victims and their families. Members serve three-year terms without compensation.

Type of Positions: professional representatives from the mental health, dental, legal, medical and nursing professions, general public, a member of the clergy, and ex-officio members

Washington Suburban Sanitary Commission (WSSC) (6)

Created: Annotated Code of Maryland, Article 29, Sec. 1-102, as amended

Description: Annotated Code of Maryland, Article 29, Sec. 1-102, as amended This bi-county commission works to regulate the agency responsible for public water supply and water treatment and the sewer system. Members serve four-year terms with compensation.

Type of Positions: 3 general public appointed by the County Executive and confirmed by the Council; no more than two Executive appointees may be from the same political party

Washington Suburban Transit Commission (WSTC) (6)

Created: Senate Bill No. 3 Chapter 3 of the 1992 extended session.

Description: This multi-jurisdictional commission plans and coordinates transportation in the Washington metropolitan area. Members serve three-year terms with compensation.

Type of Positions: 2 general public appointed by the County Executive and confirmed by the Council; 1 general public is appointed by the Governor and confirmed by the Maryland State

(51)

Senate

Water Quality Advisory Group (18)

Created: Emergency Bill 25-94, Water Quality Discharges

Description: Advises the County Executive and County Council on issues associated with water quality in the County and State, including streams, rivers and other natural bodies of water. Members serve three-year terms without compensation.

Type of Positions: representatives include the academic and scientific community, agricultural community, business community, environmental community, public members, and public agency representatives

Western Montgomery County Citizens Advisory Board (15)

Created: Mo. Co. Resolution No. 9-714, 1980. (previously Bethesda-Chevy Chase Citizens Adv. Board)

Description: Advises the County Executive and the County Council on issues and needs for the western area of the county and advocates for regional priorities. Members work closely with the Bethesda-Chevy Chase Regional Services Center staff. Members serve three-year terms without compensation.

Type of Positions: 10 residents and 5 business representatives

Wheaton Urban District Advisory Committee (11-13)

Created: Mo. Co. Code, Sec. 68A-5 (a)

Description: Works with County government officials on matters relating to programs, activities and issues for the Wheaton Urban District. Members serve three-year terms without compensation.

Type of Positions: various

Women, Commission for (15)

Created: Mo. Co. Code Section 27-28.

Description: Works to promote women's issues and to eliminate inequality, discrimination and prejudice on the basis of sex in such areas as housing, recreation, employment, education, community services, and the judicial system. Members serve three-year terms without compensation.

Type of Positions: 9 members who are endorsed by organizations whose interests relate to the status of women and 6 independent members

Workforce Investment Board (32)

Created: Montgomery County Executive Order No. 159-02

Description: The Federal Workforce Investment Act of 1998 set forth guidelines for local areas to administer workforce programs and services in the local workforce investment area; this Board administers the Act and establishes policies to guide and lead the workforce agenda in Montgomery County.

Type of Positions: 16 business members, 3 community-based organizations, 2 labor organization representatives, and various County and State Department/agency representatives.



Policy and Procedures



List of Boards, Committees and Commissions



Meeting Calendar



Vacancy Notices



Council Policy Regarding Appointments

checklist so that each range is evaluated using the same criteria. The Commission shall publish an annual report on the ranges it has inspected and approved and on recommendations dealing with the urban boundaries.

COUNTY-WIDE RECREATION ADVISORY BOARD

Created -- Montgomery County Code – Section 41-21 through 41-30.

Purpose -- Advisory to the County Executive, the County Council, the Director of the Department of Recreation, and the Planning Board. The Boards shall encourage the development of desirable recreational and park opportunities in the designated recreation areas of the County.

Membership-- **County-Wide:** 20 members consisting of 15 at-large members, and 5 representatives for each of the five regional recreation advisory boards.
7 non-voting ex-officio members: a representative of the Dept. of Parks of the M-NCPPC, an administrative representative of the Board of Education, the immediate past Board Chair, and representatives from the Office of Community Use of Schools, Community Action Board, Commission on Aging, and Commission on People with Disabilities, and
4 alternate members from the County-at-large. (31 total members)
Area/Regional Boards --There are five area boards: West County, Upcounty, East County, Mid-County and Silver Spring. Each of the five regional boards has 9 members and 2 alternates who reside in the designated recreation area.

Comments -- There has been difficulty filling all the positions on the County-wide and Regional Recreation Boards and more diverse representation is needed. CERB believes that the five Regional Citizens Advisory Boards are well-equipped to deal with recreation and park issues and have a more diverse membership as well. The overlap of information to the Regional Recreation Boards with the County-wide Recreation Board provides a duplication of effort that is not providing additional benefit and is staff intensive. It is also confusing to citizens who do not know where to bring up specific issues. County-wide recreation issues can continue to be handled at the County-Wide Recreation Advisory Board; regional needs should be addressed and coordinated by the Regional Service Centers' Citizens Advisory Boards. No annual report is published.

Recommendation --Continue the County-wide Recreation Advisory Board, insuring that there is county-wide membership reflective of the five regions; discontinue the alternate positions. The CERB is recommending that each of the regional recreation boards be discontinued and their work be subsumed by the Regional Services Centers' Citizens Advisory Boards. There should be formal liaison positions between the Regional Service Centers' Citizens Advisory Boards and the County-wide Recreation Advisory Board. An annual report should be published.

AREA/REGIONAL RECREATION ADVISORY BOARDS -- WESTERN AREA, EAST COUNTY, UPCOUNTY, MID-COUNTY AND SILVER SPRING RECREATION ADVISORY BOARDS

Created -- Montgomery County Code – Section 41-21 thru 30. Exec. Order 239-01.

Purpose -- Advisory to the County Executive, the County Council, the Director of the Department of Recreation, and the Planning Board. The Boards shall encourage the development of desirable recreational and park opportunities in the designated recreation areas of the County.

Membership -- **Area/Regional Boards** --There are five area boards: West County, Upcounty, East County, Mid-County and Silver Spring. Each of the five regional boards has 9 members and 2 alternates who reside in the designated recreation area.

Comments -- Formerly the Recreation Department had three defined recreation areas (Upcounty or previously called the Northern Area, Western Montgomery County and the East County). In March 2002, the regional recreation boards were expanded from three areas to five areas. Since that time, recruitment on the area boards has been challenging, especially in terms of diversity, and some positions have been left unfilled.

This difficulty was also referenced in the 1992 Committee on Committee's Report ("Maintaining a steady level of participation has been difficult due to number of volunteer members required.") The East County Recreation Advisory Board and the Mid-County Recreation Advisory Board are the only area boards that produce an annual report.

Recommendation -- Discontinue. The 5 area boards should be dissolved and area recreation issues should become the responsibility of the five Regional Service Centers' Citizens Advisory Boards. Formal linkages between the Regional Citizens Advisory Boards and the County-wide Recreation Advisory Board should be established. An annual report should be published.

RUSTIC ROADS ADVISORY COMMITTEE

Created -- Montgomery County Code, Sec. 49-80

Purpose -- To promote public awareness and knowledge of the rustic roads program in the County; review and comment on classification of rustic roads and exceptional rustic roads; review and comment on Executive Regulations and other County policies and programs that may affect the program; and report annually on June 1 to the County Executive, the County Council and the Planning Board on the status of the rustic roads program.

EAST COUNTY CITIZENS ADVISORY BOARD

Created: Resolution 12-1032

Purpose : To advise the County Executive and the County Council of East County citizens' issues and concerns; advocate for regional priorities; and help facilitate solutions. The Board also holds public forums as needed on topics of interest to the community and voices its recommendations to the County Executive vis-à-vis the County's budgetary priorities.

Membership: Eighteen members, including one position reserved for a business representative. The membership represents a cross-section of citizens living or working in the Eastern region, including communities in the Fairland, White Oak and Cloverly neighborhoods. The area is roughly bound on the west by the Northwest Branch, on the north by Ednor Road, on the east by the Howard County and Prince George's County lines, and on the south by I-495.

Comments -- Similar to the other County Regional Citizens Advisory Boards, the East County Citizens Advisory Board (ECCAB) serves the important function of providing a forum for citizens to learn about and express their opinions on local issues. The ECCAB has been actively involved in many issues: site selection for a new high school, the proposed Inter-County Connector; police presence in the area; new science and technology park; the new FDA campus in White Oak and the Master Planning process for the area. The ECAB meetings also provide an efficient and convenient venue for County officials and staff, local residents, local business concerns, experts, developers and other interest groups to exchange information and ideas. The Board does not publish an annual report.

Recommendation --Continue. This Board should continue to seek to work collaboratively with other regional B/C/C to develop partnerships and collaborative solutions to mutual issues and concerns. Expand recruitment and target outreach to community groups for more diverse representation on the Board and for overall community representation at meetings. Take over recreation advisory function with the abolishment of the East County Area Recreation Advisory Board. Continue to promote opportunities for joint B/C/C meetings to share county-wide issues, board best practices, board challenges, and lessons learned. Share orientation process and best practices. An annual report should be published.

The current Director, Department of Health and Human Services has realigned services in the Department; there is a now a Behavioral Health and Crisis Services Division. The Committee does publish an annual report.

Recommendation -- It is recommended that the Alcohol and Other Drug Abuse Advisory Council and the Mental Health Advisory Committee be combined into a Behavioral Health or Addictions and Mental Health Advisory Committee. This will be in line with the current organization of the DHHS. It may be necessary to change State law to accommodate this change.

MID-COUNTY CITIZENS ADVISORY BOARD

Authority -- Council Resolution No. 9-40

Purpose -- To provide advice to the Director of the Mid-County Center on area priorities and on ways to tailor services in the center to residents of the region, to identify and understand community issues and advise the County Executive and County Council on the appropriate role for government to assume in resolving these issues.

Membership - Fifteen members who are residents or business owners in the area.

Comments -- A well-run and very active board which seeks to establish an effective voice for the residents and businesses it represents. Provides constituents with monthly electronic newsletter, "Mid-County Sparkler" which is available to residents, homeowner associations, local businesses, and civic associations as an outreach strategy. Continued outreach to the local community is important to ensure a strong overall diverse community representation at meetings and build a more economically, racially, and ethnically diverse applicant pool. Outstanding staff support under tight financial constraints. Strong orientation process which includes an annual bus tour of region to identify key issues and an issue prioritization process which identifies important issues from the citizens the MCAB represents. The Board does not publish an annual report.

Recommendations -- Continue. This Board should continue to seek to work collaboratively with other regional B/C/C to develop partnerships and collaborative solutions to mutual issues and concerns. Expand recruitment and target outreach to community groups for more diverse representation on the Board and for overall community representation at meetings. Take over recreation advisory function with the abolishment of the Mid-County Area Recreation Advisory Board. Continue to promote opportunities for joint B/C/C meetings to share county-wide issues, board best practices, board challenges, and lessons learned. Share orientation process best practices. An annual report should be published.

Comments -- This group does a good job balancing the needs of the community with the taxicab industry interests. There has been a problem recruiting for taxicab driver positions. No annual report is published.

Recommendations -- Continue. It is recommended that categories be made goals rather than requirements for the taxicab driver representative (owner-operator or non-owner operator) since it is difficult to find applicants in the driver category. An annual report should be published.

UPCOUNTY CITIZENS ADVISORY BOARD

Created -- Resolution No. 10-1279

Purpose -- Review and comment, within statutory requirements and guidelines, proposed zoning amendments and section map amendments, master plans and related plan amendments, six year capital improvements program (CIP) of County and bi-County agencies, operating budgets of County and bi-County agencies; health and human service matters, land acquisition by County and other government agencies, location and design of fire stations, schools, recreation centers, libraries and other government buildings and facilities, transportation routes, schedules and services within the County, including school busing, and all other matters coming before the County government for decision which relate to, or affect, the Upcounty Center's service area. Advise the Director of the Upcounty Center in identifying demographic, economic and social patterns in the area.

Membership -- 20 members, representing a cross-section of citizens living or working in the Upcounty region, such as in Germantown, Gaithersburg, Laytonsville, Damascus, Poolesville, Clarksburg, Montgomery Village, and North Potomac.

Comments -- The Upcounty Citizens Advisory Board is a well run, effective Board. An annual report is published.

Recommendation -- Continue. This Board should continue to seek to work collaboratively with other regional B/C/C to develop partnerships and collaborative solutions to mutual issues and concerns. Expand recruitment and target outreach to community groups for more diverse representation on the Board and for overall community representation at meetings. Take over recreation advisory function with the abolishment of the Upcounty Area Recreation Advisory Board. Continue to promote opportunities for joint B/C/C meetings to share county-wide issues, board best practices, board challenges, and lessons learned. Share orientation process best practices.

WATER QUALITY ADVISORY GROUP

Created -- Montgomery County Code, Section 19-49

Purpose -- Recommend to the Executive and the Council by March 1 each year water quality goals, objectives, policies, programs, and priorities that protect, maintain, and/or restore the biological, chemical and physical integrity of county streams, rivers, wetlands, ground water, lakes, and other water resources.

Membership -- 18 members composed of up to three non-voting representatives of government agencies and three representatives each of: the public at large; academic and scientific experts; environmental groups; the agricultural community; and the business community.

Comments -- This committee effectively advises the County through written opinions and resolutions. In addition, the Group communicates its activities to the public by publishing meeting minutes on the DEP website. The requirement for specific categories of membership presents a problem for recruitment and diversity, particularly in the scientific/academic category. An annual report is prepared.

Recommendation -- Continue. Provide for flexibility in membership to balance technical and diverse community representation by making the three representatives per category a goal instead of a requirement.

