



Montgomery County Government

MONTGOMERY COUNTY COUNCIL
OFFICE OF LEGISLATIVE OVERSIGHT

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TITLE

A Description and Evaluation of the Montgomery County Suburban District: The Suburban District Tax, the Suburban District Fund and the Services Section, Department of Transportation.

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I. SUMMARY AND MAJOR CONCLUSIONS/RECOMMENDATIONS

Summary

In 1927 the Maryland General Assembly created the Montgomery County Suburban District. Under the Maryland law, the Montgomery County Commissioners were empowered to provide funding for the development and control of the public infrastructure (highways, construction, communications) within this special taxing area and to pass rules, regulations and ordinances to safeguard and protect the health, safety and welfare of those residing in the District. Funding to carry out the responsibilities within the special taxing district was through the issuance of bonds, which were retired by monies obtained through the levy of a special tax on all assessable property within the Suburban District. The Commissioners were further authorized to levy an additional tax on all real and personal property within the District to fund administration, road maintenance, street lighting and other miscellaneous services.

In the half century since the Suburban District was established: its geographical size has increased slightly; Suburban District bonds are no longer issued; the fundamental purpose for creating the Suburban District (i.e. develop a public infrastructure) is no longer applicable; and the special services available to District residents have been altered. The services are currently provided to the District by the Services Section, and are limited to tree service, street cleaning, leaf collection and disposal and mowing.

Currently the Suburban District is that portion of lower Montgomery County encompassing approximately 66 square miles which is bounded on the east by the Prince Georges County line, on the north by Northwest Branch Park and Bel-Pre Road, on the west by the Rockville City limits and Routes 270 and 495 and on the south by the Potomac River and D.C. line. Excluded are all Federal and State properties, municipalities and special taxing areas and property of the BOE, M-NCPPC and WSSC.

Conclusions

The Montgomery County Suburban District legislation, Chapter 68, Montgomery County Code, 1972, as amended, is deficient in four general areas;

--the law does not accurately reflect the current purpose for the Suburban District and the imposition of a special tax;

--the law does not accurately reflect the services provided by funds from the Suburban District Tax;

--the law has not kept up with the realities of urban development beyond the Suburban District's statutory finite borders; and

--the law does not recognize the major impact on the internal composition of the Suburban District resulting from the changes within the central business districts, especially with the introduction of METRO.

Services Section, Department of Transportation, is managed effectively within the constraints imposed by its available resources; however, those resources are not sufficiently adequate to accomplish leaf collections in a period of time and at a frequency which satisfies many Suburban District residents.

In the last decade, the budget of the Services Section has failed to keep pace with inflation with the result that there has been a decline in the level of services in the Suburban District.

Recommendations

The Montgomery County Suburban District legislation, Chapter 68, Montgomery County Code, 1972, as amended, should be reviewed and modified to reflect current realities of the Suburban District and the County, such as:

- the current purpose for the Suburban District;

- the current services provided by funds from the Suburban District Tax;

- the urban development beyond the current borders of the Suburban District; and

- the impact on the internal composition of the Suburban District resulting from the changes within the central business districts.

The Services Section, Department of Transportation should be given the resources necessary to provide an acceptable level of services within the Suburban District.

II. AUTHORITY, SCOPE AND METHODOLOGY

1. Authority. Council Resolution 9-1459, subject, FY 82 Work Program of the Office of Legislative Oversight, adopted September 15, 1981.

2. Scope. Examine the Montgomery County Suburban District to include: a review of the statutory bases for the Suburban District, the Suburban District Tax and Suburban District Fund, and an evaluation of the efficiency and effectiveness of the services within the Suburban District as provided by the Services Section of the Department of Transportation.

3. Methodology. This examination was conducted during the 2nd quarter, FY 82. Document review included a study of the Maryland State Law, the Montgomery County Code, regulations, procedures and reports. In addition, interviews were conducted with County employees, individual residents of the Suburban District, the Chambers of Commerce of Silver Spring and Wheaton and the Wheaton Citizens Advisory Board.

