




OFFICE OF THE INSPECTOR GENERAL

PRELIMINARY INQUIRY MEMORANDUM

July 10, 2018

TO: Timothy L. Firestine
Chief Administrative Officer

FROM: Edward L. Blansitt III 
Inspector General

SUBJECT: Proposed Disposition of the former Silver Spring Library
OIG PIM #19-001

The County Executive sent the attached memorandum dated March 21, 2018 to the Council regarding material terms for his proposed disposition of the former Silver Spring library property, located at 8901 and 8907 Colesville Road, Silver Spring, MD 20910 (Attachment A). The purpose of our memorandum is to inform you that, based on our understanding of the facts, we do not believe the required process¹ was followed.

The County Executive proposed an agreement with the Martha B. Gudelsky Child Development Center (MBGCDC) to build and operate an early childhood education and development center on the property. The County Executive proposed to lease the former library site to MBGCDC for \$1/year for 99 years.

The County Executive stated in this memo that “the Department of General Services completed the required reuse analysis for the Property and determined that it was no longer needed for a public use.” The County Executive issued Executive Order No. 060-18, effective March 20, 2018, in which he declared the property was no longer needed for County use.

¹ The disposition of real property owned by the County that is valued at \$100,000 or more may not become final until (1) the County Executive publishes a declaration that the County has no further need for the property and (2) the County Council approves the Executive’s declaration and any disposition of the property at less than fair market value. County Code § 11B-45. This law also requires regulations which, among other things, provide an opportunity to reserve the property for alternative public use. County regulations set out a process in which the Director of the Department of General Services (DGS) refers the property to the Office of Management and Budget for a Preliminary Reuse Review; County departments and outside agencies are invited to propose reuse of the property; and a Reuse Analysis, including a fiscal analysis and an economic analysis, is conducted and conveyed to the Chief Administrative Officer by the Director of DGS. After considering the Reuse Analysis, the County Executive may determine that the real property is appropriate for reuse by a County Department or outside agency, or that the property is no longer needed for public use. COMCOR 11B.45.01.

The Office of Management and Budget (OMB) had written on April 24, 2014, in its preliminary reuse review, that the property was appropriate for future County reuse. Thus, a Reuse Analysis² was required, as the County Executive's memo stated.

In our communication with Council staff, we found that they had not been provided the analysis and that key portions were missing.

Accordingly, we requested the Reuse Analysis prepared by the Department of General Services (DGS) and found that it was not complete. It did not include the required fiscal analysis from OMB and the required economic analysis from the Department of Finance³. Evidently, OMB and the Department of Finance did not believe that they were required to perform these analyses.

Although the law prescribes that the Reuse Analysis must be conducted before the County Executive issues the Declaration of No Further Need,⁴ the Declaration was issued without the Reuse Analysis having been completed. We believe that the required analyses need to be completed before any further steps are taken. After the required analysis is complete, the County Executive may want to reconsider the Declaration.

These analyses should address alternative public uses of the property. The Reuse Analysis provisions in the Regulations refer to alternative public uses, and the County Code requires that the Regulations provide for a comparative analysis of reuse proposals⁵. In this case, we are aware that the Executive Branch received expressions of interest in public uses of the property from the County Department of Libraries (Attachment B), the County Planning Board (Attachment C), and the County Department of Recreation (Attachment D).

None of these expressions of interest in public use of the property were addressed in the March 21 Memorandum provided to the Council for its consideration. If after completion of the analyses and further consideration, the County Executive still wishes to go forward with the Declaration of No Further Need, then please be sure that the fiscal and economic analyses and the Reuse Analysis are provided to the Council.

Copies of this Preliminary Inquiry Memorandum (PIM) along with your response, if any, will be provided to the members of the County Council and the County Executive within 10 calendar days of the date of this PIM.

A Preliminary Inquiry Memorandum (PIM) is appropriate in situations where we have, in reaction to a complaint, gathered and assessed sufficient information for us to draw limited conclusions related to the specific complaint. Since PIMs do not result from full inspections, investigations, or audits, it would not be appropriate for us to provide full findings and recommendations in PIMs. Instead, we may identify specific conditions, transactions, and events that management may want to continue to research from an investigative or policy standpoint.

² The reuse analysis is "An analysis conducted by the Executive Branch if OMB's Preliminary Reuse Review determines that a County owned or controlled real property should be considered for an alternative public use." COMCOR 11B.45.01.03.13.

³ COMCOR 11B.45.01.06 states that "The Director's or designee's recommendation about the proposed reuse of the real property must be in the form of a memorandum to the Chief Administrative Officer which also contains a fiscal analysis prepared by OMB and an economic analysis prepared by the Department of Finance."

⁴ COMCOR 11B.45.01.03.13.

⁵ County Code §11B-45(a)(3).

August 22, 2018 Comments on the CAO's Response

The CAO's August 16, 2018 response is included in its entirety in Attachment E at page 17, excluding duplicate attachments of Appendices B, C, and D.

In his response, the CAO stated that "there is no statutory obligation to submit reuse analysis information as part of the material terms." Our statement that key portions of the analysis "were missing" from information that was provided to the Council may have been poorly worded. Better wording would have been that key portions of the analysis were not provided to the Council.

The CAO's response highlights the lack of a statutory obligation and indicates a weakness in the law that may need to be addressed. The lack of a statutory obligation results in the Council considering the material terms of a proposed sale or lease of County property without being informed of possible County reuses. If the law required that the Council be provided information on County reuses before the consideration of material terms, the process would be more transparent, and the Council might receive more relevant information.

Expanding on the CAO's statement, we observe that there is no statutory obligation to submit reuse analysis information to the Council at all. While it is possible that the Council might be provided this information later in the process, when it is considering the Declaration of No Further Need, the law does not specifically require that the Council be provided this information, and we note that it has not always been provided.

The CAO stated that although separate and specific fiscal and economic analyses were not produced, the Department of Finance and the OMB were involved in the reuse analysis process that included a review of County Improvement Projects and other reviews considering economic and fiscal impacts. The CAO stated that going forward, the CAO would ensure that all fiscal and economic analyses are included in a more formal and well documented manner.

Attachment A



OFFICE OF THE COUNTY EXECUTIVE
Rockville, Maryland 20850

Isiah Leggett
County Executive

MEMORANDUM

March 21, 2018

TO: Hans Riemer, President
Montgomery County Council

FROM: Isiah Leggett
County Executive

SUBJECT: Former Silver Spring Library Material Terms

This memorandum is sent to convey the material terms for the proposal to ground lease the former Silver Spring Library site at 8901 and 8907 Colesville Road, Silver Spring, (the "Property") to the Martha B. Gudelsky Child Development Center (MBGCDC).