WESTERN MONTGOMERY COUNTY CITIZENS ADVISORY BOARD

Created -- Resolution No. 9-714

Purpose -- To provide advice to the County Executive and the County Council through the Director of the Bethesda-Chevy Chase Regional Services Center on area priorities, needs of the Western Montgomery County region for programs and/or services, impact of current services (effectiveness), identification and understanding of the Western Montgomery County communities, and proposed changes in government services for the Western Montgomery County area.

Membership -- Fifteen members composed of ten residential representatives and five business representatives from the Western Montgomery County region.

Comments -- A well-run and very active board which seeks to establish an effective voice for the citizens it represents. An off-site annual retreat is held; and there is comprehensive orientation resources and board member mentoring. The Board participates in

recommending Capital Improvements Projects for the region. An annual report is not published.

Recommendations -- Continue. This Board should continue to work collaboratively with other regional B/C/C to develop partnerships and collaborative solutions to mutual issues and concerns. Expand recruitment and target outreach to community groups for more diverse representation on the Board and for overall community representation at meetings. Continue to promote opportunities for joint B/C/C meetings to share county-wide issues, board best practices, board challenges, and lessons learned. Share orientation process best practices. Take over recreation advisory function with the abolishment of Western Area Recreation Advisory Board. An annual report should be published.

WHEATON URBAN DISTRICT ADVISORY COMMITTEE

Created -- Montgomery County Code, Sec. 68A-5 (a)

Purpose -- To advise the County government on all aspects of the program, management, and finances of the urban district. By July 15 each year, advises the department on the program and budget of the urban district; by September 15 each year, reviews the urban district budget and submits comments to the department; and by October 1 each year, meets with the head of the department to resolve areas of disagreement regarding the budget.

Membership -- 13 members (12 or more Optional Method Developers [OMD]), 12 members (if there is only one OMD); 11 members (if there are no OMDs), including:
two members who represent the Wheaton/Kensington Chamber of Commerce; two members who represent Wheaton businesses that employ fewer than ten people; two members who represent Wheaton businesses that employ 10 or more people; four members who represent residential communities in the urban district or within 2 miles of the urban district; and one member who represents a residential community either in or outside of the urban district and who is nominated by the Mid-County Citizens Advisory Board. The remaining members represent optional method developers. Note: As of April, 2004, there were no optional method developments (OMDs) in Wheaton.

Comments -- This board has knowledgeable and enthusiastic members and staff and is successful in meeting its mission. The board does not prepare an annual report.

Recommendation -- Continue. An annual report should be published.



EAST COUNTY RECREATION ADVISORY BOARD

May 12, 2009

Dear Council:

My name is Mark Pharaoh I am the Chairman of the East County Recreation Advisory Board. The ECRAB feels that bill 20-09 will not achieve the desired staff cost savings it is intended to achieve. Recreation and Parks staff would have to be present at citizens advisory board meetings if they are combined (they don't attend now), making it a wash. We feel Recreation and Parks would get lost with all the other issues the citizens advisory boards addresses. It would also take away a valuable source of information for the council and executive in the testimony provided by the local recreation advisory boards every year.

A suggested change is to allow people to serve on more than one board. From the number of emails I get listing the openings and boards, many boards are not full. Allowing people to serve on more than one board might help this problem. Board appointees must be approved by council and the executive, so they would have oversight on what board's people are approved for.

Thank you,

Mark Pharaoh, Chair,

-----Original Message-----

From: mark.pharaoh@verizon.net [mailto:mark.pharaoh@verizon.net]

Sent: Wednesday, May 20, 2009 9:58 AM

To: Andrews' Office, Councilmember; Berliner's Office, Councilmember; Elrich's Office, Councilmember; Ervin's Office, Councilmember; Floreen's Office, Councilmember; Knapp's Office, Councilmember; Leventhal's Office, Councilmember; Trachtenberg's Office, Councilmember

Subject: bill 20-09

this is something i thought of after my testimony about bill 20-09. are there separate departments in county govt that correlate to all the boards that would be combined? if so, wouldn't it be more cost saving to combine the county departments and the committees would follow along accordingly. it would seem the recreation advisory boards are already doing this by including parks with recreation. maybe we are ahead of the curve.

thank you,
mark pharaoh
chair east county recreation advisory board

East County Recreation Services Center

14906 Old Columbia Pike • Burtonsville, Maryland 20866 • 240-777-4980 • 240-777-4981 FAX

www.montgomerycountymd.gov/rec

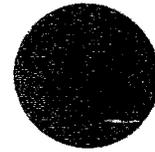


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MID-COUNTY CITIZENS ADVISORY BOARD

June 3, 2009

049509



The Honorable Phil Andrews
President, Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

Dear County Council President Andrews:

On behalf of the Mid-County Citizens Advisory Board (MCCAB), I would like to share the Board's opposition to the proposal to merge the functions of the Mid-County Recreation Advisory Board into the Mid-County Citizens Advisory Board as a three-member subcommittee focusing on recreation issues and with a liaison from the MCCAB serving on a County recreation advisory board.

While the MCCAB recognizes the difficult budget situation and the need to make cuts in many areas including staff support of advisory boards, the MCCAB finds that:

- merging the Mid-County Recreation Advisory Board with the MCCAB will reduce the output and timeliness of both boards;
- folding in a mandate for the MCCAB to advise on the specialized area of recreation would adversely impact MCCAB's ability to address the wide range of regional issues it is struggling with already;
- implementing a merger will require new staff costs associated with such a merger and the transition to this new structure and role that the County can ill afford to incur at this time.

In addition, it is not clear what method would be used to change the membership of the MCCAB. Whether it is done through a complete dissolution/reestablishment of the MCCAB, by eliminating three sitting members to be replaced by RAB members, by expanding the MCCAB by three new members, or through attrition over several years, this process will have an adverse impact on the output and functioning of the current citizens advisory board which has functioned and served the County Executive and County Council very well for over 30 years.

As you will see from the attached copy of our letter of May 3, 2005 to the Management and Fiscal Policy Committee of the Montgomery County Council in response to a similar proposal made in the 2002-2004 Committee Evaluation & Review Board's (CERB) final report, the MCCAB opposed the previous recommendation to dissolve the five Area/Regional Recreation Advisory Boards and have area recreation issues become the responsibility of the five Regional Service Centers' Citizens Advisory Boards.

We, therefore, recommend that the MCCAB and the Mid-County Recreation Board be kept as separate boards.

Sincerely,



Sheldon Fishman, Chair

cc: Isiah Leggett, County Executive
Gabriel Albornoz, Director, Department of Recreation
Mid-County Recreation Advisory Board

May 12, 2009 Testimony before The County Council of Montgomery County, Maryland

As a group of volunteers working to enhance parks and recreation opportunities in our community, the Downcounty Recreation Advisory Board appreciates the opportunity to testify today. The Downcounty Board represents the communities of Potomac, Bethesda, Chevy Chase, and east Silver Spring. Through the area recreation boards, the County Council makes an affirmative statement about the priority of parks and recreation in every community throughout Montgomery County. We do recognize and wish to stress that as much as we are advisors to the Council and County Executive, we are also a board of your design, and we greatly respect Council's right and obligation to consider what structures best serve the county's collective good.

We believe the Downcounty Board enhances the voice of parks and recreation in our area. In a nutshell, we are concerned that eliminating the area boards would dilute the voice of these priorities. Because of the boards, we have unique opportunities to highlight parks and recreation priorities through annual meetings with the County Executive and at Council public hearings. We co-host CIP forums with the Planning Board, rotate meetings to visit with specific stakeholders, and, as necessary, we hold special meetings in communities that are wrestling with specific issues. We are concerned most of these unique input opportunities would be lost or diluted if the area boards are eliminated.

The regional citizen advisory boards handle a very broad set of issues – essentially everything except the purview of the recreation boards. If the recreation boards are consolidated with the citizen boards, we are concerned parks and recreation would be just one of many issues deliberated. Such issues and may or may not be highlighted with elected officials, and, when they are, they would be included along with non-recreation matters.

We are also concerned about the staff support under the proposed consolidation. Parks and recreation staff provide essential input to our work. If these individuals provide the same level of support following consolidation, there would be negligible reduction in staff time. On the other hand, if staff provided less support, we are concerned parks and recreation issues would be further diminished. As the budget is debated, we would respectfully ask what value we as a community wish to place on opportunities for public input.

The Downcounty Recreation Advisory Board has worked on many issues in recent years, with tangible results. To name a few, we have worked on the Scotland Center renovation, development of the Wisconsin Place and proposed North Bethesda Recreation Centers,

Capital Crescent Trail safety and access, review of park buildings, friends of recreation group policies, programming for seniors and children, the Pauline Betz Addie Tennis Center, and public/private partnerships.

The Downcounty Board is currently populated with nine members. A tenth awaits confirmation. We understand some legitimate questions have been raised about how and if the area boards serve their intended purpose. We welcome that dialogue and respectfully suggest that such conversation may best take place outside the soon-to-conclude budget process.

As volunteers in a community of nearly one million people, we believe the area recreation advisory boards provide an enhanced voice on many quality of life issues that make Montgomery County such a wonderful place to live. We appreciate the opportunity to share our views, and we look forward to continuing this conversation.

Respectfully
Submitted,
Joy Rayley,
Board Member

Mid County Recreation Advisory Board 2009

Council review of Boards, Committees, Commissions-Council Hearing May 12, 2009

7

We support the continuation of the local regional recreational advisory boards for the following reasons:

- **There is No Comparison Between Resources and Money which Translates into Savings therefore No Savings Exist Within the Proposed Consolidation**
- **Volunteer Recreational Advisory Boards Saves the County Money**
- **Regional Area Boards Enables A Positive and Supportive Connection Between Local County Citizens, the Department of Parks, Appointed and Elected County Officials and the Department of Recreation**
- **Regional Boards Enables County Officials to Hear directly from County Citizens on Regional Issues**
- **County Council may want to Consider Reducing the Number of Positions on "Paid" Volunteer Boards which May Yield a More Significant Cost Savings to the County Budget**

There is No Comparison Between Resources and Money which Translates into Savings therefore No Savings exist within the Proposed Consolidation

There is no clear comparison between resources and money. The amount of resources and hours donated by county volunteers would need to be replaced by county staff hours. A three member subcommittee within the Citizens Advisory Board would not have the resources that currently exist from the 4 area recreational Boards currently staffed by 36 to 40 volunteer members. The 36 to 40 volunteers on the 4 Advisory Boards automatically equals a greater cost savings because (36 volunteers x 36 hours per year + resources) equals a greater savings than the alleged 100+ staff hours saved in county budget.

Volunteer Recreational Advisory Boards Saves the County Money

Recreational Advisory Boards saves elected and county officials' money by serving as a resource, point of contact, and information for local county residents. Currently Board members provide valuable resources, information and support by conducting research and responding to correspondence and issues from concerned citizens.

Regional Area Recreational Boards Enables a Positive and Supportive Connection Between Local County Citizens, the Department of Parks, Appointed and Elected county officials and the Department of Recreation

There is a disconnect in the county between local area issues and concerns versus countywide regarding parks and recreation. It is difficult for citizens to become aware of issues that may not affect their immediate community. The Recreational Advisory Boards provide a local voice and focus for each local community on issues that are central to that particular community virtually eliminating the disconnect between the Department of Parks, county officials and local county communities.

Regional Boards Enable County Officials to Hear from County Citizens on Regional Issues

Many issues are not Countywide and do not require countywide focus or resources and will not be given a "countywide" focus or priority at Citizens Advisory Board meetings. The Countywide Board relies heavily on resources and input from the Regional Advisory Boards.

County Council may want to Consider Reducing the Number of Positions on "Paid" Volunteer Boards which May Yield a More Significant Cost Savings to the County Budget

Decreasing the number of volunteer positions on paid Advisory Boards, Committees, and Commissions by eliminating one position on paid volunteer boards may yield better savings and be more beneficial to county residents.

Arquilla Ridgell, Chair Mid County Recreation Advisory Board (MCRAB@Yahoo.com)

Comments -- This Commission is highly effective at meeting its goals and provides valuable services to the county. It actively forms liaisons with other committees and organizations to ensure that the needs of the elderly are considered in all aspects of community life in a coordinated way. In addition to the dedicated and energetic work of its members, the Commission has excellent staff support. This commission has developed several best practices that could be shared with other committees. The Commission publishes an annual report.

Recommendation -- Continue. Continue to share best practices with other B/C/C.

AGRICULTURAL ADVISORY COMMITTEE

Created -- Council Resolution No. 8-705

Purpose -- To advise the County Executive and the County Council on all matters affecting agriculture in Montgomery County.

Membership -- 15 members. Twelve members shall be bona fide farmers selected so as to be representative of the total farm community and three members shall have no direct financial interest in farming. At least one farm economist and one conservationist shall be included in the committee membership.

Terms -- Farmer representatives serve three year terms. Non-farmer representatives serve one year terms.

Comments -- With one-third of all the land in Montgomery County under agricultural designation, the role of agricultural boards is important. The current separate board structure for various agricultural issues does not offer the agricultural community enough opportunity to work together and/or to present a loud and clear voice to the County Executive and County Council regarding the health and well-being of the agricultural industry. There are a limited number of farmers who are able to participate on the various agricultural boards. There is no annual report published.

Recommendation -- A unified Agricultural Board with a broader mission and goals and topic related sub-committees would be a better use of staff time and allow for greater participation from the widest segment of the farm community. Merge with the other agricultural advisory groups (Agricultural Preservation Advisory Board and Rustic Roads Advisory Committee). An annual report should be published.

AGRICULTURAL PRESERVATION ADVISORY BOARD

Created -- Section 2-504.1 of the Agriculture section of the Maryland Annotated Code 1977 and Sec. 2B-2 (b) of the Montgomery County Code

Purpose -- To advise the County Executive and County Council with respect to the establishment of agricultural districts and the approval of purchases of easements; to review the status of agricultural districts and land under easement; to promote preservation of agriculture.