Frequent site visits were made to residential areas in the Suburban District to observe and participate in leaf collection operations with the Services Section. Temporary leaf storage sites were visited as was the permanent disposal site located in the western portion of the County. When conducting site visits, Suburban District residents who had expressed opinion on the leaf collection operations and residents selected on a random basis were interviewed for their comments on leaf collection operations and other services.

Finally, leaf collection activities in the following other jurisdictions were examined: Prince Georges County, Fairfax County and Arlington County, Virginia and the City of Rockville.

III. DESCRIPTION OF THE MONTGOMERY COUNTY SUBURBAN DISTRICT

General

1. In 1927 the Maryland General Assembly created the Montgomery County Suburban District. Under the Maryland law, the Montgomery County Commissioners were empowered to provide funding for the development and control of the public infrastructure (highways, construction, communications) within this special taxing area and to pass rules, regulations and ordinances to safeguard and protect the health, safety and welfare of those residing in the District. Funding to carry out the responsibilities within the special taxing district was through the issuance of bonds, which were retired by monies obtained through the levy of a special tax on all assessable property within the Suburban District. The Commissioners were further authorized to levy an additional tax on all real and personal property within the District to fund administration, road maintenance, street lighting and other miscellaneous services.

2. In the half century since the Suburban District was established: its geographical size has increased slightly; Suburban District bonds are no longer issued; the fundamental purpose for creating the Suburban District (i.e. develop a public infrastructure) is no longer applicable; and the special services available to District residents have been altered. These services are currently provided by the Services Section of the Division of Operations, Department of Transportation.

3. This section of the report will describe the Suburban District to include the Suburban District Tax and Fund, the organization and operations of the Services Section and the specialized services provided within the Suburban District.

Characteristics

4. The Montgomery County Suburban District is that portion of lower Montgomery County encompassing approximately 66 square miles which is bounded generally as follows (moving clockwise from the point where Montgomery County, Prince Georges County and the District of Columbia join):

--on the east by the Montgomery County/Prince Georges County line;

--on the northeast by the Northwest Branch Park;

--on the north by Bonifant and Bel Pre Roads;

--on the northwest by the Rockville City limits;

--on the west by Interstate 270 and 495; and

--on the south by the Potomac River and the Washington, D.C./Montgomery County line. (See Map at Exhibit A).

5. Since first established, the Suburban District has excluded the following properties from the Suburban District Tax and the services that tax provides:

--All Federal properties (e.g. National Institute of Health, Bethesda Naval Hospital, Defense Mapping Service);

--Any State properties and all State highways (e.g. State Highway 355--Wisconsin Avenue, State Highway 97--Georgia Avenue);

--All incorporated municipalities (e.g. Somerset, Garrett Park, Takoma Park);

--All special taxing areas, except Battery Park (e.g. Friendship Heights, Drummond, Chevy Chase Section 3); and

--All property belonging to the other public County and bi-County agencies (e.g. BOE, M-NCPPC, WS3C).

6. Within the Suburban District some properties which are assessed the Suburban District Tax do not receive the services funded by that tax (e.g. street sweeping, leaf collection, tree service). These properties include country clubs (e.g. Chevy Chase Club); shopping centers (e.g. Wheaton Plaza); and cemeteries (e.g. Parklawn). However, they do receive such services as street cleaning, tree maintenance, etc., on the County street or right-of-way adjacent to the properties.

7. According to the 1980 census, the population of the Suburban District (less excluded areas) is approximately 266,000 or 46% of the 1980 County population of 579,000. In 1970 the District population was approximately 281,000 or 54% of the total 1970 County population of 522,800.

Legal Authority

8. The Montgomery County Suburban District was established by Chapter 692 of the Laws of the State of Maryland in 1927 in recognition of the need for controlled development and maintenance of public facilities for the growing population in that portion of Montgomery County bordering on the District of Columbia. The law designated the County Commissioners as the district council for the Suburban District with the following broad powers:

- to make regulations affecting buildings;
- to construct, maintain and light roads, streets, sidewalks;
- to inspect, license and regulate hospitals, homes for the aged and children, places of amusement, etc;
- to make laws for the protection of health, safety and welfare;
- to regulate trade, manufacturing and business;
- to issue and sell County bonds for the construction of roads within the District; and
- to levy and collect taxes on assessable property in the District to pay interest on, and retire the bonds.