After the Department of General Services completed the required reuse analysis for the Property and determined that it was no longer needed for a public use, a solicitation seeking proposals to reuse the site was issued. Upon review of the proposals, MBGCDC was selected to enter into negotiations with the County to lease the site. MBGCDC was founded in 2015 as a nonprofit organization to make meaningful contributions in the area of early learning in Maryland. Through an association with CentroNia, a locally-based early childhood education provider, MBGCDC plans to substantially expand early childhood education with an emphasis on services and programs for low-income working families.

In accordance with the provisions of Section 11B-45, Disposition of Real Property, before seeking County Council approval of a declaration of no further need, the County Executive must submit to Council all material terms of the disposition, including the price or rent to be paid and any economic incentives and any appraisal that the County Executive relied on or will rely on in selling the property at market value.

Accordingly, the following is a summary of the material terms:

- MBGCDC will lease the property in an "as-is" condition under a 99-year ground lease with an annual payment of one dollar (\$1.00);

Hans Riemer, Council President
March 21, 2018
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- MBGCDC will renovate the existing library building and add an approximately 11,000-square-foot, 2-story addition;
- MGBCCDC will not take possession and construction will not commence until the Wheaton Friends of the Library relocates to the new Wheaton Library and Community Recreation Center;
- The project will consist of a licensed childcare facility operated by CentroNia serving 120-150 children from generally lower income families, with the intention to grow capacity as funding allows;
- Opening of the childcare center would occur approximately one year after the site becomes available;
- Multi-purpose community space will be provided for intergenerational activities and programs on evenings and weekends, as well as for community use;
- MBGCDC will be responsible for all approvals and permits required for the project; and
- MBGCCDC will be responsible for all capital and initial operating expenses for the project which includes a minimum of ten years' funding commitment totaling more than \$22 million guaranteed by the Homer and Martha Gudelsky Family Foundation, Inc. MBGCDC will seek federal, state and other charitable foundation assistance as well as corporate sponsorship to help cover future operating expenses. No funding has been requested from the County.

I hope this information is helpful. If you have any questions, please contact Greg Ossont, Deputy Director, Department of General Services, at 240.777.6192 or greg.ossont@montgomerycountymd.gov.

c: Ramona Bell-Pearson, Assistant Chief Administrative Officer
Robin Riley, Acting Director, Recreation Department
Reemberto Rodriguez, Director, Regional Service Center, Silver Spring
Greg Ossont, Deputy Director, Department of General Services
Ronnie Warner, Redevelopment Manager, Department of General Services

Attachment B



MONTGOMERY COUNTY PUBLIC LIBRARIES

Isiah Leggett
County Executive

B. Parker Hamilton
Director

February 12, 2015

Mr. Greg Ossont
Deputy Director
Montgomery County Department of General Services
101 Monroe Street, 9th Floor
Rockville, Maryland 20850

Dear Mr. Ossont:

In response to the January 12, 2015 memorandum to County Departments and Agencies regarding reuse of County properties including the current Silver Spring Library at 8901 Colesville Road, I am requesting 5,000 net square feet of the space in the current Silver Spring Library for a used bookstore.

The cost analysis currently underway for the new Wheaton Library/Community Recreation Center leaves the possibility that Montgomery County Public Libraries (MCPL) will have to give up the bookstore space of 3,210 net square feet planned for the first floor of the new building. Should that occur, we believe it is critical that the bookstore be relocated to a community close to Wheaton where the building is accessible to box delivery trucks and there is free parking available to customers. The used bookstore is critical to our operations, as we must have a way to dispose of surplus library material and public donations. In addition, the net profit generated by the used bookstore supports many materials, programming, and technology items that the County operating budget does not, including initiatives like the programming for our annual Summer Reading Program.

If the bookstore is eliminated from the Wheaton Library/Community Recreation Center project, we would like to relocate it to the current Silver Spring Library. We propose using the lower level for the actual sale space, as well as donation intake and sorting (including deliveries from our branches of weeded/unused donated materials and customers bringing in donations to the bookstore itself). A small portion of the upper floor might also be needed for staff workroom space and offices. We feel this "reuse" would work well with other operations that have been mentioned by the community for the space, particularly a community center or an intergenerational center. We can envision community center visitors not only coming to the bookstore to browse and purchase but also volunteering/working there after visiting the community center to obtain information, attend a program, enjoy a cup of coffee or tea, etc.

Please let me know if additional information is necessary to evaluate this request for reuse.
I look forward to working with you to make this relocation of a critical service function a reality.

Sincerely,

A handwritten signature in cursive script, appearing to read "B. Parker Hamilton".

B. Parker Hamilton
Director

c: Rita W. Gale, Public Services Administrator, Facilities and Strategic Planning
Eric Carzon, Business Manager
Carol Legarreta, Public Services Administrator, Human Resources and Community
Engagement
Christopher Freeman, Public Services Administrator, Branch Operations and Customer
Service

Attachment C



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

February 13, 2015

Greg Ossont, Deputy Director
Montgomery County Department of General Services
101 Monroe Street
Rockville, Maryland 20850

RE: Administrative Review for disposition of property located at 8901 and 8907 Colesville Road, Silver Spring, Maryland

Dear Mr. Ossont,

Thank you for the invitation to submit reuse proposals for the Silver Spring Library site at Ellsworth Drive and Colesville Road, in Silver Spring, as required by the Montgomery County Property Disposition rules.

The Montgomery County Planning Board proposes this site be added to Ellsworth Urban Park to help meet documented park and recreation needs in the Silver Spring Downtown area.

The 2.35-acre site consists of two parcels at 8901 and 8907 Colesville Rd, bordered by Colesville Road to the west, Ellsworth Park to the North, Ellsworth Drive to the east, and the Colesville Towers apartment building to the south. The property is currently improved with the two-story building and approximately 70 parking spaces that are used by patrons of both the park and the library.

Three policy documents support the conversion of the site to parkland – the 2000 Approved and Adopted *North and West Silver Spring Master Plan*, the 2010 *Vision 2030 Strategic Plan for Parks and Recreation (Vision 2030)*, and the 2012 *Park, Recreation and Open Space (PROS) Plan*.

Redevelopment of the site should be consistent with the recommendations of the 2000 *Approved and Adopted North and West Silver Spring Master Plan*. The Plan has specific language regarding the site, including:

“Consider converting local government facility sites, once they are declared surplus by the County, to parks as a means to meet the active recreational needs identified in the PROS Plan. As government facilities consolidate or relocate (e.g., Silver Spring Library, Silver Spring Government Center), each site should be evaluated for possible inclusion in the park inventory. Needs identified in the PROS Plan should be the primary evaluation criteria.” - *North and West Silver Spring Master Plan, 2000, page 86*

Greg Ossont
February 13, 2015
Page Two

The 2012 *Park, Recreation, and Open Space (PROS) Plan*, which was guided by the 2010 *Vision 2030 Strategic Plan for Parks and Recreation*, identifies the greatest needs for additional park and recreation services to be in areas nearest urban centers, such as in and around the Silver Spring Central Business District where the site is located.