Membership -- Five members - at least three of whom shall be owner-operators of commercial farms who earn 50 percent or more of their income from farming. All must be county residents. No member may serve for more than two consecutive full terms.

Terms -- Five years

Comments -- This Board has been effective in lobbying the state on agricultural preservation issues. Many of their issues overlap with the Agricultural Advisory Committee and the Rustic Roads Advisory Committee, and could be better served by being merged together to address like issues. The Agricultural Preservation Advisory Board is currently preparing its annual report.

Recommendation -- Merge Agricultural Advisory Committee, Agricultural Preservation Advisory Board and Rustic Roads Advisory Committee. It may be necessary to change State law to accommodate this change.

~~ALCOHOL AND OTHER DRUG ABUSE ADVISORY COUNCIL~~

Created -- Montgomery County Code, Sec. 24-41

Purpose -- To identify local alcohol and other drug abuse program needs; review the state alcohol and other drug abuse plan; assist in the development of an annual County alcohol and other drug abuse plan; recommend appropriate allocation of funds to support alcohol and other drug abuse programs after considering other available funding sources; promote alcohol and other drug abuse programs; conduct or participate in one or more public forums each year concerning alcoholism and other drug abuse; and issue an annual report to the County Executive, the County Council, and the Director of the Department of Health and Human Services by October 1 of each year.

Membership -- The Council consists of 16 voting members and 9 nonvoting members. The voting members include: four members of the general public and

**AREA/REGIONAL RECREATION ADVISORY BOARDS -- WESTERN AREA,
EAST COUNTY, UPCOUNTY, MID-COUNTY AND SILVER SPRING
RECREATION ADVISORY BOARDS**

Created -- Montgomery County Code – Section 41-21 thru 30. Exec. Order 239-01.

Purpose -- Advisory to the County Executive, the County Council, the Director of the Department of Recreation, and the Planning Board. The Boards shall encourage the development of desirable recreational and park opportunities in the designated recreation areas of the County.

Membership -- **Area/Regional Boards** -- There are five area boards: West County, Upcounty, East County, Mid-County and Silver Spring. Each of the five regional boards has 9 members and 2 alternates who reside in the designated recreation area.

Comments -- Formerly the Recreation Department had three defined recreation areas (Upcounty or previously called the Northern Area, Western Montgomery County and the East County). In March 2002, the regional recreation boards were expanded from three areas to five areas. Since that time, recruitment on the area boards has been challenging, especially in terms of diversity, and some positions have been left unfilled.

This difficulty was also referenced in the 1992 Committee on Committee's Report ("Maintaining a steady level of participation has been difficult due to number of volunteer members required.") The East County Recreation Advisory Board and the Mid-County Recreation Advisory Board are the only area boards that produce an annual report.

Recommendation -- Discontinue. The 5 area boards should be dissolved and area recreation issues should become the responsibility of the five Regional Service Centers' Citizen Advisory Boards. Formal linkages between the Regional Citizens Advisory Boards and the County-wide Recreation Advisory Board should be established. An annual report should be published.

RUSTIC ROADS ADVISORY COMMITTEE

Created -- Montgomery County Code, Sec. 49-80

Purpose -- To promote public awareness and knowledge of the rustic roads program in the County; review and comment on classification of rustic roads and exceptional rustic roads; review and comment on Executive Regulations and other County policies and programs that may affect the program; and report annually on June 1 to the County Executive, the County Council and the Planning Board on the status of the rustic roads program.

Membership -- The Committee has seven voting members. Each member must be a resident of the County. The County Executive should appoint three members who are owner-operators of commercial farmland earning 50 percent or more of their income from farming, one of whom is a representative of the Agricultural Advisory Committee; one member who has knowledge of rural preservation techniques through practical experience and training; one member who has knowledge of roadway engineering through practical experience and training; one member who represents civic associations located in the Agricultural Reserve; and one member who represents civic associations in areas located outside the Agricultural Reserve where there are rustic roads. The Chairman of the Planning Board must designate a member of the Planning Staff as a non-voting member.

Comments -- At times there has been difficulty with recruitment, especially for the civic association representative. Due to the decline in the number of farms and farmers, there are a limited number of farmers to serve on the various agriculture-related B/C/C. Currently two of the three farmer representatives on the Committee have previously served on the Agricultural Advisory Committee. This Committee provides a valuable service in the master plan process on decisions regarding bridges, roadside structures, preservation and conservation issues, and the status of rustic roads, exceptional rustic roads, permit applications, and right-of-ways. A bi-annual report is produced.

Recommendation -- Merge this Committee with other agricultural groups (Agricultural Advisory Committee and the Agricultural Preservation Advisory Board). An annual report should be published.

SILVER SPRING CITIZENS ADVISORY BOARD

Created -- Resolution No. 8-449

Purpose -- To strengthen communication between the community and the various agencies of the County Government, coordinate necessary interagency action with regard to Silver Spring, and recommend programs and policies tailored to the Silver Spring area.

Membership -- 18 members

Comments -- This Board has been led by a strong and dedicated chairman. It has several very effective subcommittees. Similar to the other County Regional Citizens Advisory Boards, the Silver Spring Citizens Advisory Board (SSCAB) serves the important function of providing a forum for citizens to learn about and express their opinions on local issues. The SSCAB meetings also provide an efficient and convenient venue for County officials and staff, local residents, local business concerns, developers and other interest groups to exchange information and ideas. The Board does not produce an annual report.



AGRICULTURAL ADVISORY COMMITTEE

May 8, 2009

The Honorable Phil Andrews,
Montgomery County Council President
100 Maryland Avenue
Rockville, Maryland 20850

Dear Council President Andrews:

Re: Bill 20-09

Please accept this letter on behalf of the Montgomery County Agricultural Advisory Committee (AAC) in opposition to Bill 20-09 which proposes to reduce the number of boards, committees, and commissions to provide savings of staff resources. More specifically, the bill proposes to consolidate the Agricultural Advisory Committee (AAC) with the Agricultural Preservation Advisory Board (APAB) and the Rustic Roads Advisory Committee (RRAC).

The Bill recommends the AAC be codified as part of the County Code since the Council Resolution No. 8-705 was approved in 1976 as the official mechanism for creating the AAC. The AAC does not oppose this aspect of the Bill 20-09.

The recommendation to consolidate these groups was proposed in 2004 as part of the Committee Evaluation and Review Board (CERB) report. The AAC provided written recommendations to the County Executive dated December 10, 2004 outlining their concerns and the AAC believes some of these concerns are still valid today with the proposed bill. Joint meetings between these groups are conducted periodically. On September 16, 2008 a joint meeting between the AAC, APAB, and the RRAC was held to discuss the need for trimming trees on rural roads. A representative from the DOT was present to review the highway services programs for trimming trees as well as clearing and grubbing along county roads. The outcome from this joint meeting was productive and a follow up letter was sent to the County Executive and the County Council. These groups do work together when a common issue or concern needs to be addressed.

We are concerned that if these three groups are officially combined, the AAC meetings will need to start earlier and last longer to complete all the assignments and business responsibilities of all three groups. Please see the agenda for the April 17, 2009 AAC meeting which is attached to this letter. This AAC meeting started at 7:40 pm and it ended at 9:30 pm when the security officer said the building was closing. This Bill 20-09 was added to the AAC agenda at the last minute because it was introduced by the Council

earlier in the day. We were not able to complete our discussion on this Bill 20-09 because we were asked to leave the building. If the APAB and RRAC represent sub-committees under the AAC, the sub-committee members will need to meet and formulate recommendations that will be presented to the full AAC. These sub-committee meetings could actually increase the number of times the groups meet which is not consistent with the intent of the Bill.

The AAC has 15 members and usually we have between 20-25 people attending the meetings. There are times the 15 member AAC can be challenging to manage and keeping the meetings on time can be difficult. Increasing the AAC membership to 19 will make managing the meetings more challenging and difficult. The AAC currently has assigned two sub-committees that have conducted additional meetings to formulate recommendations to be presented during the next regular AAC meeting. If bill 20-09 is approved, the number of sub-committee meetings could become problematic with respect to selecting dates, times and places for all representatives to attend and participate.

In view of these comments, the AAC questions as to whether the Bill 20-09 will actually result in fewer meetings for these groups and whether there will be any cost savings.

Thank you for this opportunity to present the views of the AAC regarding Bill 20-09.

Sincerely,

A handwritten signature in cursive script that reads "Wade Butler". The signature is written in black ink and is positioned above the printed name.

Wade Butler, Chairman



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MONTGOMERY COUNTY
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AGRICULTURAL ADVISORY COMMITTEE
MEMORANDUM

December 10, 2004

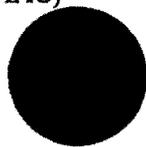
In File

TO: Douglas M. Duncan
Montgomery County Executive

FROM: William F. Willard, Chairman
Montgomery County Agricultural Advisory Committee (AAC)

William F. Willard, JVC

SUBJECT: Agricultural Advisory Committee Response:
Committee Evaluation and Review Board (CERB)



012600

On October 19, 2004, the AAC discussed the recommendation to merge the Agricultural Advisory Committee (AAC), Agricultural Preservation Advisory Board (APAB) and the Rustic Roads Advisory Committee into one organization.

While the Agricultural Advisory Committee acknowledges the need for farmers to work together and/or to present a loud and clear voice at the table of Government, we are opposed to the recommendation of merging these individual groups for the following reasons:

- (1) The AAC and APAB currently conduct joint meetings on a needed basis. Both groups recently completed recommendations that were submitted to the County Executive and County Council dated October 6, 2004 regarding policies for public owned TDRs.
- (2) The CERB recommendation is in conflict with the State law-Agriculture Article which created the enabling authority for the APAB. The APAB often deals with very sensitive and confidential projects involving real property transactions in conjunction with the purchase of agricultural and conservation easements. The small nature of APAB with only five members creates an effective environment for handling and controlling these confidential matters.
- (3) Given the unique nature, functions, individual responsibilities and membership of each group, the time management of meetings would represent a challenging environment where meetings may go on for days until the business of all three groups is finished. We are concerned regarding the size, management and effectiveness of a combined group which would consist of 27 members of AAC - 15 APAB - 5 Rustic Roads - 7 = 27 combined members.
- (4) The AAC is in agreement there are a limited number of farmers who are able to participate on various agricultural boards. (These include AAC, APAB, Rustic Roads Advisory Committee, Water Quality Advisory Group.) The County Government may need to consider the eligibility requirements for farmer members and consider increasing the years of the terms.

Thank you for considering our views on this recommendation and attached, you will find the Agricultural Advisory Committee Annual Report for 2003.

Thomas E. Perez, County Council President

a:cerb(aac04#2)

Department of Economic Development • Agricultural Services Division

18410 Muncaster Road • Derwood, Maryland 20855 • 301/590-2823, FAX 301/590-2839

BILL 20-09

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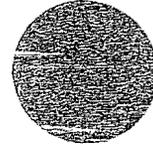


AGRICULTURAL PRESERVATION ADVISORY BOARD

May 12, 2009

The Honorable Phil Andrews,
Montgomery Council President
100 Maryland Avenue
Rockville, Maryland 20850

042456



Re: Council Bill 20-09

Dear Council President Andrews:

Please accept this letter on behalf of the Montgomery County Agricultural Preservation Advisory Board (APAB) in opposition to Bill 20-09 which proposes to reduce the number of boards, committees, and commissions to provide savings of staff resources. More specifically, the bill proposes to consolidate the Agricultural Advisory Committee (AAC) with the Agricultural Preservation Advisory Board (APAB) and the Rustic Roads Advisory Committee (RRAC).

The APAB appreciates that during tough economic times, it is especially important to maximize the efficiency and delivery of governmental programs and initiatives. Council Bill 20-09 proposes to consolidate the Agricultural Preservation Advisory Board and the Rustic Roads Advisory Committee as subcommittees of the Agricultural Advisory Committee.

While on the surface, the recommendation to merge these Boards and Committees into one new group may appear to make logical sense; after careful consideration we conclude that the separate identities of these valuable boards and committees must be maintained if they are in some cases are legally mandated by State Law.

Council Bill 20-09 maybe in conflict with the State law (Agricultural Article) which represents the enabling authority for the APAB. As a board, we often deal with very sensitive and confidential projects which involve real property transactions in conjunction with the purchase of agricultural and conservation easements. Given our board is comprised of only five members, it creates an environment which ensures the protection of confidential information.

The structure proposed for the APAB as a subcommittee will create an environment for more meetings and there is some question as to how the subcommittee can function given the confidentiality of sensitive information. Clearly, a subcommittee can not make final decisions; any decision recommended by the APAB subcommittee would need final approval by the full

Agricultural Services Division

18410 Muncaster Road • Derwood, Maryland 20855 • 301/590-2823, FAX 301/590-2839

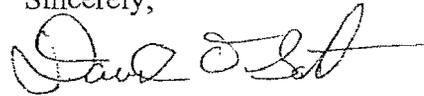
AAC committee. This creates the need for more meetings, not fewer ones. We do not see any time savings, or cost savings if the APAB subcommittee must meet and take their recommendation to the full AAC committee. We are not confident this is a good approach for maximizing efficiency

The County must have an independent Board that can focus entirely on agricultural land preservation issues. While there may be common positions on certain proposed county policy, law, or zoning regarding agriculture in the County, the APAB is highly focused on all the elements to implement one of the County's most successful land preservation programs.

This APAB must remain the premier authority on local and State agricultural land preservation matters and it is for these reasons that the APAB opposes the consolidation of the APAB as a subcommittee of the AAC as proposed in Council Bill 20-09.