9. The original size of the Suburban District was smaller than the present area. The original northern boundary of the district ran roughly parallel to Randolph Road. In 1953, the County Council approved an enlargement of the District to the north and east along Bel Pre Road--Bonifant Road--Northwest Branch Park, where it has remained essentially unchanged to the present.

10. In the half century that it has been in existence, there have been numerous statutory changes affecting the Suburban District. The Maryland Delegation made revisions in 1931 and 1941. After Montgomery County received its charter, the Suburban District legislation was enacted by the County Council as Chapter 102 of the Montgomery County Code, 1950. Essentially, the County statute paralleled the State law, making only those modifications which were necessitated by the Charter form of

government. The County statute retained the provision for an annual tax levy not exceeding 30 cents on each \$100 of assessable real and personal property in the District.

11. By 1970, the Montgomery County Suburban District was codified as Chapter 47 of the Montgomery County Code. In that year, when Montgomery County amended the Charter to establish a County Executive form of government, Chapter 47 was amended to designate the County Executive as the executive officer of the District with those duties previously performed by the Council which now fall under that branch of government (to set the rate of license fees, to set standards, to promulgate regulations, etc.). The power of the County Council to enact laws relating to public infrastructure of the Suburban District remained essentially unchanged.

12. Currently, the Montgomery County Suburban District is codified as Chapter 68 of the Montgomery County Code, 1972, as amended. Since 1953, the size of the District, the power to levy an annual tax to fund the controlled development and maintenance of public facilities in that area, and the maximum limit of that tax--30 cents on each \$100 of assessable real and personal property--has not been altered. The only attempt to enact legislation which would have expanded the Suburban District to cover the entire County (except for incorporated municipalities and special taxing areas) and modify the services provided was proposed in 1973; however, the Council did not approve the proposed legislation.

Suburban District Tax and Fund

13. When the Suburban District was created in 1927, the Montgomery County Commissioners were authorized to issue bonds for the purchase of land and the construction and maintenance of roads, highways, streets, bridges, etc. within the District. The Commissioners were also authorized to levy two taxes on assessable real and personal property within the Suburban District. One tax, the rate to be determined by the Commissioners, was to pay the interest on special bonds and to retire those bonds at maturity. The other tax, the rate not to exceed 30 cents on each \$100 of assessed property was to provide revenues for services within the Suburban District under four special funds: administrative, road maintenance, street lighting and miscellaneous services.

14. The County no longer issues special Suburban District Bonds for projects within the District. Since 1955, when bonding authority was put into County law (Chapter 9, Laws of Montgomery County, 1955) the debt service (interest and retirement) on County bonds, with some limited exceptions, is funded on a County-wide basis. An example of one exception is that bonds for projects within a specific Parking District are financed by taxes collected on properties within that specific parking district.

15. The other tax established by the Maryland Law to fund services in the Suburban District remains in effect. Since 1927, the statutory limit of the annual Suburban District Tax has remained at 30 cents on

each \$100 of assessable property, real and personal. In recent years the tax rate has been considerably less than the 30 cent limit. The most recent ten year history of the rate of the Suburban District Tax has varied between .065 and .088 cents while the assessable base has, with the exception of 1975, increased each year. At TABLE I is a breakdown of the tax rate and assessable base for fiscal years 1973 to 1982.

TABLE I

Suburban District Tax Rate and Assessable
Base for Fiscal Years 1973-1982

<u>Fiscal Year</u>	<u>Tax Rate</u>	<u>Assessable Base (Billions \$)</u>
1973	\$.080	\$2.230
1974	.080	2.326
1975	.085	2.308
1976	.088	2.596
1977	.088	2.847
1978	.078	3.181
1979	.065	3.293
1980	.065	3.677
1981	.085	3.941
1982	.075	4.205 (est.)

16. The actual properties on which the Suburban District Tax is levied are identified and grouped into specific tax classes. Within Montgomery County there 68 separate tax classes. Thirty-five of these tax classes are located in lower Montgomery County in the area of the Suburban District. Of these 35 tax classes, 20 receive the special services provided by the Suburban District and are, therefore, assessed the Suburban District Tax. At TABLE II is a list of the 35 tax classes in the general area of the Suburban District. (See page 8.)

