

MEMORANDUM

January 16, 2015

TO: County Council

FROM: Jacob Sesker, Senior Legislative Analyst *JS*

SUBJECT: **Introduction:** Resolution to Approve Declaration of No Further Need: Disposition of Site II

On November 24, 2014, the Council received Executive Order 214-14, Disposition of Site II, a County-owned property (115 acres) on Industrial Parkway in Silver Spring. The Joint PHED and GO Committees held a worksession on January 15, 2015 to consider the Executive's recommended Declaration of No Further Need and recommended (5-0) to hold a public hearing. In order to hold a public hearing on the disposition, a resolution of approval must first be introduced. The resolution that the Council ultimately acts on (following the public hearing and any additional worksessions that may be necessary) may reflect changes proposed by the Executive in response to issues raised. For more information, please see Council Staff's packet for the January 15th worksession:

http://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2015/150115/20150115_GO_PHED2.pdf

A resolution of approval is attached at © 1. A public hearing is tentatively scheduled for February 24, 2015. The Council will take action today (see item #6H) to approve a resolution to extend time for action to July 31, 2015.

Attachments:
Resolution

© 1

Resolution No.: _____
Introduced: _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Approval of Declaration of No Further Need: Disposition of Site II Property on Industrial Parkway in Silver Spring

Background

1. Montgomery County Code §11B-45 requires the Council to approve a Declaration of No Further Need before the County Executive can dispose of real property that has more than nominal value. Prior to seeking Council approval of a Declaration of No Further Need, the Executive must:
 - (a) submit all material terms of the proposed disposition and any appraisal the Executive relied on in setting the property's market value to the Council; and
 - (b) publish a declaration in the County Register and post a notice on the County website that the County has no further need for the property.

The Council must act on the Declaration of No Further Need within 60 days of receiving the Declaration or it is automatically approved. The Council may extend the 60-day deadline by resolution if the Council President has informed the Executive, within 30 days of receiving the proposed action, that the Council has not received all information necessary to review the proposed action.

2. On November 13, 2014, the Executive submitted a summary of the material terms for the disposition of County-owned land, known as Site II, on Industrial Parkway in Silver Spring. The Executive recommends that the land be disposed of through transfers as a part of a joint development partnership. The Executive says the land was acquired in 2009 from the Washington Suburban Sanitary Commission for the purpose of developing a science and technology center with associated research, development, and manufacturing uses. The property is included in the East County Center for Science and Technology. The development partner, Percontee (dba Global Lifesci Development Corporation "GLDC"), was selected in response to a 2008 Request for Proposals (RFP) from entities interested in developing the property. On November 28, 2014, the Council sent the Executive questions on the material terms.

3. On November 24, 2014, the Council received Executive Order 214-14, Material Terms for Disposition of 2201 Industrial Parkway, Silver Spring, Maryland "Site II." This is the Executive's Declaration of No Further Need.
4. On January 15, 2014, the Joint Government Operations and Fiscal Policy (GO) and Planning, Housing, and Economic Development (PHED) Committees held a worksession on the material terms and Declaration of No Further Need. The Joint Committees requested additional information and recommended the Council hold a public hearing on the disposition. The Joint Committees recommended the Council extend the time for action to consider additional information and any testimony from the public hearing.
5. On January 20, 2015, the Council extended the time for action to July 31, 2015.
6. A public hearing was held on February 24, 2015.

Action

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

The Declaration of No Further Need contained in Executive Order 214-14, Material Terms for Disposition of 2201 Industrial Parkway, Silver Spring, Maryland may be disposed of in a fair market transaction and under the material terms provided by the County Executive in his November 13, 2014 memo to the Council President.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council