Staff of M-NCPPC Department of Parks have analyzed the site and believe it to be a valuable public resource offering the only opportunity to expand Ellsworth Park. The site is located in one of the highest density areas with the lowest level of park service per population in the County. Situated at the edge of the Central Business District, it could serve the residents of a high density area while acting as a buffer to the adjacent single family area. *PROS* estimates that Silver Spring needs close-to-home facilities such as community open space that can serve as play fields and festival spaces, dog parks, community gardens, skate parks, and playgrounds. While the existing 3.5-acre park already has a playground and will soon have a dog park, the demand for flexible play fields and festival space, as well as other recreational facilities will only increase with the number of new residents expected around this park when nearby developments such as "Chelsea Heights" are constructed.

Parks staff identified this site as the preferred suitable site for the exchange of the Wheaton Community Center in Wheaton. Over the past four years Parks staff has met with staff of the County Department of General Services ("DGS") and Montgomery County Recreation Department (MCRD) to identify exchange sites that would be acceptable to both parties. Parks identified this site as the top priority, followed by the site that currently houses Housing and Human Services ("HHS") facilities on 8801 Georgia Avenue by Woodside Park. The Silver Spring Police Station site on Fenton Avenue ranked third in Parks' priority list and the English Manor site ranked fourth.

The criterion for evaluating exchange sites is as follows

1. Approximately the same size as the existing Community Center site (2.3 acres)
2. Located in an area of fairly dense population
3. A site that is currently in public ownership, not private property
4. A site that is easy to convert to park facilities (environmentally unconstrained; any existing infrastructure has reuse potential)
5. A site with good accessibility and visibility
6. A site that could engender community support as public parkland
7. A site in a location not too far removed from the neighborhood of the existing Community Center—five miles or less
8. A site supported by approved policy such as an area master plan, Vision 2030, or the PROS Plan

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9. A site adjacent to or in close proximity with existing parkland. If the site is adjacent to existing parkland, the site should complement or enhance the park and recreation benefits of the existing park

The Library site meets all of the Department of Parks' criteria for a suitable exchange for the Wheaton Community Center.

M-NCPPC Department of Parks is committed to providing the "right parks in the right places" for existing and future generations. Silver Spring is significantly underserved for parks and recreation facilities. Fifteen years ago the Council-adopted area master plan recognized the value of adding the library site to the existing undersized Ellsworth Urban Park. The Planning Board recommends designating the entire property as parkland by conveying it to M-NCPPC.

The local community has requested a wide variety of potential park improvements to the site—including community open space, festival and event areas, sports courts, and community gardens. Park staff have also heard proposals to keep the existing building, remove the building (in order to create more space for future park improvements), or demolish the building and replace it with a new, energy-efficient, purpose-built facility that includes underground parking (*Attachment 1*).

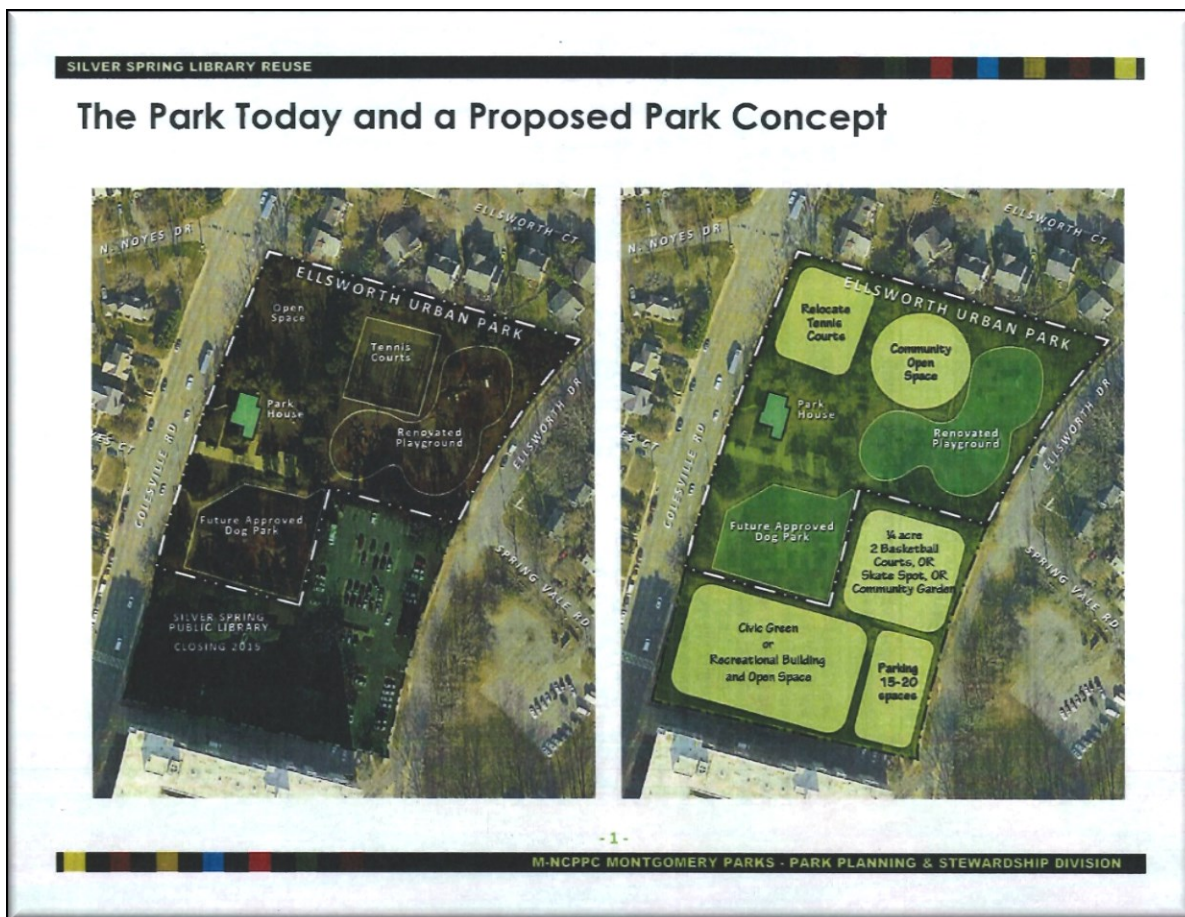
Regardless of the site's future program, Department of Parks staff believes this site provides a tremendous opportunity for additional public open space and associated park and recreation programs in the Silver Spring area.