17. The revenue collected with the Suburban District Tax is accounted for in a special revenue fund, the Suburban District Fund. At EXHIBIT B is a statement of assessable base, tax rate and tax collections for the Suburban District Tax and a statement of revenues, expenditures and balances for the Suburban District Fund for fiscal years 1977 to 1981.

Services Section, Department of Transportation

18. General. The revenue derived from the Suburban District Tax is used exclusively for services within the Suburban District. These services are performed by the Services Section, an activity in the Department of Transportation (DOT).

19. Organization and Personnel Complement. The Services Section operates directly under the Division of Operations in DOT. The Section is organized into three major subdivisions or activities: Administration, Tree Unit, and Street Cleaning Unit. The authorized personnel complement

TABLE II

Tax Classes in the General
Area of the Suburban District

<u>Tax Class</u>	<u>Assessed Suburban District Tax</u>	<u>Excluded From Suburban District Tax</u>
9		X (Somerset)
14		X (Friendship Heights)
15		X (Drummond)
17		X (Oakmont)
19		X (Chevy Chase Village)
20		X (Chevy Chase Sec. 3)
21		X (Chevy Chase Sec. 4)
22		X (Chevy Chase Sec. 5)
23		X (Martins Addition to Chevy Chase)
24		X (North Chevy Chase)
25	X	
26		X (Garrett Park)
27		X (Kensington)
28		X (Chevy Chase View)
29		X (Glen Echo)
34	X	
35	X (Battery Park)	
36	X	
37	X	
38	X	
39	X	
40	X	
46	X	
47	X	
48	X	
56	X	
63	X	
74		X (Takoma Park)
76	X	
79	X	
80	X	
82	X	
83	X	
84	X	
85	X	
TOTAL	35	15

of the Section for FY 82 is 98 full time and six part time positions assigned as follows: Administration - 9 full time positions; Tree Unit - 42 full time and 6 part time positions; and Street Cleaning Unit - 47 full time positions. At TABLE III is a breakdown of the Services Section's personnel complement for fiscal years 1977 through 1982.

TABLE III

Personnel Complement, Services Section,
for Fiscal Years 1977 to 1980

Fiscal Year	Activity						Total	
	Admin.		Tree Unit ^{a)}		Street Cleaning Unit			
	Pos	WY	Pos	WY	Pos	WY		
1977	8	8.0	47	44.7	48	56.8	103	106.7
1978	8	8.0	47	54.0	48	47.6	103	107.2
1979	9	9.0	50	54.2	48	47.7	107	108.9
1980	9	9.1	50	46.3	48	46.5	107	109.0
1981	9	9.0	51	45.8	47	47.3	107	108.8
1982	9	8.6	48	41.9	47	45.4	104	102.4

Notes: a) Includes authorization for six part-time positions for 1.8 work years for each fiscal year except 1979 when six part-time positions only authorized for 1.1 work years.

b) Total work years also include adjustments for overtime, lapse and charges to and charges from other agencies.

20. Equipment. The inventory of major equipment of the Services Section is large and diversified. The current inventory includes 45 vehicles and 49 towed pieces of equipment. At TABLE IV is an inventory of the 94 pieces of equipment assigned to the Services Section. The 1981 replacement cost of the 94 pieces of equipment is over two million dollars. (See page 10.)

21. In addition to the above major equipment, the Services Section has a varied inventory of hand tools and equipment to perform operations related to tree and street cleaning services (e.g. chain saws, trash recepticals, hand and tractor mowers).

