TRANSCRIPT

July 21, 2009

MONTGOMERY COUNTY COUNCIL

PRESENT

Councilmember Phil Andrews, President
Councilmember Roger Berliner, Vice President
Councilmember Marc Elrich
Councilmember Valerie Ervin
Councilmember Michael Knapp
Councilmember Nancy Navarro
Councilmember Nancy Floreen
Councilmember George Leventhal

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COUNCIL PRESIDENT ANDREWS: Good morning, everybody, and welcome to a meeting of the County Council. We're glad to see you here this morning, and I wanted to say that we're going to begin with a moment of silence, so please stand and join me in a moment of silence. Thank you. We're going to begin the session with a presentation that's a proclamation in recognition of the B.R.O.T.H.E.R.S. program, and Councilmember Valerie Ervin is going to do the honors.

COUNCILMEMBER ERVIN: Good morning, everyone. I'm very excited this morning to bring a proclamation to the B.R.O.T.H.E.R.S. program from Gaithersburg High School, and for those of you who don't know, the Council President, Phil Andrews, is the Councilmember who represents the district where your high school resides, so I thought you might want to know that. It's really exciting today because Linda Plummer, who many people know in Montgomery County as a very forceful leader on behalf of African-Americans in the County, but also of students, has been trying for a while to get the B.R.O.T.H.E.R.S. program to the Council to give you all recognition for all the wonderful things you're doing. This is the 20th anniversary of the B.R.O.T.H.E.R.S. program County-wide, and it's fairly new at Gaithersburg High School, so we're really excited to have you all here. And I'm going to present this proclamation to the B.R.O.T.H.E.R.S. program on behalf of the entire County Council. I'm going to read it right now, and then after I read the proclamation, I'm going to call the B.R.O.T.H.E.R.S. forward and have Joe Asante and Joshua Oue give a few comments on behalf of your group. The proclamation reads, "Whereas. the success of students in school, home, and community are enhanced by responsible and caring adult guidance, support, and intervention; and whereas, the B.R.O.T.H.E.R.S. -- Brothers Reaching Out to Help Each Reach Success program -- was established to improve outcomes for minority male students in the Montgomery County school system so that they will be able to make decisions that will lead to greater academic achievement and opportunities, increase access to positive role models and life experience, and decrease the probability of involvement in gang-related behavior and or/referral to the juvenile justice system; and whereas, B.R.O.T.H.E.R.S. emphasizes respect, self-worth, academics, discipline, and achievement in all endeavors, and the organization's goals are to assist youth in developing academically, socially, and personally; and whereas, program participants have demonstrated improvements in school behaviors, supported and nurtured peers in all program initiatives, and mentored younger elementary students in their educational endeavors; and whereas, for the past 20 years, B.R.O.T.H.E.R.S. have been dedicated to presenting programs that will strengthen and fortify young people against the world's problems and help them become productive leaders in their communities; and now, therefore, be it resolved that the County Council of Montgomery County, Maryland, hereby recognizes the work of Brothers Reaching Out to Help Each Reach Success, signed on

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this 21st day of July in the year 2009," signed by Council President Phil Andrews. So I congratulate all of you, and I would welcome the B.R.O.T.H.E.R.S. to come up to the microphone, if you would. And while they're coming up, I want to also say that there is a new organization starting at Gaithersburg High School called Ebony Awareness, and all the beautiful young women in the audience here are representing Gaithersburg High School and this new club. So I would like to ask Joe Asante and Joshua Oue to make a couple of comments on behalf of the organization. Did I say someone's name...

UNKNOWN SPEAKER: Sommerville. Joshua Sommerville.

COUNCILMEMBER ERVIN: Sommerville. But that's not what they said here. Oh, OK. Joshua Sommerville.

JOE ASANTE: Good morning, everybody. We'd like to say thank you from the B.R.O.T.H.E.R.S. for this tremendous honor. B.R.O.T.H.E.R.S. has been serving the community for about 20 years, and to me, it's the best decision I made coming out of high school. I joined when I was -- junior year, and it made a tremendous change in my life, because, you know, helped me through college, Hudson, mentoring kids, all that, getting hours in, and it made a big difference. And I'm a sophomore in college now, so -- and I still have an impact, because I look at -- look at the little kids and still think I could still make an impact. Doesn't matter what grade you're in or where you go. To me, I still think that you can be in a program, even if it's just for high-school kids, you can still make an impact on other kids' lives because they look up to you, and if they can see that where you are and they don't think they can make it there, they look at you and say, "OK, if he made it there, I can do the same thing, too," so... It's just a tremendous honor, and I'd like to say thank you.

COUNCILMEMBER ERVIN: Thank you. Oops, sorry. That's very well said. Mr. Hudson, I forgot to mention,
is working with the program at Gaithersburg High School, so we're -- please come up to the front and at least be in the photograph with us. And Joshua Sommerville, for those of you who don't know, is an extremely talented young man. He sings and he plays the piano and is going to go places, and so we'd like to have you come to the microphone and say a few words.

JOSHUA SOMMERVILLE: OK. I'm a little bit taller. Good morning, everybody. The B.R.O.T.H.E.R.S. program has been a extremely beneficial program that has impacted my life. As Joe said, it does encourage you to mentor students; it does encourage you to mentor kids that don't have what you have. It had done the same thing for me. I had

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actually been able, my senior year, which was this past year, to mentor 32 students at Gaithersburg High School. I was able to take them and encourage them to do better in high school, to stay in school, and was able to help them raise their GPAs up from one-point- something to at least a 2.5 or better. And that's what B.R.O.T.H.E.R.S. does. It helps you be able to mentor those that don't have those opportunities that you have and to help them do better than what they have already. And like Joe says, we just want to thank you, and hopefully, we'll continue in the future.

COUNCILMEMBER ERVIN: OK. And so we're going to get a photograph taken. I need someone to hold the proclamation so it can... Someone in the middle? Mr. Hudson?

COUNCIL PRESIDENT ANDREWS: I'll just note that Mr. Sommerville, who just spoke, is an astoundingly talented musician. I think everyone here has probably heard him play at some point, and he has a great musical career going already, and best wishes as you pursue that. Thank you very much, Councilmember Ervin, and -- and congratulations to all the good work -- thank you for all the good work that's being done by the B.R.O.T.H.E.R.S. program, and we look forward to hearing about the great work done by the -- the female half as well in the future. And Gaithersburg High School has a lot of great programs and great students, and we just met a number of them. So thank you for being here this -- this day, and you're welcome to stay as long as you like for the morning and afternoon program. We're now going to go on to general business and announcement of agenda and calendar changes. Miss Lauer.

LINDA LAUER: The Consent Calendar this morning, we do have a number of changes. Item C -- that's on the revenue estimates -- we're going to defer that. Two additional items for introduction is a group of special appropriations for the operating budget for the Department of Health and Human Services. These are the federal ARRA grants. One is for the Community Services Block Grant. We have Senior Nutrition, Immunization Activities, and Montgomery County Infants and Toddlers Program. That will go to public hearing and action next Tuesday at 1:30. Again, a special appropriation -- this is on the -- for the Recovery Act Edward Byrne Memorial Justice Assistance Grant. That's $1,029,500 for the -- and this is for the various public safety agencies. That also is scheduled for public hearing and action next Tuesday, the 28th, at 1:30. Thank you.

COUNCIL PRESIDENT ANDREWS: OK. Thank you. All right. In terms of next action, it's approval of the minutes of June 30 of 2009. Is there a motion to approve those minutes?

COUNCILMEMBER LEVENTHAL: Let's approve the minutes.

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COUNCILMEMBER ERVIN: Second.

COUNCIL PRESIDENT ANDREWS: Councilmember Leventhal makes the motion to approve the minutes, June 30, and Councilmember Ervin has seconded. I don't see any discussion. All those in favor of approving the minutes of June 30, please raise your hand. That's Councilmember Navarro, Councilmember Elrich, Councilmember Floreen, myself, Council Vice President Berliner, Councilmember Knapp, Councilmember Ervin, Councilmember Leventhal. The minutes are approved, 8-0.

Let me mention that Councilmember Trachtenberg is not with us today. She is attending a state and local government seminar at Harvard University and will be back with us next week. And we welcome back Councilmember Leventhal, who just returned from an exchange trip to look at educational policy that took him to China. And I know we're all interested to talk with George informally and just hear about. So welcome back, Councilmember Leventhal. Next item is the Consent Calendar. Is there motion for approval?

COUNCILMEMBER KNAPP: So moved.

COUNCIL PRESIDENT ANDREWS: Moved by Councilmember Knapp.

COUNCILMEMBER FLOREEN: Second.

COUNCIL PRESIDENT ANDREWS: And seconded by Councilmember Floreen. Any comments? Councilmember Floreen.

COUNCILMEMBER FLOREEN: Yes. Mr. President, I had asked that we delay action on Item C, and has that occurred?

COUNCIL PRESIDENT ANDREWS: Yes. We have.

COUNCILMEMBER FLOREEN: OK. Good.

COUNCIL PRESIDENT ANDREWS: We have done that. Yes. So that we can check the numbers. And...All right. I don't see any other comments on the Consent Calendar, so all those in favor -- one of the things we're approving is a resolution to approve the Office of Legislative Oversight's FY10 Work Program. Karen Orlansky, the director of the Office of Legislative Oversight, is here in the audience. And we rely very much on the good work done by the Office of Legislative Oversight for reviewing policy and providing us with excellent recommendations to improve programs. And it is a very important part of the

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Council office, and we appreciate their excellent work that we always can count on. So that is on the agenda for approval, and it's detailed in Item A. All right. All those in favor of the Consent Calendar, I'll ask please raise your hand. And that's Councilmember Navarro, Councilmember Elrich, Councilmember Floreen, myself, Council Vice President Berliner, Councilmember Knapp, Councilmember Ervin, and Councilmember Leventhal. That is approved, 8-0. All right. We are now going to move on to Item 3, which is the appointment to the Montgomery County Planning Board, which would fill the position that is being vacated -- created by the departure of the vice chair of the commission board, John Robinson. And let me first say that Mr. Robinson has served the County very well in the past eight years on the board. A good example -- I had a chance to go to his farewell luncheon last week -- very good example of the type of person in Montgomery County who steps forward to serve in essentially a volunteer position. There's a small stipend for the Planning Board, but it's very small compared to the huge amount of work that's done by that organization and by the five members of the board. And Mr. Robinson served eight years, through countless meetings and countless consultations, and served honorably and thoughtfully and well, and we thank him for his service to the people of the County. He actually, I understand, was on the flight that probably left just after Councilmember Leventhal got back. He's in China, and we will present a proclamation to him when he returns, so that will be for us in the fall, since we'll be on recess after next week. So we thank Mr. Robinson for his service to the County. And I want to comment on behalf of the Council that we had a number of outstanding candidates for this -- to fill this position. It was a wonderful situation to be in, because there were a lot of people who applied who would make an excellent member of the Planning Board, and that's the kind of choice that we want, and we got it. But we do have to choose, and so at this point, I am going to ask if there are nominations for the appointment to the Montgomery County Planning Board. I see Councilmember Floreen.

COUNCILMEMBER FLOREEN: Thank you. I must say, we have to ask the staff to fix the light situation.

COUNCIL PRESIDENT ANDREWS: Yes. Yours is not lighting up on mine.

COUNCILMEMBER FLOREEN: So much for technology. As someone who has spent some time down there, I know that the Planning Board makes -- I think they've got a harder life than we do. They've got to make tough decisions every day -- well, at least every Thursday, and sometimes Monday nights, with a crowd of engaged community members with strong views, very passionate views, and tremendous commitment to Montgomery County. So it takes a special person to be able to handle that. It's a

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challenging job, and anyone who has put their name in the hat for this one, I think, deserves incredible credit. We've had an outstanding collection of applicants this year, and all of them have
garnered tremendous community support. They -- they know the job, they know the decisionmaking authority, and what's most important and what's wonderful is their commitment to the future of Montgomery County. We are blessed, indeed, to have such a tremendous crew interested in this position. And there have been times when, certainly, for other positions, we've had to extend the period to make sure that we could find the right people who'd be willing to put on that battle armor and go into decisionmaking mode, but this year, we didn't have to, so I want to say thank you to the whole realm of applicants out there. We are really, really grateful to them. But of the collection, I'd like
to place Marye Wells-Harley's name into nomination as member of the County Planning Board.

COUNCILMEMBER ELRICH: Second.

COUNCILMEMBER FLOREEN: Marye has been in the trenches on the other side of the County line for almost 40 years. I think we're up to 42 -- knows the Parks and Recreation side, and of course, that's something that we're really, really interested in, and brings a lot of history. And as a result of that, I think she's going to go in there and be willing to make those hard decisions, based on tremendous experience, based on the tremendous community engagement, and based on a real history of appreciation of the role that Park and Planning, and particularly the parks, plays in our communities' definition and self-assessment. You know, we've done -- the County has done some polling of County residents about what's important to them, and way up at the top of the list is our parks and recreation environment, and I think Marye will bring experience from that perspective that has long been lacking. Plus, she represents a portion of the County that I think needs to be represented on the Planning Board, the eastern portion, which -- we've had some representatives from there in the past. I think Art Holmes was the last Planning Board member from that portion of the County. But I think it's important to reflect all portions of the County on the Planning Board, so I'm pleased to nominate Marye.

COUNCIL PRESIDENT ANDREWS: Thank you, Councilmember Floreen. Are there any other nominations for the vacancy? Councilmember Leventhal.

COUNCILMEMBER LEVENTHAL: Thank you, Mr. President. I want to place in nomination the name of Roberto Piñero for the Planning Board. Mr. Piñero has served -- he's done an extraordinary job for the last six years as a member of our Housing Opportunities Commission. He is a senior analyst at the federal General Accounting

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Office. Although that is a very demanding job, he has arranged with the GAO that he can make available the time necessary to serve with the Planning -- as a Planning Commissioner. He has a Master's degree in planning from Harvard University, eager to take on this job and bring to bear his management expertise, his planning academic background, his breadth and depth of contacts in the community. I'm very confident that he is,
in my judgment, the best of a very strong field of candidates. I agree with Ms. Floreen that we had an extraordinarily strong field, and many -- several good friends of mine applied. This has not been an easy choice, but after much thought and careful reflection, having met with several of the candidates, my -- my judgment is that Mr. Piñero would make the best Planning Commissioner, with great respect for the other applicants, and so I place his name in nomination.

COUNCIL PRESIDENT ANDREWS: OK. Thank you, Councilmember Leventhal. Are there any other names that -- of individuals who are candidates that Councilmembers would like to place in nomination? Hearing none, then, the
nominations are closed, and we have two names placed in nomination, Marye Wells-Harley and Roberto Piñero. We will vote in order of the nominations as they were made, and so I will ask all those in favor of the appointment of Marye Wells-Harley to the Planning Board, please raise your hand. That is Councilmember Navarro, Councilmember Elrich, Councilmember Floreen, myself, Council Vice President Berliner, Councilmember Knapp, Councilmember Ervin. And that -- so that makes the appointment. So Marye Wells-Harley has received the necessary votes to be appointed, and --

COUNCILMEMBER LEVENTHAL: I'd like to be recorded as voting for Mr. Piñero in the first ballot, Mr. President.

COUNCIL PRESIDENT ANDREWS: You're welcome. We will do that. And I will then move for acclamation on the appointment of Marye Wells-Harley.

COUNCIL VICE PRESIDENT BERLINER: So moved. Second.

COUNCIL PRESIDENT ANDREWS: Seconded by Council Vice President Berliner. All those in favor of the acclamation vote at this point for Marye Wells-Harley, please raise your hand. And that is unanimous. So, on behalf the County Council, I want to congratulate Marye Wells-Harley on her appointment to the Montgomery County Planning Board. She knows very well what she's getting into in terms of the workload that that board has, and I believe she will make a very important contribution to the board. Her vast experience in dealing with parks issues for -- for Park and Planning will be a huge benefit

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to her and to the County as she pursues this position. And I think all of us were impressed with her candor and her thoughtfulness in the interview, and I certainly agree that we had a terrific group of candidates that we could, in my view, have picked an entire Planning Board from and done quite well. So thank you to all the candidates who applied and demonstrated that interest. I will also note that Ms. Wells-Harley is the first African-American woman who will be serving on the Planning Board, and that is a milestone, as well. So we look forward to her service and congratulate her and thank everybody for their interest in serving in this very important position.

COUNCILMEMBER NAVARRO: Mr. Andrews, I just --

COUNCIL PRESIDENT ANDREWS: Councilmember Navarro.

COUNCILMEMBER NAVARRO: I just wanted to also add my appreciation for all the candidates. I think they were absolutely outstanding, and just wanted to point out that, you know, we had three outstanding candidates that happened to come from District 4 -- Patricia Lee, we had Mr. Roberto Piñero, as well as Marye Wells-Harley, and I think it's truly been a difficult decision for all of us, and it's wonderful to know that Montgomery County counts with such outstanding people who are willing to step up and serve. And hopefully when we have another opportunity, you know, some of these candidates will come back, and hopefully we'll have, then, a chance to struggle again with this decision, but I'm really thrilled that Marye Wells-Harley has been appointed, and I look forward to her service. Thank you.

COUNCIL PRESIDENT ANDREWS: Yes. Thank you, Councilmember Navarro. And I'll note that Marye Wells-Harley had applied once before and was in a very strong field of candidates then, as well. And I think all of us know sometimes it takes more than once to overcome that first hurdle. Many of us can speak from experience, I think, about that, as well. So, well said. We had a lot of great candidates this year. Would anybody else like to make any comments on the Planning Board appointment? OK. Then we are finished with that item, and again congratulate Ms. Wells-Harley on her appointment to the Planning Board. Our next item is action on a special appropriation to the County government's FY10 operating budget to the Rockville Parking District non-departmental account of $147,430 for reimbursement for lost revenue from library patron parking. Source is the General Fund. The T&E committee has a recommendation that I will turn to the chair of that committee for. Councilmember Floreen.

COUNCILMEMBER FLOREEN: Thank you very much, Mr. President. The T&E Committee recommends approval of this appropriation. I know that we had quite a

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conversation in the committee as to the public policy associated with free parking at libraries. One thing I wanted to share with my colleagues is that we had an offer from the city of Rockville yesterday to move the box where people validate their parking tickets into the library, and we asked them to work with the library staff on that. Some -- there has been some research done into the pattern of residents using the validation process for non- library use, and we were all concerned about that, and so there's some follow-up on that. But the committee recommends approval.

COUNCIL PRESIDENT ANDREWS: OK. Very good. Councilmember Leventhal.