Sincerely,



Casey Anderson
Chair

cc: Gwen Wright, M-NCPPC, Director, Planning Department
Michael Riley, M-NCPPC, Director, Department of Parks
Mitra Pedoeem, M-NCPPC, Acting Deputy Director, Department of Parks
Rose Krasnow, M-NCPPC, Deputy Director, Planning Department
Dr. John Hench, Ph.D., M-NCPPC, Chief, Park Planning and Stewardship Division
Robert Kronenberg, M-NCPPC, Chief, Planning Department
Brooke Farquhar, M-NCPPC, Master Planner/Supervisor, Park Planning and Stewardship Division



Attachment D



DEPARTMENT OF RECREATION


Isiah Leggett
County Executive

Gabriel Alborno
Director

MEMORANDUM

February 13, 2015

TO: Greg Ossont, Deputy Director,
Department of General Services

FROM: Gabriel Alborno, Director 
Department of Recreation

SUBJECT: Reuse Analysis – 8901-8907 Colesville Road, Silver Spring

The Department of Recreation is enthusiastically submitting this expression of interest and proposal for the reuse of the Silver Spring Library building and site.

Background - During the conduct of the VISION2030 Study, needs analysis strongly indicated that the immediate downtown Silver Spring area is significantly underserved for leisure services and recreation activities. The "Montgomery County Recreation Facility Development Plan, 2010-2030", the companion document to VISION2030, strongly recommends the downtown Silver Spring area for consideration to locate a large region-serving community, recreation, and aquatic facility in order to address that shortage. To date, no facilities have been identified or developed to meet that need. Therefore, the need for a community serving facility is still unmet and very high at the current time.

It should be stated at this early juncture that reuse of an existing facility will not, by itself, meet the needs of the Silver Spring area. The total gross square footage of the existing structure is only about 40% of the community recreation need in the area, not including the aquatic requirements. The Silver Spring Community Recreation & Aquatic Center, as originally envisioned in the long range plan, is still required. This effort can only be seen as an interim mid-term step and should maintain the multipurpose flexibility of the space so that it can be repurposed yet again in the future.

Existing Facility - The existing Silver Spring Library was designed and built in 1955-56 with some minor renovations, space realignments, and modest additions added since that time. Currently the building has approximately 14,000+/- GSF of programmable activity space.

Office of the Director

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The current site plan, mostly original, is typical of mid-50s suburban design influences and now, in 2000+, is very much inconsistent with the urbanized core of downtown Silver Spring. Although the site occupies a spot near the edge of transition into a more residential, single family area, it is in a block of the dense high-rise core of downtown.

The site is surrounded by Colesville Rd (US29) on the west, the main artery of the city center; a ten story apartment building on its immediate southern perimeter; a small neighborhood serving park to the north; Ellsworth Dr, another urban street to the east. The adjacent Ellsworth Urban Park, in its current configuration, could appropriately be categorized as a typical suburban neighborhood park of the 60s or 70s. Like the library site, it has not urbanized as the surrounding community has.

The Library building is interesting, showing some hints of Wright influenced prairie style, mixing stone and brick with metal and glass all tied together with a low overhanging roof profile. One of the advantages of the building is its basic "bank barn" arrangement which places at-grade access to both floors, on opposite sides. It is also notable for its excellent use of natural light on both levels. The interior, although modified from its original design over the intervening years, appears to have had most of those interior modifications accomplished with simple divider partitions. This is actually an additional advantage as these same types of dividers can be used throughout the building and still maintain some amount of design integrity. The present structure contains no space with sufficient height to be converted to a gymnasium, a critical component of a full service recreation facility.

A part of the process of determining actual feasibility of any proposed reuse will be the question of meeting basic building design guidelines including items such as ADA, LEEDs, and other current codes.

Facilities, Proposed -

Needs – The Department believes that the most pressing needs in the immediate Silver Spring community are for Youth, Family, & Senior services. The youth and family category also includes a strong emphasis on pre-school age services as well.

Uses – Based on the identified needs and in an attempt to maximize the efficiency of the use of the space throughout the full spectrum of days and times, the Department recommends that the facility be retrofitted to accommodate the following program types -

Child Care Program, possibly including both full day and hourly day care, 6am – 7pm Mon – Fri, possible Saturday hours for hourly care;

Youth Development Activities, middle & high school ages predominately, late afternoon/evenings/weekends, 3pm to 10pm, Fri/Sat- 3pm-12am;

Senior Center Programs, daytime/weekday, Mon-Sat, 9am-2pm, w/ evening special events

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Approach- The Department believes that it is important to find ways to make use of the existing space as soon as possible while at the same time planning for additional phases of development of the resource at a later date. As an example, many leisure programs for youth and seniors could begin immediately after cleaning and minor modifications perhaps as early as FY16. Some programs, such as child care, may have to wait for specific larger scale renovations before beginning, including sanitary facilities, food preparation areas, or other regulatory requirements.

Space Utilization – The building can be programmatically organized on two levels, each having their own access, much as it is currently. Although some sharing of space can be accomplished, most activities will be relegated to their own operational areas for much of the time. The Department recommends the following orientation of spaces and functions:

Lower Level – Since Child Care programs need to have direct access from entrances and from vehicle drop-off areas, the lower level seems appropriate for those programs. The current building configuration provides day lighted space along the east façade with immediately adjacent restrooms. This location also provides the child care operation with direct outside access to the adjacent Ellsworth Park playground structures.

Deeper into the interior of the lower level are fully below grade rooms, probably not as suitable to child care, which would lend themselves to re-subdivision for studio or classroom spaces for more specific recreational program services.

Upper level – The upper level could house the more multipurpose, drop in, and gathering spaces for a wider range of user populations. Currently this level features 6-7 pods of activity and we think this approach can be maintained, with some minor modification to support both older adult and youth participants. Some subdivision of these areas would be necessary to separate and control sound interference for simultaneous activity.

This level would most likely house the building's office for Recreation Department employees who would be overseeing the entire operation as well as a number of "center staff" providing full schedule coverage. Rest rooms and a small food service area would also be required. This level would also accommodate meetings and small social activities for the public, on a space available basis.

Programs & Activities, Proposed –

- 1.** The Department proposes that the County enter into a multiyear use agreement (rental, lease, partnership) with a qualified child care provider to make building improvements, and operate a program in the existing building.

Recreation Programs & Operation - The Department has conceived this operation to take advantage of the great similarities of youth, family, and senior activity space requirements.

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These can be simply defined as Living – Working – Thriving – Connecting – Contributing and are very much the same for all populations. Both the youth & family and the senior programs can share similar spaces to deliver similar programs and outcomes, but at different times. At this juncture, no specific specialized needs surveys have been conducted in the community.