TABLE IV

Major Equipment Inventory
Services Section, for Fiscal Year 1982

<u>Type Equipment</u>	<u>Description</u>	<u>Tree Unit</u>	<u>Street Cleaning Unit</u>	<u>Total</u>
Vehicles	Large trucks (dump, trash, special bodied)	7	12	19
	Small trucks	6	6	12
	Log truck/claw	1	-	1
	Aerial bucket	1	-	1
	Street sweepers	-	5	5
	Front loaders	-	2	2
	Tractors	3	-	3
	Sedans	<u>-</u>	<u>2</u>	<u>2</u>
	Subtotal	(18)	(27)	(45)
Towed	Chippers	6	-	6
	Sprayers	1	-	1
	Utility trailers	-	2	2
	Vacuum leafers	<u>-</u>	<u>40</u>	<u>40</u>
	Subtotal	(7)	(42)	(49)
	TOTAL			94

22. Operating Budget. Like every activity in County government, the Services Section operates under a budget appropriated annually by the County Council. As stated above, the funding source for almost all of the Services Section budget is derived from the Suburban District Tax. Those revenues in the Suburban District Fund which are not derived from the Suburban District Tax are transfers from other agencies for which the Services Section performs services (e.g. reimbursement from Highway Maintenance for sweeping prior to and after resurfacing). At TABLE V is a breakdown of the Services Section's operating budget and expenditures for fiscal years 1980 and 1981.

TABLE V

Operating Budget and Expenditures,
Services Section for
Fiscal Years 1980 and 1981

<u>Category</u>	<u>As of June 30, 1980</u>		<u>As of June 30, 1981</u>	
	<u>Budget</u>	<u>Expenditures</u>	<u>Budget</u>	<u>Expenditures</u>
Salary & Wages	\$1,676,360	\$1,671,153	\$1,763,510	\$1,699,858
Operating Expense	1,111,980	1,130,323	1,258,050	1,186,919
Capital Outlay	<u>11,790</u>	<u>15,156</u>	<u>14,000</u>	<u>13,961</u>
TOTAL	\$2,800,130	\$2,816,632 ^{a)}	\$3,035,560	\$2,900,738 ^{b)}

- Notes: a) In addition, encumbrances totaled \$17,752. Council Resolution 9-1050, adopted November 10, 1980, transferred \$40,000 from the Suburban District Fund to the FY 80 Services Section account to cover expenditures over budget.
- b) In addition, encumbrances totaled \$22,421.

23. Capital Budget. Within the past decade there have been only two capital projects dedicated exclusively to the Suburban District. One project approved in FY 74, was for \$20,000 to purchase and plant trees along existing Suburban District roads. The other project, approved in FY 79, was for \$158,000 to renovate and expand the Services Section facilities at the Brookeville Road Depot in Silver Spring. Both of these capital projects, funded out of general purpose bonds, are completed.

24. Operations. Before describing the operations of the Services Section it is important to note that the services currently funded with revenues derived from the Suburban District Tax bear little resemblance to the services outlined in the original 1927 Maryland ordinance or the current County statute (Chapter 68, Montgomery County Code, 1972, as amended). The original Maryland law specified that the revenues collected through the Suburban District Tax would be allocated between

four major fund categories: administration, road maintenance, street lighting and miscellaneous. The current County statute states that the Council is authorized to expend the Suburban District tax funds "...for the grading, construction, maintenance or drainage of roads, streets or highways in the suburban district." (Sec. 68-5, Montgomery County Code, 1972, as amended.)

25. Notwithstanding the above statutory purpose for which Suburban District tax funds may be expended, the funds are used for considerably different purposes. The operations of the Services Section, which are funded by the Suburban District Tax, are devoted exclusively to tree services, street cleaning, mowing, leaf collection and administration. Each of these activities are discussed in more detail in subsequent paragraphs of this section and will be evaluated in a latter section of this report.

26. Administration. The nine full time personnel in the administration unit perform the usual management and administrative functions with some exceptions unique to the Services Section. The Chief of the Services Section is the official County Forester. Because of his special qualifications and training, the Maryland Forest Service, which is responsible for regulating all work on roadside trees throughout the State, has delegated authority for all permits for tree service within Montgomery County to him. Also, in FY 81, an Arborist was added to the personnel complement of the administrative unit.

27. Tree Unit. The Tree Unit comprises approximately half of the operating staff of the Services Section, forty-two full time and six part time positions. Up until recent years, the Tree Unit performed a full range of services to trees located on County owned property and rights-of-way, to include inspection, pruning, planting (new and replacement), removal, disposal, spraying and disease treatment. Due to a reduction in full time positions (three in FY 82) and a protracted freeze on filling positions (discussed under Other Matters in this report) there has been a steady reduction in tree services by this unit. At TABLE VI is a list of major services performed by the Tree Unit in FY 81. (See page 13.)