COUNCILMEMBER LEVENTHAL: Thank you, Mr. President. I'm the odd man out on this vote, as well. I do not support the committee's recommendation to appropriate these funds to the city of Rockville. It appears that this issue of allowing two hours of free parking for those who are fortunate enough to own a car and who want to use those few libraries who are -- that are located in urban centers adjacent to Metro has become a sacred cow. And we have a number of sacred cows in our budget, and there have been a few efforts that I've made this year to address some of these sacred cows, and I haven't been successful. And it appears that it's going to be very difficult to get our budget under control. We frequently hear that we have an unsustainable budget, and part of the reason why is that we are elected officials, and we want to respond to our constituents, and we want to give them the things they ask for. And that's our job. So in a democracy, you're going to find that people ask for things, you want to give them to them, and the aggregate total of all of those things ends up being a budget that is not sustainable. This $143,000 could be much better spent. It could be much better spent for the benefit of public libraries. In this year's budget, we cut library collections. In this year's budget, we eliminated unfilled library positions. So we are straining our library resources, and we're dramatically adding to the workload of library staff while those who own cars and certainly could pay a user fee, which we do expect of those who own cars, will be able to punch their ticket in the Rockville Library and use Rockville Town Center for free. In a couple of years, we're going to open the Silver Spring Library. It's not clear how this policy will apply -- well, it is clear. The policy states that all libraries will have up to two hours of free parking. Silver Spring is a very crowded urban area, utilized by a wide, diverse range of people. As in Rockville, people in Silver Spring are smart and sophisticated, and a growing number of people in Silver Spring, as they have in Rockville, will figure out that they don't need to pay for parking at all, because all you need to do is validate your parking in the library, and then you can go ahead and do anything you need to do, whether it's in Rockville Town Center or in downtown Silver Spring. A majority of people who validate their ticket in the Rockville Library are indeed using the Rockville Library, according to a study performed by several of our interns, but one in five who punch their ticket in the Rockville Library didn't use the

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Rockville Library at all. Those numbers are likely to grow, and if we extend this policy to Silver Spring, we are creating an open-ended entitlement -- without cap, without ceiling -- that will lead to growing demands on the County General Fund. I understand from Marilyn Balcolm, who's in the audience, that there's discussion now underway to begin establishing a Germantown Parking District. And so we're going to see a drain on revenue in the Germantown Parking District for those who benefit from free parking at the library but who would not otherwise have the benefit of free parking. It simply doesn't make sense to pay for parking if you can get it for free. People are going to figure that out. I agree -- the Council President has stated most people drive to the library. I absolutely agree. Most people drive to the library. No doubt about that, and that will continue. The transit usage rate overall, not just for libraries, in Montgomery County is about 14%, and that's much higher than the national average. So our very good efforts to encourage people to use transit have been successful in Montgomery County -- more successful than many other jurisdictions. 14% of our public uses transit. That ratio -- I don't know how it translates. We haven't done a study -- maybe we'll do one -- of how people use libraries. But the majority of people are going to drive to the library. I agree. Are we facilitating driving by providing free parking? I don't think that's the major issue. I think that people who drive ought to pay user fees for driving, just as they pay gasoline taxes. And furthermore, I frankly think that charging for parking would actually free up more parking, because what happens with a valuable commodity is that if you charge for it, it turns over more frequently, whereas a free good -- we all know the tragedy of the commons -- a free good is abused. So it's highly likely that someone who gets two hours of free parking in Rockville is going to use all two hours and take care of all of their business, whether at the library or anywhere else, whereas if they were paying a dollar an hour, they might wrap up their business in an hour and free up a parking space for someone else to use the library. I know that I'm not going to prevail today, but I think I'm right, and I think that there are a number of sacred cows in this budget that at some point, whether it's in FY10 or FY11 or FY12, this Council is going to have to recognize we just can't afford it. And I think that this issue of free parking at libraries, the cost will not go down, friends. This is not a cost that will go down, especially if we apply this policy in Silver Spring. Now, I was present for the meeting yesterday that the chair of the T&E Committee referenced where the city of Rockville said that it would volunteer to move the parking validation machine further inside the library, I guess to shame those folks who want to abuse it. You got to walk all the way into the library and then walk out of the library, rather than just visiting the lobby, as it is now. I don't think enforcement is going to work. I can't imagine a mechanism for enforcement that would not cost more than it might save. If you have to staff this, we're doing precisely what we initially said we would not do, which is, we do not want to make librarians parking attendants. Friends, this is bad policy. It doesn't make sense. It's going to cost us more and more every year. I assure you, I will continue to monitor this cost. I

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assure you the charge to the city of Rockville one year from now will be greater than it is now. And if we have to reimburse the Silver Spring Parking Lot District, that cost is going to increase, as well. So I'm going to lose this vote, but we'll keep an eye on this, and I do hope that, if our budget continues to be constrained, that this and other sacred cows can be reexamined. I don't think we can afford this.

COUNCIL PRESIDENT ANDREWS: Thank you, Councilmember Leventhal. And Councilmember Leventhal and I have been on different sides of this issue, and we had a spirited debate on it, and I very much respect Councilmember Leventhal, who is a great advocate for libraries. I do believe that libraries are a special case and merit the free parking that we are providing through this subsidy. Because we don't want to have any barriers to library use, and I believe a dollar an hour parking charge, which is what it would be, is a barrier to the poor to use the library. And it creates a de facto charge -- that fee, entrance fee, that I think we need to avoid. But actually this vote today is not about the policy, because the policy exists and has not been changed since it was modified last year, and it is the Council's policy, and so this is about following through on the policy that is in place to make the Rockville Parking District whole, and the only reason this is an appropriation to the city of Rockville is because they run the parking garage in which the spaces are used. If it was a County garage, we wouldn't be making it an appropriation to the city of Rockville. It is a County library. It serves a County-wide purpose as part of a County system. It has several special collections. And so it is very much a part of the system. But this vote today is on the appropriation to -- to carry out the policy that the Council majority supports, and I think it's important to clarify that -- that it's not a vote on the policy itself today. I'll let Councilmember Leventhal make a quick rejoinder, and then I'll turn to Councilmember Ervin.

COUNCILMEMBER LEVENTHAL: Thank you, Mr. President. We are going to be looking very soon at this issue relating to a County garage, and what I suspect will have to occur is that all County taxpayers will need to tie up County dollars from the General Fund and devote those to the Silver Spring Parking Lot District for the amount of revenue that's lost to the Silver Spring Parking Lot District. So this does relate to a County garage, and it will tie up General Fund dollars that would be better spent on police, fire, parks, health and human services -- a range of topics, rather than tying them up in the Silver Spring Parking Lot District to reimburse the Parking Lot District for an expense that we really need not incur. So, you know, I understand that the folks in Rockville are going to benefit from this. The policy applies County-wide, and Silver Spring is coming on line very soon, and we are going to find that we've created an open-ended entitlement that will tie up significant amounts of General Fund dollars in the future in Silver Spring. So this appropriation is to

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the city of Rockville, but by following this policy, we are committing ourselves, in fact, to a bad policy in Silver Spring as well.

COUNCIL PRESIDENT ANDREWS: And that is where we, of course, have a dispute, because it is a County library system, and the policy, free parking, applies County-wide, in order not to have a system where you have a charge for parking at some libraries but not others, and these are libraries that are used by people throughout the County, not just by people in the city of Rockville, including the County library in Rockville, and so I do see the issue differently. Councilmember Ervin.

COUNCILMEMBER ERVIN: I'll be brief. I am going to support this special appropriation, and I took a moment of my time to go back and speak to Parker Hamilton a second ago to talk about the situation in the Rockville Library in terms of Councilmember Leventhal's study of how people were using or abusing their -- their -- their privileges regarding parking. I think that we really need to employ a public education campaign, not just around the Rockville Library, but County-wide, and I'm very concerned about when this issue comes to Silver Spring how we will proceed. We essentially are on an honor system, and one of the things that Parker just indicated to me was that it was the tenants in the downtown area of Rockville that were approaching their customers, basically saying to the customers, "Did you know you can just have dinner here at my restaurant and go park -- go across the way and get your -- your ticket validated?" So I think that there are a few things that we could be doing to make the system work a little bit better. I'm going to vote for this special appropriation. I believe, as -- as Council President Andrews does, that we don't want the parking to be a disincentive for people to be able to use our amazing library system.

COUNCIL PRESIDENT ANDREWS: Thank you, Councilmember Ervin, and I agree we should take all reasonable steps to ensure that we have as good compliance as feasible, as possible. It will never be perfect, and the great majority of people who use the Rockville -- the library in Rockville do honor the system. But we certainly -- I certainly would like to find a way to get it higher, and I think we can all agree on that. OK. I think we're ready for a vote on this special appropriation. It requires six votes since it is a special appropriation and this is the first half of the fiscal year. We had put off this issue during the budget to allow the policy to be reconsidered, if there was a desire to do so, and there has not been a motion -- there was not a resolution to do so, and so we are here for the appropriation, and I will ask those in favor of the appropriation to raise their hands. All those in favor, please raise your hands. That is Councilmember Navarro, Councilmember Elrich, Councilmember Floreen, myself, Council Vice President Berliner, and...

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COUNCIL VICE PRESIDENT BERLINER: Councilmember Ervin.

COUNCIL PRESIDENT ANDREWS: Councilmember Ervin. OK. There we go. I'm sorry. And opposed? Councilmember Knapp and Councilmember Leventhal. So the appropriation is approved, 6-2. Thank you all. We'll now move on to the District Council Session and Item 5, action on the Wheaton CBD Sector Plan Sectional Map Amendment. I will turn to the PHED Committee and its chairman, Councilmember Knapp.

COUNCILMEMBER FLOREEN: The fun stuff is coming up, folks.

COUNCILMEMBER KNAPP: Thank you, Mr. President. The Council approved the Limited Amendment to the Sector Plan for the Wheaton Central Business District on December 9. Attached is the application for the Wheaton CBD Sector Plan Sectional Map Amendment, SMA, submitted by the Planning Board and a draft resolution approving the SMA as submitted. The SMA implements the recommendations of the recently approved and adopted Limited Amendment to the Wheaton CBD Sector Plan by putting into effect the zoning changes recommended in the Sector Plan. I just wanted to note that Councilmembers should remember that consideration of an SMA is subject to the ex parte rule, and therefore, Council may only consider information that is part of the public record, so I just wanted to make sure people recognize that SMAs operate differently than some of the other things that we interact with. The PHED Committee met on July 13 to review the SMA and the testimony and unanimously recommended approval of the Limited Amendment to the Wheaton CBD Sector Plan SMA as submitted.

COUNCIL PRESIDENT ANDREWS: Thank you, Chairman Knapp. Is there any discussion? Councilmember Navarro.

COUNCILMEMBER NAVARRO: I just wanted to state for the record that I did have an opportunity to review the full record on this SMA.

COUNCILMEMBER KNAPP: Thank you.

COUNCIL PRESIDENT ANDREWS: Very good. Thank you, Councilmember Navarro. Are there any other comments? All right. Seeing none, I'll ask those who support this Wheaton CBD Sector Plan Sectional Map Amendment -- I believe this is not a roll call vote.

MARLENE MICHAELSON: It is a roll call vote.

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COUNCIL PRESIDENT ANDREWS: It is a roll call vote. OK. Well, then, we will -- I'll ask the clerk to call the roll.

MARY ANNE PARADISE: Miss Navarro.

COUNCILMEMBER NAVARRO: Yes.

MARY ANNE PARADISE: Mr. Elrich.

COUNCILMEMBER ELRICH: Yes.

MARY ANNE PARADISE: Miss Floreen.

COUNCILMEMBER FLOREEN: Yes.

MARY ANNE PARADISE: Mr. Leventhal.

COUNCILMEMBER LEVENTHAL: Yes.

MARY ANNE PARADISE: Miss Ervin.

COUNCILMEMBER ERVIN: Yes.

MARY ANNE PARADISE: Mr. Knapp.

COUNCILMEMBER KNAPP: Yes.

MARY ANNE PARADISE: Mr. Berliner.

COUNCIL VICE PRESIDENT BERLINER: Yes.

MARY ANNE PARADISE: Mr. Andrews.

COUNCIL PRESIDENT ANDREWS: Yes. It is approved, 8-0. Thank you. All right. Yes. Councilmember Floreen wishes to make a comment.

COUNCILMEMBER FLOREEN: Just on that particular point -- Marlene, don't leave -- I'd just like to point out that this is our definition of a -- of a small Master Plan Amendment. How long did this take, Marlene, from initiation to conclusion?

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MARLENE MICHAELSON: Less than a year, I believe.

COUNCILMEMBER FLOREEN: Less than a year. But it was a result of a zoning application, right?

MARLENE MICHAELSON: Originally, there was a recommendation for a Zoning Text Amendment, and the Council did not believe that was the right approach.

COUNCILMEMBER FLOREEN: So I would say even for a very small correction to a Master Plan, it takes a really long time just to get that completed. So I just wanted to make that point as we look at our Master Planning process and everything else. Nothing is easy in our system.

COUNCIL PRESIDENT ANDREWS: Thank you, Councilmember Floreen.

COUNCILMEMBER ELRICH: Council President, may I say something?

COUNCIL PRESIDENT ANDREWS: Sure. Councilmember Elrich.

COUNCILMEMBER ELRICH: Actually, I thought this went fairly well, because the Council did ask them to take this back as a Master Plan Amendment matter, rather than go through the ZTA process. I think what we need do is look at -- sort of take a "lessons learned" approach and see what worked and what impediments were there that we could remove in order to make this process work faster. I don't -- I don't think that we should draw conclusions about how fast we can do things based on this. We ought to learn from what happened here and figure out, you know, is there is a way to have made it faster and more efficient, and then implement improvements on subsequent decisions, because I think otherwise, we're going to tie ourselves in knots if we conclude that nothing can be done in a timely manner. I prefer to find out how we can do things in a timely manner.

COUNCIL PRESIDENT ANDREWS: Thank you, Councilmember Elrich. All right. We are right on time for the item that we're going to spend the rest of the morning session on, and part of the afternoon as well. We're not going to have a vote today on the I-270/Corridor Cities Transitway project planning study because this is the first time that the full body has considered it, and I believe that it is of a sufficient complexity that we will benefit from having more

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time than we have just today to act on it. So this will be a worksession today. Councilmember Knapp.

COUNCILMEMBER KNAPP: And when will we come back for action?

COUNCIL PRESIDENT ANDREWS: That remains to be determined. Certainly not before next week, but I think it's probably more likely that it could be longer than that. But we'll see how the -- see what the interest is of Councilmembers in terms of what information people may want to have in their consideration of the issue, since this is a major, major project that I know everybody wants to get right in terms of what their recommendation is and their own conclusion is.

COUNCILMEMBER KNAPP: Mr. Chairman, if I might -- or Mr. President. I would just like to get a sense -- This is not a new project. This draft DEIS has been in circulation since before anyone except you was actually elected to this Council, and so I think it's important to get a sense of what a delay may actually cause us. I just want to try to and get a sense, if there is any, what -- what time constraints we may be under and what disadvantage we may be providing ourselves by the Council delaying a project that has been in circulation for the last seven years.

COUNCIL PRESIDENT ANDREWS: Well, of course, we just received the Planning Board recommendations recently about it, and they are fairly complex, and we have a different recommendation from the County Executive to consider, and a slightly different recommendation, I think, than those two from the committee. There are some variations between all three, and so the issue -- certainly, the study has been around for a long time, as you note, but the particular recommendations have not been around that long. And this is a huge project, $4 billion project, and one that -- my understanding is, and it's a fair question about what would be the potential negative aspects of waiting -- we should know what they are, if there's -- what the consequences might be if we were not to make a decision on this this week or next. That's a fair question, and we'll find out.

COUNCILMEMBER KNAPP: Well, that's why I wanted to get an understanding, because one of the messages will go out to people who have been sitting in traffic on 270 for the last 15-20 years that we're going to further delay this project because we're not taking action. And so I think it's important for the residents to understand what the implications will be. I understand once the committee took its action last week, that there was a flurry of emails, many of which came from the District of Columbia, which I was intrigued by, with concerns about the road widening of 270 -- clearly a road that not many of them actually do anything on. And I just think it's

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important for us to understand, and for the people who are going to be most affected by the decisions that we're not going to make, what the potential implications may be.

COUNCIL PRESIDENT ANDREWS: Well, I'm reasonably certain that, given the state of the fiscal situation of the federal government, where there is no money, that it will be a long time, in any event, before we see the widening of 270, given the cost -- $4 billion -- and with the state out of money and the Federal Transportation Fund running out of money and a larger percent being used by some existing highway projects than was originally envisioned of the share, that I can't imagine that the Council not taking action today, and I suspect not perhaps next week, would result in any delay in when this project would actually come to fruition. And it is so important, in my view, for the Council to get it right rather than to -- to rush it that I'm interested to hear what our experts on this issue who have tracked it would say in response to your concern. But that is my sense, is that no harm would be done by taking until the fall, if the Council ended up doing that, to come up with a recommendation on this. But I am interested to hear what they have to say on that issue, briefly, and then I want to turn to the chair of the committee for her report. So let's have just a quick response on that, and then I will turn to the chair of the committee. I see the gentleman -- and please introduce yourself. We have several people who have joined us at the table from various agencies, including the state. And thank you for being here. Please introduce yourself for these -- for people watching on TV and listening in. Let's just go across the table.

DIANE RATCLIFF: Yes. I'm Diane Ratcliff. I'm Director of Planning for the Maryland Transit Administration. Good morning.

COUNCIL PRESIDENT ANDREWS: Welcome.

RUSS ANDERSON: Good morning. I'm Russ Anderson. I'm the I-270 Project Manager for the Maryland State Highway Administration.

ERNIE BAISDEN: I'm Ernie Baisden, Manager of Project Development at MTA.

COUNCIL PRESIDENT ANDREWS: Good day.

GLENN ORLIN: Glenn Orlin, Council staff.

COUNCIL PRESIDENT ANDREWS: We know Dr. Orlin, but not everyone else does. Mr. Anderson, you look like you wanted to respond to that.

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RUSS ANDERSON: You saw the body language.

COUNCIL PRESIDENT ANDREWS: Yes.

RUSS ANDERSON: As far as -- and I can kind of just announce the schedule that we have with Frederick County.

COUNCIL PRESIDENT ANDREWS: OK.

RUSS ANDERSON: Their Board of County Commissioners, they meet August 20, in a similar type of setting. Ideally, we would have liked to have had comments in by August 24. However, if we don't resolve everything today, deferring to September, as you said, really isn't going to -- we really want to get your opinions in. We're still very early in the process. We -- we're -- we still have stage two and three of planning left to go on this project, where we vet whatever the preferred alternative is against the other alternatives. So we do have a lot of work to do. We'll do what it takes to get you the information that you need.

COUNCIL PRESIDENT ANDREWS: OK. All right. Thank you. I do want to go to the chair. We can -- you know, we can come back to this in a little bit, but, you know, that's the initial response, is that there's not --

COUNCILMEMBER KNAPP: By the middle of September, they need an answer.

COUNCIL PRESIDENT ANDREWS: Well, we'll come back to it, but it sounds like it is not a problem to wait until we get back in September to make a decision on this. That's what I hear Mr. Anderson saying.

RUSS ANDERSON: I can't speak for the Transit side, but we will be -- we'll still be compiling the comments, and we're writing -- we received over -- we had 50 people testify at both of our public hearings. We have had over 140 comments come in officially, in writing and over the Internet. So we have a lot of work to do as far as getting responses back to all of those people, as well. So it's -- like we said, ideally, we were shooting for the 24th of August. However, we know that August is a bad month for the Council, so...

COUNCIL PRESIDENT ANDREWS: We're not here in August. Right.

RUSS ANDERSON: So we'll try to work with you.

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COUNCIL PRESIDENT ANDREWS: OK. I'm going to give the Council Vice President a chance to say -- make a brief comment since his light is on. Then I'm going to turn to the chair.

COUNCIL VICE PRESIDENT BERLINER: Thank you, Council President. I do want to share with my colleagues, as lead for Energy and the Environment, brief thoughts with respect to this, because I feel I have a responsibility to you, I have a responsibility to our community in this regard, and it is that community which has expressed the most discomfort with the widening of 270. I want to satisfy -- we've got two issues before us. We have the CCT, which I believe there's far greater unanimity with respect to proceeding. There's disputes with respect to the mode, and we had actually asked whether we could separate them so that we wouldn't slow down the CCT at all in order to spend a little more time on the 270 issue. I can appreciate where my colleague believes that this matter has been before him and before the good people of Germantown for a long, long time. It is new to this Councilmember. Before we took it up in committee, I had not spent any time with respect to the issue of 270 and the widening. And we were presented in committee with seven different options, which all had different variations to them -- at least some of them had different variations -- and it was quite complicated as to it, and I commend the chair of the committee, who agreed to have two days of conversation with respect to it before we began feeling comfortable that we had distilled the issues in a manner that was appropriate. Since our committee's action, we have heard from a broad coalition of environmental organizations asking questions that, quite frankly, I had asked of our Planning Board and of our state representatives at the time. How is widening of 270 consistent with the policies that the governor has embraced, the policies that our Planning Board has embraced, to support smart growth, to fight against sprawl, and to promote mass transit? And quite frankly, those questions were addressed, but I believe should be more formally addressed, and so my hope is that when we come back in September, between now and September, that our Planning Board, our Department of Transportation -- because the County Executive certainly seems to be supporting widening of 270 -- and the state addresses the legitimate concerns that have been raised about how is it that we're spending $4 billion on widening an interstate when we haven't made the investments that many of us are looking to see made in mass transit? That we want the Purple Line, that we want the CCT, that we want bus rapid transit, that we want the White Flint Sector Plan and our lower Wisconsin State Road 355, some of us, to be a sustainable transportation corridor, which requires state investment. Now, of the $4 billion that's contemplated, 80% of that is federal highway dollars. We may choose not to have an investment of that magnitude in our County, but those dollars will be spent someplace else if they're not spent here. And it's a legitimate debate as to whether or not we believe that investment is an appropriate one. The harder one is the state dollars, because the

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County is very dependent on the state having dollars available for what many of us believe are higher priority items. And we need to hear from the state, and my intention with respect to this was to have a resolution concurrent with our action in which we would articulate our priorities of ensuring that before we made this investment, that these other investments were made first by the state. And so my hope is that you would address that as well, to the extent you're capable of, when we do act on this matter in September, and that before that, that you'll reflect on what are our highest priority needs in a scarcity resource constrained world. OK? So I thank the Council President and I thank Madam Chair for all of her good work with respect to this matter.