2. The Department proposes to operate a Senior Center at this location serving the downtown Silver Spring population of 55 and over residents. The programs would operate primarily between 9 am – 2pm, Mon – Sat with special events scheduled on evenings and weekends. Currently, approximately 40,000 seniors reside in the community (55+; 3 mi r); 6,000 in 20910 alone. Undoubtedly some are already being served at the Schweinhaut & White Oak Senior Centers, but certainly only a small percentage. The programs would be similar to other Senior Centers and provide some standard services & activities such as:

 - a. Social Engagement Program – A wide variety of opportunities for gathering, meeting/greeting, community connectivity, etc in a physically appropriate area to encourage mental and social interaction. This could include discussions, lectures, presentations on history, current events, local community politics and issues, music, travel, employment, retirement, health, finance, social functions, dances, movies, general skill development classes and possibly even a low key café area as well.
 - b. Social Service Programs – In cooperation with HHS and other community partners, this facility could make available small learning/counseling spaces for health/vision/dental checks, tax/legal advising, and family counseling and continuously adapt to service demands.
 - c. Nutrition Program – In partnership with HHS, the seniors would be provided with an available meal at mid-day. Culinary arts programs would also be offered focusing on nutrition and healthy eating.
 - d. Fitness Program – A full range of classes in exercise, yoga, Senior-Fit, Bone-Builders, aerobics, Tai Chi, Zumba, etc. In addition, the repurposing of one of the available spaces as a fitness room outfitted w/ weight & exercise equipment would be very popular.
 - e. Performing & Graphic Arts Programs – In addition to exercise, various dance and movement programs could be offered and a broad range of arts activities could utilize studio spaces on both levels of the building.

3. The Department proposes to operate a Youth and Family Center program typically weekdays from approximately 3pm – 10pm, Mon – Sat with special scheduled events on weekends.

We believe that this center could provide services to an important portion of the approximately 13,000 youth (<20; 3mi r), and their families, in the greater Silver Spring area. Based on the Department's extensive work with these same populations through programs such as RecZone, RecExtra, EBB, and TeenWorks we would plan to offer basic services and activities such as:

Greg Ossont
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- a. Learning Programs - Academic study areas combined with vocational skill development as well as instructional classes in a wide range of positive leisure time pursuits for a life time. (Many of these fall in the same category areas, and require the same physical setting as those listed in the Seniors programs description, above - dance & movement, fitness & exercise, music & video, arts, both performing & graphic, health science& CPR/FA, etc.)
- b. Working Programs- Computer availability would support work but also educational/vocational requirements as well. An audio/video studio would allow the development of media unique to the youth population.
- c. Thriving Programs - Healthy vital living and life-time fitness would be supported by programs in exercise & physical activity as well as cooking & healthy eating.
- d. Connecting Programs- A large open gathering/lounge style space can be developed to allow youth to "find their own space", meet and make friends, play informal games, socialize and learn to be positive members of the community. All of this can occur in a safe environment while not appearing to be adult controlled or contrived. This space could double, with the adjustment of furnishings, as a performance space for presentations, performances, arts, and celebrations. (Again, serving all age populations)
- e. Contributing Programs - Working with many community partner organizations and non-profits, the Department would provide opportunities for extensive volunteering and giving back to the Silver Spring community. The Department would more than likely be functioning as more of a facilitator rather than a direct supplier of this service.

Long Term Recommendation -

All of these short term recommendations involve modifying the existing structure and trying to make the modifications and changes work "as best as possible". None of this work will provide any task-designed original space constructed for specific purposes. As such, the spaces will always be second best compromises. This site may well lend itself to some form of future public/private partnership for redevelopment. It should be noted again that this facility would not be an adequate replacement for the proposed Silver Spring Community Recreation & Aquatic Center identified in VISION2030 and the Recreation Facility Development Plan, 2010-2030. Reuse of the Silver Spring Library could however, provide an excellent interim Center to bring many needed services and programs to Silver Spring, where no other similar options now exist.

If you have questions or need additional information, please do not hesitate to contact me or Jeffrey A. Bourne, Chief, Division of Facilities & Capital Development.

cc: Jeffrey Bourne, REC
William Kaarid, REC
Robin Riley, REC

Attachment E



OFFICE OF THE COUNTY EXECUTIVE

Isiah Leggett
County Executive

Timothy L. Firestine
Chief Administrative Officer

MEMORANDUM

August 16, 2018

TO: Edward L. Blansitt, Inspector General

FROM: Timothy L. Firestine, Chief Administrative Officer *Timothy L. Firestine*

SUBJECT: CAO Response to Proposed Disposition of the Former Silver Spring Library OIG PIM #19-001

This memorandum is in response to your Preliminary Inquiry Memorandum (PIM) #19-001 dated July 10, 2018. It was noted that your review of this matter indicates that the Reuse Analysis is incomplete due to the omissions of written fiscal and economic analyses. Although separate and specific fiscal and economic analyses were not produced, the Department of Finance and primarily the Office of Management and Budget were involved in the reuse analysis process that included a review of County Improvement Projects (CIP) and other plan reviews considering economic and fiscal impacts. Going forward, we will ensure that all fiscal and economic analyses are included in a more formal and well documented manner.

The preliminary inquiry memorandum indicates that none of the expressions of interest in public use of this property as submitted by the Department of Recreation, Department of Public Libraries and the Montgomery County Planning Board were addressed in the March 21, 2018 memorandum submitted to Council for consideration of the Executive's recommendation. The memorandum was submitted as the Executive's material terms for the proposed disposition and there is no statutory obligation to submit reuse analysis information as part of the material terms. In this situation, during the Executive process, a reuse analysis was performed and the Executive determined a preferred course of action for use of the property and then made recommendations to Council with material terms provided in support of that plan of action.

Attached for your information are several documents including the Preliminary Reuse Analysis and the Reuse Analysis decision memorandums. The referenced documents provide background that pertinently frames the progression of this project. As you will note from

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Edward L. Blansitt, Inspector General
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the April 24, 2015 memorandum, there was an initial determination that the properties were appropriate for County Recreation reuse and thus the properties were placed into

reserve for later use by the Department of Recreation. Shortly after that determination however, the Housing Opportunities Commission (HOC) proposed the South County Aquatic and Recreation facility concept which satisfied the needs of the Silver Spring community for which these properties would have been held in reserve. As a result, the Executive made the decision to pursue opportunities for child care and affordable housing as reasonable uses to meet the needs of the Silver Spring community.

If you have questions or need additional information, please contact
Fariba Kassiri, Assistant Chief Administrative Officer at (240) 777-2512
Fariba.Kassiri@montgomerycountymd.gov.