Thank you for providing the APAB the opportunity to provide comment on Council Bill 20-09.

Sincerely,

A handwritten signature in black ink, appearing to read "David Scott", with a long horizontal flourish extending to the right.

David Scott, Chairman

cc: County Council



RUSTIC ROADS ADVISORY COMMITTEE

May 11, 2009

The Honorable Phil Andrews
President, Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

Re: Bill 20-09
Establishment of the Rustic Roads Advisory Committee as a subcommittee of the
Agricultural Advisory Committee

Dear Council President Andrews:

We, the members of the Rustic Roads Advisory Committee (RRAC) have reviewed Bill No. 20-09, which recommends that the RRAC become a subcommittee of the Agricultural Advisory Committee (AAC). The bill also establishes the Agricultural Preservation Advisory Board (APAB) as a subcommittee.

We believe that what is most important is that the County should receive the best possible input for its decisions, and we have reviewed Bill No. 20-09 with this goal in mind. We also support the efficient use of staff time and resources, and we greatly respect the time and commitment of the volunteers who serve on our committee and that of the members of the AAC and the APAB.

With the above in mind, we specifically addressed the question: Does this Bill serve to save staff time for any of the committees? Currently, each of these three committees is supported by a staff person who has extensive knowledge in the area of the committee's interest. For our Committee, Sarah Navid is the County staff person who provides technical support to the committee. Because of her dedication and years of service, she has developed an in-depth knowledge of roadway operations and safety standards, as well as subdivision design and regulations. Similarly, staff members for the AAC and APAB have invaluable backgrounds that support the efforts of their committees. Also, if RRAC were to become a subcommittee of the AAC, the same staff time would still be required for our meetings and background work. *On this basis, we judge that there would be zero savings of staff time accomplished by the proposed consolidation and rearrangement of these committees.*

We also note that one of the farmer members of the RRAC acts as a liaison with the AAC, providing a formal connection, and staff to the committees informally coordinate as needed.

Last year, these connections resulted in a very productive joint meeting of the three committees to discuss tree maintenance along the roadways in the Ag Reserve.

In order to consider the potential for savings in staff and volunteer time, RRAC members reviewed the April 2009 agendas for the three committees. We saw that the committees reviewed 33 unique items and that only three items were reviewed by both the AAC and the APAB, as follows: RRAC – 11 items, all unique to this committee; AAC – 10 items, three in common with APAB; and APAB – 15 items, three in common with AAC. This limited overlap reflects the different types of reviews and discussions these groups customarily handle. Thus, there is little redundancy. Also, If the subcommittees must bring recommendations before the AAC for approval, then staff and committee members will generally need to attend two meetings per month, rather than one.

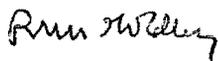
The current RRAC membership balances the interests of groups concerned about the roads, with three farmers, two representatives from civic groups, a roadway engineer and a rural preservation representative. Maintaining this balance of interests should be an important consideration. As proposed in Bill 20-09, this balance may be at risk. This could serve to lower the impact of the recommendations made by the Rustic Roads Advisory Committee.

Finally, the RRAC reviews rustic and exceptional rustic roads that are outside of the Ag Reserve. For instance, a road in the Gaithersburg West Master Plan area was recently considered for designation, and there are numerous rustic roads in Potomac, Sandy Spring/Ashton, and Olney.

In summary, we, the members of the RRAC, fail to see any savings in staff or other time that would be accomplished by the proposed Bill. Again, our interest is in assuring that County officials are able to make the best possible decisions by having the best possible advice and recommendations from us and its other committees. We look forward to continuing to find ways to do so in the most efficient and effective ways possible.

Thank you for providing us with the opportunity to comment on this Bill.

Sincerely,



Robert N. Goldberg

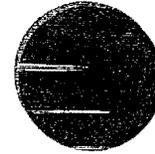
On behalf of the Rustic Roads Advisory Committee

Eric Spates	Kevin Foster
Jim Arnoult	Marc T. Miller
Fred Lechluder	Robin Ziek

Guthrie, Lynn

From: Andrews' Office, Councilmember
Sent: Tuesday, May 12, 2009 9:16 AM
To: Montgomery County Council
Subject: FW: Bill 20-09

042366



2009 MAY 12 PM 2:01

-----Original Message-----

From: MChasson@aol.com [mailto:MChasson@aol.com]
Sent: Monday, May 11, 2009 9:22 PM
To: Andrews' Office, Councilmember
Subject: Bill 20-09

Please incorporate these comments into the record of hearing on the Bill 20-09

To: Montgomery County Council
From: League of Women Voters of Montgomery County
Re: Bill 20-09

We find the proposed legislation confusing in terms of the definition of membership and length of term for the members as well as the number of persons who would actually serve on the Agricultural Advisory Committee. It is not clear who would designate which members would serve on the proposed subcommittees. We believe the legislation should be clear and unambiguous

It does not seem appropriate to depart from the state law in defining the Agricultural Preservation Board simply to reduce the number of citizen committees focused upon agricultural activity. Although the Agricultural Advisory Committee and the Agricultural Preservation Board both work to promote agriculture and to preserve agricultural land in the county, the responsibilities are not the same. The Preservation Board has major responsibilities defined by statute in dealing with agricultural easements that the advisory committee does not address. While it might be appropriate for the members of that board to serve on the Advisory Committee, differences in term of membership and responsibilities seem to make it desirable to specifically appoint members to the Agricultural Preservation Board rather than to have the Board formed as a subcommittee of the Advisory Committee.

The Rural Roads Advisory Committee has duties and membership defined in the county code and seems to have been functioning effectively. How would these responsibilities change by making this group a subcommittee of the Advisory Committee?

If there is concern regarding coordination among the committees and board, perhaps a recommendation for periodic joint meetings would be sufficient.

Thank you for your consideration of these comments.

Margaret Chasson, Chair of the Agriculture Study Committee
Diane Hibino, President

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COMMITTEE ON HATE/VIOLENCE

Created -- Montgomery County Code, Chapter 27-63 as amended

Purpose -- The Committee advises the County Council, the County Executive and County agencies about hate/violence in the County and recommends such policies, programs, legislation or regulations as it finds necessary to reduce the incidence of acts of hate/violence. An annual report is submitted each year by October 1 to the Executive and Council on the activities of the Committee, including the source and amount of any contribution received from a public or private source to support the activities of the Committee. Members also develop and distribute information about hate/violence in the County; promote educational activities that demonstrate the positive value of ethnic and social diversity in the County; and adopt necessary rules and procedures.

Membership -- Fifteen voting members who are County residents and six nonvoting members. Of the 15 voting members, at least 9 should be identified with ethnic or other groups in the County which are frequently the subject of acts of hate/ violence; at least 2 should be parents of school-age children; and at least one should be identified with the County business community.

Comments -- The Committee on Hate/Violence (CHV) was initially created and staffed by the County Council in response to the County's changing demographics. Subsequently, the Council made the decision to house this group in the Office of Human Rights. The CHV initially concerned itself with festivals and making new County residents feel welcome. More recent activities include sponsoring an essay contest in middle schools (this is no longer being done), and there is a new focus on education. This Committee is allowed to solicit funds and does have a small budget. Current members wish to pursue fund solicitation which has not been done in the past. The CHV and the Partnership Board for Victims of Hate/Violence receive some of the same Police briefings and could meet together to save staff time. There were comments received regarding the unclear mission of the Committee and its lack of focus. There has also been a substantial amount of turnover on the Committee and a lack of leadership. Staffing is provided by an Office Services Coordinator. An annual report is not published.

Recommendation -- Merge. The Committee on Hate/Violence should include as part of its mission the work of the Partnership Board for Victims of Hate/Violence. This will reduce staffing requirements and time for both the Police Department and the Office of Human Rights. Additionally, a clearer mission statement is needed and the relationship between the Committee on Hate/Violence and the work of the Committee for Ethnic Affairs needs to be determined. There may be opportunities for further merging or collaboration among these groups. Provide additional professional level staffing. An annual report should be published.

COMMITTEE FOR ETHNIC AFFAIRS

- Created -- Montgomery County Code Sec. 27-53
- Purpose -- The Committee is to advise the County Executive and the County Council on public policy that relates to ethnic affairs; participate in community events in celebration of ethnic diversity; and, promote maximum involvement of all ethnic groups in the County in government, business and community affairs.
- Membership -- 26 members - approximately one-half of the members are selected from ethnic groups and one-half from the business and education communities in the County.

Comments-- From 1992 -- 2002 the Department of Recreation took over the lead responsibility for organizing the ethnic heritage festival, which had previously been the responsibility of the Committee for Ethnic Affairs. Subsequently, this festival was cancelled by the County due to budgetary concerns. Since 1992, the Committee has struggled to develop a clearly defined mission with defined goals and functions that relate to the County's growing and diverse population. The Committee has promoted ethnic creativity in the arts and has worked on a video, "Know your Neighbor."

There is a great need to address important issues in the County affecting the burgeoning new immigrant populations and to encourage communication among ethnic groups and between ethnic groups and the County's social service providers. The CEA publishes an annual report. This group has a difficult time recruiting and keeping its full membership.

Recommendation -- Continue. With the assistance of the Office of Community Outreach, the CEA should develop a mission statement that clearly states its purpose and duties to include creating a forum for all ethnic groups in the County, to integrate the diverse communities within the County's population, and to identify existing and potential problems and possible solutions. A merger with the Committee on Hate and Violence should be studied, since there are many important issues that the two groups could more efficiently address together.

~~COMMITTEE EVALUATION AND REVIEW BOARD~~

- Created -- Montgomery County Code, Chapter 2, Section 2-146
- Purpose -- The County Executive must appoint and convene at least every ten years, subject to confirmation by the Council, a citizens review committee, which must review the committee system and each then-existing committee and report to the Executive and Council its recommendations for changes in individual committees and the committee system as a whole.
- Membership -- 9 members.

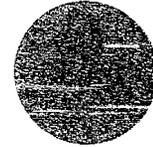
BILL 20-09

NAN
CC
AM

Brogden, Karen

From: Andrews' Office, Councilmember
Sent: Wednesday, May 20, 2009 9:23 AM
To: Montgomery County Council
Subject: FW: letter from 22 religious leaders re: Committee on Hate/Violence

042546



-----Original Message-----

From: Rafaelmedoff@aol.com [mailto:Rafaelmedoff@aol.com]
Sent: Tuesday, May 19, 2009 9:07 PM
To: Leventhal's Office, Councilmember
Cc: Trachtenberg's Office, Councilmember; councilmember.erwin@montgomerycountymd.gov; Andrews' Office, Councilmember; Ike Leggett
Subject: letter from 22 religious leaders re: Committee on Hate/Violence

The David S. Wyman Institute for Holocaust Studies

May 19, 2009

Hon. George L. Leventhal
Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850
fax: 240-777-7989 /
councilmember.leventhal@montgomerycountymd.gov

Dear Councilmember Leventhal,

I have the honor of transmitting to you the letter below, from twenty-two Christian, Jewish, and Muslim leaders in Montgomery County.

Cordially,
Rafael Medoff
Director

301-593-8429 / rafaelmedoff@aol.com

cc: County Executive Isiah Leggett
Councilmember Duchy Trachtenberg
Councilmember Valerie Erwin
Councilmember Phil Andrews

www.WymanInstitute.org

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May 19, 2009

Hon. George L. Leventhal
Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

Dear Councilmember Leventhal:

We are writing to express our opposition to your plan to in effect eliminate the Montgomery County Committee on Hate/Violence (COHV), by merging it into a "Multicultural Affairs Committee." The mission of the COHV is very specific and would be lost in the proposed new committee.

Tragically, hate crimes continue to occur in our county. As you know , there have been many hate incidents in recent years, including the display of nooses, the daubing of swastikas, and similar acts. To combat such outrages, the COHV strives to uphold the ideals of equality, understanding, and respect for all people.

The COHV works with students to promote the positive value of ethnic and social diversity, through the acclaimed "Person Behind the Face" program and the Human Rights Camp; advises County officials and agencies concerning hate violence in the county; educates the public about identifying and reporting hate crimes; encourages legislative initiatives, such as the recent No Nooses/Swastikas Act; and helps facilitate financial compensation for victims of hate violence. The COHV's latest program, "Take Hate Out of the Debate," aims to help the public maintain a tone of civility and mutual respect in current debates over immigration policy.

All of the members of the Committee on Hate Violence are volunteers, and the Committee has received no funding from Montgomery County for the past three years.

While we understand there may be a need to eliminate those Montgomery County boards or committees that are superfluous, the Committee on Hate Violence certainly is not superfluous. It is a much-needed vehicle for achieving goals that we all share. Your plan to end the committee as we know it, by merging it along with other agencies into a Multicultural Affairs committee, would seriously undermine the COHV's effectiveness. It would also send a message that hate crimes do not merit specific, focused attention. Especially in today's climate, that is the wrong message to send.

