

Resolution No.:	<u>18-1179</u>
Introduced:	<u>July 10, 2018</u>
Adopted:	<u>July 17, 2018</u>

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: County Council

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**SUBJECT:** Declaration of No Further Need: Disposition of County Property: 900 Wayne Avenue, 1<sup>st</sup> Floor, Silver Spring, MD 20910

**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.

If the Council, by resolution, approves the Executive's Declaration of No Further Need, the Executive may dispose of the property for fair market value. The Council may waive the requirement for a full market value disposition.

2. On May 24, 2018, the Executive proposed material terms for the disposition of County-owned property on the first floor of the Silver Spring Library. The material terms include leasing approximately 3,930 square feet of space to Atrepreneurs, Inc. (d/b/a Arts on the Block). Arts on the Block will build out the space at no cost to the county and will pay its pro rata share of utilities and common area maintenance. The lease term is 10 years with an option for renewals.

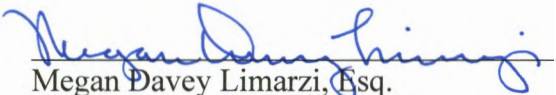
3. On July 2, 2018 the Council received Executive Order 113-18, Disposition of 900 Wayne Avenue, 1<sup>st</sup> Floor, Silver Spring, Maryland. This Executive Order declares that there is no further need for the property.
4. The disposition was advertised in the County Register for thirty (30) days beginning on June 1, 2018. During that time, no comments or questions were received from the public.
5. The material terms of the disposition match those of the disposition to Gandhi Brigade, lessee of space in the basement of the Silver Spring Library. The Council approved that disposition on June 28, 2016 in Resolution 18-536.
6. On July 10, 2018, the Council waived the public hearing for this disposition because a public hearing is not necessary to properly assess the proposed action.

**Action**

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

The Declaration of No Further Need for the first floor of the Silver Spring Library located at 900 Wayne Avenue in Silver Spring, Maryland is approved and the property may be disposed of as described in the material terms provided to the Council on May 29, 2018 and in Executive Order 113-18. The Council waives the requirement for a full market value disposition.

This is a correct copy of Council action.

  
Megan Davey Limarzi, Esq.  
Clerk of the Council