COUNCIL PRESIDENT ANDREWS: Thank you, Council Vice President. OK. I'm now going to have Councilmember Floreen, who chairs our T&E Committee, take us through the recommendations of the committee. It is a substantial packet with a lot of information, including a lot of testimony at the public hearings, but also the detailed recommendations from the different entities -- from the Planning Board and Executive and from the committee itself, and it is important for the Council to understand the differences and the rationale behind each and ask any questions that members have and to ask for any additional information they may want. So, Councilmember Floreen, thank you for taking us through.

COUNCILMEMBER FLOREEN: Thank you very much. I have to say, one of the books I have at home that I would recommend to all families is a book called "The Phantom Tollbooth" -- appropriately enough for this conversation about how we deal with 270. And in a chapter, it has a whole section about an island of conclusions to which people leap. And I think it would be very helpful for those who have jumped on various bandwagons here to take some time to listen and to understand what the issues were and are and continue to be. We did have -- we -- we took this up last Monday in committee and really didn't expect it to be as complex as it turned out to be. So -- and certainly Mr. -- Councilmember Berliner is correct in that we were surprised at some of the issues, the divisions and the implications of that, so we did take another morning. I was very pleased that we could get the time of the state to deal with this issue. I have to say, when I ran for office in 2002, one of the first meetings I went to was the briefing up in Seneca Valley High School about this project. This project is a matter of concern to the state of Maryland and to Montgomery County and to Frederick County for many, many, many years. And I am very concerned about the message that we send on this. As far as I'm concerned, this is not just our problem. This is Frederick County's problem, and this is a major interstate problem. We're talking about how people from the western part of the United States -- which is most of the country -- get into the District of Columbia and -- when they're driving, and I think that is

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something for us to keep in mind about all this. We're dealing with through traffic, not just local traffic. And I think it's those concerns that led the committee to reach the recommendations that it did, and I wish that the greater, greater Washington people who have been besieging us with e-mails had taken the time to come to our session, because they would have heard the kinds of very thoughtful questions that were raised by Councilmember Berliner, by Councilmember Knapp, and I understand now that Councilmember Leventhal joins the committee on most of its recommendations to the full Council. These are important issues and items that we should keep in mind. One thing that we're not talking about, which is equally important and that we've asked for briefing on this fall, is how this section of 270 connects with what they're doing in Virginia, because, folks, we're part of a regional system. And as those of us who venture beyond our borders notice periodically, the state of Virginia is adding HOT lanes to the Beltway. The state of Maryland is studying the issue of the connection from those HOT lanes to Shady Grove. The work is not complete. We have been aware of this for a long time, but we have -- that information is not yet available and part of a system that I think is intrinsic to our analysis of how we address how we work as a region to move ourselves around. The other point I'd like to share with my colleagues is, after our session last Thursday, the state, we determined -- we discovered was meeting with the Frederick County leaders to brief them on the same issues, and so I went up there and shared with them our commitment, I believe, is -- I hope would be shared amongst us all, of working together in solving what is a regional problem, with frankly its own set of environmental catastrophes. We don't address those. And you will note, at least on the highway issue, as Mr. Orlin has pointed out in his memorandum, if we can get this right, we will put to rest the demands for a second crossing of the Potomac. And I think that's really very important to consider here. We have to work as a region to address how our people move, how the region functions, and I think that is a tremendous obligation that we share. So it is not just picking out a smart growth line to control an overall policy perspective. It's looking at this in a regional sense, and regrettably, we don't have all the pieces to the puzzle, but we're committed, I think, as a County, to -- I'd like to think -- to moving forward in that regard. What I thought I would do is just -- it's in the memo, but just give a little bit of explanation to the committee's recommendations, where there's some differences. Mr. -- Councilmember Berliner has weighed in. I don't know if he's going to want to make another comment. And perhaps Councilmember Leventhal would like to weigh in a bit, and then if we could just listen to the facts. I think the facts are useful, very important, and, as everyone has acknowledged, quite complicated. There are some differences. They're relatively modest, and I think they reflect an overall commitment within the County policymakers, at least, to move us to a very positive solution. It's going to cost a lot, sure, but what doesn't? And let's agree, for all these transit initiatives, highway initiatives, the challenge -- the constant challenge is funding, but if we don't get started, we're not going

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to get there, and this project, in particular, was started long ago -- longer than a lot of our other planning projects that have not been resolved. So, back to the list of points. What we thought would be more complicated turned out to be the easiest conversation. That had to do with the Corridor Cities Transitway. The committee recommends basically -- let me say, generically, the committee basically supports the recommendations of the Planning Board, more or less, all the way through this list, reserving ourselves some flexibility in the future. The committee recommends that bus -- rapid bus transit be the preferred transit mode for the Corridor Cities Transitway. At this exact moment in time, I think that's important. The County Executive has recommended light rail, and I believe Mr. Leventhal is on that -- shares that perspective, as well. We looked at the numbers, and you will see them. The numbers require, under the kind of analysis that has been applied to the Purple Line, this -- light rail does not meet those standards right now. Should this Council agree to support significant increases in density in Shady Grove -- in Germantown West, the numbers may be different, and the state will take a look -- I think they're actually starting to run some of those numbers right now to see if that would really change the calculation to a large degree. But to get to light rail, we need ridership, and the ridership is dependent upon decisions we have not made. I personally think that -- and the Planning Board and certainly Mr. Orlin will speak to this -- that bus rapid transit, a committed Transitway, allows us more flexibility to address our suburban developments in the northern part of the County. A Transitway with -- I'm sorry Marc isn't here, because he has the snazzy pictures of the bus transit vehicles, but you'll see in the packet a comparison of a picture of bus rapid transit and light rail, and these days it's the vogue that -- in various magazines, you have to pick -- figure out what's different between the two pictures. You know, they have moderate, advanced, and so forth, and I always like to try those. I don't know about the rest of you. And I think you'd have a hard time identifying visually what the difference is between those kinds of vehicles. Mr. Orlin has included some material about the development initiatives that may be spurred by bus rapid transit. I think the data is not clear at this point in time -- but some work is being done, but not a lot of that has been -- has occurred so that we can really evaluate that. But the folks will present that. County Executive supports light rail, as well, I think I mentioned. We also supported an alignment for the Corridor Cities Transitway which would include some shifts in the alignment to support what's being recommended in the Shady Grove -- in the Germantown -- the Gaithersburg West plan. We -- right now, there is some disagreement about where a yard and shop location would be to support the Corridor Cities Transitway. There is a site they've identified, which is the current Department of Police vehicle impound lot. The committee said fine, but if you can find one that better suits the concerns of everybody, we were good with that. And then what, for the -- what has become a matter of significant interest is the cross-sections for widening
270, and what the committee came up with was supporting Alternative 7, which was

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basically what the Planning Board recommended. This would add four managed lanes, two in each direction. And I think the issue for us is, and for the committee, we asked the folks at the table, we said, "Well, what will provide the biggest impetus for transit in the corridor?" And they said Alternative 7, so we said, let's do it. We said, "What approach will do the most to reduce congestion?" And the answer again was Alternative 7, and so the committee supported that, and that's unanimous amongst the three of us. We support managed lanes -- HOT lanes, really, where tolls would be assessed and priority would be given to transit. So our whole collective recommendation was to emphasize transit and to reduce congestion. The numbers on that corridor are daunting as to what it means for mobility within the region if we don't take these kinds of actions, and I will leave it to the state to go through the details with you all. But I think it's important to remember, as well, that this is also serving Montgomery County's economic development corridor, and that's part of the balance, and I think that those objectives are well served by this approach. This actually has fewer -- this approach has actually fewer through lanes -- general-purpose lanes than what the County Executive would recommend in their scenario, which was Alternative 3. But we felt that controlled lanes were the way to go to the future and support the transit commitment of this County above all. So with that, I will turn it over to staff and to the state to take the Council through it, and I really hope that we can get most questions answered. If folks have new questions, I really do ask that we try to wrap this up this month. Frederick is prepared to act on this next month, and that's because they meet in August. They were kind of interested that we didn't meet in August. I said we met a lot of the other time. But what we -- the message that we want to send is -- I'd like to think -- is that we're committed to solving our tremendous congestion and mobility crunch along the 270 corridor, and the only way we're going to get to that is to give these folks support and direction to go to the next steps. So with that, Mr. Orlin...

GLENN ORLIN: I think I'll just turn it right over to Russ Anderson and Ernie Baisden with SHA and MTA. They're going to go through the same PowerPoint presentation that was given to the committee last week, and it's a good background in terms of what the alternatives are, and I encourage you to ask questions as you go through if you see something which you want more clarification about.

COUNCIL PRESIDENT ANDREWS: OK.

GLENN ORLIN: So, Russ...

RUSS ANDERSON: OK.
Thank you, Glenn. Just real quick, the outline of the presentation. We'll start off with the background for the project, introduce why -- you know, the purpose and need. And we're

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going to flip-flop 2 and 3. We're going to start with the Corridor Cities Transitway alternatives, and then get into the I-270 alternatives that we're taking a look at, and then the next steps in the process. Let me... So the study area that we're looking at is -- is -- it encompasses from Shady Grove Road in the south all the way up -- for the highway improvements, up to Biggs Ford Road, which is just north of the city of Frederick. So it's 30 miles of limited-access highway improvements on both I-270 and U.S. 15. We're also looking at 1.5 miles of new alignment of Maryland 75. That's near the Frederick and Montgomery County border. And then the 14-mile Corridor Cities Transitway is shown there in green. It begins at the Shady Grove Metro, goes through the corridor cities of German -- Gaithersburg, Germantown, and terminates at the COMSAT facility just south of Clarksburg. And I'm not getting... not getting anything. Oh. There we go. OK, thanks. All right. So in 50 words or less, really, we wanted to condense the purpose and need. The purpose of the project is to, as you mentioned, Councilmember Floreen, to investigate options that address congestion and also result in the improved safety along the I-270/U.S. 15 corridor, and this is due to both existing and projected growth. And the need for the project is, it does provide an essential connection between the Washington, DC, metro area, central and western Maryland, and the western part of the nation, as well. It's an essential corridor for carrying local and long-distance trips, interstate commerce -- both within and beyond the corridor. Recently -- our timeline -- in 2002, we did have the issue of the Draft Environmental Impact Statement. That -- this was volume one of two, where we introduced five highway alternatives, including the no build, and also the transit alternatives that we were taking a look at, the transit mode -- the Light rail transit, bus rapid transit -- and there was also a premium bus on I-270. In fall 2003, after the -- after those public hearings, MDOT wanted us to take a look at the use of managed lanes in the corridor, so in June 2004, we came out and had a public information meeting regarding the express toll lanes and their use and began developing alternatives 6 and 7, that used express toll lanes in lieu of the HOVs.

In spring 2009, this is our -- the result of that work, where we do have alternatives 6 and 7. This document also represents an alternatives analysis that assesses the -- factors such as the cost effectiveness, the ridership of the Corridor Cities Transitway, as well, so it serves a dual purpose. Next. So -- kind of -- this -- lot of acronyms on this slide. Really, this just kind of lists the alternatives that we were taking a look at in the 2002 DEIS, on the left column, and in this current document is on the right column. So we looked at the no build alternative. That is the baseline that we assess all of the build alternatives against. Alternative 2 is a transportation system

management/travel demand management alternative. It's without any major building on Interstate 270, what can we get? Singlehandedly, it doesn't meet the purpose and need for the project, but it does provide some short-term relief in the corridor. Ultimately, anything that's in the TSM/TDM alternative is incorporated into the other build alternatives

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as much as possible. Travel demand management -- that's encouraging carpooling, park and ride, alternative work schedules, telecommuting, those sorts of factors. Transportation system management -- that's more improved incident management within the corridor -- intelligent transportation systems, those sorts of things. So then we looked at the three build alternatives for the highway, and the selected alternative will be a number and a letter. The number represents the highway alternative, and the letter represents the transit mode on the CCT. So for 3A and 3B, 3A was a Master Plan/ high-occupancy-vehicle lane. Essentially, the difference is what is added north of Maryland 121. So it's consistent with the Master Plan in that it adds one HOV lane up north of Clarksburg. Alternative A is Light rail transit, and alternative B is bus rapid transit on the CCT. Alternative 4, also consistent with the Master Plan. It added a general-purpose lane instead of an HOV lane north. So you would still have six lanes and same -- for 4A and B, same modes on the CCT. Alternative 5 -- it was called the Enhanced Master Plan. It was, what is the mobility benefit that we get for doing both the HOV lane and the general-purpose lane, as well. So it was beyond Master Plan because it was eight lanes north of Maryland 121. Then with the -- with the environmental -- environmental assessment, we looked at -- alternative 6 had -- it's Enhanced Master Plan in that it's an express toll lane. It's still six lanes north of Maryland 121. However, the footprints of alternative 6 and 7 are exactly the same in that we have a wide shoulder with alternative 6 that we could reline to add a second lane in the future. So there is a flexibility to add -- a total of 8 lanes through that corridor, so trying to put it in as a Master Plan option, we didn't feel would be really -- really feasible. That would be kind of trying to sneak something by, and that's not a -- wasn't our goal. And then alternative 7 essentially extends two ETLs north of Maryland 121 -- express toll lanes, and I'll get into a little further how they operate. So I'll turn it over to Ernie Baisden. He's going to talk
about the CCT.

ERNIE BAISDEN: All right. The transit portion of this PowerPoint starts with the CCT alignment that's shown in blue. This alignment is consistent with the current Master Plan. It starts at Shady Grove, goes north-northwest to Metropolitan Grove, goes through Germantown, and terminates at COMSAT just south of Clarksburg. The next slide shows more detail what alternatives were studied. The Transitway is a 14-mile long -- 17 stations. There are transfer points at Germantown, Metropolitan Grove, and Shady Grove. The Transitway can be accessed from local roads, I-270 interchange, direct access ramps. The build alternative includes Light rail and bus rapid transit. We also studied TSM alternative that features premium bus on the I-270 managed lanes and also provided service along the CT -- CCT stations. This is a requirement from FTA and is used as a baseline alternative. The next slide -- this was the -- what was talked about earlier. This is King Farm. This is a photo simulation, and we included this slide to show how similar the

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two modes are. The top one is light rail, and the bottom one is bus rapid transit. This slide shows how well the alternatives performed. The TSM had a 60-minute travel time and got 6,000-7,000 ridership at a cost -- construction cost of $86.9 million. The light rail was a 36-minute travel time. Its ridership was 24,000-30,000 at 777 million. The bus rapid transit was a 38-minute travel time with 21,000-27,000 ridership and 450 million. This slide shows the cost effectiveness results. We need a medium rating from FTA, which is $29.49 per -- I'm... OK. 24.49, which is -- or lower to be medium rated. The results are given in the last column. The LRT had a $32.90 per hour, and the BRT had $18.50. This slide shows alternative alignments that are -- that -- to the current Master Plan alignment. We are currently evaluating the ridership to compare with the Master Plan alignment. The Master Plan is shown in orange, and the options are shown in red and blue. OK. The only thing I was going to say is, is there is added travel time, going through the Life Sciences Center, is 5-7 minutes, and if you looked at all three of them, it's 7-9 minutes additional travel time.

RUSS ANDERSON: All right. So that covers the CCT. Now we'll go -- talk through the nuances of the roadway alternatives that we're taking a look at. Now, for all of these slides, up on top is what's existing today, and then down below is what we would be looking at in the future condition. So this is for alternatives 3 and 4, north of Maryland 121. Today it's where -- next -- down to two lanes, and for alternative 3, we would add the HOV lane on the inside, and for alternative 4, the only difference -- same typical section, just it would be a general-purpose lane so everybody could use it. And then we get down to the south, really, for alternatives 3, 4, and 5, we're really only looking at extending the southbound CD lane, similar to what exists today -- the local and express lanes that are there on 270. This alternative did have its own problems, especially when we got to the communities of Brighton West. If we do any incremental widening to the outside, we really impact them considerably, so this -- this alternative does have impacts, as well. That auxiliary lane, or CD lane, system would extend from where it terminates today near Shady Grove all the way up to Father Hurley Boulevard. On the northbound side, it would also extend up to Father Hurley Boulevard, as well, so there would be some incremental widening in Montgomery County with alternatives 3, 4, and 5. So...next slide. And then up north, this is kind of what -- what it would look like with -- if we kind of took the best of both worlds, if we had the HOV lane and the general-purpose lane, what kind of mobility benefit would we get? You could see it does have a wider typical section and hence could potentially have more environmental impacts, as well. And then just kind of reiterating, with 5A and B, we do extend the -- the auxiliary lane. So 3, 4, and 5 in southern Montgomery County are the same. All right. So going through the express toll lanes, these -- these are the latest type of managed lanes. And there are other managed lanes -- we have truck only, transit only, HOV. As Councilmember Floreen mentioned, we have HOT

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being constructed down in Virginia. MDOT's goal is ultimately to develop a state-wide managed lane system that optimizes the efficiency and flexibility of the roadway system. So we are looking at a full network of managed lanes across the state. They do provide needed highway capacity to address congestion through toll collection. So it is an alternative funding strategy that gets those much-needed funds sooner than traditional funding approaches would allow. So -- and as Councilmember Floreen mentioned, we do -- it is part of a bigger picture. Down to the south, in orange, you have the Virginia HOT lanes project that is currently under construction, and up to the north, in the pink on that slide, we have the I-270 study limits, which is what we've been taking a look at since the mid-nineties. Off to the right side, you have the Intercounty Connector project that comes in at 370, so the western terminus of the Intercounty Connector is the southern terminus of our project. Now, we do have the section in the blue, which is our west side mobility study. Currently, it is a feasibility study, so we are looking at potential alternatives to mold the two projects together. However, it is not yet a full NEPA study, so it would need to go through much quicker, mind you, than the process that we've gone through to get to the next -- to get on a level that's on par with us that we could look at -- start to look at breakout projects in the corridor. So, really, the limits that we're looking at for the express toll lanes right now are the -- they would start north of Maryland 80, just south of the Monocacy Battlefield up in Frederick. And then the southern limit would be, for the purposes of our study, would be just south of Shady Grove Road. Now, if those two studies don't happen at the same time, there would be a transition from the express toll land system into the existing HOV lane. So there would be a mile or so segment of non-enforcement area to get people out of the express toll lanes that aren't HOV -- those single-occupant vehicles. And then just kind of -- to kind of go over the actual alternatives. North of Maryland 121 to the ETL terminus -- which, again, north of Maryland 80 -- we're looking at one express toll lane, but you'll notice that wide, 16-foot inside shoulder. So the idea of this is to get in there, build once, and have the flexibility to expand it in the future. So -- but there would only be three lanes at this -- at this point with -- if we go with alternative 6. South, it's different. The express toll lanes are actually barrier-separated from the general-purpose lanes. So the way I-270 is today, where you have the local and the express lanes, the express lanes would be the toll lanes and the median, and then the local lanes would -- would essentially -- we would have all of the general-purpose lanes on the outside, and the interchanges would -- the on and off ramps would access the general-purpose lanes. So -- and similarly, with alternative 7, this is just with that added lane in there. So we have the four-foot inside shoulder now, two lanes in each direction. And then south, a similar condition -- we would have the two express toll lanes and -- ooh. Sorry. Next slide. We would have the two express toll lanes, and really, the number of general-purpose lanes varies as you go further to the north, so it ultimately goes from four to three down to, in some instances, two once we get up to Frederick. So big question is,

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how would we access -- if it's barrier-separated, how do you access the system? And there are -- up to the northern end, where traffic is a little lighter, there -- we do it by direct access, which is pretty much how you get into and out of the local and express lanes today. At the northern terminus, you could get into the system, and then also just south of the Urbana interchange at Maryland 80, you could access the system there, too. That would be a southbound-oriented only if you're driving -- to get into the system southbound or out of the system northbound. Just north of Maryland 121, we're looking at a -- those arrows are in a inopportune spot.