TLF:kbm

Attachments

cc: Fariba Kassiri, Assistant Chief Administrative Officer
David Dise, Director, Department of General Services
Jennifer Hughes, Director, Office of Management and Budget
Alexandre Espinosa, Director, Office of Finance



DEPARTMENT OF GENERAL SERVICES

Isiah Leggett
County Executive

David Dise
Director

DECISION MEMORANDUM

April 24, 2015

TO: Timothy Firestine, Chief Administrative Officer

FROM: David E. Dise, Director
Department of General Services

SUBJECT: Reuse Recommendation, Silver Spring Library – Colesville Road

1. **PURPOSE:** The purpose of this memorandum is to provide background on the reuse analysis and seek approval for reuse of the County-owned properties at 8901 and 8907 Colesville Road, Silver Spring.
2. **BACKGROUND:** The property at 8901 Colesville Road is improved with the former Silver Spring Library, a two-story 15,687 square foot building. The property at 8907 Colesville Road includes the majority of the former library's parking spaces, with access to Ellsworth Drive. Together the properties contain approximately 70 surface parking spaces. The combined size of the two properties is approximately 2.3 acres.

The former Silver Spring Library closed on March 15, 2015. In anticipation of this closing, a reuse review was referred to the Office of Management and Budget in accordance with 11B.45.01.05, *Preliminary Reuse Review* on February 18, 2014. OMB's recommendation is attached for your review.

In the months leading up to the anticipated closing of the Colesville Site, interest in reusing the site increased within County departments and outside public agencies, and among private entities. A decision memo was issued on December 31, 2014 recommending that DGS commence a Reuse Analysis to evaluate other public needs and interests. A request for reuse proposals to County departments and County Agencies as defined in 11B.45.01.05, *Preliminary Reuse Review* was issued on January 12, 2015. Three responses were received from Montgomery County Public Libraries, the Department of Recreation, and the Maryland-National Capital Park and Planning Commission.

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Timothy Firestine
April 24, 2015
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3. **SUMMARY OF PROPOSALS:** Montgomery County Public Libraries proposes to relocate the used bookstore originally intended for the new Wheaton Library/Community Recreation Center if the bookstore is eliminated from that program due to budget constraints. The bookstore would be 3,210 net square feet in the Wheaton Library/Community Recreation Center; they are asking for 5,000 net square feet in the former Silver Spring Library. The Department advises that the used bookstore should be located in a community close to Wheaton based on customer demand.

The Maryland-National Capital Park and Planning Commission through the Montgomery County Department of Parks proposes to expand the abutting Ellsworth Park. Parks notes the location of the park on the edge of the Central Business District (CBD) is ideal and serves the high density areas of Silver Spring. The 2012 Park, Recreation and Open Space (PROS) Plan estimates that Silver Spring needs close-to-home facilities such as community open space that can serve as play fields and festival spaces, dog parks, community gardens, skate parks and playgrounds. If combined with the existing Ellsworth Park, the urban park would increase to nearly 6 acres.

The Department of Recreation proposes a multi-generational community center within the existing structure. The lower level would contain child care programs while the upper level would house multipurpose, drop in, and gathering spaces for a wider range of user populations including youth and older adult participants. The Department of Recreation would enter into a multiyear use agreement with a qualified child care provider to make building improvements and operate a program on the first level, while the Department itself would be responsible for the youth and senior programs on the second level. Senior programming would take place largely during daytime hours while a Youth and Family Center would operate during after-school and evening hours. The programming could be phased to pursue a child care provider in the near term and expand youth and senior services as funding and resources permit.

The Department of Recreation emphasizes that this site is not suitable for the proposed Silver Spring Community Recreation and Aquatic Center identified in the VISION2030 Strategic Plan for Parks and Recreation, and the Recreation Facility Development Plan, 2010-2030 and may, therefore, lend itself to some form of future public/private partnership opportunity for redevelopment.

4. **ANALYSIS:** The Department of Recreation and Department of Parks' proposals could both be included in a near-term reuse of the properties. The Department of Parks' proposed concept (attached) includes the possibility of a recreational building where the current library sits, with some of the site converted to park amenities. The 2000 Approved and Adopted North and West Silver Spring Master Plan recommends expansion of Ellsworth Park should the library site redevelop. The Vision 2030 Plan and the 2012 PROS Plan recognize the urban area of Silver Spring as one of the highest density areas with the lowest level of park service per population in the County.

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In their proposal, the Department of Recreation cites studies completed for the preparation of the VISION2030 Plan that indicate that the downtown Silver Spring area is significantly underserved with regard to leisure services and recreation activities. The community demonstrated their support for expanding the park and including a recreational facility at this site during a Planning Board meeting on February 12, 2015. The Department of Recreation and the Department of Parks have discussed the potential for sharing uses on the site. Essentially, the Department of Recreation would facilitate the use of the interior building space while collaborating on a creative design and a shared use agreement with the Parks Department for use of the exterior area, including the parking lot. Recreation would also be amenable to allowing Parks to utilize unused interior space, if available.

The used bookstore will not be eliminated from the Wheaton Library/Community Recreation Center project. As such, it is not necessary to consider other options for the bookstore at this time.

5. **RECOMMENDATION:** In consideration of the potential for meeting multiple County objectives, DGS recommends that 8901 and 8907 Colesville Road be designated as appropriate for reuse by a County Department and that the County Executive place the real property in reservation. It is further recommended that the County Executive issue an Executive Order directing that the real property at 8901 and 8907 Colesville Road be assigned to the Department of Recreation for the purposes of a multigenerational community center including child care. The Department of Recreation would coordinate with the Parks Department for any shared use agreements.

ATTACHMENTS:

OMB Recommendation
DGS Decision Memo dated 12/31/14
Request for Reuse Proposals
Department of Libraries Proposal
Department of Recreation Proposal
Maryland-National Capital Park and Planning Commission proposal

Chief Administrative Officer Decision:

☒ Agree ☐ Disagree ☐ Schedule Briefing ☐ See/Call Me



Chief Administrative Officer

Date: 4 / 27 / 15

Cc: Ramona Bell-Pearson, ACAO
Jennifer Hughes, OMB
Reemberto Rodriguez, RSC
Greg Ossont, DGS
Cynthia Brenneman, DGS

MEMORANDUM

April 24, 2014

TO: Jennifer Hughes, Director, Office of Management and Budget;

VIA: Mary Beck, Manager, Office of Management and Budget MCB

FROM: Erika López-Finn, MBS, Office of Management and Budget ERF

SUBJECT: Property Disposition -- Preliminary Reuse Analysis -- Silver Spring Library

Introduction: As part of the Property Disposition Regulations, OMB must conduct a preliminary reuse analysis of the affected property. The reuse analysis entails investigating if the real property has been designated for a particular use in an approved Master Plan, is suitable for approved CIP projects, or is appropriate for future County reuse.