28. The extent of the tree population within the Suburban District was determined in a December 1980 tree survey performed by a private outside consultant. The highlights of that report include:

- the calculated value of all trees is \$90 million;
- the tree population is mainly in the young to middle-age classes;
- although most of the trees are in good health, the fact that 68% of the trees require some work indicates that tree care activities have not kept pace with the need; and

--about three times as many trees require pruning or trimming as there should be if maintenance practices were ideal, i.e once every 8-12 years. (Note, the current pruning and trimming cycle in the Suburban District is once every 22 years.)

TABLE VI

Major Work Activities of the Tree Unit,^{a)}
Services Section, for Fiscal Year 1981

<u>Work Activity</u>	<u>Est Amount Maintained</u>	<u>Amount Accompl</u>	<u>Backlog at End of FY 81</u>
Tree Pruning	101,600	4,629	8,071
Tree Removal/Disposal	783/yr	765	37
Stump Removal	1,500	122	2,143 ^{b)}
Pesticide Application	19,405	1,865	2,986 ^{b)}
Tree Planting	101,600	0	440 ^{b)}
Tractor Mowing ^{c)}	209 acre/cy	6 cy/yr	0
Leaf Collection (see note d)			

- Notes: a) This list does not include additional activities such as equipment and building maintenance, small tool and equipment repair, snow removal, etc.
- b) Beginning with FY 82, stump removal, pesticide application and tree planting are accomplished by contract.
- c) Roadside tractor mowing along the roadside and median strips.
- d) For approximately 8-10 weeks each fall, only emergency tree work is conducted while almost the entire Tree Unit assists the Street Cleaning Unit in the collection of leaves.

29. As noted in TABLE VI, several tree-related services have been put out on contract in FY 82. These include stump removal, replacement tree planting and pesticide application. It is my understanding that additional services are under study for possible contract.

30. Street Cleaning Unit. The Street Cleaning Unit is currently authorized 47 full time positions. The major work activities of this unit include: sweeping streets, emptying trash recepticals and picking-up sidewalk litter by hand in the three central business districts of

Silver Spring, Wheaton and Bethesda; street sweeping and litter pick-up in the residential areas of the Suburban District; mowing grass on about 200 separate locations totaling approximately eight acres; and collecting and disposing of approximately 85,000 cubic yards of leaves. The leaf collection and disposal operations, the largest of all operations of the Services Section, is described in detail later in this report. At TABLE VII is a breakdown of the work activities of the Street Cleaning Unit.

TABLE VII

Major Work Activities of the Street
Cleaning Unit, Services Section for Fiscal Year 1981^{a)}

<u>Work Activity</u>	<u>Est Amount Maintained</u>	<u>Amount Accomp/Cyl</u>	<u>Backlog at End of FY</u>
Street Sweeping - Business Dist.	43.5 miles	3 times/wk	0
Street Sweeping - Residential	750 miles	2.5 times/yr	.5 times/yr
Litter Collection - Business Dist.	43.5 miles	1.5 times/wk	1.5 times/yr
Litter Collection - Residential	750 miles	2.5 times/yr	.5 times/yr
Trash Recepticals Emptied	320 cans	2 times/wk	0
Mowing (194 locations)	7.88 ac.	6 times/yr	0
Spraying, weeds	43.5 miles	1 spray/yr	0
Leaf Collection - Fall ^{b)}	83,200 cu yd	1-1/3 cycles	0
Leaf Collection - Spring	(incl in fall 1 cycle total)		0
Leaf Disposal (hauling)	41,600 cu yd	41,600 cu yd	0

Notes: a) This list does not include additional activities such as equipment and building maintenance, leaf box construction and repair, snow removal, etc.

b) Includes the activities of the Tree Unit and augmentation from Highway Maintenance. (See description beginning at paragraph 32.)