We're looking at a place where you could get both into and out of the system. So anybody that would want to -- that is coming north and may want to exit at 109, they could get out of the system at that point. And then once we get south of Maryland 121, we're really looking at higher traffic levels, so access would be via direct access interchanges, and we have them at proposed Newcut Road. It's -- in our documents, it's Newcut Road, but I understand it's Little Seneca Parkway now in many planning -- local planning documents. And these would be similar to -- if you look at that upper picture, that's a single one-way-oriented ramp. The ones that we're looking at would actually have the ramps coming off both sides, so you could access both directions from these roadways. We're also looking at direct access at Maryland 118, to the ETL system, and also at just south of proposed Watkins Mill Road interchange. We couldn't get it into the Watkins Mill Road interchange because it would really tax the local roadway network, so it's actually just south, and it will be an extension of Metropolitan Grove Road. Now, the reason these three locations were selected is they provide direct access to major CCT stations. The Newcut Road interchange accesses the COMSAT station, or the future northern terminus. The Maryland 118, that accesses the Germantown Transit Center, and then Watkins Mill Road, that would access the Metropolitan Grove area and the transfer to MARC. So...Just to the south, we have a -- at Maryland 117, we have a reservation for a southern-oriented ramp in case that -- when that west side mobility study comes up to the same level as ours, we could get people into that system heading toward DC. And then currently at 370, we're looking at a -- kind of a southbound to eastbound and then a westbound to northbound connection, similar to that bottom slide there. It's a direct connection to 370 that would ultimately get people to Shady Grove, where they could also access the Intercounty Connector. So...And this is currently in the study. I know staff recommendation was to possibly look at some other instances where people could get into and out of the system, and that is something that we can do at the next stage. Next slide, please. All right. So, we have -- the costs have -- the cost is high for this project. We are looking at about 4.5-4.6 billion for the entire I-270 improvement -- 30 miles of improvements to the highway. It includes the design, right-of-way acquisition, and the construction, so that is all of the cost items -- and even the cost to wrap up the planning. And these are the 2009 costs.

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GLENN ORLIN: And the -- just to clarify, the Frederick County and Frederick City costs are different. One is not a subset of the other. So it's a total in Frederick County as a whole of about $1.9 billion.

RUSS ANDERSON: Correct. So, this really gets into what we're trying to achieve right now. We've done the initial environmental study, so now we're looking to get to the locally preferred alternative. So what we do is, we take the public hearing and the agency review comments -- the many that we have received -- compile that, input from our project team, local government, and then also our federal partners and commenting agencies, like the Corps of Engineers, EPA, and Fish and Wildlife. So we have to take all of those comments, really compile them, and kind of prepare a package for the secretary of transportation and the governor. So that is the next step, and the decision will be multi-modal. It will be a combined highway and transit alternative. So the transit mode will either be light rail transit, bus rapid transit, or the TSM alternative. And then really after that, we start to look at project phasing -- how can we break it out into fundable pieces. I know with the CCT, they'll be looking at the alternative alignments -- the Crown Farm, Kentlands, and the Shady Grove Life Sciences Center. We will be updating the travel forecasting. We're getting near a new design-year threshold to 2035, and we'll be getting our 2010 traffic, so our new document will have the latest and greatest. And we also include impacts to local roadways and the ramp terminals along the system from the highway standpoint. And I'm sure, on the transit side, there will be updating -- the updated ridership numbers from the alternative alignments. And we also look at minimization options at this point, so -- the number 260 has been thrown out for some potential right-of-way -- potential displacements, and we look at ways to minimize, whether through the use of retaining walls, steeper slopes, those sorts of things. And also we look to minimize the impacts to the environment and look at ways that we can mitigate it. So that's kind of what happens down the line. Next slide. So, where are we now as far as the project schedule goes? We'll, we're looking to -- we've had the public hearings. They were held June 16 and 18. Our preferred alternative, we are looking to have in the fall. We're pushing for that. And then after we have the preferred alternative, that is the point where our federal partners have told us that we can split. We've done enough study to look at the ridership impacts of the highway build conditions, and also the highway impacts to the transit build conditions. So we're at a point now where we can split those two projects, so we're looking to do that in the winter, if we can get to the preferred alternative in the fall. And on the highway side, we look at those minimization opportunities, we prepare the Tier 1 final document, and then we identify segments that we can take to the next level. And on the transit side, Ernie...

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ERNIE BAISDEN: We plan to submit the new starts application in the spring and hopefully enter into PE in the summer or fall of 2010.

RUSS ANDERSON: So that is...that's it. It's pretty quick, to the point, but I know it doesn't get into the little nuances of what happens between each interchange, but that's the general picture of...

COUNCIL PRESIDENT ANDREWS: Thank you. It was helpful, and I know there will be questions, but I think it was good to have the presentation flow through. I'm going to turn to Councilmember Leventhal in just a minute. He's a member of the committee, and I'll turn to the committee members first. Just a little housekeeping here. I wanted to check to make sure -- find out whether you will be with us in the afternoon segment, as well.

RUSS ANDERSON: I'll be here in the afternoon.

ERNIE BAISDEN: Yes.

COUNCIL PRESIDENT ANDREWS: OK. All right. And I know that we have representatives from the Planning Board here, as well. I see the chairman, Chairman Hanson, and Dan Hardy from the transportation side. I believe Mr. Hanson may not be able to be with us in the afternoon, so I want to make sure I -- I have a question for him that I wanted to be able to ask before we break for recess, but if he's here till at least noon or so, then -- good. And we have representatives from the Executive branch, Department of Transportation. I assume you'll be with us in the afternoon, as well, so that we can talk about the differences and the -- and ask for the Executive's view of this and recommendations, as well. All right. Very good. I'll turn to Councilmember Leventhal, then.

COUNCILMEMBER LEVENTHAL: Thank you very much, Mr. President. Last week, I had what may well be a once in a lifetime opportunity to visit China. My trip was mostly paid for by the Chinese government. It was organized through a nonprofit in China and a nonprofit here in the United
States called The Confucius Institute. There is a Confucius Institute at the University of Maryland. However, primarily the funding came from the Chinese government, and the reason that they invited a delegation of local policymakers, both from public schools and universities and local government, was that the Chinese government wanted us to see the dynamic and explosive growth of the Chinese economy and to persuade us that Chinese language education in our schools should be a public policy priority. And I'm persuaded. I do think that for our next generation to learn Mandarin is critically important. What I saw in China was a government that devotes massive amounts of capital to public

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investment in infrastructure, and the result of public investment in infrastructure in China is the accumulation of enormous amounts of private wealth. China is a vast country, and most of its people are poor, but there are more than 100 million millionaires in China today. So what I saw in China -- I could talk about it at length, and I won't, but what I saw in China was fantastic new roads being built, fantastic new transit systems being built, super fast trains, extraordinary subways, extraordinary fiber-optic networks, research universities, business incubators, massive investment of public capital in infrastructure that benefits the private market. I'm not saying that the Chinese model would work in the United States. I'm not really trying to interpret much. I'm only describing what I saw with my own eyes -- beautiful roads, beautiful new roads stretching out throughout the country -- urban, rural -- and beautiful transit systems. Now, we don't have the kind of -- we don't have a controlled economy. We don't have access to capital, by any means, to build the roadways, the parks, the transit systems, the subways, the super fast trains that they're building in China, and that's why we're losing global competition, because we aren't investing enough in infrastructure. So I do bring that framework and that benefit to this discussion. Now, I want to clarify for my colleagues and for my constituents that I did -- I did take advantage of what may be a once-in-a-lifetime opportunity. I was away last week. I did miss a Council meeting. I did miss a couple of committee meetings. However, I had a high-speed internet connection, and I tried very, very hard, with help from the Council staff -- Glenn Orlin -- with help from my staff -- Dan Reed -- to stay well informed, and I think I am well informed about the thorough and thoughtful conversation that took place last week in the T&E Committee around this basket of issues. So although I was not present -- I have a recorded absence; I got to live with that -- I stayed informed. I actually watched, live, the County Council's public hearing on Rockville Library parking a week ago. I was watching real --

COUNCIL PRESIDENT ANDREWS: I would expect nothing less.

COUNCILMEMBER LEVENTHAL: In real time. And I do have to say that I -- with a smile on my face and with affection and respect for all my colleagues, I do note there is a thread to today's dialogue here with respect to our vote on library parking, with respect to this discussion, and with respect to
the discussion we're going to have this afternoon about a pedestrian bridge. And we are having trouble -- and I understand the reasons why. We're having trouble coming to grips with the fact that most of our constituents drive. Most of our constituents drive. Most of our constituents use private passenger, single-passenger automobiles, to get where they want to go. It's not what we would prefer. And I'll tell you the other thing I saw in China.-- horrendous air pollution. Horrendous air pollution like I've never seen before. So, again, I respect all my colleagues. We're trying to come to grips at all times with contradictory

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imperatives, contradictory public policies, but we just heard a ringing defense from this Council -- a 6-2 vote acknowledging people are going to drive, and we should make it easy for them. That's our job. We're here to make life easy for our constituents, not to make them miserable. They're going to drive to the library, and we want to give away parking, because they're going to drive. They're not going to take transit, most of them. If we thought they were going to take transit, we would subsidize transit to the library. We're not doing that. Most of our constituents drive. That's the reality, and that's certainly the reality for folks who live north of Gaithersburg, where transit doesn't go today. The Metro stops at Shady Grove, and I represent the folks who live in Gaithersburg, Germantown, and Clarksburg, and they have to cope with a horrendous bottleneck every day. The bottleneck is because, at Middlebrook Road, the number of lanes on 270 are reduced. And the bottleneck begins before Shady Grove. Sometimes it begins at Montrose Road as a result of the fact that we built a very wide highway up to Middlebrook, and then after Middlebrook, it narrows. So I represent those folks, and I understand the agony of their daily commute, and that's much on my mind. I also appreciate the work that the state has done on all of these critically urgent projects that are before us. I, as my colleagues know, have monitored very closely the progress on the Purple Line, and my advocacy for the Corridor Cities Transitway is every bit as vigorous and every bit as serious as my advocacy, which my colleagues are heartily sick of hearing me talk about, on the Purple Line. And I do think we need progress on this. It isn't going to happen soon. We need a major commitment from the federal government, from the state government, and from the County government to investment in infrastructure, and the payoff will be enormous if we invest in our infrastructure. The payoff for economic health, the payoff for economic recovery, and for the private sector will be gigantic if we take some steps -- not all steps -- like those that I saw in China. We've got to build better roads. Road building is a critical function of state and local government, and to those in -- those of my constituents, and some who are not my constituents, who would like to prioritize transit, so would I. I do think transit needs to be prioritized. But I've always said that we need to do it all. The best way to get people out of their automobiles is to build better options and invest in transit, but that does not negate the need also to improve our roads. We also need to improve our roads. And we're not going to give up our obligation to better roads even as we continue to prioritize transit, and in fact, the recommendation of the T&E Committee, which I endorse, would provide transit options as we improve our roads. We aren't going to build -- whether it's -- we'll talk later, I guess, after lunch, about whether it'll be a trolley or whether it'll be a BRT, but it isn't going to go to Frederick, in this iteration -- not in this generation of discussion. So the state's responsibility stretches beyond Montgomery County. Our responsibility ends at the County line, but the state has a responsibility to the people of Frederick, and you can't deny the fact that they're there. I understand the concern that you're only going to aggravate sprawl, and that's a real concern, but we also

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have a concern for the people who live -- and the state has a concern -- for the people who live here now and who live in Frederick now and want to get home to Frederick now. And so, you know, I -- again, with a smile on my face and with respect for all my colleagues, I detect a certain lack of intellectual honesty here. If we're going to say that free parking at the library is a privileged activity above and beyond anything else -- We're not going to pay for free parking at a hospital. We're not going to pay for free parking at a courthouse. We're not going to pay -- we're not going to improve people's daily commute. We're not going to facilitate people's paying their mortgage and feeding their children. Only libraries will get the support of the majority of this Council for subsidized automobile use. I think I detect a certain lack of intellectual honesty in that argument, and let me just close by --

COUNCIL PRESIDENT ANDREWS: Well, you haven't heard the arguments yet. We haven't made arguments on that.

COUNCILMEMBER LEVENTHAL: Well, let me just close by saying this. I mean, I think I know where this is going, OK? We would have had a vote today, but a critical vote was missing, so we're going to delay the discussion until all of the Council President's votes are present, and he's the Council President, and I respect him. He's a good Council President, and he knows how to count his votes, which is the number one job of the Council President, and not all his votes are present here today, so we'll wait until all the votes are here, and we'll see what the will of the Council is, but I do think that for those constituents who reside in Gaithersburg, Germantown, Clarksburg, and the state's constituents who reside in Frederick, we have an obligation. We have an obligation to those constituents. Some of my colleagues don't represent those constituents, but I do. The other at-large members do, and Mr. Knapp does, and I think we have to acknowledge our obligation to them, and they are going to continue to use automobiles. I hope someday we have clean automobiles. I'm delighted that President Obama and the Congress are pushing very, very hard to reduce emissions, to change the...to change the composition of our, you know, private automobile fleet. I hope someday we have clean automobiles. But I don't see a day, not in my lifetime, where a majority of my constituents are going to get where they need to go on a mode other than single-passenger automobiles. We're going to continue to work towards that goal. I want to continue to work towards that goal, but road building remains a critical function of state and local government, and I have an obligation to those folks who live north of Shady Grove Road, as well as everywhere else in the County.

COUNCIL PRESIDENT ANDREWS: OK. Well, thank you, Councilmember Leventhal. I would just say, I can only speak for myself on this, but I haven't come to a conclusion yet

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on which option makes the most sense. I'm keeping an open mind on it because I want to hear what the arguments are on it, and that's why we're going through this. So that's where I am on this right now. Council Vice President Berliner.

COUNCIL VICE PRESIDENT BERLINER: Let me share with my colleague that I, at this point in time, don't detect any intellectual dishonesty with respect to our conversation today, either, because what I believe we are doing today is ensuring that before this Council acts, that we have a response in writing to the concerns that have been expressed with respect to this project -- a $4.2 billion project that in many respects is counterintuitive to everything that we've been told our future should hold for us. And it isn't that there aren't answers to it. I was persuaded and voted for, and my belief is that in the absence of some new information, that I'll continue to be comfortable with the option that I felt maximizes transit. And I was not persuaded that a no-build option was a tenable option. But I do believe that the issues that have been raised -- they came in late. The chair observed that it would have been nice if we had heard from our environmental community earlier with respect to this. It would have been nice. But there is no necessity for us to act in this moment. This process is a process that will be going on for years. The notion that a one-month delay in our taking action here is in some way a signal to the community that we are not invested in this, I think is a false implication. True implication is, serious issues have been raised. The chairman of Park and Planning acknowledged his own ambivalence with respect to this project, as to whether it really was consistent with smart growth. This is not easy, and it -- the questions that have been raised with respect to this, even though they are late, are worthy of formal responses. And I will be formally requesting -- and I hope my colleagues will agree -- that the state respond in writing, that Park and Planning respond in writing, that our County Executive respond in writing to the issues that have been raised as to why is this consistent with the goals we have for the future of our community? And I believe arguments can be made, but I believe they have to be made and that these are serious issues that have been raised, and the notion, then, of us waiting until early fall to resolve this after getting these responses in writing somehow sends a signal of lack of seriousness -- no. I think it means we are very serious. I think it means we are very serious about this, and we want to do our jobs in a manner that is consistent with the issues that have been raised. And again, many of my colleagues have been dealing with this a lot longer than some of us. Some of us are coming to this relatively new. So I don't detect a lack of intellectual honesty with respect to this. I actually would argue the reverse. But before I cede my time, I did want to raise -- ask questions, unless we were going to have Dr. Hanson come up before us now, if Dr. Hanson isn't going to be with us --

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COUNCIL PRESIDENT ANDREWS: Yeah, I think this would be the time. Let's have Chairman Hanson come up to the table.

COUNCILMEMBER FLOREEN: Mr. President, I just want to say to my colleagues, this is the time to ask your questions. I don't know what questions that have been raised that people are alluding to, but this is the moment to raise them, ask for an answer. Please. If we need more information, fine. We have time this morning, and we have time this afternoon, and these good people have made this time available to us, but this is the time. You've got a question, the state has the slides, it has a lot of data that they went over with the committee, and I would beg you to ask your questions now. This is not --

COUNCIL PRESIDENT ANDREWS: That's what we're going to do.

COUNCILMEMBER FLOREEN: Well, I haven't heard a question yet.

COUNCIL PRESIDENT ANDREWS: Well, we're about to get to that.

COUNCILMEMBER FLOREEN: And it would be ever so helpful to -- for -- so that we would know what is that folks are talking about. If it's a question of paving, which is one of the questions that had been raised, ask the question, but please, let's do it now. Speeches are interesting, but this is the time to get the information that -- that you need, and if you don't -- if they don't have it, they can get it to us. But there's a lot of information in this pile of material that we have that our staffs have had and have had ample opportunity to pore through it and come up with questions, and I beg you to ask them now, because that's what their job is -- to answer.

COUNCIL PRESIDENT ANDREWS: I have a number of questions.

COUNCILMEMBER FLOREEN: Good.

COUNCIL PRESIDENT ANDREWS: I've been letting other people speak. OK. Mr. Hanson, I know, can't be with us this afternoon, so I appreciate that he's here this morning. I wanted to follow up essentially on what Council Vice President Berliner raised, and that is, I did detect some ambivalence, as well, in the cover letter from the chairman in their recommendations regarding the project -- that there had been some discussion about whether this was the route to go in general or not. And I wanted to have the chairman give some context and background about the thinking of the Planning Board in how it approached the -- this project and its thinking about the proposals on widening 270.

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ROYCE HANSON: Thank you, Mr. President. I'm Royce Hanson. I'm chairman of the Planning Board. I guess the reference you're making is a comment that I made when we were having the discussion at the Planning Board, and I think you have to take this in the -- somewhat in the context of my history of having opposed various kinds of freeways over the course of my career in urban areas. But -- and I did express some reluctance to see 270 widened. On the other hand, I am quite comfortable with the position that the Planning Board ultimately took on this matter that keeps the footprint consistent with the Clarksburg Master Plan, that uses reversible toll lanes to move traffic, and as I expressed to the T&E Committee, we have to remember that 270 is an interstate highway. It is moving not only traffic that is generated in Montgomery County or destined for Montgomery County, but it must accommodate interstate traffic that comes from as far away as the west coast and is headed through our system and maybe around the Beltway and south on 95. So this is -- this is a complex road system. And we also have to recognize that even within the County, that some of the greatest employment growth that we can expect in the next generation is going to be in West Gaithersburg and Germantown, and one of the fastest-growing areas predicted for the next 20 years is Clarksburg. So we -- we have in our own compact, smart growth communities, the need for adequate multi-modal transportation service. That -- that includes the CCT, which the Planning Board regards as very critical to satisfying and serving the transportation needs of the corridor. It also includes adequate road service. So as you will see in both the Gaithersburg West and Germantown Master Plan, we are recommending not just the CCT, which we consider essential, but we are also recommending improvements in the roadway system, which are also essential, if the system is going to work. We're predicting that we can get about a 30% modal split in West Gaithersburg with an effective BRT system operating, and we can probably get around a 25% modal split, as we talked with the Council about this last week, in Germantown. It'll probably be a little less in Clarksburg. Now, this is on a 20-year prediction. Maybe over 30 years, it'll improve even more. But -- and it will probably have to, because ultimately, the improvements that will be made to I-270 will ultimately be well and probably fully occupied by automobiles. So there will continue to be a lot of pressure -- both economic, social, and convenience -- for people to move increasingly to public transportation, or if -- and if we are able to succeed in the kind of plans that we're drawing for these areas, a lot of people will also be walking and biking in these areas. So, I guess to go back to the -- to the basic point that I made, in a -- in an absolutely perfect world in which everybody performed rationally by my standards, all of us would -- would be biking or walking or, on the worst of circumstances, riding public transportation and only using the car when we were going on a trip on the weekend to the beach or somewhere. But we're not living in that world. We're -- we're as close to paradise as you can get here in Montgomery County. But under those circumstances, I think what the Planning Board has recommended to you is a feasible,

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good, and workable solution to helping alleviate the transportation problems in the northern end of the corridor.

COUNCILMEMBER FLOREEN: If I could just say, what the committee recommended was basically what the Planning Board had recommended, except we were not so clear on the reversible lane situation north of 121, and we said, well, look at that further again in conjunction with Frederick. But that's really where the committee was.

