

Resolution No.:	18-730
Introduced:	February 28, 2017
Adopted:	February 28, 2017

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Approval of Declaration of No Further Need: Disposition of Writer's Center Lease (Proposed Lease of County-owned property at 4508 Walsh Street, Bethesda, Maryland)

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 March 6, 2014 the Council received the Executive's transmittal of the summary of material terms for the disposition of County-owned property located at 4508 Walsh Street, Bethesda, Maryland, which is currently occupied by the Writer's Center. The County intends to continue to lease this property to the Writer's Center for a term of 15 years.
3. Councilmembers Branson, Leventhal, and Riemer reviewed the proposed material terms with the Executive's representatives on March 27, 2014 and recommended that, when received, the Declaration of No Further Need based on the material terms be approved and that the public hearing be waived.
4. On March 31, 2014 the Council received Executive Order 50-14, Disposition through long term lease of the Writer's Center, 4508 Walsh Street, Bethesda, Maryland. 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 March 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 22, 2014 the Council waived the public hearing for this disposition.
7. On February 7, 2017 the Council received a memorandum from the Deputy Director of the Department of General Services that explained that the Writer's Center has been proceeding with renovations and has completed Phase I involving the lower level of the building. The Writer's Center is continuing to fundraise for Phase II, which addresses the main level of the building. In order to seek State bond bill funding, The Writer's Center must show they have at least a 15-year interest in the property. As of February 2017, the current lease now has remaining term of 12 years and 5 months. There are no other changes that need to be made to the lease other than the term.


Action

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

The Declaration of No Further Need in Executive Order 50-14 for the County-owned property located at 4508 Walsh Street, Bethesda, Maryland, is approved and the property may be disposed of in a fair market exchange as described in memorandum provided to the Council on March 6, 2014.

The Council approves extending the term of the lease in order to comply with requirements for State funding.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council