

**STATEMENT OF ED RICH, PRESIDENT
GREATER FARMLAND CIVIC ASSOCIATION
EXPEDITED BILL 41-21, COUNCIL DISTRICTS - BOUNDARIES
November 18, 2021**

I am the President of the Greater Farmland Civic Association, which represents over 900 households and 3000 residents in the Old Farm, Tilden Woods, Hickory Woods, and Walnut Woods neighborhoods of North Bethesda, bounded by I-270 on the west, Montrose Road on the North and Old Farm Creek to the east and south.

We have serious concerns about the redistricting of our area by the Redistricting Commission; in particular, the process that led to the creation of District 4 that stretches far and wide and that almost seems like an afterthought after all other Districts were created. We are most distressed about the lack of any opportunity for meaningful input due to the hasty actions of the Commission in deciding on one map after having had the 2020 Census data for about a month and the last minute decision by the Commission to scrap its long planned public hearing before they decided on a map that places us with neighborhoods with which we have never had regular communications and away from neighborhoods with which we share common interests and concerns. This is not to say that we don't share common interests and concerns with those in our proposed District—we do. We all share the goals of and aspirations for safe neighborhoods, great schools, convenient and reliable public transportation, smart growth, well paying employment opportunities, myriad recreational opportunities, convenient shops and restaurants and a road system that truly allows for traffic movement and that is publicly controlled and funded, for example. But we also want Council Districts that truly and honestly meet the County Charter's requirements that they are "compact in form and...composed of

adjoining territory.” We do not believe that the recommended District 4 meets these requirements.

We reviewed the Redistricting Commission’s agendas, minutes and documents and have the following concerns:

- In a July 23rd Redistricting Commission press release, Mariana Cordier, chair of the Redistrict Commission, stated that “[t]he Commission will...provide maps for public review and comment....” That did not happen. Instead, the Commission met on October 14th to consider three different maps that were not released to the public with enough specificity and detail for us to figure out boundaries and where specific neighborhoods would fall, making our review almost impossible.
- The Commission’s Report to the Council stated: “Under the leadership of Commissioner Statland, Commissioners actively sought to engage the Community in the process of drawing new Council Districts as much as possible....Every member of the Commission participated in the virtual Presentations and heard the needs, wants, and redistricting desires of Montgomery County citizens.” Our civic association, which represents over 3,000 County residents, was never contacted by any Commission member or staff, nor did we receive anything from the Commission or staff informing us of any opportunity to participate in the process. Moreover, we reached out to Pamela Dunn, the Senior Legislative Analyst assigned to the Commission, to learn more about the process for input prior to the final vote of the Commission. Ms. Dunn did not return our call.

- The Commission report states the following: “Compactness: Having the minimum distance between all the parts of a constituency (a circle, square or a hexagon is the most compact District). **The Commission... considered compactness in its deliberations, avoiding excessively narrow districts.** Can anyone truly look at the tortured effort to connect us with our neighbors to the east by using the Beltway as the only east-west roadway in the narrow sliver between Rock Creek Hills and Forest Glen Park and say with a straight face that the Commission avoided “excessively narrow districts?”
- The Commission Report states the following: “Preservation of communities of interest: Geographical areas, where the residents have common political interests. **The Commission tried not to split neighborhoods with a common affinity into multiple districts.**” Our neighborhood has multiple common political interests with our neighbors in North Farm, which lies on the other side of Montrose Road, including our recent joint efforts to make Montrose Road safer, our shared interest in Farmland Elementary School and in our shared community swimming pool. Moreover, we are in the Walter Johnson Cluster of schools and share common interests with our neighbors to the South and West who all have students feeding into the same high school. The interests of our neighborhood have historically had common political interests with both our neighbors to the north, west and south rather than to the east. This historic fact has not been recognized in the proposed redistricting map.
- The Commission September 23rd Meeting Minutes state the following: “A motion was made to consider the question of combining the Cities of Rockville

and Gaithersburg. The motion was seconded and passed. **A subsequent motion was made by Ms. Ervin, seconded by Mr. Stein, to combine the Cities of Rockville and Gaithersburg into a single district.** The motion passed 7-4....”

Thus, before the Commission even considered how to map the new districts, political decisions were made that significantly impacted on how other communities would be impacted. The work of the Commission was to be decidedly apolitical and impartial, but it is clear that County municipalities, such as Rockville, Gaithersburg and Chevy Chase exerted undue influence on the Commission’s work, leaving those of us in unincorporated parts of the County at a distinct disadvantage.

- The Commission’s agenda from September 23, 2021 provided, in relevant part, as follows: **“Discussion of format for public hearing • Discussion of schedule for report and final map completion: – October 4th - Draft maps due to Commissioners for review – October 6th - Meeting to review subgroup and individually proposed maps - Commission chooses two maps for public comment – October 13th or 20th - Public hearing on maps – October 27th - Approval of map for final report – November 3rd - Approval of report to the Council”** Not only did the Commission not choose two maps for public comment, but it also cancelled the public hearing that had long been considered a part of its process, leaving the public with no formal opportunity to comment before the Commission approved the map that is before the Council.
- The Commission Minutes of October 13, 2021 read, in pertinent part, as follows:

Next a discussion of the upcoming meeting dates and process took place. The Chair clarified upcoming meeting dates and content of those meetings. **After reviewing the County Charter again, the Chair informed the Commission that the Commission would be submitting only one map to the Council and that the October 20th meeting is needed to finalize a single map submission, therefore it cannot be used to hold a public hearing. The Chair noted that October 27th is not available for the Commission to hold a public hearing, thus to stay on track for delivery of a plan and map to the Council in a timely manner, the October 20th date will need to be used to vote on a final map, with the Commission meeting again on November 3rd to vote to transmit a Redistricting Plan and Report to the County Council.** The County Council is required to hold a public hearing on the plan for redistricting. **Cmr. Goldensohn made a motion to vote on whether the Commission holds a public hearing. The motion was seconded by Cmr. Edmunds. After further discussion on the topic a vote was held to not hold a public hearing. Six in favor (Cmrs. Stein, Ervin, Goldensohn, Ard, Cordier, and Edmunds), four oppose (Desir, Ahmad, Nilmini, and Statland), and one abstention (Makstein).** Cmr. Statland raised a concern that the process to not hold a public hearing violates Section 104 of the County Charter. He made

motion to recognize this thus negating the prior vote. The Chair requested comment on this by Mr. Zyontz, retired Legislative Attorney for the County Council. Mr. Zyontz stated he does not see any violation of Section 104 of the Charter. Mr. Statland reiterated his view. There was no second to the motion.

Thus, at one of the last meetings of the Commission, the majority of the Commission, with the support of its staff, decided that it was not necessary for the public to have any formal input before it voted out the proposed map. In other words, six members of the 11 member Commission decided that they did not need to hear from the public but, rather, they would make their own decisions without giving us an opportunity for input.

Now that the Council has the proposed map, we urge the Council to take the full 90 days allotted to its review by Section 104 of the County Charter and draft a new law and map, with the full input of the County's residents, that truly meet the Charter's requirements that the new Districts are "compact in form and...composed of adjoining territory." We expect nothing less and look forward to a full and fair process that will lead to the drawing of Council Districts that truly reflect how the County actually works.