ROYCE HANSON: We favored the reversible lane because it helps reduce the footprint.

COUNCILMEMBER FLOREEN: And, Councilmembers, if you look at the packet -- and if there are questions, you may want to get some information -- shows the congestion issues associated with that -- that stretch, which -- which we thought all warranted some further evaluation.

COUNCIL PRESIDENT ANDREWS: Thank you. And thank you, Chairman Hanson, for the response and the context. I'm going to turn to Councilmember Elrich for his questions, but we will break by noon to join our colleagues from WSSC upstairs for a lunch meeting. We will come back here at 1:30 for a public hearing, then we'll be back starting the second half of this worksession on the I-270/Corridor Cities Transitway proposals at about 1:45. So I have more questions I'll be asking at that point, and others, as well.

ROYCE HANSON: Mr. President, I just wanted to take this opportunity also to thank the Council for filling the seat on the Planning Board. We look forward to working with Ms. Wells-Harley. Those of us who know her from her prior experience with the board are delighted with the appointment.

COUNCIL PRESIDENT ANDREWS: OK. Thank you. And I made some remarks that were similar to remarks I made last week at the farewell event for John Robinson, thanking Commissioner Robinson for his service. He provided eight years of very dedicated, distinguished service, and we wish him well and thank him for that. Councilmember Elrich.

COUNCILMEMBER ELRICH: A quick question that I could not find in the packet today, which -- which is the comparison of travel times from Clarksburg to Shady Grove with these improvements on the road you're suggesting -- say, 7A or 7B -- versus the travel time by transit. I think I've got a transit time in here, but I don't have a corresponding auto travel time.

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RUSS ANDERSON: On the -- as far as for 7A and 7B, the -- the express toll lanes would be a congestion-free trip, so as far as travel times between those locations, I have to look it up and get back to you exactly as to what we're -- what we could estimate those to be, and on the general-purpose lanes as well.

COUNCILMEMBER ELRICH: Yeah. And also in there, you had a chart, small chart, talking about where people in Frederick County will go in 2030, and I was interested in an omission. You have several locations in Montgomery County. You've got a mere 2,000 people going into D.C. out of Frederick County, which strikes me as small, odd, and not believable, and apparently no one is going to Virginia.

RUSS ANDERSON: I would have to take a look at that as well. We do get that information from the -- from the Council of Governments, so we'll have to -- I'll have to research exactly where they got this.

COUNCILMEMBER ELRICH: I mean, to me, that's a really big question. You know, we're being asked to do something in Montgomery County, and I'd like to know how much of this is to facilitate flow into Virginia. I mean, one of the things that concerns me about this is that, you know, if you do achieve significant savings in travel time, you're basically saying, move out of Montgomery County. I mean, I looked at -- the -- what is it, I-370 to 109 or whatever it is, there's like a 13 -- you turn this 30-something-minute trip into a 13-minute trip. That seems to me to be a major inducement to sprawl. And it takes -- you know, my aide crossed Connecticut Avenue the other day. It took him 10 minutes at a light to cross Connecticut Avenue and East-West Highway, and you're worried about bringing down the trip for somebody commuting a 30-mile -- possibly a 30-mile one-way commute and bringing down this road segment to a 13-minute trip. I mean, a lot of us in Montgomery County would like to, you know, see time improvements on that scale, on a whole massive scale, and we can't achieve them. And frankly, there aren't any more roads to build in Montgomery County. You can improve the quality of the roadway, but you're not doing anything to Connecticut Avenue, Wisconsin Avenue, Georgia Avenue, and we shouldn't be kidding ourselves. I mean, those roads aren't getting bigger, and we're not putting another road into Bethesda, we're not putting another road into Silver Spring, and I don't know anybody who is even proposing things like that. So, I mean, it seems to me the road-building business -- I mean, we can say we want to build roads and transit, but there aren't a whole lot of roads left to build. And I'm really concerned that this really does turn into a sprawl-inducing measure and with very little benefit to us at all.

GLENN ORLIN: It really depends -- this is why it's critical as to where is that -- how is that capacity being added. If it was general use lanes, you're absolutely right, but it's not. It's --

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it's -- depending on what you choose or what the state eventually chooses, as who gets to use the managed lanes. It might either just be for buses, carpools, and van pools, not single-occupancy vehicles.

COUNCILMEMBER ELRICH: But you don't get the improvements, then, if you just do this for buses, carpools, and van pools. This is for people who will pay money to use the road.

RUSS ANDERSON: Well, well, remember the idea of HOT lanes is this -- is that you provide the facility so that it's generating a speed -- which is that speed limit, 55 miles an hour, in this case -- so that buses, car pools, and van pools, and unfortunately motorcycles -- no disrespect -- can -- can use that lane at speed and get these travel-time savings. Then the question is, do you allow single-occupant users to use it if they pay a toll, but only to the extent that it doesn't derogate the speed that's provided to the buses, car pools, and van pools, as well. And if you can do that and not affect the travel time advantages to those taking transit, then you have created another revenue source to help build the road. Now -- and you can make the argument that it should just be HOV, and that's -- that's legitimate. But it's not something which is going to necessarily lead to sprawl. I'll write a paper, too, if you'd like, on this. I'd be glad to. The point is that it's -- the enemy here is to try to reduce the increase in single-occupant driving as much as possible.

COUNCILMEMBER ELRICH: I mean, I'm --

GLENN ORLIN: And one last thing about this. The travel time by bus -- if you're going -- or by transit -- if you're going from Clarksburg to Shady Grove, which a lot of the folks in the corridor from Clarksburg are doing. They're not going to places along the CCT. They're going to Shady Grove. It's not going to be 36-38 minutes, because they're going to be taking an express bus that will get them there in 12 or 13. They will not --

COUNCILMEMBER ELRICH: If they're not on the CCT then.

RUSS ANDERSON: Not on the CCT.

COUNCILMEMBER FLOREEN: They have the ETL.

GLENN ORLIN: They would be taking an express bus on the managed lanes to Shady Grove, 12 or 13 minutes. That would be the sane way to go. And you have two travel markets in the upcounty in the future. You'll have folks who want to just get to Shady Grove so they can transfer to Metro and go to White Flint, Twinbrook, Rockville,

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Bethesda, and the biggest -- what will continue to be the biggest employment center in the region, Downtown D.C., and there will be the market of folks going to locations, employment locations, along the CCT itself, and they will take the CCT. And you will also have some people who live West Gaithersburg going to Shady Grove who will take CCT.

COUNCILMEMBER ELRICH: Is anything laid out where you can see? Because I can't tell from this what happens if, for example, I don't build the CCT, how much congestion is there on I-270. I mean, you should be able to either derive, you know -- every passenger that winds up on the CCT should be a reduction in vehicles on I-270, and if it's not or it's not some rough, you know, correlation, like, 1.3 people you know, per car or whatever it is, how do you make this analysis? I mean, I'm -- it's hard for me to imagine if the CCT is going to -- I mean, if the HOT lanes are going to be for buses and other multi-occupant vehicles how you're going to have anything but a parking lot on the other public lanes. I mean, you're going to have a total parking lot. If you do that restriction, then everybody else who doesn't pay the bill -- and in your case, if you don't allow them to pay the bill -- you will turn the other lanes of this road into a total parking lot.

RUSS ANDERSON: With just an HOV system, that is true. You don't get the utilization of those -- today, you don't get the full utilization of the HOV lanes. They, in many instances, become a de facto single-occupant-vehicle lane. You do have a lot of scofflaws out there. So -- saw it the other day, when you had the -- when we had the closure up at Maryland 80. UPS trucks, -- yeah, everybody. They were ducking -- essentially, the HOV lane, while it wasn't backed up that far, it was a queue jump to get to 121, whereas, with the managed lane system, whether it's hot or ETL, we do have the tool of the congestion pricing, where we can maximize the use of those lanes and improve conditions on the general purpose lanes, as well.

COUNCILMEMBER ELRICH: Don't two things run in opposite directions? Because as I maximize the utility of the -- or the speed on the HOT lane, I am immiserating people on the non-HOT lane.

RUSS ANDERSON: Well, if you have -- let's say you're using an HOV only system, and you have -- you have wide gaps between vehicles. You're not maximizing the use of that section of roadway. But with the congestion pricing of the express toll or HOT system, you can gear it to maximize to get a higher capacity, albeit traveling at the freeway speeds. So you get maximum utilization, maximum density, while still maintaining the highway speed.

COUNCILMEMBER ELRICH: I mean, I think --

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RUSS ANDERSON: Which pulls the most -- the maximum number of vehicles off the general-purpose lanes.

COUNCILMEMBER ELRICH: I will say, I've experienced HOT lanes elsewhere, and I would not -- for the general public that's not in the HOT lane, they don't play out very well. They play out pretty well for people who can pay the freight and do the HOT lane, not so hot for people who are in the general flow of traffic.

RUSS ANDERSON: Well, there is a system that just came on line in Florida where we do have some really good, hot-off-the-press information where it was a four general-purpose lanes and one HOV lane traveling in the same stream -- 19-mile-an-hour average speed on the entire system. Again, they were having the same problem with the HOVs. People were just ducking over and using it as a fifth lane. They implemented an ETL system where they have two ETL lanes and still have those four general-purpose lanes. They're getting those 55-, 60-mile-an-hour speeds on the ETLs, and general-purpose speeds have gone up to 42. So you do see a marked increase in the general-purpose lanes just by pulling that amount of traffic.

COUNCILMEMBER ELRICH: What did they tell you for a 2030 build, though? I mean, that may happen today. I mean, if I add a new lane on there today, you're going to get something, but we are supposed to be planning something that's sustainable in the future, and what does it look like in 2030 in Florida where they've done this? I mean --

RUSS ANDERSON: I would have to look at that. I know what we're forecasting here in 2030. We do get the maximum benefit. I mean, we are down to where today, you experience over -- if we were to look at the no build, we would be looking at 43 miles in a 64-mile combined segment, we would be looking at 13 miles of general-purpose lane level of service F conditions, which is where we get to the borderline of failing. So there is a marked improvement in, you know -- I can speak for ours. Unfortunately, I can't speak for that Florida system, but they did increase their volumes by 5% because they -- and volumes did go down on the local streets that people were using, the parallel roadways into those communities as a through route. So you did get the benefit of getting people off the lower level roadway onto the higher level roadway. So those communities did see that benefit of slightly decreased traffic.

COUNCILMEMBER ELRICH: It will be interesting to me to see the comparative data, how the interplay between the CCT and this work together. My other question is, did you all analyze transit into Frederick down into Montgomery County in any way, shape, or form?

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RUSS ANDERSON: Just the -- just the express bus.

DIANE RATCLIFF: The bus, right, but not the CCT extended.

COUNCILMEMBER ELRICH: But no heavy extension of real transit into Frederick County to enable them to connect into Montgomery County?

UNKNOWN SPEAKER: They have it in their Master Plan to extend it, but we didn't model it.

GLENN ORLIN: About 10 years ago, when the study was at the stage of alternatives retained for detailed study, the Council actually passed a resolution, or maybe sent a letter. They were unanimously in agreement with at least extending the Transitway up to the town center of Clarksburg, but the state said no.

COUNCILMEMBER ELRICH: Don't you think that if you -- if you do this coming down from Frederick and don't do a transit alternative that you effectively are precluding any transit alternative coming out of Frederick? If you could, in fact, fly on a road at -- you know, make this trip in 13 minutes, how are you ever going to build a competitive transit system that goes from Frederick into Montgomery County, and therefore, aren't you then, again, guaranteeing that all the trips out of the north into Montgomery County come by car?

ERNIE BAISDEN: There is alignment that through a previous study has been determined, and there's -- and they're starting to preserve that alignment. So there is an alignment that's already been established.

COUNCILMEMBER ELRICH: But will it be competitive? I mean, that's my concern, is will it be competitive. I mean, if you achieve the times you say you can achieve here, have you, in fact, guaranteed that no transit will be competitive, therefore we're going to be left with an unending sea of automobiles having to make this trip? You're kind of disincentivizing any transit construction, it seems to me.

GLENN ORLIN: When we were up in Frederick County last week and just listening to the commissioners speak -- they haven't made a decision yet, of course. They're going to have another worksession and make a
decision in late August, as has been mentioned. But I remember Miss Gardner was saying, Commissioner Gardner was saying that they thought that their medium- to long-term transit improvement would be what they call premium bus, which would be to carve out a lot of bus service on 270 in an HOV situation or some type of priority situation that

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would get them down to Shady Grove. And they see the CCT as a way of maybe linking up from this premium bus to get to some locations along the CCT, like Gaithersburg West and Germantown. But in terms of -- they don't see, on the near horizon or the midterm horizon, extending the CCT up to Frederick. They think the more realistic thing is the premium bus. But it's still bus.

COUNCILMEMBER FLOREEN: Let me -- let me just confirm --

COUNCILMEMBER ELRICH: But there's a difference between premium bus -- I mean, basically you're trying to empty out a spot and requiring people to go to a spot and then make the rest of the trip, as opposed to real transit service, which kind of brings transit a little bit closer to where people live and makes it more likely that more people are going to use it. I mean, running it down HOT lanes on I-270 is nice, but it really limits the places that people are going to get access to it, unless you all are planning on putting in parking lots with access along I-270 and stops along I-270 for bus transit.

GLENN ORLIN: Well, you -- see, you don't really need to do that because with BRT or any kind of HOV lane, if you have the direct access ramps, the buses serve as a collector in the neighborhoods, getting into the neighborhoods where people live. They stay on that bus, they get to 270, they get to the place where they can get on, and they do not have to make a transfer. It's a much better trip.

COUNCIL PRESIDENT ANDREWS: Councilmember Elrich, Dr. Orlin, you're both going to be here after lunch, so let's continue that.

COUNCILMEMBER ELRICH: Well, I mean, it seemed like we were opening this up for questions, and I was trying to ask questions.

COUNCIL PRESIDENT ANDREWS: We are, but we also have to -- we are, and I'm glad you are, but we also have -- we do -- we are able, and we are coming back after lunch, and you'll both be here. Council Vice President Berliner has a quick question for Chairman Hanson, who won't be here, so I want to let him ask that, and then we're going to go upstairs to meet with our WSSC commissioners.

COUNCIL VICE PRESIDENT BERLINER: Thank you, Council President. Dr. Hanson, I wanted to refer back to the letter than you sent to the Council because there's -- and let me quote that letter, and it's on page 2 of your letter, the... It reads, "The board, the Maryland Department of Transportation, and our staff all agree, however, that additional information is needed in order to make the case for this highway alternative." Could you

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elaborate on the additional information that you believe, quote, "is needed in order to make the case for this highway alternative"?

ROYCE HANSON: I think that what we're referring to there is a look particularly at the operational situation that would occur with the -- with the toll lanes, because one of the issues that we discussed a little bit was the relationship between the toll lanes and the connection that would occur then south of 370, and as you go on toward Virginia. There's a segment of the program that was not included in this study, but is in, I understand, a feasibility study that is going on now that makes that flow smoothly from the north into the middle section and then to the lanes that Virginia is constructing across the river. So that -- you know, just in terms of -- as they get into the final EIS on this, in figuring out how to make all of those connections, ramps, and interchanges work well so that the traffic can -- can move smoothly. But again, going back to the information that we have before us at this point suggested to us, and the board was -- in spite of the misgivings that some of us might have had, aesthetically or otherwise, about some of these issues, that the alternative that we're recommending to you is the best of -- of the alternatives that we have.

COUNCIL VICE PRESIDENT BERLINER: Thank you, sir.

COUNCIL PRESIDENT ANDREWS: Are there any other questions for Chairman Hanson? Dr. Hanson is the only person at the table who will not be back after lunch. I don't see any other questions for Dr. Hanson, so everyone else comes back. We're going to break now for a meeting with WSSC. We'll have a public hearing at 1:30 and be back here about 1:45 to begin the second worksession, half of the worksession, on this. Thank you all.

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COUNCIL PRESIDENT ANDREWS:
Good afternoon, and welcome back to a session of the County Council. We have two public hearings. Then we'll be coming back to a worksession on I-270 Corridor Cities Transitway project planning study, which will go for an hour or so. The PHED Committee and Health and Human Services Committee have a joint meeting starting about 3:00, and we hope to keep them on that schedule, as well. The first public hearing is a public hearing on Zoning Text Amendment 09-04, Rural Neighborhood Cluster Zones--Equestrian Facilities that would allow equestrian facilities in the RNC and RND/TDR zones under certain circumstances and make editorial changes to the land use provisions of agricultural zones. Persons wishing to submit additional material for the Council's consideration should do so before the close of business Thursday, July 23, 2009. A Planning, Housing, and Economic Development worksession is tentatively scheduled for Monday, July 27, 2009, at 3 P.M. If you are speaking, and we have one speaker--Mr. Greg Russ, representing Montgomery County Planning Board--please state your name clearly for the record, and I will now turn to Mr. Russ, who will speak on behalf of the Planning Board on this issue.

GREG RUSS:
Thank you, Council President Andrews. For the record, Greg Russ from the Montgomery County Planning Board. The Planning Board did hear this ZTA last Thursday, the 16th. The Planning Board unanimously recommends approval of the text amendment as modified in our staff report to clarify the intent of this. It was included in our technical staff report. The text amendment does propose to allow a resident of a lot or parcel that is at least two acres in size and located in the RNC zone or RNC/TDR zone to raise, ride, and board horses for personal use only, up to a maximum of 5 horses. More than 5 horses would require a special exception. The minimum gross acreage calculation per horse would be the same as for all other agricultural zones. The Planning Board supports the amendment since the request would require a two-acre minimum versus the zone's otherwise cluster standard-method minimum of 25,000 square feet and the optional-method minimum of 4,000 square feet, and it would establish a ratio of one horse per acre. Again, these standards are consistent with the requirements for permitting horses by right in all other agricultural zones. The proposed requirements also limit the number of horses to 5 unless a special exception is granted, thereby minimizing the impact of the use on surrounding areas. The Board recommends one clarification to the language to ensure that the proposed use is not located in the open-space portion of any cluster development or any rural open-space area of a cluster development. This restriction currently is required in the special-exception provisions for permitting an equestrian facility in these zones, as well, and, therefore, should be required for any by-right equestrian

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facility located in these zones. Be happy to answer any questions you may have. Thank you.

COUNCIL PRESIDENT ANDREWS:
Thank you, Mr. Russ. I don't see any questions at this point, so the public hearing is closed on this, but people wishing to submit additional material should do so by the close of business Thursday, July 23, and the Planning, Housing, and Economic Development Committee worksession scheduled for next Monday at 3:00 on this Zoning Text Amendment 09-04. Our second and last public hearing for this afternoon is a public hearing on a special appropriation to the Montgomery County Public Schools FY10 capital budget and amendment to the FY09 through 14 capital improvements program in the amount of $602,651 for planned life cycle asset replacement. Persons wishing to submit additional material for the Council's consideration should do so before the close of business Thursday, July 23, 2009, and action is tentatively scheduled for Tuesday, July 28, 2009. There are no speakers for this hearing, so the public hearing is closed, and now we're going to return to a worksession on the I-270 Corridor Cities Transitway project planning study. We have about an hour this afternoon for this part, maybe a little bit more if necessary, and we thank our representatives from the state and Park and Planning and other agencies for being here for this worksession. So, we have other colleagues who'll be joining us in just a minute or two, I know, and when we left, Councilmember Leventhal had a question he wanted to ask, so I will turn first to him to see what he would like to ask about.

COUNCILMEMBER LEVENTHAL:
If we're restricting this portion of our meeting to questions, I don't actually have a question. There had been statements and sort of views expressed by other colleagues, some of whom are still detained in other meetings or catching up on phone calls, so--

COUNCIL PRESIDENT ANDREWS:
However you wish. You can make a statement if you like, or you can wait if you prefer. Your choice.

COUNCILMEMBER LEVENTHAL:
Well, I'll just go ahead, and-- I mean, I-- Statements were made by Councilmember Elrich. Should we wait till he's here?

COUNCIL PRESIDENT ANDREWS:
Do you want to wait? I expect he'll be back shortly. Yes. We can wait. If you'll wait just a few minutes, then he can have a chance to hear it.

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COUNCILMEMBER LEVENTHAL:
I've got nowhere else to go this afternoon, Mr. President. I'm right here.

COUNCIL PRESIDENT ANDREWS:
OK. All right. Very good. Thank you. Council Vice President Berliner.