8901/8907 Colesville Road is the site of the former Silver Spring Library. With the new Silver Spring library opening in the winter of 2014, DGS has begun the property disposition process.

DGS' investigation of the property reveals that the property is located on the border of the central business district for Silver Spring. The building itself is two stories (13,600 sqft) with wifi, offices, and a meeting room. It is currently zoned as R-60 and it is possible to have the property rezoned for inclusion into the CBD which would influence the appraisal value. However, DGS cannot determine the value at this time due to current zoning and the lack of comparable properties.

The Silver Spring Library appears in the North and West Silver Spring Master Plan (2000). It notes, "consider converting ...facility sites, once they are declared surplus by the County, to parks..." It further mentions that, "as government facilities are consolidated, each site should be evaluated for inclusion in parks inventory."

The site is appropriate for future reuse, particularly as swing space in the short-term, and should be placed into reservation due to its location, size (2.3 acres), and parking lot (70 spaces) plus the ability to avoid additional rental costs for swing space.

Recommendation: I recommend this specific property be placed in reservation and that the County does not begin a disposition process because the site is appropriate for future County reuse given its size and location. While the Master Plan states that the County should consider park use, the County is not obligated to do so. While the site has potential for future County use, one option to be considered should be selling the property.

I also recommend a more thorough discussion with DGS regarding needs and facilities for swing space.

Known Swing Space Needs						
Facility	Head Count (County)	Head Count (Volunteer)	Sq Ft. Needed	Present Sq Ft. Gross	Timeline	Location Considered for Swing Space
1 2424 Reedy Drive						
Administration	1	0				
Adult Behavioral Health	16	4				
Community Action Agency	8	10				
Gang Intervention	2	0				
Gilchrist	8	30				
Latino Liaison	1	1				
MUM	3	8				
Police	7	0				
Urban District	19	0				
Security Officer	1	0				
Women's Cancer Control	10	2				
Wheaton Redevelopment	1	0				
	77		In 2013-35, 628 55 in 2025-38, 070	21,726	Immediate	Silver Spring Library
Total Head Count	132					

Possible Swing Space Needs						
1 Archives?						
2 401 Hungerford Drive			10,000	10,000		
3 COB						
4 1301 Piccard Drive						
5 Longwood CRC						
6 Twinbrook Library						
7 Kensington Park Librar						

* Other possible locations to use for swing space include 1D, Silver Spring Library, the Old Animal Shelter



DEPARTMENT OF GENERAL SERVICES

Isiah Leggett
County Executive

David E. Dise
Director

DECISION MEMORANDUM

December 31, 2014

TO: Timothy L. Firestine, Chief Administrative Officer

FROM: David E. Dise, Director
Department of General Services

SUBJECT: Silver Spring Library Reuse

1. **PURPOSE:** Requesting determination on County reuse of the existing Silver Spring Library located at 8901/8907 Colesville Road.
2. **BACKGROUND:** The reuse review was referred to the Office of Management and Budget for review in accordance with 11B.45.01.05, *Preliminary Reuse Review* on February 18, 2014. OMB's recommendation is attached for your review.

As the delivery of the new Silver Spring Library approaches, interest in reusing the Colesville site by County departments and outside County government groups has increased. DGS has fielded questions from many interested groups and organizations. Additionally, Technology Services, Recreation and the Parks Department have inquired about potential reuse of the property. As you are aware, there is significant public and private interest in the Silver Spring Library site.

Construction related to the Wheaton Redevelopment program is slated to begin in 2017. Existing functions including the RSC, Urban District and HSS services in 2424 Reedy Drive will need to be relocated. Permanent RSC and Urban District offices will be replaced as part of the Wheaton Redevelopment while the HSS uses will not. All current uses will require temporary relocation and the HSS uses will ultimately require a permanent location. HHS has expressed concern about any permanent location outside the Wheaton because the majority of their clients served find the current location optimal. A preliminary review of the Wheaton submarket has shown the availability of leased space to meet both temporary and

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longer term needs. Additionally, should the Gilchrist Center be removed from the Wheaton Library Recreation Center project to reduce costs, Gilchrist Center could benefit by co-locating with the HHS services.

3. **BASIS OF RECOMMENDATION:** In accordance with 11B.45.01.05, *Preliminary Reuse Review*, if OMB determines that the property is appropriate for future reuse by the County the DGS Director must recommend that the property be placed in reservation. Since the initial reuse review was completed, other County uses unrelated to HHS have been identified. New interests coupled with the lingering HHS concerns about delivering services outside the Wheaton area as well as the potential shift in the Gilchrist Center location warrant further consideration. Other County Department or Agency interests would have an opportunity to provide more details through the next step in the disposition process, a Reuse Analysis.
4. **OPTIONS:** Options include placing the property in reservation now to be used as HHS swing space or consider other County reuse proposals by commencing a Reuse Analysis.

RECOMMENDATION: In consideration of the new information learned since the initial reuse review, DGS recommends commencing a Reuse Analysis to evaluate other County department needs and interests.

Upon review of the Reuse Analysis, the County Executive may place the property in reservation, assign the property to a County department, assign the property to a County agency for reuse or determine that the property is no longer needed to public use and is appropriate for disposition.

Attachments:
OMB Recommendation

County Executive/Chief Administrative Officer Decision:

☐ Agree ☐ Disagree ☐ Schedule Briefing ☐ See/Call Me

County Executive/Chief Administrative Officers

Date

CC: Ramona Bell-Pearson, ACAO
Jennifer Hughes, OMB
Uma Ahluwalia, HHS
Marc Hansen, OCA
Al Roshdileh, DOT
Gabe Albornoz, REC
Sonny Segal, DTS
Reemberto Rodriguez, RSC
Ana Van Baten, RSC
Bruce Adams, OCP



DEPARTMENT OF GENERAL SERVICES

Isiah Leggett
County Executive

David Disc
Director

MEMORANDUM

January 12, 2015

To: All County Departments
All County Agencies

From: David Disc, Director
Department of General Services

Subject: Reuse Analysis – 8901 and 8907 Colesville Road, Silver Spring

In accordance with the provisions of 11B-45, *Property Disposition*, the Director of General Services must prepare and distribute to all County Departments and County Agencies, information pertaining to the real property and invite them to propose a reuse of the real property within 30 calendar days.

Please find the following information on 8901 and 8907 Colesville Road, Silver Spring, Maryland:

The Properties

- 1) 8901 Colesville Road: Parcel P959, Tax Map JP31, Tax Account# 13-00971462, 69,696 square feet.
- 2) 8907 Colesville Road: Parcel P933, Tax Map JP31, Tax Account# 13-00972821, 31,363 square feet.