31. Other services performed by the Services Section. In addition to the above, the Services Section performs other services within and outside the Suburban District. These services include:

a) Snow Removal. The Services Section is responsible for assisting Highway Maintenance in its snow removal mission by plowing a 66 mile section of road within the Suburban District whenever a snow emergency is declared. The Section is also responsible for applying abrasives to an additional 15 miles of road. To accomplish this assignment, the Services Section has dedicated one front loader, five trucks with plows and approximately twelve operators and helpers. The Services Section is also responsible, on a priority basis, for snow and ice treatment of driveways and parking lots of seventeen County facilities within the District. In the Priority #1 category are four facilities: the Bethesda, Silver Spring and Wheaton-Glenmont police stations and the Aspen Hill Fire Station #25. Finally, when snow emergency conditions warrant, Services Section personnel clear cross walks and open drains in the three central business districts and relieve Highway Maintenance personnel and equipment assigned to snow removal routes in the business districts.

b) Christmas Tree Collection. Annually over a two-day weekend in January most of the Services Section is involved in collecting approximately 14,000 trees at elementary schools throughout the County. The Services Section chips the collected trees and assists the refuse collectors in disposing of the trees.

c) Roadway sweeping for Highway Maintenance. Prior to and after Highway Maintenance resurfaces a section of County maintained road, the Services Section dispatches a sweeper and driver to clean the surface and to sweep up excess loose gravel. In FY 81, 2,064 man hours were expended in this activity which is performed throughout the County.

d) Miscellaneous. The Services Section performs several other activities to include: removal of diseased Elm trees from private property on a reimbursement basis; enforcing the weed ordinance on private property; assisting Parking District where special equipment such as the aerial bucket is needed; and assisting the Sheriff's department on eviction cases within the Suburban District.

Leaf Collection and Disposal

32. General. The collection and disposal of leaves from residential areas constitutes the single largest work activity by the Services Section. The collection and disposal of leaves requires a large commitment in labor, fuel and equipment. It is estimated that approximately one-third of the Service Section's budget is devoted to the collection and disposal of leaves. During the fall collection period the entire staff of the Tree and Street Cleaning Units and a large contingent of personnel and

equipment from Highway Maintenance are involved in the leaf collection operation.

33. Within the County, leaf collection occurs only in the Suburban District and in most incorporated areas (Rockville, Kensington, Chevy Chase Village, etc.). In all other areas of the County it is an individual decision of the householder as to whether leaves will be collected for refuse pick-up, burned, used as compost or mulch, or simply neglected.

34. The collection and disposal of leaves, especially in urban areas, is more critical than simply removing a nuisance. Leaves present an actual and potential hazard. Every year there are numerous leaf fires with resulting loss in personal property caused by catalytic converters on cars and vandalism; wet and frozen leaves on the roadways are a serious cause of automobile accidents; uncollected leaves block storm drains which result in water accumulating on streets and backing up into basements; finally, uncontrolled burning of leaves impacts on air quality standards. (Contrary to the general perception, it is not against the law to burn leaves except within the Suburban District and certain incorporated areas. The Fire Safety Code (Chapter 22 of the County Code) permits open burning of leaves subject only to certain common sense safety provisions; and the Air Quality Control law (Chapter 5, of the Code) permits the open burning of leaves on the property of the householder.)

35. Overall description of leaf collection and disposal programs. Each fall in late October or early November, the Services Section begins collecting leaves in the Suburban District. This year the program began on November 9, 1981. Leaf collection continues for approximately two months until all areas in the District have been serviced at least once, with those areas of heaviest leaf concentration serviced twice. In the spring, usually during four weeks in April, a spring collection is conducted. The amount of leaves collected in the combined fall and spring collections is approximately 85,000 cubic yards and requires a commitment in the fall of over 150 personnel, 75 vehicles and 40 leafers. In the spring the commitment is about 15 personnel, 10 vehicles and eight leafers. During the remainder of the year a team from the Street Cleaning Unit transports the leaves from three temporary holding areas to a permanent disposal site in the western part of the County.