Sincerely,

Msgr. Michael J. Mellone
St. Andrews Apostle Church
Silver Spring, MD

Hon. Saqib Ali
Member, Maryland House of Delegates

Rabbi Howard Gorin
Tikvat Israel Congregation
Rockville, MD

Rev. Dr. Leslie Klingensmith
Saint Matthew Presbyterian Church
Silver Spring, MD

Sayed M. Naved
Trustee, Islamic Center of Maryland (ICM)

Rabbi Stuart Weinblatt
Congregation B'nai Tzedek
Potomac, MD

Rev. Dr. Currie Burris

5/20/2009

Pastor, Silver Spring Presbyterian Church
Silver Spring, MD

Tufail Ahmed
Board of Directors
Montgomery County Muslim Council (MCMC)

Rabbi Reeve Robert Brenner
Congregation Bet Chesed
Bethesda, MD

Rev. Douglas Bratt
Christian Reformed Church
Silver Spring, MD

Rashid Makhdoom
Board of Directors
Muslim Community Center (MCC)

Rabbi Ari Sunshine
B'nai Shalom of Olney
Olney, MD

Rabbi Moshe Shields
Melvin J. Berman Hebrew Academy
Rockville, MD

Rabbi Jonah Layman
Shaare Tefila Congregation
Silver Spring, MD

Rabbi Joel M. Tessler
Beth Sholom Congregation
Potomac MD

Rabbi Michael L. Feshbach
Temple Shalom
Chevy Chase, MD

Rabbi Jeff Frances
Melvin J. Berman Hebrew Academy
Rockville, MD

Rabbi Marc D. Israel
Ohr Kodesh Congregation
Chevy Chase, MD

Rabbi Sid Schwarz, Founder/President
PANIM: The Institute for Jewish Leadership and Values
Rockville, MD

Rabbi Herzl Kranz
Silver Spring Jewish Center

Rabbi Yehuda Lapian
Melvin J. Berman Hebrew Academy
Rockville, MD

Rabbi Binyomin Krakauer
Melvin J. Berman Hebrew Academy
Rockville, MD

Membership -- The Committee has seven voting members. Each member must be a resident of the County. The County Executive should appoint three members who are owner-operators of commercial farmland earning 50 percent or more of their income from farming, one of whom is a representative of the Agricultural Advisory Committee; one member who has knowledge of rural preservation techniques through practical experience and training; one member who has knowledge of roadway engineering through practical experience and training; one member who represents civic associations located in the Agricultural Reserve; and one member who represents civic associations in areas located outside the Agricultural Reserve where there are rustic roads. The Chairman of the Planning Board must designate a member of the Planning Staff as a non-voting member.

Comments -- At times there has been difficulty with recruitment, especially for the civic association representative. Due to the decline in the number of farms and farmers, there are a limited number of farmers to serve on the various agriculture-related B/C/C. Currently two of the three farmer representatives on the Committee have previously served on the Agricultural Advisory Committee. This Committee provides a valuable service in the master plan process on decisions regarding bridges, roadside structures, preservation and conservation issues, and the status of rustic roads, exceptional rustic roads, permit applications, and right-of-ways. A bi-annual report is produced.

Recommendation -- Merge this Committee with other agricultural groups (Agricultural Advisory Committee and the Agricultural Preservation Advisory Board). An annual report should be published.

SILVER SPRING CITIZENS ADVISORY BOARD

Created -- Resolution No. 8-449

Purpose -- To strengthen communication between the community and the various agencies of the County Government, coordinate necessary interagency action with regard to Silver Spring, and recommend programs and policies tailored to the Silver Spring area.

Membership -- 18 members

Comments -- This Board has been led by a strong and dedicated chairman. It has several very effective subcommittees. Similar to the other County Regional Citizens Advisory Boards, the Silver Spring Citizens Advisory Board (SSCAB) serves the important function of providing a forum for citizens to learn about and express their opinions on local issues. The SSCAB meetings also provide an efficient and convenient venue for County officials and staff, local residents, local business concerns, developers and other interest groups to exchange information and ideas. The Board does not produce an annual report.

Recommendation -- Continue. This Board should continue to work collaboratively with other regional B/C/C to develop partnerships and collaborative solutions to mutual issues and concerns. Expanded recruitment and targeted outreach to community groups should result in more diverse representation on the Board and for overall community representation at meetings. Take over recreation advisory function with the abolishment of the Silver Spring Recreation Advisory Board. Continue to promote opportunities for joint B/C/C meetings to share county-wide issues, board best practices, board challenges, and lessons learned. The SSCAB should produce an annual report.

SILVER SPRING TRANSPORTATION SYSTEM MANAGEMENT ADVISORY COMMITTEE

Created -- Montgomery County Code, Section 42A-10.

Purpose -- The Committee may advise the County government on all aspects of programs, management and finances relating to the implementation of transportation system management in the Silver Spring Central Business District and vicinity. The Committee also proposes guidelines for traffic mitigation plans; monitors the implementation of the traffic mitigation plans; evaluates progress in attaining the commuting goals specified in the Annual Growth Policy for Silver Spring; recommends government, private or joint actions necessary to facilitate attainment of the commuting goals specified in the Annual Growth Policy; advises the Director of DOT on parking policies, including any relevant issues relating to neighborhood parking and pedestrian access and safety; and, submits comments and recommendations on the Director's Annual Report by December 1 of each year.

Membership -- 12 voting members and 4 non-voting members. Three members are nominated by the Silver Spring Chamber of Commerce; three members are nominated by the Silver Spring Citizens Advisory Board of which one is a resident of the transportation management district established in the Silver Spring Central Business District; one is a resident within the North and Western Silver Spring Sector Plan areas; and one is a resident of the southern portion of the Kemp Mill-Four Corners or the Silver Spring East master plan area, or the Montgomery County portion of the Takoma Park planning area. Three members are employers of fewer than 50 employees and three members are employers of 50 or more employees in the Central Business District. Non-voting members are the Directors or the designees of the Department of Transportation and the Silver Spring Center; a representative of the Planning Board; and, a representative of the Montgomery County Police Department.

Comments -- Some Committee categories have been extremely difficult to fill and require a difficult process (such as nomination of residents by the Silver Spring Citizens Advisory Board from four regional planning areas and a requirement to send letters to civic

association presidents and the City of Takoma Park). An estimated 25% of those who do become Committee members do not complete their terms. The Silver Spring Citizens Advisory Board already has a subcommittee that deals with transportation issues. The Silver Spring Urban District Advisory Committee also takes an interest in transportation issues in downtown. The Committee does not prepare an annual report.

Recommendation -- Discontinue. CERB recommends this Committee be eliminated as it duplicates efforts by two other Silver Spring advisory groups (Silver Spring Citizens Advisory Board and Silver Spring Urban District Advisory Committee) and it has continual problems with filling and keeping members which prevent the Committee from effectively meeting its goals. The work should be done by one of these other groups.

SILVER SPRING URBAN DISTRICT ADVISORY COMMITTEE

Created -- Montgomery County Code, Sec. 68A-5 (a).

Purpose -- The Committee should, by July 15 of each year, advise the Department of Transportation and Public Works on the program and budget of the urban district; by September 15 of each year, review the urban district budget and submit comments to the Department; and by October 1 of each year, meet with the Department Director to resolve areas of disagreement regarding the budget.

Membership -- Eight members which includes two persons nominated by the Silver Spring Chamber of Commerce; three representatives of optional method developers; one representative from a business that employs fewer than 10 employees; one representative of a residential community in the urban district; and one representative of a residential community either in or outside of the urban district and who is nominated by the Silver Spring Citizens Advisory Board.

Comments -- This Board is requesting that its voting members be increased from eight to eleven (adding two additional small business members and one additional residential member) due to the expansion of businesses and residential housing in downtown Silver Spring. The Board has historically had trouble with recruitment due to the strict category requirements and the inability to find members in specific categories. The Committee does not produce an annual report.

Recommendation -- Continue. CERB recommends that this Board be increased to eleven members. It also recommends that specific membership categories be made goals (soft targets) and not mandates. The resident representative (either inside or outside the urban district) who is nominated by the Silver Spring Citizens Advisory Board should instead be a member of the Silver Spring Citizens Advisory Board, to be consistent with the other urban district advisory committees. An annual report should be published.

BILL 20-07

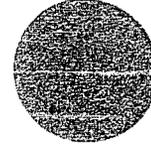


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SILVER SPRING
TRANSPORTATION MANAGEMENT DISTRICT
ADVISORY COMMITTEE

May 14, 2009



Honorable George L. Leventhal
Montgomery County Council
100 Maryland Avenue, 6th Floor
Rockville, Maryland 20850

Dear Councilmember Leventhal:

The Silver Spring Transportation Management District Advisory Committee (SSTMD-AC) is aware of your proposal to eliminate the committee and transfer its duties to the Silver Spring Citizens Advisory Board. Through this letter we wish to express our opposition to this proposal and provide insight about our committee and the environment in which it operates. Transportation is a major concern in Silver Spring, and the SSTMD-AC is in a unique position to help balance our community's complex mobility needs.

As a densely developed mixed-use area, Silver Spring's economic viability relies heavily on pedestrians, bicyclists, and transit riders. The presence of two major commuter arteries, Georgia Avenue and Colesville Road, poses serious challenges for local residents and businesses, which rely on these roads but also must contend with the safety and traffic problems they create. Promoting non-automobile transportation is the only way to ensure Silver Spring's continued economic health, and this important goal is the primary purpose of the SSTMD-AC and the programs it oversees.

Silver Spring also plays a major role in the Washington region's mass transit network, with heavily-used MARC and Metrorail train stations and the single busiest bus-to-bus transfer point in the state of Maryland. During the construction of the Silver Spring Transit Center, the 46 bus lines that serve the area are using an interim operating site, which has complicated the situation even further. Careful oversight of these projects is critical to ensure smooth operations, and the SSTMD-AC is meeting the challenge: we have been actively monitoring the SSTC and IOS projects from the beginning, and we continue to receive briefings from the various agencies involved.

The assumption that the Silver Spring Citizens Advisory Board could serve the SSTMD-AC's constituencies equally well is simply false. While both the Citizens Advisory Board and the SSTMD-AC represent Silver Spring residents, our committee also includes representatives of small and large businesses and the Silver Spring Chamber of Commerce. (In fact, nine of our twelve voting members come from the business community.) The SSTMD-AC is an important link between Silver Spring's residential

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Hon. George L. Leventhal
May 14, 2009
Page 2

and commercial sectors, and serves as a rare and valuable forum for them to interact and discuss issues of common concern.

The SSTMD-AC also serves as a direct link between our constituencies and the county government. Silver Spring remains an "emerging" part of Montgomery County, so having reliable access to local government is especially important for our residents and businesses. (As such, it seems particularly unfair to target only the Silver Spring TMD while sparing the county's other TMDs in Bethesda, North Bethesda, and Friendship Heights). The Council should be looking for ways to encourage and expand such opportunities, not reasons to take them away.

Finally, we disagree with the notion that the committee's existence represents a major public expense. All voting SSTMD-AC members volunteer their time, and our meeting space is donated by a local employer during regular business hours. While we are grateful for the hard work of our paid staff, we hasten to point out that they do not work exclusively for our committee; dissolving it, therefore, would not permit the County to eliminate any full-time positions.

In light of these facts, we hope you will agree that the SSTMD-AC plays an important role in the Silver Spring transportation picture, and that it deserves the opportunity to continue its service. Thank you for your consideration.

Sincerely,


James Polk
Chair

cc: Honorable Phil Andrews
Council President

Arthur Holmes, Director
Department of Transportation

Testimony of Jon Lourie,
Chair, Silver Spring Urban District Advisory Committee
Public Hearing on Bill 21-09
Boards, Committee and Commissions-Amendments
Montgomery County Council
May 12, 2009

President Andrews, members of the Council. My name is Jon Lourie and I am the chair of the Silver Spring Urban District Advisory Committee.

I am asking the council to oppose the proposed Bill 21-09 as currently written which provides for the elimination of the Silver Spring Urban District Committee.

The Silver Spring Urban District provides enhanced county services within the Silver Spring Central Business District and is funded by taxes collected from Silver Spring property and business owners. These taxes include the Urban District Tax, Optional Method Developer fees and Parking Lot District Fees. According to County Code each urban district must have an advisory committee, or an urban district corporation board of directors whose responsibility is to advise the County Government on all aspects of program, management and finances of the Urban District.

Proposed Bill 21-09 would provide for the elimination of the Silver Spring Urban District Committee, depriving businesses and property owners within the Silver Spring Urban District of representation and participation in how their tax dollars are spent and the enhanced services they fund. The proposed Bill 21-09 singles out the Silver Spring Urban District for elimination but makes no mention of our sister committees, the Bethesda Urban Partnership or the Wheaton Urban District Advisory Committee. Why should Silver Spring business's and property owners be provided with less representation than these jurisdictions? What message does this send to business's planning to move to Silver Spring or property owners planning to invest in Silver Spring? It's a less valued community....look elsewhere?

This Bill proposes the Silver Spring Citizens Advisory Board to supplant the Urban District Committee, but without business representation. The Silver Springs Citizens Advisory Board represents the Silver Spring residential community and its mandate is much too broad to focus on the Urban District issues. The Committee Evaluation and Review Board report of July 2004 does not call for the elimination of the Silver Spring Urban District Committee, but recommended that its membership be increased to its current eleven members

The Silver Spring Urban District Advisory Committee was not briefed nor notified of the proposed Bill 21-09. We understand that its goal is to provide cost savings by reducing county staff hours by county employees who support the committee. We have not received any supporting information from Council staff indicating the amount of savings that would be realized.

Darian Unger, Chair of the Silver Spring Citizens Advisory Board had submitted a letter in opposition to this bill and writes:

An elementary cost/benefit analysis shows the great worth of these resident, business, and citizen committees. There are two inputs into these committees: volunteer labor and county employee labor. Volunteer labor exceeds employee labor by greater than 10:1, so the “matching” free labor lost by elimination is extreme. The county benefits tremendously from the input, learning, analysis, and active participation of the many volunteer committee members who represent their communities or constituencies. The people benefit from the face-to-face encounters, presentations, and information distributed by county officials. These benefits far outweigh the minor costs of administrative support and occasional visits or presentations by public officials – such as police officers, county council members, or transportation planners – who should be meeting with local groups anyway as part of their jobs.