COUNCIL VICE PRESIDENT BERLINER:
If the panel could talk about the benefits, or lack thereof, with respect to the separation, the barrier separation, which, I understand, the view is--and if I'm wrong, I know Dr. Orlin, among others, will correct me--but my understanding is that one of the principal benefits with respect to a barrier-separated lanes, such as proposed by the committee in 7, modified 7--and perhaps at some point, Dr. Orlin, you could speak to the, quote, "modified 7" because it wasn't really 7A or B that the committee recommended; it was the modified 7--but that the principal benefit with respect to the barrier-separated lanes, which would be HOT lanes, is your belief that that would maximize our transit potential because if the lanes aren't separated, it becomes much more problematic, so, again, as one who approached this from the perspective of trying to ensure that, whatever option we picked, it maximized our transit potential, you, I believe, were of the view that that option and the key for that option was its separation. Could you share with my colleagues again your thoughts with respect to why that is so if I'm correct in my understanding?

GLENN ORLIN:
Let me--

COUNCIL PRESIDENT ANDREWS:
Before you answer, let's have everybody introduce themselves for people watching or listening in.

GARY ERENRICH:
Gary Erenrich, Department of Transportation.

RUSS ANDERSON:
Russ Anderson, the Maryland State Highway Administration Project Manager for the I-270 multimodal study.

ERNIE BAISDEN:
Ernie Baisden, Maryland Transit Administration Manager, Project Development.

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COUNCIL PRESIDENT ANDREWS:
Yeah. There can only be 4 mikes on at one time at that table, I believe.

ERNIE BAISDEN:
Oh, I was cut off.

COUNCIL PRESIDENT ANDREWS:
That's what happened. Go ahead.

ERNIE BAISDEN:
Ernie Baisden, Project Development Manager of MTA.

COUNCIL PRESIDENT ANDREWS:
OK.

GLENN ORLIN:
Glenn Orlin, Deputy Director of Council Staff.

DAN HARDY:
So, this is synchronized speaking. Dan Hardy, Transportation Planning Chief with the Planning Board staff.

TOM AUTREY:
I'm Tom Autrey with the Planning Department, Transportation Planning.

COUNCIL PRESIDENT ANDREWS:
OK. Thank you all.

GLENN ORLIN:
There's two things here. One is the question about what the managed lanes should be--should they be HOV-only or HOT lanes or toll lanes?--and then, whichever of those you decide, the question of whether the barriers separate or not-- The barriers separation, what that does is, it provides a much better exclusion for those who you decide should be using the managed lanes. So, for example, if it were HOT lanes, if the lanes were barrier-separated, that means the enforcement of those lanes so that the only people using them would be buses, carpools, vanpools, and people paying the toll would be much easier to enforce than if the lane were physically adjacent just by a stripe of paint from the next lane over where those enforcement rules don't apply. Also, as result of that, it's not only getting rid of the possibility of having a lot of scofflaws, but the scofflaws also derogate or--that's

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probably the wrong word--make worse the benefits of that managed lane, OK, because you're filling it up with people who don't belong there. The disadvantage of the barrier-separated lanes is that you're restricting the access points to fewer. In the case of the project the state has put forward, was it was 4 or 5 locations where-- UNKNOWN SPEAKER:
[Indistinct] Oh, in each direction, I guess.

RUSS ANDERSON:
Yeah. If you include the direct-access locations, we're really looking at 7 or 8.

GLENN ORLIN:
7 or 8, as opposed to anywhere along the line, so that's some of the advantages and disadvantages, barrier-separated versus nonbarrier-separated, and we felt that-- I felt and the Planning Board staff felt and the Planning Board felt that having the barrier separation and the better enforcement was much more important than having the other lane just adjacent...

DAN HARDY:
I'd add two other advantages, if I could.

COUNCIL VICE PRESIDENT BERLINER:
We understand, and one of the reasons I asked was because I do think it's important for us, for the full Council, to understand the diversity of you and the County Executive's people. Obviously, DOT doesn't agree with that analysis, but, Mr. Hardy, if you would.

DAN HARDY:
I think two other advantages. One is that by providing the number of direct-access points, you're reducing the friction that it takes for somebody to weave from the entry ramp across all of the lanes to use that managed lane, whether it be an HOV lane or a toll lane, and then move back again, so one of the concerns we do have--and this is part of the request for additional information--was just what is the number of folks who are only gonna go one or two interchanges, as opposed to the longer-distance trips? Frankly, most folks going one or two interchanges are gonna have difficulty weaving across to take advantage of a lane that's on the inside as an HOV lane and then getting back off again. So, there's not much utility for these shortest of trips on I-270, whereas if you have the direct access, basically, you do have, you know-- Direct access means you're getting right into those lanes that are controlled. The other alternative is similar and has to do with the friction, which is both an access and a safety issue, that one of the concerns with the managed lanes today is that when they are working well, there's a high speed differential between

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the traffic that is moving very slowly in the general-purpose lanes and those that should be moving much quicker in the HOV lanes, and so when, for instance, somebody does say, "I want to get off at the next exit," and they begin to look for a gap to make that weave back over again, there's a potential that they are impeding the folks behind them that want to keep on going past that spot, so there is a safety aspect to it as well as kind of a utility aspect. That's one reason why we conclude that the barrier-separated lanes are best for the transit vehicles. Those are gonna be the longer-distance trips. They're gonna get into those managed lanes and get on and off at controlled points of access and not have to worry about folks that are, you know, slowing down or speeding up or pulling out in front of them. Finally, it's our understanding that the State Highway Administration at this point is not interested in considering a toll aspect if the lanes are directly adjacent, separated by just a paint stripe from the general-purpose lane due in part the safety aspect of it and the issue of enforcement that Glenn already mentioned, that it's easier for someone to slip in and out of the lanes to avoid a toll if you don't have any kind of barrier separation.

COUNCIL VICE PRESIDENT BERLINER:
I appreciate that, and I would ask the state before I hear from DOT and make one observation, but if I could hear from the state, is that a fair characterization of the state's evolving view with respect to this matter?

RUSS ANDERSON:
Yeah, what he said. No. Essentially, you touched on many of the items. The other system-- I guess the other comment just is, once you have that system, your managed lane parallel to your general-purpose lanes, the maximum speed differen-- Really, the speed of the general-purpose lanes kind of controls the speed of the HOV lane, so you don't get that guaranteed transit trip time which is so important, you know, to get riders onto these long-distance bus systems and, ultimately, to the CCT, so I would just add that point to what Mr. Hardy said.

COUNCIL VICE PRESIDENT BERLINER:
Well, given that this is a state-federal project, your view is, I understand, that the state is not inclined to support adding HOV lanes or HOT lanes or express toll lanes immediately adjacent without the total separation as sort of a first order.

RUSS ANDERSON:
For the high-speed collection, that collecting tolls at highway speed, you really need that barrier separation. Otherwise, you know, what's to stop a driver from cutting over just to avoid the toll and then cut back into the system?

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COUNCIL VICE PRESIDENT BERLINER:
Dr. Orlin's packet-- I'm sure my colleagues appreciate this. Dr. Orlin's packet alluded to in staff's view--and I don't know the extent to which there is empirical data to support your view, Dr. Orlin--that, in your view, this option with the barrier-separated, by permitting express buses to operate at such a high level of efficiency, would actually create more mass transit opportunities than CCT standing alone, that we have greater potential here, if you're interested in mass transit, than the CCT, which isn't to say we're not in favor of the CCT, but the order of magnitude-- We think of the CCT as being the mass-transit project, but your argument, as I understood, in effect, was, "Well, if you do these lanes in this manner, you're achieving an equal potential." Would you care to speak to that, Dr. Orlin?

GLENN ORLIN:
I'd even go so far as to say it's probably even more than the CCT. Let's say again that we should have the CCT and this. I'm not saying we shouldn't have the CCT, but the point is that you're talking about travel that's facilitated by carpooling and vanpooling and buses to Shady Grove, which is still where more people want to get in the upcounty than anywhere else because they're transferring there to go to all the work locations along the Red Line into downtown. It also is a way of getting to Rock Spring Park. It also is a way of getting to other employment areas along 270 in Rockville. It's also a way of getting to Tysons Corner and all the places in Northern Virginia with the HOT lanes being built in Virginia. We're still a ways off, but the idea is, you can provide a transit/ride-sharing highway traveling at speed limits all points during the day congestion-free, and the idea of adding people paying tolls on these lanes is strictly a way of being able to give up whatever excess capacity is not being used by the buses, carpools, and vanpools to be able to generate enough revenue, or to generate some revenue, to pay for part of the cost of this road improvement. The state doesn't have figures yet, unfortunately. I had some of the same questions that I think councilmembers have in terms of, like, what portion of the cost of this project will be covered by tolls. They don't know, but it's certainly a portion of it, and--

COUNCIL VICE PRESIDENT BERLINER:
It was critical in terms of the committee's deliberations with respect to our choice between HOV and HOT lanes and express toll lanes that we were eager for the state to explore the HOT lane concept precisely in part because of what Virginia is doing and to ensure that we have an integrated network, and it was something that the state said that it would consider. With that, I turn to the DOT representative to give you fair--

GARY ERENRICH:
I think that the representations on barrier-separated, nonbarrier-separated was a good discussion, and, yes, if you're going to have toll lanes, barrier-separated is certainly a

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preferred way to go, but the question that you asked is the impact on transit, and I can tell you from real-life experience, which none of the others can at the table, that the HOV lane right now is saving 12 minutes on our express buses going northbound on I-270 from Shady Grove to Germantown, and we don't have that benefit going southbound. Our priority is to speed up the buses. HOV lanes do it. Even though they have to weave, those buses seem to get over there, and they weave, and they make that trip. Yes, it would be preferred, probably, if they had direct ramps, but the key is that, first, we know the HOV lanes work for buses. We're saving 12 minutes, which is a lot of money for Montgomery County in terms of operating cost. A lot of ridership, we're getting. That's a fact. Second--I think is very important--is the HOV--according to the state study, which was a supplemental study, not in the document--shows people-moving capacity is maximized on 270, people throughput, with the HOV scenario. So here we're talking about all of these other issues, but the reality is that alternative 3, which mirrors the northbound lanes with the southbound, gives you the maximum people-carrying capacity, gives us the benefit that transit needs today sooner because it costs a lot less money to build the HOV system than it does the lanes in the middle. We've asked for the amount of money, but We don't know what the difference is. Perception is that it's less. If it takes less than half of the dislocations, from 251 down to 125, there is a difference. There is a gap. All of the information we have indicates HOV lane is the way to go. The policy, which is the policy issue which you started to get into, we're not against pricing. The ICC is being priced, and that's the way that's being advanced. New lanes should be priced, but when you take existing lanes and you convert one of them to a toll road, we don't think that that's necessarily to the advantage of the people that are currently riding in those lanes. So, it's a fairness-- it's an equity issue. It's people-moving capacity, and we know that we can get the HOV lanes in quicker and get the benefit today. The long-distance commuter from Frederick on a bus is still gonna have an HOV lane, is still gonna have that benefit. Whether they pay a toll or not, that's another policy issue that can be addressed after the layout has been identified.

RUSS ANDERSON:
If I may just provide a--

COUNCIL VICE PRESIDENT BERLINER:
A brief rebuttal.

RUSS ANDERSON:
Yes, brief rebuttal. Some of the comments that we are getting--we've been doing meetings with neighborhood advisory councils up in Frederick--that people do take the 991. Part of the problem is that segment. They don't have a guaranteed travel time, so once you get

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outside of Montgomery County or north of Maryland 121, really about two miles back from where we cut down to two lanes, that's where you get the breakdown in the system. We would have maximum person throughput with the HOV alternative south of Maryland 27. Once we get north of Father Hurley Boulevard, then with the ETL alternatives, that's when we get the increased throughput, so there is a dividing line there where that shifts over. The other item that I do want to address as far as the-- The current HOV lane would be converted into an ETL or HOT lane if that is the way that we ultimately go. As far as existing general-purpose lanes that aren't managed, there are no instances where we take away existing free capacity and toll it. We can't do that federally. There's a mandate there that we can't take away capacity.

GARY ERENRICH:
Page 7 of Glenn's report shows that actually happening, which we had talked about before, T&E Committee, which there was some dispute. When you look at the table-- maybe Glenn could talk about it.

COUNCIL PRESIDENT ANDREWS:
Where's the table?

GARY ERENRICH:
On page 7 of Glenn's packet.

COUNCIL PRESIDENT ANDREWS:
Mm-hmm. OK, on the main packet?

GARY ERENRICH:
Yes.

COUNCIL PRESIDENT ANDREWS:
Agenda item number 6. OK.

GARY ERENRICH:
It talks about right now, we have 4 general-purpose lanes in Alternative 3 south of 121, and under Alternative 7, you'll have 3.

RUSS ANDERSON:
Oh, OK. Well, I'm talking about existing conditions, whereas with Alternative 3 comparing to Alternative 7, that's two build conditions, and I apologize. I was comparing to an existing condition where, you know, when you talk about taking away free capacity, it would seem

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that the context would be from existing conditions. Over some segments, Alternative 3 does have more lanes than Alternatives 6 and 7. Alternatives 3, 4, and 5 do have unavoidable impacts to the Brighton West community, so when you look at the impacts with potential minimization, 3, 4, and 5 are greater than 6 and 7 in that instance, so we do have unavoidable impacts by extending that southbound CD lane. So, you know, there are some instances where we're crippled down the line by, you know, looking at one alternative versus the other.

COUNCIL PRESIDENT ANDREWS:
OK. All right. I think this is a very important back and forth here in terms of-- Essentially, we're asking why the Executive's plan is better than what the Park and Planning is recommending or the state, so Alternate 3 versus Alternate 7, and I think this is something that's a very important thing for the Council to focus on and consider carefully. So, I want to give Mr. Erenreich-- Erenrich. I'm sorry. Well, tell me in a nutshell why we should do what the Executive is recommending.

GARY ERENRICH:
OK. I think we all agree that improvements are needed to I-270, so I think there's a general agreement. The feeling is that, as I said before, more people-carrying capacity in Alternative 3 in terms of people movement. I think another benefit is, it costs less. It's not $4.5 billion. I don't know what the new cost is.

COUNCIL PRESIDENT ANDREWS:
When will we know what the difference is?

RUSS ANDERSON:
We have a team looking at it right now. We probably could have something for you by the end of this week. We really want to make sure that we have all of the work items. There is a difference as far as what work items are included with Alternative 3, as opposed to 6 and 7. For instance, Alternative 3 only has direct access ramps proposed at 118 and at the New Cut Road interchange or Little Seneca Parkway. Everything down south, even at 370, that interchange isn't included, so that's a very large cost item when you have an interstate-to-interstate connection, so we want to make sure that if we compared apples to apples, what the comparison would be.

COUNCIL PRESIDENT ANDREWS:
OK.

GARY ERENRICH:

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But I think in general, there is the feeling, unless I've heard differently, that Alternative 3 would be lower cost. It doesn't have as many direct ramps. It does have those other issues, and we're waiting for those numbers, so, perhaps, when you revisit this, we'll have numbers and can talk about the reason why one might be millions or hundreds of millions of dollars.

COUNCIL PRESIDENT ANDREWS:
That's an important number to have.

RUSS ANDERSON:
I agree with that. What we're looking at right now would be less than--

GARY ERENRICH:
And the other issue I think is very important is--and this came up before in committee--what happens in Virginia and how we tie into what happens in Maryland. Virginia is not talking about express toll lanes with the median-separated lanes. You know, they're talking about-- I believe they're talking about a HOT lane which is similar in location--it's in the median--but it would fit the profile that we're talking about--coming down with an HOV lane, coming in south of 370, tying to the existing HOV lanes, and going over to the western leg of 495 to hit the Beltway. So, the HOV system may be more compatible and, in fact, more compatible with the Virginia scheme.

COUNCIL VICE PRESIDENT BERLINER:
More compatible in the committee's recommendation for HOT to match up with HOT?

GARY ERENRICH:
The lanes match up better. It's my perception that that's the case. I have not see the western study.

COUNCIL VICE PRESIDENT BERLINER:
OK, because certainly, the recommendation of staff and Planning Board and, I thought, the state was--and I apologize for jumping in--but the whole purpose of the committee, as I understood it--and, Madam Chair, you correct me if I'm wrong--is that we thought the HOT designation was, in fact, more compatible with Virginia and would create a more seamless opportunity for us to move people expeditiously.

RUSS ANDERSON:
From the feasibility study for the west side mobility did look at the possibility of extending either one or two lanes--managed lanes, whether they be ETL or HOV--into the Virginia

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system, and right now, that's about as far as we have gotten. I can get a copy of that feasibility study for the Council and provide some more insight into that, as well.

GARY ERENRICH:
But as we terminate the express toll lanes in the documents that have been studied, they have to merge into the existing HOV lanes that we currently have south of 370. So, by choosing a different profile north of 370, it's just gonna create a transition issue until we know what happens going into Virginia.

RUSS ANDERSON:
All right. Well, we're looking at right now, if you're heading southbound, you would have the two express toll lanes with Alternative 6 or 7, one branching off toward Shady Grove and the Intercounty Connector, and the second one would continue southbound. It would essentially become the HOV lane, and then there would be a one-mile portion of nonenforcement for the single-occupant vehicles to get out of the system and then merge in with the existing traffic. Northbound, it would be the HOV, similar system. The HOV lane would transition into that first ETL lane, and we would pick up the second one coming from 370, so you could have a queue making that last transition or people trying to cut over. It could introduce some friction in the system for those single-occupant vehicles trying to get into the general-purpose lanes. That is something that we look at a little more closely on the next stage of the study, but from an operations standpoint-- whether it's HOT, HOV, ETL-- there are ways to make all of them work, and I do want to note that the only two options that we did take a look at were HOV and ETL as far as per-person throughput. If you take the hybrid, the HOT, you'll undoubtedly get greater volumes of people than if you were to just use the straight ETL system. So, really, when you compare HOT to HOV, the HOT could conceivably be above HOV. That is another thing we'll be looking at at the next stage of the study.

GARY ERENRICH:
One nuance is, the County Executive's position has been that he would consider HOT. In the same-- You know, obviously, it would have to be nonbarrier. It would be a nonbarrier system, and that's one of the issues that just came up today with Mr. Hardy saying the state wouldn't advance a nonbarrier HOT system.

DAN HARDY:
The state said. I believe the state said.

GARY ERENRICH:

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OK. Yeah. That, so technically, it's probably feasible, but I think more research has to be done on how to do it. It's being done elsewhere without barrier separation.

COUNCIL PRESIDENT ANDREWS:
OK. All right. Is there anything else that you wanted to bring to our attention about why you think the Executive's recommendation is the way to go?

GARY ERENRICH:
There's one other thing that we did--talked about earlier, but not in full Council--is who uses I-270 and how far Montgomery County residents and travelers use, and the expectation and the understanding is, they only go a few exits, and as a result, in one of the graphics that Park and Planning, Tom Autrey had showed a lot of the internal use in Germantown and Gaithersburg all within kind of a couple exits of I-270 so that Montgomery County residents would have limited access to these exclusive ramps for two reasons--one, they're not going far enough to be able to take advantage of these new lanes, and, second, the spacing of these toll ramps is about every 2 to 2 1/2 miles, assuming they all get built as in the plan, and that does not give a frequent-enough opportunity for people to get in and out and use them for shorter trips. So, overall, we feel that the benefit is talking about some of the questions that were raised earlier. Are we just encouraging people to go further in shorter periods of time with that as a smaller percent of the movements on I-270? So, Montgomery County residents would be more congested in the nontoll lanes than they are today, or they would be under the Alternative 3, and we feel that that cost is very high for the benefit, which is for few people that are going long distances.

COUNCIL PRESIDENT ANDREWS:
If I hear you right, you're saying the congestion under Alternative 3 and the nontoll lanes or nonmanaged lanes would be less under Alternative 3 than Alternative 7 for--

GARY ERENRICH:
For the conventional nontoll lanes, yes.

COUNCIL PRESIDENT ANDREWS:
OK. All right. Does the state agree with that?

