

Resolution No:	<u>17-1051</u>
Introduced:	<u>April 1, 2014</u>
Adopted:	<u>April 8, 2014</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Approval of Declaration of No Further Need: Disposition of Public Safety Training Academy Site

Background

1. Montgomery County Code §11B-45 requires the Council to approve a Declaration of No Further Need before the Executive can dispose of real property that has more than nominal value. Prior to seeking Council approval of a Declaration of No Further Need, the Executive must:
 - (a) submit all material terms of the proposed disposition and any appraisal the Executive relied on in setting the property's market value to the Council; and
 - (b) publish a declaration in the County Register and post a notice on the County website that the County has no further need for the property.If the Council, by resolution, approves the Executive's Declaration of No Further Need, the Executive may dispose of the property for fair market value.
2. On September 10, 2013 the Department of General Services forwarded a summary of the material terms for the disposition of County-owned property located at 9710 Great Seneca Highway which is the current site of the Public Safety Training Academy. The County intends to enter into a General Development Agreement with Hines, which was selected as a result of a Request for Expressions of Interest.
3. The Council reviewed the proposed material terms with the Executive's representatives on September 10, 2013. On February 24, 2014 the Council received responses to questions asked at the September 10, 2013 session. The Government Operations and Fiscal Policy Committee held a session on March 20, 2014 to discuss the responses. The GO Committee asked the Executive to clarify that the affordable housing component will include a minimum of 30% income-restricted units that include a minimum of 15% Moderately Priced Dwelling Units or other units exempted from the development tax and that some of the units will be Workforce Housing available to a full range of incomes up to 100% of area median income; inform the Council of how the affordability of condominium fees will be addressed for any income-restricted units built as condominiums; say whether he will be waiving the 25% contribution to the Housing Initiative Fund from the sale of real property; and that he will provide the Council with a sketch plan with take-down phasing and housing allocations within 15 days of plan

completion or 30 days prior to settlement on that piece of property. The GO Committee recommended approving the Declaration and waiving the public hearing if the Executive provided this additional information. On March 25, 2014 the Council received a memo from the Executive responding to these requests.

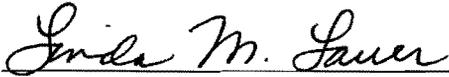
4. On February 25, 2014 the Council received Executive Order 226-13, Declaration of No Further Need; Real Property located at 9710 Great Seneca Highway. The Executive declared that the property is no longer needed for public use and directs the Department of General Services to take the steps necessary to dispose of the property in the manner described.
5. On February 1, 2014, the Executive published notice of a Declaration of No Further Need for this property in the County Register and the County website.
6. On April 1, 2014 the Council waived the public hearing for this disposition.

Action

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

The Declaration of No Further Need in Executive Order 226-13 for the County-owned property located at 9710 Great Seneca Highway is approved and the property may be disposed of in a fair market exchange in the terms of the General Development Agreement as described in memoranda provided to the Council on September 10, 2013, February 24, 2014, and March 25, 2014.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council