The Silver Spring Urban District Committee believes that the ramifications of Bill 21-09 were never thoroughly explored. We believe that any cost savings from eliminating the Silver Spring Urban District Advisory Committee and its monthly meetings would be insignificant and would hamper the operations of the Urban District and Silver Spring’s continued revitalization.



Testimony of
The Greater Silver Spring Chamber of Commerce
Public Hearing on Bill 21-09 – Boards, Committee, and Commissions – Amendments
Montgomery County Council
Tuesday, May 12, 2009

President Andrews, members of the Council. Good afternoon. My name is Jane Redicker and I am president of the Greater Silver Spring Chamber of Commerce, a membership organization representing more than 400 businesses that do not want to lose their representation on matters relating to Silver Spring Urban District because these matters affect them directly. I am here on behalf of the Chamber to express our strong opposition to Bill 21-09, which would eliminate the Silver Spring Urban District Advisory Committee and merge it into the Silver Spring Citizens Advisory Board.

It is first important to point out that the missions, compositions, and jurisdictions of these two groups are distinctly different.

The Silver Spring Urban District Advisory Committee (SSUDAC) includes representatives of those stakeholders – primarily businesses (7) and residents (4) – that provide the funding for the Urban District. Its mission is to advise the County government on all aspects of the program, management, BUDGETING, and finances of the Silver Spring Urban District. It was originally established to provide a mechanism by which the stakeholders (those who pay the cost) could establish and control the increased level of maintenance, and thereby the cost of that service, that was desired in the newly created Urban District. Its jurisdiction is limited to the Silver Spring Urban District.

The Silver Spring Citizens Advisory Board (SSCAB) represents a much broader geographic area, which goes from Rock Creek Park on the west to the Prince Georges County line on the east, and from I-495 on the north to the District of Columbia on the south. It includes all of the City of Takoma Park and all of “Four Corners,” including the Four Corners neighborhoods north of I-495. Its members are exclusively residents from the various neighborhoods in this area, including two individuals who live in the Urban District.

Because the Urban District Advisory Committee represents primarily those businesses that provide the funding for the Urban District, the Committee is essential to giving these stakeholders input into how their money is spent in the Urban District and how much of it is spent. Eliminating this Committee would take control of these decisions out of the hands of those that have agreed to be taxed at a higher level in order to realize a higher level of service. But that compact was made with the understanding that the decision on the level of maintenance, and therefore the cost, was in their hands. This bill would breach that compact.

The report of the 2004 Committee Evaluation and Review Board recommended continuing the Urban District Advisory Committee and agreed with the request to expand the Committee membership from nine to eleven.

We have heard there is a perception that the Urban District Advisory Committee and the Citizens Advisory Board are “redundant,” because the two groups often come before the Council with the same messages on matters affecting the Silver Spring Urban District. We would argue that this is a good thing – that like opinions from these two groups should be considered by the Council as strong support (or opposition) from both the business community and the broader residential community.

Indeed, the Citizens Advisory Board should appropriately express opinions of the citizens about Urban District matters before Council because the Urban District is part of the jurisdiction of the Board. However, the Urban District is only a part of the area represented by the Citizens Advisory Board. The region covered by the Citizens Advisory Board is far more broad than just the Silver Spring Urban District. Perhaps because it bears "Silver Spring" in its name, the Board is too narrowly defining its role. Perhaps the community would be better served if the name of the group were changed so reflect the area its members represent. For example, it could be renamed the "Down County" or the Southeastern County" Citizens Advisory Board. This change would be in line with the names of other regional citizens advisory boards in the County.

If reducing staff time and other costs associated with meetings for these advisory groups is the goal, the Chamber would be pleased to work with the Council and the UDAC to identify ways to achieve efficiencies. For example, it's worth noting that the Urban District Advisory Committee meets only once per month. However, the Citizens Advisory Board has at least four meetings per month because it has created three committees, participation in which has been open to a large group of individuals not appointed by the County Executive. These committees meet at times other than the monthly Board meeting. Perhaps some OF these meetings could be scheduled either concurrently or in succession. Again, the Chamber would be happy to work with Council to identify other ways to reduce staff time and cost.

On behalf of the Chamber, we urge you to follow the recommendation of the 2004 CERB report and allow the Urban District Advisory Committee to continue its work representing the interests of those who provide the funding for the Urban District.

We thank you for your consideration.

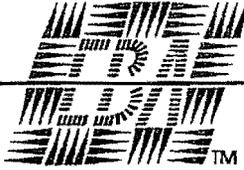
Background

The Silver Spring Urban District is funded through the Urban District Tax, Parking Lot District fees collected by the County, maintenance charges on optional method developments, transfers from the General Fund, and other miscellaneous revenue such as contributions and charges for services. According to the County Code, each urban district must have an advisory committee, or an urban district corporation board of directors, whose members are appointed by the County Executive and confirmed by the County Council.

The Silver Spring Urban District Advisory Committee, as altered per the 2004 CERB, includes:

- two members nominated by the Silver Spring Chamber of Commerce;
- three members representing optional method developers;
- two representatives of businesses that have fewer than 25 employees;
- three residential community members from the Urban District; and
- one member representative from the Silver Spring Citizens Advisory Board.

According to the County's website, the UDAC advises the County government on all aspects of the program, management, and finances of the Urban District. It works closely with the Silver Spring Urban District on activities and issues associated with the downtown business area. According to the 2004 report of the most recent Committee Evaluation and Review Board (CERB) description of the purpose of the Silver Spring Urban District Advisory Committee, "the Committee should, by July 15 of each year, advise the Department of Transportation and Public Works on the program and budget of the urban district; by September 15 of each year, review the urban district budget and submit comments to the Department; and by October 1 of each year, meet with the Department Director to resolve areas of disagreement regarding the budget.



April 20, 2009

Council Member George Leventhal
100 Maryland Ave, 6th Floor
Rockville, MD 20850

Re: Amendment Concerning Boards and Committees (Dated 04-16-09)

Dear Council Member,

I am writing with regard to your recent draft on Boards and Commissions in which you posture a proposal to omit the Silver Spring Urban District Advisory Committee by way of absorption into the Silver Spring Citizens Advisory Committee. Unless I have misunderstood your intention, I am hereby submitting this correspondence in opposition of that suggestion.

There are several aspects of the Urban District that are not as pronounced in the Citizen's Advisory Committee. For example, many of us, if not all us, on the committee are in the Urban District and are members of the Chamber of Commerce and/or the community at large. In addition, there are aspects of the CBD and the Urban District that are a focus for this committee, combining the two would not serve the public's interest as the plate would become too full and the agenda of a monthly meeting would not be completed and the resulting committee would become less productive and ineffective for Silver Spring. Unless that is your objective, I reiterate the opposition for this proposed merger and suggest combining the Transportation and Arts/Entertainment Committees or perhaps the At-Large Seats of the County Council to save money.

Sincerely,

Ernest Bland, RA
Small Business Representative Committee Member
Silver Spring Urban District Advisory Committee

CC: I. Leggett
P. Andrews

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SILVER SPRING CITIZENS ADVISORY BOARD

May 12, 2009



Mr. Isiah Leggett
County Executive
Executive Office Building
101 Monroe Street 2nd Floor
Rockville, Maryland 20850

Mr. Phil Andrews
Council President
Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850

Dear Messrs. Leggett and Andrews:

We are writing to oppose the proposed elimination of the Silver Spring Urban District Advisory Committee and the Silver Spring Transportation Management District Committee. Although we appreciate the desire to streamline the committee system, and we are gratified by the vote of confidence in our own advisory board's efforts to draw neighborhood input and represent the Silver Spring community, we oppose the elimination of our sister groups for the following reasons:

- 1) Montgomery County needs more democratic input, not less. Local committees and boards provide more avenues for citizen participation in government. As an unincorporated part of the county, we need all the representation we can get to represent our pluralism.
- 2) The proposed effort to streamline committees is uneven, error-prone, and unfair. For example, it includes an effort to eliminate the Silver Spring Recreation Advisory Board that no longer exists. It also singles out the Silver Spring Urban District Advisory Committee as the only CBD committee to be eliminated. Why is Silver Spring distinguished and targeted for "streamlining" instead of Wheaton or Bethesda?
- 3) Fears of wasted or duplicated county employee efforts are unfounded. Although regional center staffers often attend the meetings of two or three different local committees per month, their presence is particularly helpful because those committees serve different populations and have different foci. For example, SSUDAC meets during work hours to better accommodate local businesses, while our Citizens Advisory Board meets during the evenings to better accommodate residents. As a result of our differences and different constituencies, we sometimes disagree on local issues focus on different priorities.
- 4) An elementary cost/benefit analysis shows the great worth of these resident, business, and citizen committees. There are two inputs into these committees: volunteer labor and county employee labor. Volunteer labor exceeds employee labor by greater than 10:1, so the "matching" free labor lost by elimination is extreme. The county benefits tremendously from the input, learning, analysis, and active participation of the many

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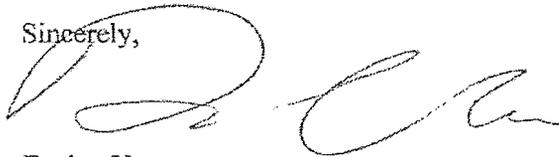
Messrs. Leggett and Andrews
May 12, 2009
Page 2

volunteer committee members who represent their communities or constituencies. The people benefit from the face-to-face encounters, presentations, and information distributed by county officials. These benefits far outweigh the minor costs of administrative support and occasional visits or presentations by public officials – such as police officers, county council members, or transportation planners – who should be meeting with local groups anyway as part of their jobs.

Again, we respect the desire to streamline the committee and board system, but urge that it be done with greater care to preserve county outreach and community input.

Thank you very much.

Sincerely,



Darian Unger
Chair

cc:

Councilmember Roger Berliner
Councilmember Marc Elrich
Councilmember Valerie Ervin
Councilmember Nancy Floreen
Councilmember Mike Knapp
Councilmember George Levanthal
Councilmember Duchy Trachtenberg

Terms -- Four years.

Comments -- The 1992 Committee on Committees Report noted that the County's internal Liquor Control Policy Committee has overall policy direction responsibility for the day-to-day operations of the Department of Liquor Control (DLC) and that the ABAB has little, if any, power or impact on the decision-making process. Current ABAB members expressed similar sentiments. The Director of the Department of Liquor Control believes that the ABAB could play an advisory role to his department. Recruitment at times has been difficult. A quarterly update for this Board is provided to the County Executive as required in Article 2B. No annual report is published.

Recommendation -- Continue (Mandated by state law). This Board should focus on the mission as it is written and the quarterly reporting requirements to the County Executive should be done through the DLC. The DLC should take the lead in fostering cooperation with the ABAB. The Board should be advisory to the Department. Membership should be expanded to include restaurant owners and the hospitality industry. The DLC's outreach coordinator should be encouraged to attend these meetings and regularly report on departmental initiatives in the areas of underage selling, restaurant code of conduct and licensee training initiatives, etc. An annual report should be published.

CABLE COMMUNICATIONS ADVISORY COMMITTEE

Created -- Montgomery County Code, Section 8A-31, as amended

Purpose -- Assist the County in oversight of the franchise agreement and advise the County on use of the cable system and allocation of grants for public service.

Membership -- At least 13 and not more than 19 members appointed by the County Executive and confirmed by the County Council. Membership must include one representative selected by the Montgomery County Chapter of the Maryland Municipal League, one representative selected by the City of Rockville, and one representative selected by the City of Takoma Park. Chairperson and vice chairperson elected annually by the members. A person must not serve more than two consecutive terms as chairperson.

Financial Disclosure - Confidential disclosure required (with limited public for communications-related activities).

Comments -- According to members and staff, the CCAC has been contentious and ineffective for a number of years. CERB has also observed open hostility in meetings and inflammatory language on a non-county website. There are 3 root causes of the problems:

1. The nature of the telecommunications and cable business has dramatically changed since the initial legislation; the once clear lines between telecommunications services are gone. New technology has permanently blurred these lines. What a technology can do today and what it will do six months from now may be markedly different.
2. The mission that at one time may have been clear is no longer fully relevant in light of new technologies.
3. The appointees have not represented a demographic cross section of the County and many have come with personal agendas in conflict with the mission.

There is no written annual report.

Recommendation – Continue with significant changes.

The Council has taken the first step in correcting the problems with this committee by creating the Cable Compliance Commission to review and decide on consumer complaints about cable services.

- The name and mission of this Committee should be broadened to serve the County Executive, County Council, and the Department of Technology Services on all telecommunications issues, including subcommittees on cable and satellite issues, emergency response systems, telephone, internet issues, budgets and other relevant areas.
- A 15-member Committee with broad professional representation from the technology areas noted above is recommended.
- An annual report should be published.

CHARTER REVIEW COMMISSION

Created -- Montgomery County Charter Section 509

Purpose -- To study the Charter and report at least once to the County Council on its activities within one year after appointment. Commission reports shall be submitted not later than May 1 of every even-numbered year. The reports shall contain recommendations concerning proposed Charter amendments, if any.

Membership -- Eleven members who shall be residents of the County, five of whom shall be appointed from a list of names submitted by the County Executive. Not more than six members shall be of the same political party.

Terms -- Four year terms to coincide with the County Council's term of office.

Comments -- Absenteeism of members has been a challenge for the CRC. Membership does not reflect the diversity of the County's population. The CRC reports to the County Executive and County Council during even numbered years as required.

May 12, 2009

Montgomery County Council, Public Hearing on proposed Bill 20-09 & 21-09, Boards, Committees, and Commissions

Please do not eliminate or reduce County Boards, Committees or Commissions, also known as BCC. The value they can add far exceeds any related costs, and provides many County residents with a connection to each other and to MoCo they would otherwise never experience. How often does your information as a Councilmember come from your staff, family, acquaintances? Someone either seeks you out or casually mentions an issue, a question, a concern. With this input, your office then investigates and the potential result is a better solution for our County.