These properties are bordered by Colesville Road to the west, Ellsworth Park to the north, Ellsworth Drive to the east and the Colesville Towers apartment building to the south, as shown in the attached map. The property at 8901 Colesville Road is improved with the former Silver Spring Library, a two-story 15,687 square foot building. The properties include approximately 70 surface parking spaces with access to Ellsworth Drive.

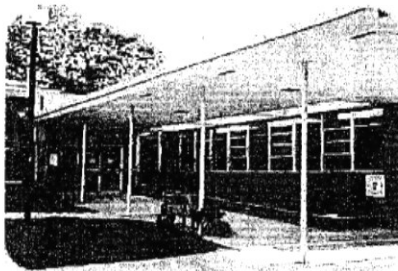
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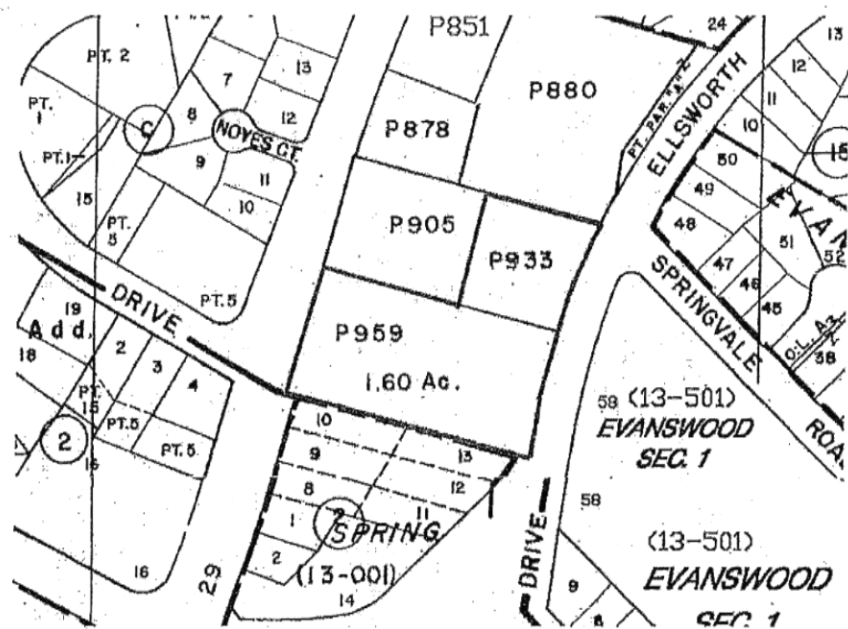
North and West Silver Spring Master Plan (2000)

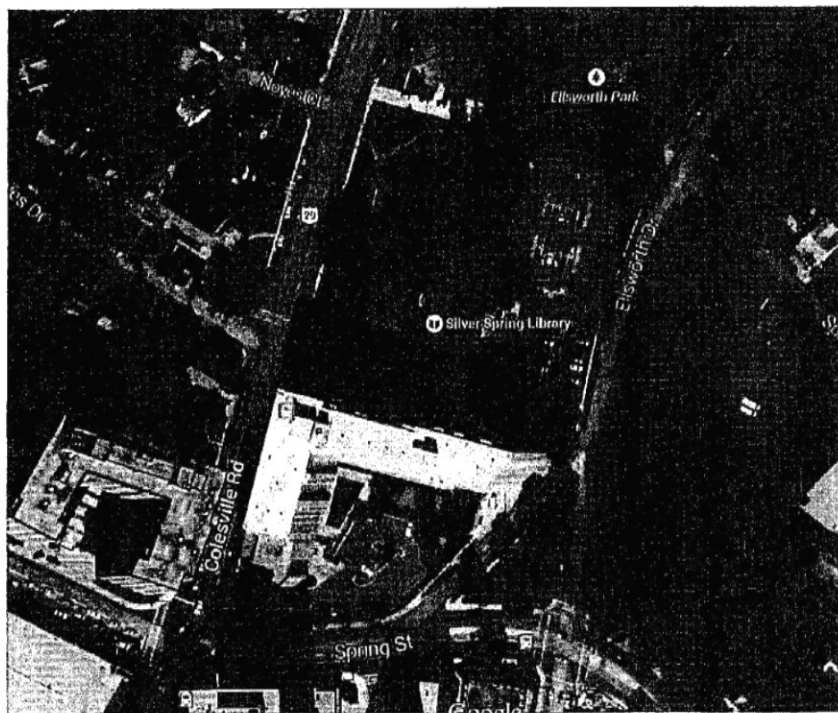
The North and West Silver Spring Master Plan has a general recommendation for all local government facilities sites that, once declared surplus by the County, they be evaluated for possible use as parkland with needs identified in the PROS Plan as the primary evaluation criteria.

Please submit reuse proposals to the referenced point of contact by mail, delivery or email by **February 13, 2015**.

Greg Ossont, Deputy Director
Montgomery County Department of General Services
101 Monroe Street, 9th Floor
Rockville, Maryland 20850
greg.ossont@montgomerycountymd.gov









DEPARTMENT OF GENERAL SERVICES


Isiah Leggett
County Executive

David E. Disc
Director

MEMORANDUM

February 18, 2014

To: Jennifer Hughes, Director
Office of Management and Budget

From: David Disc, Director 
Department of General Services

Subject: Preliminary Reuse Review – Silver Spring Library

The purpose of this memorandum is to refer the Silver Spring Library property at 8901/8907 Colesville Road to the Office of Management and Budget for review in accordance with 11B.45.01.05, *Preliminary Reuse Review*. To assist in your review, I have provided the attached property information.

I hope this information is helpful. If you have any questions please contact Greg Ossont, Deputy Director, Department of General Services.

Attachment

Silver Spring Library Fact Sheet Preliminary Review

Tax Account #: 00971462 and 00972821

Zoning: R-60

Vacant: Early 2015

Size: 101,059 square feet (2.32 acres)

Address: 8901 Colesville Road (Tax account # 00971462; Silver Spring Library building) and 8907 Colesville Road (Tax account number #; parking lot), Silver Spring, 20910.

Bordered by Colesville Road to the west, Ellsworth Park to the north, Ellsworth Drive to the east and the Colesville Towers apartment building to the south.

Use: Library, 1957 2-story 13,600 square feet building; approximately 70 surface parking spaces with access to Ellsworth Drive. The building has offices, a meeting room on the lower level and the Children's, Adult, Young Adult, Reference, Circulation and Information desks on the upper level. The building has Wi-Fi service.

Master Plan: North and West Silver Spring Master Plan (2000)

Page 86: "Consider converting local government facility sites, once they are declared surplus by the County, to parks as a means to meet the active recreational needs in the PROS plan."

As government facilities consolidate or relocate (e.g., Silver Spring Library, Silver Spring Government Center), each site should be evaluated for possible inclusion in the park inventory. Needs identified in the PROS Plan should be the primary evaluation criteria."