RUSS ANDERSON:
No. The state does not agree with that. The whole point of the-- One major purpose of having the managed lanes with Alternatives 6 and 7 is to maximize the capacity on those lanes and use congestion pricing. Today you do not get full utilization of the HOV lane

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throughout the system, so we are able to pull more vehicles into this lane, and you do get several of the long-distance trips and those people that are going several interchanges, if it's conducive to them, out of the general-purpose traffic, and you actually end up providing greater gaps in the general-purpose stream, as opposed to today people who are going one or two interchanges, you know, fight the weaving traffic in the local lanes heading northbound, and, you know, you have people coming from the left, people coming from the right, whereas in the future general-purpose condition, you would only have, you know, that one group of people coming in from the right-hand side, and so your conflict points are fewer on those general-purpose lanes, but we're looking to get maximum utilization of those lanes, so I would disagree because even today we're not getting 100% utilization of HOV.

COUNCIL PRESIDENT ANDREWS:
OK. I have one more question I'm gonna ask now. I have a number of others that I'll either put in writing or wait till the end, and the other question I want to ask now before I turn to Councilmember Leventhal is, what kind of analysis has been done of the impact of the different alternatives on traffic south of Shady Grove Road, where the study period stopped? How do these changes affect the traffic that's on 270 south of Shady Grove Road now? Does it add to the load? Is your assumption it doesn't add to the load? What do you think the impact is?

RUSS ANDERSON:
I'll start on the northbound side. If you look at the no-build condition--this was even back in the 2002 study--we were looking at for the design year traffic, we would have level of service "F," you know, barely. We had a V/C ratio, volume-to-capacity ratios, of 1.09. Even with every build condition to the north, that one segment where, that first segment where there was no work being done, we did get up to a 1.18, 1.19, so there is that induced demand that when you build something upstream, you tend to have more people trying to get to it. So, with any build alternative, there was a greater impact in that area.

COUNCIL PRESIDENT ANDREWS:
Which particular area?

RUSS ANDERSON:
Shady Grove. It would be around the Shady Grove Road interchange.

COUNCIL PRESIDENT ANDREWS:
Between there and 370, south? OK.

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RUSS ANDERSON:
Yeah. It would really be right from around Shady Grove interchange, and we would even-- Like, half of the impact would be south of that. Shady Grove interchange is roughly our tie-in point where we would start our limit of work so there is induced demand, and then southbound, we would really need to assess. It would be a similar concern with-- It would really depend on how many vehicles are continuing southbound on the system that, you know, eventually want to get down beyond Shady Grove and head down to DC and Virginia. That ETL lane would convert to the existing HOV lanes, so you would have those single-occupant vehicles getting out of the system or with an HOT system, also, same sort of thing. You'd have single-occupant vehicles getting out and entering the general-purpose lanes, so you would have some friction induced in the system, and I would say probably, we would have similar level-of-service effects.

COUNCIL PRESIDENT ANDREWS:
Mm-hmm.

RUSS ANDERSON:
Again, the whole reason why we want to get the southern portion going, our federal partners are also very interested in seeing it, as well, so it is important to get that southern 14 miles into a NEPA study so we can really look at segments of independent utility and how everything ties together. We do have a short-term solution. It's not ideal, and it does create some additional congestion in the system.

COUNCIL PRESIDENT ANDREWS:
Mm-hmm. I think you understand the concern I'm raising, which is, by solving one problem, do you make another problem worse?

RUSS ANDERSON:
It's like, do you move it downstream? Exactly. That is one thing that we definitely have to assess in greater detail at the next stage, exactly what happens, and right now, we can say, "From a level-of-service standpoint, this is the impact," but would actually have to do a weave analysis there and see exactly what that causes in the system.

COUNCIL PRESIDENT ANDREWS:
Can we get some analysis of that done in the next few weeks of what that impact would be? You know, this is an important consideration, I think.

RUSS ANDERSON:

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I think more of a qualitative type analysis, and it wouldn't be, like, the actually numbers because we would have to go back. I could check. We could get something that assesses the amount of congestion in there.

COUNCIL PRESIDENT ANDREWS:
OK. I would be interested--and I think others would be, too--in seeing what you have in that because I think that's a critical point. OK. Councilmember Leventhal.

COUNCILMEMBER LEVENTHAL:
Thanks. This is really a rich and useful conversation. I appreciate it. I would just-- I want to follow up on several things that have been said over the course of the day. Number one, Mr. President, it is important to keep in mind that south of Shady Grove Road, backups are created by the bottleneck north of Shady Grove Road so that it may be that if you live in Gaithersburg, in District 3, you might find that there are more people facilitated from points north on your way in to work in the morning as a result of widening 270, but you might find that better access on your way home at night would make your evening commute easier, so, you know, you ought to assess both. The backups start at the 270 spur sometimes. I mean, you know, there's just a running backup all the way from the Beltway to Clarksburg. The other point is, now I want to step back, and I'm not looking for debate. I know we're all seeking enlightenment, and we're just trying to draw out the issues here, but a number of statements were made by Councilmember Elrich prior to our lunch, and I am trying to understand what is the consistent thread of our argument, and I am gonna go ahead and take on the argument that's been promoted by my friends at the Coalition for Smarter Growth and the Sierra Club and the Greater Greater Washington blog because what I understand them to be saying is, "There is no transit alternative. Don't do anything until you have a transit alternative so you don't have to build roads," and what I'm hearing loudly and clearly from the state and from Glenn and from Gary is, widening 270 is the transit alternative. It is the transit alternative, and there isn't another transit alternative, and the reason is precisely because we don't want to foster sprawl, so the density that would be required to build a mass-transit system, either a busway or a trolley, all the way to Frederick would require greater density in Frederick than current planning allows. So, you cannot simultaneously say, "We don't want sprawl," and then say, "I don't want roads. Let's build transit all the way to Frederick other than on I-270," because that requires sprawl. It requires density, you know, in Urbana and Frederick. It requires riders. You can't support a transit line unless you have riders, unless you have development, everything that these very prestigious groups that I respect claim to oppose, so what they really don't want is any more lane miles. They don't want any more asphalt, and you know what? That's a credible point of view. I mean, I respect that. It just isn't my job. My job is to make my constituents' lives easier and their commutes better, so if your

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view is, "Asphalt is bad. Let's stop it," you're entitled to that view, but don't say then that you have a better alternative and that the better alternative is a light-rail system or a subway or a busway to Frederick, because the density doesn't support it. So, the only way to get that is the very sprawl that those same groups say that they want to prevent. That's the first point. The second point is, I have to say, I was taken aback by our colleague, the great champion of express buses, expressing such skepticism about the capacity of express buses to reduce automobile congestion. The tone of the questioning earlier was, "Well, the automobile lanes will be packed with automobiles, and then you'll have this wide-open lane on the other side of the concrete barrier, and only a few people will ride the bus," but I had to make sure. I had to sort of check my memory to make sure that this was our great champion of express buses making this point. Express buses, in theory, take cars off the road. That's the point. That's why you want express buses, because if you can carry 60 or 70 people on a bus, those are 60 or 70 single-passenger automobiles that aren't on the road. So, I know that we're all feeling some political pressure here, and I know that, hey, I'm getting the e-mails, too, and, you know, my neighbors in Takoma Park are gonna get all jacked up about this. You know, the Greater Greater Washington blog is threatening me. They're saying this is the next ICC. Well, you know, I've got the scars from the ICC battle, and maybe some in the community enjoy that battle. I don't enjoy it, and maybe some in the community want to make this the next ICC, but, in fact, it sounds to me--and I'm gonna pause for a question now--that the additional lanes on 270 are indeed the transit alternative and there isn't another transit alternative. There isn't a way to extend the snaky, circuitous--whether it's a trolley or a busway--CCT beyond Clarksburg. The density just won't justify it. Is there anything I've said that's incorrect?

RUSS ANDERSON:
And if you will chime in, also. For the northern portion of the project, really, that is the main link to get to whether it is--

COUNCILMEMBER LEVENTHAL:
That is the transit alternative--express buses from Frederick to Shady Grove, to DC, to Virginia. That is the transit alternative.

RUSS ANDERSON:
Exactly, whether it's to Shady Grove or to the CCT stations. I feel the CCT, that's the reason we're looking at it, because the Corridor Cities, they do have that density that can support the rail line or the bus rapid-transit line. These are-- You know, the densities are there, and a fundable project is there. Once we get to the north, you don't have those densities anymore, so the best transit solution at this time is the guaranteed travel time.

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COUNCILMEMBER LEVENTHAL:
Express buses on I-270. That's the transit alternative.

RUSS ANDERSON:
I'd agree with that assessment.

GLENN ORLIN:
The only thing I'd say, soften that a bit, is that if we're talking about the project that's before you now-- the try to pick a selected, locally preferred alternative-- then you have the CCT to the southern part of Clarksburg, and you have the 270, but in the longer longer term, the CCT does go all the way to Frederick in Master Plans, so there is the goal, eventually, to bring the CCT all the way to Frederick city in Master Plans, so it's a question of what point in time we're looking at, whether it's, you know, 20 years out or much further out than that.

COUNCILMEMBER LEVENTHAL:
Exactly. We're not gonna see a CCT to Frederick in the next 20 years.

GLENN ORLIN:
No.

COUNCILMEMBER LEVENTHAL:
No chance.

GLENN ORLIN:
No, not next 20 years, but eventually, we believe you will, but eventually is way beyond 20 years.

COUNCILMEMBER LEVENTHAL:
See, there again it's dependent upon development. If Urbana becomes a big job center, then you would want a transit connection that directly served Urbana and went right into the middle of it, but that's not the same thing as combating sprawl. Let's just be clear whether we're being consistent or not, and the CCT--as we've heard, and it's a very important point--serves a different purpose than getting people from Frederick to Shady Grove as quickly and as efficiently as possible. That's not the purpose of the CCT. The purpose of the CCT is to serve jobs and housing centers along the route, the Corridor Cities. It's not really rapid rail because if it were rapid rail, you'd have to pick the most populous point, which might probably be Germantown, and then run it directly to Shady Grove with no stops along the way--no Washingtonian, no Crown Farm, no Science City,

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none of those stops, but, in fact, that's what your express lane on 270 does, so you're serving two different purposes with two different options. The Corridor Cities Transitway, unfortunately, is gonna be a slow ride. It's not gonna be a really rapid ride because you're gonna service lots of jobs and housing centers along the way.

GLENN ORLIN:
It's about 15 minutes by 270 through the managed lanes from COMSAT to Shady Grove, and it's about 36 minutes if it's light rail or 38 minutes if it's busway.

COUNCILMEMBER LEVENTHAL:
About 15 minutes on an express busway on 270 vis-a-vis 36 minutes on a transitway that services other jobs and housing centers along the way. That's a really, really important point. That's a big difference, and, you know, the other thing that my good friends--and I respect them, and their advocacy is important--in the environmental and smart-growth communities are saying is, you know, "What difference does 6 minutes make? What difference do 22 minutes make?" I'll tell you what. They make a lot of difference. When you're late for a meeting, 6 minutes makes a lot of difference, and it absolutely makes the difference between when you're leaving the house in the morning whether you have your second cup of coffee, whether you take you leather-upholstered, cup-holdered, you know, personal .mpg-player device SUV that you spent $30,000 on or whether you hop the bus. That's the difference. 6 minutes on a given day when you have a meeting in the morning makes all the difference in the world as to which mode you choose that day, makes a lot of difference, and the savings do matter in terms of encouraging, inducing less automobile traffic. It makes a big difference.

COUNCIL PRESIDENT ANDREWS:
Thank you, Councilmember Leventhal. I can't get that many adjectives in a sentence, but you did. All right. Councilmember Elrich.

COUNCILMEMBER ELRICH:
I had put my light on not knowing who I was gonna be responding to, but what a shot.

COUNCILMEMBER LEVENTHAL:
Bet you could.

COUNCILMEMBER ELRICH:
You know, well...

COUNCIL PRESIDENT ANDREWS:

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He happened to be next.

COUNCILMEMBER ELRICH:
It'd probably be helpful if you actually listened to what I was saying and that if you realized I was asking questions rather than making statements. I'm not sure where I am on this. I haven't said anything publicly or privately as to whether I'm in favor of building absolutely nothing or in favor of paving over the entire universe. I figure I'm somewhere in between those two extremes, and I'm trying to figure out what actually works here, and my concern is, you know, I'm actually not a champion of express buses because express buses, in and of themselves, are not a system. My concern is that a system which has multiple stops and picks people up from multiple points is very different than the express bus which may leave downtown Frederick, hopefully full, and then get on an express lane and wind up in Shady Grove. They serve two very different kinds of transit riders, and that express bus with a capacity of maybe 60 people or so is likely not to be stopping at places-- You know, it's certainly not gonna make the times you're talking about if it's getting off the road and stopping at the myriad of communities between downtown Frederick and Shady Grove, so it's two different vehicles, two different trips, and I'm interested in the interplay of this. I'm also interested in the interplay of the CCT and the lane widenings. I think it's really important. Transit trips are really sensitive to the comparative auto trip, and, you know, see, what you don't want to do if you're actually thinking about planning a transit system is then making a massive infrastructure investment in roads which then tells the person who is a choice rider that, "Why the heck am I getting on the bus when I can fly to work anyway in my car?" and we constantly run the risk of undermining, you know, transit ridership by very, very massive investments that we put in roads, and so, you know, George, we don't have a very adequate transit system right now. The problem with the free library parking is that you're telling somebody in the middle of the day...

COUNCIL PRESIDENT ANDREWS:
Let's focus on 270.

COUNCILMEMBER ELRICH:
to go wait 30 minutes for a bus.

COUNCILMEMBER FLOREEN:
Half an hour.

COUNCILMEMBER ELRICH:

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Yes, so my concern is how these things interplay with each other. The other thing is that the transit ridership and usage isn't just solely dependent on the density of development. The other thing that plays into this is modal split, and decisions we make about modal split for communities also drive density. The modal split, you know-- if you say that you want a modal split of 35% in Germantown, as was in the 1989 Master Plan, and that's your target and that's what you set things on, then you get one pattern of auto usage. If you say your modal split in Germantown is 21%, you get a different pattern of auto usage. 21% necessitates the building of more lanes and more interchanges. 35% may necessitate the building of fewer lanes and fewer interchanges, so it's not just development density. It's decisions that we make as a Council about what we want to achieve in terms of modal split and what we want to achieve in terms of transit ridership, and I think all of those are all the things we need to consider. I think we need to think about what happens south of the study area because I am concerned about what I think you called the accordion effect. I mean, if you're already backing up today beyond the point where you say this is gonna curtail and you're expecting to have induced riders and additional people using this because they can now make this trip faster, my fear isn't only that the existing area fails worse, but that you extend the failing area, that the extended failing area begins to back up into an area you thought you might otherwise get an improvement if you were just treating it as an isolated area, point "A" to point "B," and pretend that there's nothing below it, but point "C" is, in fact, below it, and if point "C" begins to back up to point "B," then you're gonna lose some of these benefits, and so I'm interested in having whatever we do here be predicated on a comprehensive look not just at this piece, but the piece that gets you over to Northern Virginia. God knows how we're gonna find the money to build all this, I mean, which is another concern of mine. I mean, I think that whatever we do, we ought to predicate the building of any lanes on the completion of the CCT first. We should be sure that the transit piece is put in place. You might even want to look at what you need in terms of roads after the transit piece is in place because, depending how congested the roads are and how extensive the transit piece is, you may get more ridership than you're anticipating. If we anticipate this road becoming as much of a mess as it looks like it's gonna become and you have a robust CCT, you may well pull additional riders off the road who want to use the CCT. That's sort of the point of doing the transit investment, so I'd really like to at least assure-- Unlike the ICC, where we didn't prioritize the Purple Line over the ICC, I'd like to at least this time say the CCT comes first. You don't break any ground on the road until the CCT is completed, and then we see what we really need in the way of this. The last comment I'll make is, I'm not averse to some kind of road improvement. I'm interested very much in the suggestion about reversible lanes, though, because when you look at your volume/capacity ratios, nonpeak directions, I mean, those lanes are gonna sit empty, so for 20 hours a day, not many people are gonna be picking to use your, you know, expensive or incredibly cheap at that point HOT lanes

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because there's nobody going that direction, and it almost seems like the most cost-effective thing to do is to just build two lanes that can be reversed and flipped. It certainly minimizes environmental damage. It achieves the purpose of maximizing your throughput in the peak direction. Buses can run in the nonpeak direction at free-flow speed, or they can probably go 10 miles over free-flows, given what I've seen on there, and it would deal with both the traffic issue and minimize the environmental impacts and, I think, give us more flexibility and save money for other transit projects. So, I've not made up my mind. I think there are questions out there that we need to answer, and probably, we're gonna wind up in a solution that involves a combination of pieces, but I'd like to see some of these other questions answered and some more analysis before we get there.

COUNCIL PRESIDENT ANDREWS:
Thank you, Councilmember Elrich. Councilmember Floreen.

COUNCILMEMBER FLOREEN:
Thank you. I would urge everyone to take a look at Circle 33 through Circle 35 in the packet. It has a handy comparison of the different options, the different number of lanes, and--most importantly, I think--the congestion numbers. You can disagree as to whether those are important elements to one's consideration, but it does help to sum up the analysis that the committee looked at and the basis for our recommendations. Couple things I'd like to point out, primarily that there's no difference between what the committee has recommended and what the County Executive is recommending in terms of number of lanes, how they're treated, how they function, whether they're collector-distributor or HOV versus controlled and managed with a primary focus on tolling and multioccupancy vehicles. There are those functional distinctions, but we've heard a lot of concern from the community, at least from the Greater Greater people, about mass paving, and I just simply point out that these changes that are discussed here are basically all in the same category. I don't know that we got the information as to-- And it also shows the no-build, as well, and the current configuration of lanes. We didn't ask, and I don't know if we have the information with respect to actual pavement on the ground and the differences. I suspect they're rather significant. Depending upon what kinds of mitigation elements are employed, the impact on environment and historic structures and stuff varies quite significantly, so with all analysis of this, I would urge my colleagues to take a look at the details in terms of-- The state right now is looking at worst-case scenarios and trying to analyze if you didn't minimize this or control that, this would be the product, but this-- So, I think there are a lot of other elements that they would get into if we let them as they go into their next stage of evaluation, but I think it's important to understand that the number of lanes that at least is being proposed and sort of debated up here in front of us is basically the same. I don't think we, as a county, want to get into Frederick County's

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determination. We'll hear from them as to what they can live with, what works for them, but I would say--and Marc was discussing this just now with respect to making it all reversible or that kind of a thing--I think the issue for us--and it's always an issue when you talk about regionalism--is what does that mean, and we've got an increasing number of people from Montgomery going to Frederick and Frederick stopping at different points in Montgomery to warrant some of that investment. We asked about that in committee, and would the state like to comment on that question? Because I know we talked about it last week.

RUSS ANDERSON:
When we initially looked at the reversible system, we kind of had the litmus test of a 70-30 split for an interstate-type highway of directional traffic, so 70% of the traffic is heading in the peak direction, and 30% is off-peak. Some documents say, "Do 65-35." What ends up happening is, once you get up to Urbana, once you get up to the Maryland 80 interchange today and, in the future, Maryland 75 interchange, is, that directional split gets below, you know, closer to, like, a 60-40, and when you get to Maryland 85, it's really more heading to Frederick, as opposed to people heading south, so now there's a tipping point in there. It works great for Virginia because you really don't-- You know, Fredericksburg is the next major center, and it's 30 miles away. We're looking at Frederick, and it's about 3 miles away from the Maryland 85 interchange, and, you know, so it's very close. I mean, you're looking at another jurisdiction that has its own priority funding areas, its own jobs centers, so any alternative that would have a reversible system would need to stop at that location and transition into something else, whether it goes back into an 8-lane or whether we go into a 6-lane that's 3 and 3. So, there are operational things that we really need to look at as to how it impacts that traffic up there, as well. We have to look at it from a system standpoint.

GLENN ORLIN:
I can add that's consistent with the committee's recommendation. The committee said basically consistent with the Clarksburg plan," which is north of 121. It wouldn't be more than 6 lanes, but then how would it transition once it got into Frederick County, you know, between state highway and Frederick County?

COUNCILMEMBER FLOREEN:
Well, I'd just like to say, we're not designing the details of the road at this point in time, although these are certainly important things to worry about, and some of these functionality points are obviously very important and need to be sorted out in the right context, and, as I said when we began, Mr. President, we're looking forward to an update on what happens south of Shady Grove because we are equally concerned about those

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points and we want to move this forward. I don't know why it hasn't been completed at this point. I think it's because they've been working on this one, but in any event, we hope at some point to get these to work together in some way, and that would be our long-term goal. We just haven't gotten to that conversation, and I think Russ wants to add--

RUSS ANDERSON:
Yeah. At this stage of the game, we do look at that southern tie-in. We really looked at it from a lane-balance standpoint of how we could tie the system in, knowing that there would be some friction in the system. It, unfortunately, is the southern limit of our study, so us expanding that with our study is kind of off limits. It would be its own study.