County residents on these committees give up their time to share information and actively compile questions and solutions. They generally represent a diverse group of ages, experience, geography, and lifestyles. How do you replicate this information? How do you establish a price? When vacancies are advertised, we are usually deluged with qualified applicants willing to devote their time and energies to support our County. In 2004, the CERB actually found that the BCC system was "a large, well-run system that provides significant benefits to the County as a whole" and is supported by 1200 County residents "who volunteer to serve, and, in many instances, provide the equivalent of services performed by paid staff in other jurisdictions."

The Cable and Communications Advisory Committee, which I have had the pleasure of chairing for the past two years consists of some dedicated citizens who devote their efforts to making communications better within our County. Just last year, our esteemed attorney members completed a consumer cable brochure identifying rights and resources, disseminated by our County Executive and supported by our Council. And the cost? I believe Committee costs are being estimated at half a day's administrative time.

Last year the CCAC interviewed a potential cable franchise operator, researched the proposed agreement, and forwarded many pertinent financial, logistical and practical questions to be covered during the review process. Still at only our half day admin person cost.

Last year, the CCAC worked towards highlighting the customer service deficiencies that violated a cable franchise agreement. We successfully initiated a press release, and the resulting publicity may have provided an impetus to significantly improve their compliance more quickly. It certainly served to help County residents determine how they would meet their communication needs. And we still cost about half a day's administrative support person's time.

The CCAC has worked with the Cable Office, the Council IT Adviser, the PEG network, cable providers, and other County departments, and brought forward potential issues, such as the pitfalls in bundling of services, E911 concerns, and the conversion to digital tv. Just today, both dtv and service bundling are in the news again, and CCAC is hard at work.

So, while we all see the need to support our County budget, eliminating the efforts of our volunteers does not make economic sense.

Suzanne Weiss sjwassoc@comcast.net 301/299-1488

Chair, MC Cable and Communications Advisory Committee

BOARD OF SOCIAL SERVICES

Authority -- Maryland Code Article 88-A, Section 14 and Montgomery County Code Sec. 37-8

Purpose -- Advise local Director and state Director of the Department of Health and Human Services regarding the local application of state policies or procedures; keeping well informed on local departmental activities, communicating to resident's broad and comprehensive information as to the objectives, policies, programs, and problems of local social services and public assistance administration.

Membership -- Thirteen members; one must be a member of the County Council.

Financial Disclosure--Confidential disclosure required

Comments -- This Board deals with a variety of issues related to social services within Montgomery County and the state of Maryland that several other Montgomery County B/C/C also deal with on a specialized basis. The Board of Social Services interacts with these other boards on an as-needed basis. No annual report is published.

Recommendations -- Continue. Meetings should be more broadly publicized to encourage greater community participation. There should also be communication with the Department of Health and Human Services (DHHS) service recipients, and more involvement from diverse community groups and residents. Opportunities for sharing of information and cross communication with other B/C/C within the DHHS, county, and state who have similar missions and concerns should be coordinated to encourage joint ventures, reduce duplication of efforts, and encourage mutually beneficial partnerships. An annual report should be published.

SOLID WASTE ADVISORY COMMITTEE

Created -- Montgomery County Code Section, 48-38

Purpose -- To advise the County Council and the County Executive on all matters relating to solid waste management within the county. (1) Review and offer recommendations on the county's ten-year solid waste management plans. (2) Investigate and make recommendations on systematic programs and alternative methods, both public and private, for the storage, collection, transportation, processing, disposal and resource recovery of solid wastes, including sludge. (3) Evaluate the impact of the solid waste management program on citizens, institutions, business and industry throughout the county. (4) Recommend methods to assure public involvement in solid waste planning and develop educational programs to inform the public on all aspects of solid waste management. (5) Recommend local and state legislation necessary to

accomplish effective solid waste management.(6) Review and comment on the annual county budget for solid waste activities.(7) Submit to the County Executive and County Council, and make available to the general public, an annual report of the activities of the committee.

Membership -- Fifteen voting members. The County Executive appoints members, subject to confirmation by the County Council, to include (a) broad geographical areas of the county, (b) the solid waste industry, (c) business users, (d) a representative of the Montgomery County chapter of the Maryland Municipal League, and (e) the general public. In addition, there is one *ex-officio*, non-voting representative of MNCPPC.

Comments-- This is a well functioning committee that provides a valuable service to the County. Occasionally its ability to perform effectively has been hampered through lack of timely communication from other branches of government regarding projects and policy proposals. The County Code outlines specific operational functions for this committee beyond what is mandated for other B/C/C. These include special procedures for nominating members, appointing officers, and establishment of subcommittee functions. Section 48-42 references a solid waste collection advisory subcommittee that is nonexistent. The Committee produces an annual report.

Recommendation -- Continue. There should be a review of the County Code to assess whether changes are warranted regarding specific language about the operations of this Committee.

TAXICAB SERVICES ADVISORY COMMITTEE

Created -- Montgomery County Code Section 53-37

Purpose -- To study, inquire into and examine taxicab matters affecting the public interest, including a review of the state of the taxicab utility, the adequacy of service to the public, including any special or unusual issues and problems.

Membership -- Eleven Members
Voting Members: Nine members--four represent the taxicab industry: 2 must represent management and 2 must be taxicab drivers; of the 2 drivers, one must be an owner-operator and one must be a non-owner operator; five public members including one representative of people with disabilities.

Non-Voting, Ex-Officio -- Two members --a representative of the Director, Dept. of Public Works and Transportation and of the County Attorney.

Chair -- Appointed by the County Executive, confirmed by the Council.

Financial Disclosure - Confidential disclosure required.

Terms -- Members serve approximately two years.

Comments -- There is a very large amount of work involved in CERB's charge. Dealing with five resignations of Board members in the course of the two years presented challenges to the group. An Interim Report has been prepared; this report constitutes the Final Report.

Recommendation -- Continue. Based on the experience of this Board over the past 2 years, the following recommendations should help future CERB's complete their mission.

- Increase the number of members to 11. Unlike all other B/C/C, the CERB has no natural constituency. There is not a pool of advocates or interest groups (such as farmers or gun owners) to provide CERB membership. When a member resigns (the 2002-2004 CERB has had 5 members leave), replacing a member takes months. During this time, the group effort suffers and/or adds additional Board assignments for the remaining members. Adding 2 more members should allow the CERB to account for members leaving during the term and enable redistribution of the large workload.
- Appoint the Chair and Vice Chair or Co-Chairs before the CERB starts. Too much time was spent getting the group to self organize and appoint leadership. The time would have been better spent doing research and meeting with B/C/C and County departments. The objectivity of the CERB should not be compromised if the Council and Executive each appointed a person with B/C/C experience for a co-leadership position.

FACILITIES IMPLEMENTATION GROUP

Created -- County Council Resolution No. 13-1498

Purpose -- To address community and environmental issues and concerns pertaining to the operations of the County's solid waste facilities located in the Dickerson area. These facilities include the Resource Recovery Facility, the Yard Trim Composting Facility, properties originally purchased for the Site 2 landfill, and property associated with the original Matthews Farm.

Membership -- 18 members. 12 voting members including representatives of Sugarloaf Citizens Association, For a Rural Montgomery (FARM), the Town of Poolesville, the Town of Barnesville, the Solid Waste Advisory Committee (SWAC), the Upcounty Citizens Advisory Board, and 6 representatives of the affected community. Six non-voting members including representatives of the Operator of the Resource Recovery Facility, the Operator of the Dickerson Compost Facility, the Operator of the Dickerson PEPCO Facility, and the County's Departments of Public Works and Transportation, Environmental Protection, and M-NCPPC.

Comments -- This group is committed to protecting and preserving the quality of rural life in the agricultural reserve of upper Montgomery County. Members take very seriously their oversight role in the implementation of the Solid Waste Facilities Master Plan, and minimizing impacts on the affected community. Members have indicated that they occasionally do not receive information from the County about proposals and projects in a timely manner, or are not included in planning activities that may affect their community. The current schedule of quarterly meetings may make updates even less timely. Recruiting applicants to fill the required membership categories is difficult and current recruitment methods are not always effective. The FIG is concerned with attracting members who have specific expertise in the technical disciplines covered by the environmental effects of solid waste facility operations and who also share the community's interest in preserving their rural legacy. While their advisory goals overlap with those of the SWAC and the Upcounty Citizens Advisory Board, both the membership and the DPWT recognize the value of a community focused advisory group in this region of the county. FIG is cognizant of the fact that their recommendations must be realistic and consider the broader needs of the County.

Although the FIG was created specifically to address citizen concerns related to solid waste management facilities in the Dickerson area, the group has potential for evolving a broader mandate related to the environment and quality of life in this rural area. Assuming that the need for focused oversight of the Dickerson facility will diminish over time, the FIG members might consider long-term strategies to maintain an active voice in County government. For example, consider strengthening the presence of these citizens in other related B/C/C (e.g., Solid Waste Advisory Committee, Water Quality Advisory Group, Energy and Air Quality Advisory Committee, Upcounty Citizens Advisory Board, and the Agricultural B/C/C). In addition, with a revised charter, the FIG could be maintained as a community based citizens advisory group that is staffed by the Upcounty Regional Services Center. The FIG publishes an annual report.

Recommendation – Continue. Future planning should consider alternate long-term strategies for ensuring that the residents of this geographic area are adequately represented in County B/C/C.

**FRIENDSHIP HEIGHTS TRANSPORTATION MANAGEMENT DISTRICT
ADVISORY COMMITTEE**

Created -- Council Resolution No. 14-325

Purpose -- The FHTMDAC may advise the Transportation Management Organization (TMO), any employer and any other party with whom the County contacts pursuant to Resolution 14-325 and Section 42A-23(b) and the County government on all aspects of programs, management, and finances relating to the implementation of the transportation system and demand management in the Friendship Heights TMD and vicinity. Specifically, the FHTMDAC may (a) propose guidelines for traffic mitigation plans; (b) monitor the implementation of the traffic mitigation plans; (c) evaluate progress in

B 21-09

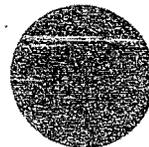


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SOLID WASTE ADVISORY COMMITTEE

May 11, 2009

042359



The Honorable George Leventhal
Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

2009 MAY 12 PM 2:38

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Dear Mr. Leventhal:

The Montgomery County Solid Waste Advisory Committee (SWAC) writes to register its strong opposition to a portion of your proposed bill 21-09 that will incorporate the Dickerson Area Facilities Implementation Group (DAFIG) with SWAC. Both SWAC and DAFIG have distinct missions, platforms and areas of knowledge and expertise that continue to benefit Montgomery County.

The mission of SWAC is to advise the County Executive and the County Council on all matters pertaining to solid waste management within Montgomery County. We investigate and recommend orderly methods of storing, collecting, transporting, processing and disposing of solid wastes, as well as the recovery of its resources. Our membership strives to ensure that there is effective solid waste management in this County, for residents and businesses, and for its future. SWAC's membership includes the general public, solid waste industry, The Maryland-National Capital Park and Planning Commission, and the Montgomery County chapter of the Maryland Municipal League. The entire County is represented by SWAC, with members residing in geographic areas as diverse as Rockville, Silver Spring, Damascus, Wheaton, Bethesda and Kensington.

DAFIG was derived from the Landfill Working Group, where a voice from the residents of the affected community of Dickerson was needed regarding the Dickerson Area Solid Waste Facilities Implementation Master Plan. DAFIG provides input, advice, and conducts studies on the environmental impact of Montgomery County's facilities, like the Resource Recovery Facility.

SWAC and DAFIG run on two different platforms with dissimilar focal points. Based upon our different missions, demographics and knowledge bases, we feel that more problems would result from a merger of our two committees. These problems would include:

Mr. George Leventhal
May 11, 2009
Page Two

1. The staff of the Division of Solid Waste Services would expend more work years providing coordination on twice the meetings. DAFIG would become a standing subcommittee of SWAC requiring its own set of meetings which would require the support of County staff. This would not save the County any money, but in fact, cost the County even more money to maintain one committee comprised of an additional subcommittee that will meet at least as many times as DAFIG currently meets.
2. The members of each of the committees live a good distance apart in the county, which will present logistical challenges for committee members to maintain their attendance and achieve a quorum at every meeting.
3. SWAC's focus is solid waste and DAFIG's focus is environmental monitoring, so each group has expertise with their committees' issues. This knowledge would be diluted as two disparate groups try to become one.
4. Volunteerism will suffer with a change in purpose and mission.

We hope you take our strong opposition of incorporating DAFIG into SWAC into consideration. With the disparities that have been outlined, we hope that our voices will not be diminished by merging such diverse and necessary committees.

Sincerely,



Mark Glazer
Chair
Solid Waste Advisory Committee

cc: Isiah Leggett, County Executive
Phil Andrews, President, County Council
Robert Hoyt, Director, DEP
Daniel Locke, Chief, DSWS



DICKERSON AREA FACILITIES IMPLEMENTATION GROUP

Good afternoon. My name is Richard Hill and I am the Chair of the Dickerson Area Facilities Implementation Group (DaFIG), which Council bill 21-09 proposes to eliminate, transferring DaFIG's responsibilities and work to the Solid Waste Advisory Committee.

I appear before you to advise against that action. I am joined in that recommendation by the Dickerson Community Association, the Sugarloaf Citizens Association, and by the Solid Waste Advisory Committee (SWAC) itself.

The purposes of the bill, as announced by the Council and confirmed to me by Council Staff, are twofold:

1. to consolidate citizen groups where there is overlap in responsibilities; and
2. to effect savings where possible, primarily in staff time.

Regarding consolidation where overlap exists, I met with SWAC at its meeting last Saturday to describe the nature of DaFIG's work. SWAC unanimously agreed that the work of the two groups are so fundamentally different that the only way consolidation could happen, with the work of DaFIG continued, is through creation of a special subcommittee with a membership comparable to DaFIGs. This would involve the same level of county support as now, if not more.

Regarding savings, there will be no significant savings from merging DaFIG's activities into SWAC other than the less than \$10,000 which are budgeted to be spent on announcing meetings and recruiting members. And these budget numbers were prepared prior to implementation of e-mail recruiting. This was confirmed to me in conversations with County staff.

The FIG purpose is: "To address community and environmental issues and concerns" associated with implementing the Dickerson Area Solid Waste Facilities Implementation Master Plan (County Council Resolution No. 13-1498, adopted 12/1/98.) FIG was created from a Landfill Working Group with then Chair of the T&E Committee, Isiah Leggett, and the committee recognizing the need for regular, continuing input and advice from the **residents of the affected community**. The need for this input was evident because of the tremendous local concern and opposition of Upcounty residents to the proposed Site 2 Landfill.

SWAC, on the other hand, is primarily concerned with the County's disposition and management of its massive municipal solid waste stream. It is unrealistic to expect SWAC to share Upcounty's concerns when they are so far removed from facility implementation and operational issues that affect Dickerson area residents day in and day out.

We can understand the perceived savings associated with folding DaFIG's responsibilities into those of SWAC, but believe it would obfuscate the role and concerns of the community affected by Dickerson area facility operations. DaFIG's mission is not just about advising the County on the operation of the facilities that manage solid waste. DaFIG is also the County's front line of defense for the recognition of environmental impacts of the County's facilities that could lead to serious environmental liabilities. Consequently, DaFIG and SWAC have very different and distinct purposes and missions, requiring a very different membership.

Department of Environmental Protection • Division of Solid Waste Services

101 Monroe Street, 6th Floor • Rockville, Maryland 20850-2589
240/777-6400, FAX 240/777-6465, TDD/TTY 240/777-6442

Because of the institutional context within which DaFIG was created and shaped, abandoning it now would be a tremendous waste of County and community resources, and would send a very negative signal with regard to the County's interest in the concerns of its Upcounty residents.

Of special concern to DaFIG is ensuring that the County's Upcounty facility operations do not adversely affect the USEPA-designated Sole Source Aquifer that underlies the Upcounty, and upon which all Upcounty residents rely for their basic water needs. To that end, DaFIG has participated in ongoing studies of solid waste facility-generated air and non air contaminants in the environment (milk, grass, fish, silt, etc.). These studies constitute a longitudinal assessment of the presence of environmental contaminants such as hydrochloric and sulfuric acids, and compounds of barium, chromium, copper, lead, manganese, mercury, nickel, vanadium, zinc and more.

The importance of monitoring and maintaining a record of these potential hazards and environmental liabilities is critical to a part of the County upon which the County has imposed some of its most environmentally intrusive land uses. These include the Resource Recovery Facility where all of the County's solid waste refuse is brought for incineration, the Compost Facility where all of the County's grass, leaves and yard trim are brought for decomposition, and the as yet undeveloped (and hopefully never developed) Site 2 Landfill property that hangs like an anvil over the heads of local residents.

In addition one of the largest coal-fired power plants in the state is collocated with the County's facilities in Dickerson, including their site for ash disposal. Environmental concerns associated with these facilities highlighted by the recent coal ash storage accidents at Tennessee Valley Authority power plants, and the Washington Post article of May 3, "EPA seeks Rules for Utilities' Runoff," show the growing need for close monitoring to safeguard the health and welfare of those most directly affected (i.e., Upcounty residents).

It is DaFIG which has championed the monitoring of these facilities to protect the health and welfare of the affected community and avoid the County's potential environmental liabilities that could result from turning a blind eye to these growing environmental concerns.

The SWAC can not, and will never, have the institutional history to do so without considerable expansion or restructuring. It makes no apparent sense to add to SWAC's charge, work that would be largely unrelated to their central mission and for which they are unprepared to diligently pursue.

Likely lost or severely diminished if SWAC attempts to assume the role of DaFIG are the purpose, need for, and outcome of:

- longitudinal measurements of air pollution and the effects of particle deposition (e.g., contamination of grasses, vegetables, milk, and fish);
- longitudinal measurements of non-air deposition (e.g., contamination of surface and ground water);
- oversight of county management of leased properties on and adjacent to the Site 2 Landfill property;
- regular, in-depth review of facility data, including malfunctions at the Resource Recovery Facility incinerator which potentially add to emissions affecting the local community (over 23 such events occurred in the 2006); and
- informed and insightful input from the affected community into the newly developed Environmental Management System for the Resource Recovery Facility, including their environmental management program's goals and objectives.

All of these items involve scientific/engineering aspects that are greatly enhanced by the history and expertise DaFIG members have accumulated over the years. That institutional knowledge is not present in SWAC.

If the County still believes the mission of DaFIG is important, and we note that the 2004 CERB report recommended continuing DaFIG, then most of the scientific and engineering work of DaFIG needs to be continued. It is our view that the County would be irresponsible, in light of what we know and are only now

learning, to discontinue this work. And who better to oversee that work than local residents who care and who have developed a body of knowledge and background?

The message that would be sent by eliminating DaFIG, whether intended or not, is that the County does not care about the views of Upcounty residents regarding the health risks and environmental liabilities posed by the County's Dickerson area facility's, including the potential threats to the sole source aquifer upon which Upcounty residents depend. Such a message would be politically reckless and environmentally unwise.

EPA Seeks Rules for Utilities' Runoff

Pollutants Scrubbed From Smokestacks Are Being Diverted Into Waterways

By Juliet Eilperin
Washington Post Staff Writer
Sunday, May 3, 2009

Faced with new evidence that utilities across the country are dumping toxic sludge into waterways, the Environmental Protection Agency is moving to impose new restrictions on the level of contaminants power plants can discharge.

Plants in Florida, Pennsylvania and several other states have flushed wastewater with levels of selenium and other toxins that far exceed the EPA's freshwater and saltwater standards aimed at protecting aquatic life, according to data the agency has collected over the past few years. While selenium can be beneficial in tiny amounts, elevated levels damage not only fish but also birds and people who consume contaminated fish.

But the reason more selenium and metals such as arsenic are now entering U.S. waterways is because the federal government has pressed utilities to install pollution-control "scrubbing" technology that captures contaminants headed for smokestacks and stores them as coal ash or sludge. The EPA estimates that these two types of coal combustion residue -- often kept in outdoor pools or flushed into nearby rivers and streams -- amount to roughly 130,000 tons per year and will climb to an estimated 175,000 tons by 2015.

Eric Schaeffer, who used to lead the EPA's enforcement office and now heads the Environmental Integrity Project, an advocacy group, said the agency must take action to avoid solving "one environmental problem by creating another."

"Scrubbers will help clean our air, but let's make sure that the toxic metals stripped out of coal-plant smokestacks don't end up in our water," he said, adding that the EPA's toxic release inventory ranks the power industry as the nation's second-largest discharger of metals and metal compounds. "It's crazy not to have limits on toxic discharges this big."

Mary Smith, director of the engineering and analysis division of the EPA's water office, said the agency initially assessed the toxic emissions of 56 industries and found that the utility industry "was at the high end of the range." When it comes to selenium in power plant effluent, she added, "We're looking at how low it can go and what is economically achievable."

While the EPA has not comprehensively sampled the nation's utilities, some operations have reported wastewater selenium levels far above the agency's guidelines. Sampling at Edison Mission Energy's Homer City, Pa., plant, for example, found that it produces wastewater with selenium levels well within its state operating permit but more than 100 times the EPA's acceptable freshwater selenium levels.

Bill Constantelos, Edison Mission Energy's managing director of environmental services, said the company has worked with the EPA and has significantly reduced the selenium in its wastewater. "The standards we have to meet, we are meeting," he said.

And David Luksic, manager of environmental capital projects at Tampa Electric, said the selenium concentrations that the EPA has detected are diluted before the utility flushes its wastewater out to Tampa Bay. "It's like dumping a thimble-full in a swimming pool," he said.

But the EPA and some members of Congress are questioning whether the federal government should establish new standards to protect the environment and public health. At a hearing Thursday of the House Transportation and Infrastructure subcommittee on water resources and environment, the panel's top Republican, John Boozman (Ark.), said the nation has "a problem" when it comes to utility releases of toxic sludge.

"We're not going to be done with coal tomorrow. . . . So as we do a better job of scrubbing and whatever, we're going to have even increased residue," Boozman said.

EPA spokeswoman Adora Andy said the agency "is moving to establish a new water-quality criterion aimed at selenium."

"The new method specifically calls for assessing levels of selenium in fish tissues instead of in concentrations in water because selenium, like mercury, bioaccumulates in fish," Andy added. "EPA already measures mercury levels in fish tissues in order to be more protective. The agency plans to request public comment on its new criterion for selenium before the end of this year."

The federal government is focused on selenium in fish tissue because, as with mercury, the contamination accumulates rapidly in the animals' bodies and becomes more potent. Consumption of contaminated fish can trigger a range of effects in birds and humans. Birds that eat selenium-contaminated fish experience effects such as deformation of their beaks and jaws and problems producing viable eggs, while humans can suffer neurological damage as well as hair and nail loss.

"Selenium is probably one of the most ecologically toxic elements that there is," said Conrad Dan Volz, who directs the University of Pittsburgh's Center for Healthy Environments and Communities.

Volz, who testified Thursday before the House Transportation and Infrastructure subcommittee, has conducted two large-scale studies of fish in the Pittsburgh area and has found a direct correlation between power plant toxic emissions and selenium contamination in the animals. He noted that this is a problem because some area residents "eat four meals of river-caught fish a week," raising their contamination risk.

Some states have had to issue fish-consumption advisories to protect residents from selenium contamination. Duke Energy used to let residents near Princeton, Ind., fish in the lake it created as a cooling reservoir for the coal ash ponds near its Gibson Generating Station, but it banned fishing two years ago after tests showed elevated selenium levels.

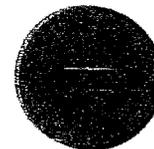
The utility had channeled water from the reservoir to the adjacent Cane Ridge Wildlife Management Area, which is home to endangered least terns and other migratory birds. After U.S. Fish and Wildlife Service officials found selenium-contaminated eggs from some bird species on the refuge, the company spent \$600,000 to pipe in water from the Wabash River.

"We recognize that every action has a reaction," said Duke Energy spokeswoman Angeline Protogere. She said the company is exploring whether it can take the selenium-contaminated waste in its ash ponds and store it in a dry landfill instead.

Guthrie, Lynn

From: Andrews' Office, Councilmember
Sent: Tuesday, May 12, 2009 9:15 AM
To: Montgomery County Council
Subject: FW: opposition to elimination of Dafig

042367



-----Original Message-----

From: annets1@aol.com [mailto:annets1@aol.com]
Sent: Monday, May 11, 2009 8:15 PM
To: Andrews' Office, Councilmember
Subject: opposition to elimination of Dafig

Dear Council Chair Andrews and County Council Members:

I live on Peach Tree Road near Dickerson and Barnesville and am writing to urge the County Council not to eliminate DaFIG in the County Bill 21-09. The Facilities Implementation Group gives the residents of the up-county that are affected by the environmental impacts of the County's facilities in the up county a forum for their concerns. It does not seem to make any sense to cut FIG as it really does not require much of county workers time-- four meetings a year of perhaps two hours long-- and any follow up to concerns. The meeting place, Linden Farm, is going to be there any way-- and the members of the FIG group from the community are not paid for their time. The studies involved with the aquifer are studies that the county would want to do regardless of FIG. So these vital studies would have to be funded from another source.

Please reconsider the incorporation of DaFIG into SWAC. The mission of DaFIG is very different and will suffer from not standing alone.

Thank you very much for your time and consideration.

Sincerely,

Anne T. Sturm
 P.O. Box 341
 Barnesville, Md. 20838

2009 MAY 12 PM 2:01

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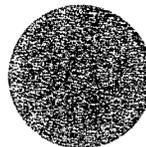
Guthrie, Lynn

From: Vitale, Patricia
Sent: Tuesday, May 12, 2009 12:44 PM
To: Guthrie, Lynn
Subject: FW: Bill to consolidate Boards & Commissions

042365

Patty Vitale

*Chief of Staff
to Councilmember Leventhal
Montgomery County Council
240-777-7972*



-----Original Message-----

From: Marvin Weinman [mailto:weinmanm@msn.com]
Sent: Tuesday, May 12, 2009 12:14 PM
To: Vitale, Patricia
Subject: Re: Bill to consolidate Boards & Commissions

Patty,

I am sorry I am unable to come in and testify today, however I fully support George's efforts. As a former member and Chair of the Area and County Wide Recreation Advisory for over 12 years I understand both the benefits and the in marginal effectiveness of many of the boards, committees and commissions.

When I recently made a count of the potential total number of positions I was amazed to find it to be in the 1200 position range.

My experience found there was a significant additional need for participation of staff adding to the work load of the Council staff.

In many instances the when I testified before the Council on budget matters the budget testimony of the committee groups was basic lobbying request competing with each other for additional funding for their particular special interest regardless if we have a short fall of \$500 million or not.

Please convey my willingness to support George's efforts on these matters. I would strongly suggest during these difficult financial times we need to look at cost and priorities for savings and it would be appropriate to identify the cost of these limited benefit expenditures for all the participants and number of hours and the cost and personnel impact on a hard working county staff.

Thanks for thinking of me.

Marv