COUNCILMEMBER FLOREEN:
Sure.

RUSS ANDERSON:
Now, that was the purpose of that feasibility study, so we could do a quick melding of the two and find out, one, what happens without that in place and then ultimately what happens with it in place. It would be, you know, we continue two lanes southbound, and that third lane, we would develop an off-ramp to go to 370 so that we could continue those two lanes southbound that are badly needed because that's where you have the greatest number of vehicles.

COUNCILMEMBER FLOREEN:
Yeah. Yeah, and, again, if you look at these pages, I would encourage you all to take some time to look at them. The alternative that the committee is advancing along with the Planning Board and the staff here has the most impact on congestion. What the county is proposing--and I don't blame them-- What the county is suggesting is that the through lanes be more heavily oriented towards general-purpose lanes, basically, that we not have the financing elements, that we not get into the management system that some kind of HOT or ETL lanes would require, and they're right. I mean, our people would be more encouraged, frankly, to drive under that mechanism because it would be a freer-moving option for Montgomery County residents. That is true, and that was their concern, and it's a very valid one, but I point out that what the committee is recommending is one that does prioritize multiple-occupancy vehicles in this system. That's where the numbers get better, and that's why I think this is the right direction to proceed in. Mr. President, I guess other folks want to ask questions, but I would beg my colleagues to take a look at page two of Mr. Orlin's packet. Mr. Orlin very helpfully provided a handy checklist of issues, and I believe if the Council doesn't want to make a decision today, which I'm hearing, it would be helpful to know what it is we don't want to make a decision on and what we do want to

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make a decision on and any elements for which there is a need for additional information. If we can cross off a couple of these, staff will know what they need to be directing their attention to and will certainly help the advocacy groups focus their attention on what it is that they're looking at at this point. I don't think we want to get the message out that Montgomery County does not want to make some improvement in the 270 corridor. That much I think I can say for sure. Beyond that, I'm a little unclear, and it would be good for us to be-- I know what my colleagues in the committee believe, but it would be good, perhaps, to identify the points where there is a need for additional information. I think that would help mold the conversation. Certainly as our colleagues in other jurisdictions are taking a look at what we're doing, they would be interested in knowing what our concerns are and where we need additional information, as well. So, I see that certainly there's a couple more lights blinking, but if we could look at that list of options and at least identify where we needs some specific more information, it would be helpful. I've heard Mr. Elrich suggest the need for a full transit study. I don't know if that's what he means. I'm not sure that-- I think that we collectively wish to defer decisionmaking on this before we get a full blown-out study of alternate bus services. I'm not sure, but we might solicit some specific questions by, you know, the end of business tomorrow, whatever, so that staff could know what we're asking them to do and what we're not asking them to do.

COUNCIL PRESIDENT ANDREWS:
OK. We've got a number of questions have been raised. Councilmember Knapp is going to be next. He's been waiting patiently for quite a while.

COUNCILMEMBER FLOREEN:
Sure.

COUNCIL PRESIDENT ANDREWS:
Couple of the questions clearly are what's the cost difference between Alternate 3 and Alternate 7; what is the likely impact, best you can assess in a reasonably short period of time over the next few weeks, on the impact of the different alternatives in widening 270 north of Shady Grove, on 270 south of Shady Grove, and vice versa. I think we need some of that. There have been other questions that have been raised that I'm probably not capturing or remembering completely, and I think it would be best to collect them in writing in the next few days and forward them to the relevant parties for responses. All right. We'll get them to Dr. Orlin, who can then distribute them to who's best in position to answer them, and we appreciate all your efforts to answer them as expeditiously as possible, as thoroughly as you can in time with a fair amount of certainty, not just a guess.

RUSS ANDERSON:

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Sorry to interrupt. There are many items in there that are, like, for further study, and they are typically items that we would look at at post-preferred-alternative stage of a NEPA study, so essentially, the preferred alternative that is ultimately selected at this stage still gets vetted against all of the alternatives, and we do the updated traffic and the updated studies at that time. So, this isn't the end-all be-all, and a lot of times, what comes out of that is, let's say you have Alternative such and so. Well, by the time we get to the end of the process, we have Alternative such and so modified, revised twice, so there is a lot of tweaking that happens later on in the process. We're just very early in the process on this one.

COUNCIL PRESIDENT ANDREWS:
Mm-hmm, but, yeah, I'm trying to identify those issues I think are the biggest ones. Cost is a big one. Impact on the system because it has to operate as a system the north and southern parts of 270 are and the transit options. What are the-- We have not really gotten into the County Executive's position on the Corridor Cities Transitway at this point, which is a preference for light rail. Obviously, there's interest in the community and on the Council in that and the mode. The committee is recommending bus rapid transit with the possibility of reconsidering, depending on the outcome of the Master Plans in Germantown and Gaithersburg West. I would ask my colleagues to assemble their questions the next few days. I'll get them to Dr. Orlin, and I have some that I haven't asked yet, but they don't necessarily have to be asked at the moment, and I want to make sure we get to Councilmember Knapp because he has been waiting--he hasn't really spoken yet--and then we do have a committee worksession that Councilmember Knapp and Councilmember Leventhal will be chairing at 3:00, so I'm trying to keep us on schedule for that, as well. Councilmember Knapp.

COUNCILMEMBER KNAPP:
Thank you, Mr. President. I've been taking notes, and so my comments will be, perhaps, a bit disjointed just because the issues didn't necessarily come in any particular order. I appreciate, I guess, the plan going forward. I do think it is important for us to give the community some indication as to when we are likely to act, and the situation we're presented with right now is actually very similar to what we, the Council, addressed with the Purple Line when the time for recommendations were due to the state during a time when the Council was in recess, and so that time came and passed, but at the time that the Council reconvened at the immediate next session, the Council then took action. We are in a similar situation, I understand. I guess there are some questions that still remain to be asked, and so I guess that people can get those in, but I think it's important for us to let the community know that we are intent upon acting in a timely fashion, and since we're

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back on September 15, that would seem to be similar and parallel to what we did with the Purple Line and I think is a reasonable outcome.

COUNCIL PRESIDENT ANDREWS:
That is my goal. That's my goal.

COUNCILMEMBER KNAPP:
Well, hopefully, we can get-- I would like to think that we could actually get there. As it relates to going back to the Corridor Cities Transitway, which is a project we kind of glossed over this morning and afternoon, you, in your previous remarks, just talked about the notion of light rail. At the appropriate time when we're actually going to take actions, I will make a motion to move back to light rail. I appreciate the committee's consideration and the recommendation they made for bus rapid transit. I made a request at the committee meeting, which I was fortunate enough to be able to attend both of, and I thank the Chair for letting me participate. I think one of the biggest reasons that proponents for light rail have raised this as an issue is not light rail for the sake of light rail but relates back to what we're trying to do with the corridor as we look at these Master Plans, which is to maximize our economic development value in Montgomery County's development corridor. When we talk about the "wedges and corridors" plan, this is our corridor, and the goal there is to maximize our economic benefit along the alignment in that corridor, and all of the studies I have seen have indicated that the best way to maximize that is through light rail because that is what property owners will look to as a more substantive commitment on the part of a state and local government to make sure that there continues to be transit along that alignment and will then make a subsequent investment commensurate with that, with what the state and local governments have done, to make sure that they can maximize their economic benefit, and Dr. Orlin provided me with some documentation in the course of the last week, and I was reading through it last evening, and even in this documentation, it still says that bus rapid transit may lead to similar types of economic development benefits sometime, but we still don't know, and all of the studies still indicate that to maximize your economic development value, you really need to have a light rail system because that's what gets you the biggest outcome, and so I think that's an important point. However, since we're asking for additional information over the course of the next few weeks, I will reiterate my request to the extent that someone out there has something that can kind of talk about the comparison between bus rapid transit and light rail for economic development I think is important to get. One of the issues in the document that Dr. Orlin presented talks about bus rapid transit increasing economic benefit, and I don't disagree that it probably does. The question is, of the two modes, which gets you the most economic benefit, and I think that's an important point for us to take into consideration. The conversations we've had today--and I think they have been

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good questions and good issues--is fairly far-ranging, and we try to address whole bunches of things all at one time when we generally only have one issue before us, and it becomes very difficult. One of the things I guess I've been a little intrigued by, though, is, we're trying to-- I think this Council, I think this region have recognized that we can't continue to kind of grow the way we have, and so-- whether it's through the Council of Governments, whether it's through our local governments-- people are looking at creating exactly what we're talking about with the Gaithersburg West Master Plan, the Germantown Master Plan, White Flint--creating these nodes, these activity centers, these places where people can live and work, as opposed to places where you live and places where you work and then trying to figure how you get those pieces together. The challenge we have when we have those conversations are, though, even though we've kind of bought off on the notion that we want to create these mixed-use developments and increase all the commercial activity and the residential activity, we then talk about transportation in the existing paradigm and say that in spite of us having done that, we still assume that everyone is gonna travel 35 miles to get someplace else, and we don't take into account the fact that if we've done our planning right and we provide the right economic development incentives, we will have jobs in places where they don't currently exist, which will then make a place like Urbana or Germantown or Gaithersburg destinations in and of themselves, not places where people only have the option of leaving, which is basically what we have before us right now, and I think it's important for us to keep that in mind when we have this conversation because we're trying to shift the way we're doing things. We're trying to address this in our land use planning process, and yet then we continue to talk about things in the existing paradigm. Either we believe in what we're gonna do and it's gonna work, or we don't believe in it, at which point we may want to just continue to follow on what we're doing and stay with where we are because we're spending an awful lot of time trying to shift it. If we don't really think we're gonna make the commitment to seeing the outcomes that we are, then we're really kind of wasting everybody's time. And, you know, Mr. Elrich talked about the notion of the mode split, and I think that, yes, we can have goals to try to get there, but in order for us to get there, it's not just a matter of saying, "See? We've changed the land use." We've really got to make the infrastructure investments, as Mr. Leventhal talked earlier, and we've also got to make sure we make the commitment to the economic development that'll actually yield those outcomes. We can't just make one change and hope it'll all happen, so I think it's important for us to keep that in mind as we continue to have this dialogue. I do think it's important and, I think, actually, potentially one of the benefits of us delaying this conversation is that Frederick will make a decision, and I think, while Frederick will have to do what is good for Frederick and Montgomery County will have to do what is good for Montgomery County, ideally, we should be looking at each other and taking a regional perspective and trying to not be on opposite sides of that conversation, and so I think it's

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important for us to at least understand what it is that they are saying, how they're recommending it, and trying, to the extent that it makes sense, to see if what we're presenting can at least tie into what they're laying out there so we don't have two separate recommendations that then the state gets to try and pick which one they either like the best or not like the least. I think it's important for us to take that into account. I appreciate the elements people have raised with what's going on in Virginia. As the former Chair of the region's Transportation Planning Board, this is an issue we're looking at all over the place, how do we make sure that these pieces connect, because we're starting to have a better regional conversation, but the regional implementation part isn't working so well, and so I understand the limitations of where we are with the NEPA process with the lower segment, but we're gonna have to figure out a better way to do that, and I understand these limitations and that you agree, but we're still gonna have to figure out how we accelerate that process because we're still gonna have a pretty big doughnut hole there that's gonna create a big issue. Um, let's see. The only other piece, I guess, I would put out there is, correct me if I'm wrong, but I think when there was a conversation in the committee meeting, someone had asked the question--I believe it was Mr. Berliner--as to the air quality assessment as it relates to the various proposals for all of the widening issues, and, if I remember, you indicated that, from an air-quality perspective, everything that's being proposed actually yields a better outcome than the existing situation we currently face.

RUSS ANDERSON:
You would capture the air-quality benefits with the managed lanes because you do get the greater number of drivers with the greater use of the carpool and the enhanced transit use, so with--

COUNCILMEMBER KNAPP:
Right, versus no build, which is right.

RUSS ANDERSON:
Versus no build. It's just the varying degrees of benefits that you get with each would really depend on the degree of transit use and the trip time for the transit use and the level of congestion in the corridor.

COUNCILMEMBER KNAPP:
Right. No. I think that's important, and I think a number of councilmembers up here have addressed this issue, you know, and it's striking to me how many arguments come back around again in the time that you sit up here, but some of the arguments that have come up today, or at least some on the e-mails that we have seen, are strikingly similar to e-

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mails we saw 6 years ago and 7 years ago on campaigns that somehow assume that there's going to be a solution for how we do land use and transportation. The ICC isn't gonna solve everyone's problem, nor is the widening of 270, nor is the Corridor Cities Transitway, nor is the Purple Line, nor is bus rapid transit as a network. All of these things are gonna have to get out there to solve our problem, and I think we only do ourselves a disservice, and our pretty smart public, when we somehow give the indication that we're not willing to consider all of those options because they get it, and I think it's important for us not to demagogue and stand on the issue and recognize that it's a matter of making sure we put the best system together, and I think we need to do that, and I think to that end, we've got a lot of folks-- When was the last widening of 270?

RUSS ANDERSON:
What section are you talking about? If you're north of 121, you're looking at in the fifties, and the southern portion, you're looking at the eighties.

COUNCILMEMBER KNAPP:
And when you say southern portion, that's below Shady Grove Road.

GLENN ORLIN:
The last widening was the piece between Germantown and Clarksburg, going from 4 to 6 lanes, which was 15, 20 years ago.

RUSS ANDERSON:
I think it was '92.

COUNCILMEMBER KNAPP:
Which has seen only about another--let's see, 80, 90--about 150,000 people just in kind of the Frederick and Germantown portion has grown in that time, and so we've got a lot of folks, to Mr. Leventhal's point earlier on, whose lives are greatly affected on this right now, and I understand the fiscal constraints that we are facing, and it's interesting to me that now, all of a sudden, this has become a great issue, and I'm glad that everyone is now paying attention to funding for transportation, and hopefully, this will mean we'll have a greater level of increased advocacy, but these are things that we need to have, and they're things that need to get done, and they will impact people's lives, and, as we have shown before, government can always delay more. We're really good at that. The thing we're not really good at is actually accelerating things and getting things done, and this will have an impact on our region and our communities as soon as we make the decisions because now we then have something to advocate for, and so I'd urge us to make as strong a commitment as we can to get something done as quickly as we can that also

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doesn't just take cost into account but recognizes that we need to have the best plan possible. We're not doing this for the next 5 years. We're doing it for the next 50 years, and so we need the best plan and have that be our criteria and then figure out where we need to go next, and so I thank everyone for their efforts to get us this far and look forward to concluding this when we come back in September.

COUNCIL PRESIDENT ANDREWS:
Thank you, Councilmember Knapp, and, Councilmember Elrich, you've got the last word, and then the committees, I think, are gonna stay here, I believe, for their joint session.

COUNCILMEMBER ELRICH:
I had a follow-up question on above Clarksburg going into Frederick because I'm looking at the charts you have, one on page 95. You seem basically to state that a volume/capacity ratio of .89 is the high point, and that's reached around Monocacy River, and then it drops down, and .89 would be, under normal circumstances, a pretty good number anywhere on I-270. I think most of us would dream of a .89 volume/capacity ratio, so while it's clearly worse there as you're heading into Frederick--in the morning, anyway--for the A.M. rush going in there, it's hardly a disaster, and, in contrast, below that in the P.M., it seems like no matter what you do, whether it's two lanes ETLs north or one ETL north, it fails pretty badly. At least that's my reading. Is that the correct reading of those charts there?

RUSS ANDERSON:
When you look at the no build heading northbound, the level of service after that is a 1.99 V/C ratio.

COUNCILMEMBER ELRICH:
That's in the evening.

RUSS ANDERSON:
That's in the evening. Yeah. In the morning when you're looking at the .89, yeah, that's--

COUNCILMEMBER ELRICH:
I guess my point is, I mean, I'm not sure that, you know, we talk about one size doesn't fit all, and it may be that over the length of I-270, one size doesn't fit all and that reversible stuff makes a lot of sense and meets the needs south of Clarksburg and some different combination or bringing in of lanes at different points heading northbound into Frederick may also address those needs, and as appealing as it is to have one simple roadway that looks identical from end to end, that's also more expensive than targeting your

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improvements to the changes in traffic flow and the entry points, so I would just encourage you, you know, when you're doing the further analysis on this to look at what you really need to serve going into Frederick. If it's another general-purpose lane or if it's two ETLs at the point of, you know, U.S. 85, then maybe that makes sense, but I think, you know, it would be helpful from my perspective to be supporting something to know that you're looking at the interplay of a whole road and not just simply saying, "We're just gonna plaster this thing over the whole road because it's the easiest thing to do."

RUSS ANDERSON:
One of the concerns that we do have with extending a reversible system north of Maryland 80 and into the battlefield is, reversible systems need to be lit, so you need to have the high-mast interchange lighting to make that happen, and so we're introducing an impact that wasn't there before through that resource. So, again, that is one of the things that we do need to look at, and we will look at this in the next stage of the study. We'll take the recommendation of the Council and, you know, look at it as one of the alternatives.

COUNCILMEMBER ELRICH:
OK. I just wanted to say to Mike, I will get you some information on economic investment. I mean, the problem with BRT, looking for studies in the United States, is, there are, like, 2 or 3 heavy BRT lines, and the other 9 lines that are in existence aren't heavy BRT. There what's called light BRT, and the business community says, "If you don't have a fixed investment and fixed stations, you can move it, discontinue it." There's another thing. Nobody is talking. The state is not talking. I've never discussed any kind of BRT system that is that. We're talking about something that looks like trams, has the same speed as LRT, and there's no question that you can't achieve the same speed as LRT. The state's EIS on the Purple Line from every single point-to-point comparison was identical times on every segment except the one segment in Bethesda where they took the BRT off the trail and ran it over across Wisconsin Avenue, but if you're concerned about time, BRT can match you on time. None of the capacities here push the capacity of BRT, and if you make the fixed investment and you have dedicated right-of-ways and real stations, as opposed to poles in the ground, then I think you're gonna get the same investment response, but you've got to do a quality system. This is where I would not be a proponent of express bus because that's the very kind of system which investors would say, "I can't rely on this being here," but if you make the investment in a fixed system, whether it's rail or whether it's BRT, you're gonna get the investment on the private side.

COUNCIL PRESIDENT ANDREWS:
OK. All right. A quick response, Mike.

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COUNCILMEMBER KNAPP:
No, and I appreciate that, but you finished up your sentence you think you'll get the investment. We know we'll get the investment if we have light rail because we've seen that in the past, and I think it's important for us to understand that, and I guess the issue I want to put out there is the cost differential, which, while if you only look at it for the context of the cost of this project, you say, "Wow, $200 million, that's a lot more than what it would be for BRT," in the scale of an overall transit project, the CCT, even at the high end, is about a third the price of every other transit project that's underway in the state right now, so it's still inexpensive, and I think we should be careful and make sure that we take the right steps to maximize the value for the price that we're paying, and I don't disagree that we may get something through BRT, but we are likely to know that we will get it if we go light rail, and I think that's the important decision we have to make.

COUNCILMEMBER ELRICH:
Mike, you've got light rail systems throughout the country that have not produced investment as well as those that do. Nothing always works, and there's no guarantee that light rail will perform any better.

COUNCIL PRESIDENT ANDREWS:
OK. Well, I want to thank everybody who participated in the worksessions. I think this was very useful and brought out a lot of key issues. There are some real differences between the proposals that we need to understand thoroughly, and I do think the discussion demonstrated why it's a good idea for the Council to get that additional information before we make a recommendation on this $4 1/2 billion potential project, so please combine your questions, and we'll get them to Glenn Orlin, and we'll get the answers as soon as we can, and that is it for the rest of the--

COUNCILMEMBER FLOREEN:
And so we will reconnoiter on September 15...

COUNCIL PRESIDENT ANDREWS:
September 15 is when we will--

COUNCILMEMBER FLOREEN:
and people will get their questions in to Mr. Orlin by the end of business tomorrow?

COUNCIL PRESIDENT ANDREWS:
Well, as soon as possible, you know, within a couple days, all right? And the HHS and PHED Committees are gonna meet right here in a few minutes.

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