36. Fall Leaf Collection Operations. The Suburban District is divided into twelve major leaf collection areas, with each area further divided into seven to nine sub-areas. Assigned to each of the twelve major areas is an eleven member leaf collection team equipped with three leaf vacuums and five trucks. The eleven employees include: the team leader who has a truck, four operators who drive the four dump trucks equipped with leaf collection boxes and six leaf rakers, two for each of the three vacuum leafers. (The extra dump truck facilitates extended operation of the vacuum leafers during periods when the dump trucks must empty collected leaves at one of the holding areas.) The team leader is responsible for posting signs in their sub-areas to alert the residents, collecting the leaves into dump trucks by means of the vacuum leafers and transporting the leaves to one of three temporary holding areas.

37. The initial date of the fall leaf collection is given wide publicity in local newspapers. Approximately 4-5 days prior to the arrival of the leaf collection team, the team chief posts signs in the sub-area announcing the leaf collection "within a few days." (See EXHIBIT C for a copy of the sign.) The signs are posted in time to permit a weekend between posting the notice and actual collection of the leaves. No specific time and date of the leaf collection is given because of the many variables which affect collection operations, (e.g. weather, equipment reliability, availability of personnel).

38. In the normal leaf collection routine, the two rakers assigned to each vacuum leafer rake the leaves off the curb, onto the street and into the path of the vacuum leafer which is being towed at a slow speed by a dump truck. The vacuum leafer sucks the leaves up off the street and blows them through a flexible tube into a large prefabricated box anchored in the bed of the dump truck. The boxes have a capacity of approximately 15 cubic yards of leaves. As the box becomes full, the truck transports the leaves to one of three temporary holding areas. After unloading the leaves, the truck returns to the sub-area to hook-up to the next available leafer and repeat the cycle.

39. Temporary holding areas. The three temporary holding areas for leaves are located as follows: the Silver Spring Maintenance Depot on Brookville Road and on properties belonging to the Maryland-National Capital Park and Planning Commission on Seven Locks Road south of Tuckerman Lane and behind the Trolley Car Museum on Bonifant Road (see map at EXHIBIT A).

40. Personnel and Equipment. As stated earlier, the fall leaf collection operation requires a large commitment of personnel and considerable equipment. Within the Services Section all leaf collection and disposal operations are the responsibility of the Street Cleaning Unit. In the fall, all personnel assigned to that unit, with the exception of a small crew to empty trash recepticals and pick up sidewalk litter in the business districts, are involved directly in the leaf collection operation. In addition, all personnel assigned to the Tree Unit, except for a tree pruning bucket crew, are dedicated to the fall collection of leaves. The total number of personnel and equipment from Services Section is approximately 80 employees, 22 trucks and 40 vacuum leafers.

41. Augmenting the fall leaf collection teams from the Services Section are a considerable number of employees and equipment from the Department of Transportation. The largest contingent comes from the Highway Maintenance Section which includes approximately 85 employees and 40 trucks. In all, the following support is provided the Services Section leaf collection teams:

--six complete leaf collection teams of 11 personnel and five vehicles from Highway Maintenance;

--augmentation with personnel and/or equipment from Highway Maintenance on six other leaf collection teams;

--two gasoline trucks with operators to service leafers during daily operation and at night;

--sweeper operators to clean up after the vacuum leafers pass through an area;

--one front loader with an operator at each of the three temporary holding sites (two of the sites also have a helper);

--two emergency vehicles with mechanics from Equipment Maintenance to service and repair the vacuum leafers; and

--two personnel to repair leaf boxes and tools.

42. Spring leaf collection. During a four week period, usually in April, the Services Section, using personnel from the Street Cleaning Unit, conducts a spring leaf collection operation throughout the service area. The operation usually involves eight vacuum leafers with dump trucks with a two-man crew on each truck-leafer.

43. Leaf disposal. As discussed above, collected leaves are temporarily dumped at one of three holding sites. Approximately half of the collected leaves are dumped at the DOT Maintenance Depot on Brookville Road in Silver Spring. The remaining leaves are roughly divided between the M-NCPPC sites on Bonifant Road and on Seven Locks Road. After the fall leaf collection is completed, usually in mid-January, a small contingent composed of eight operators, seven large dump trucks and a front loader begin transferring the leaves from the three temporary holding areas to a disposal site at Sugarland in western Montgomery County below Poolesville.

44. Beginning in 1980, the County paid a private contractor .50 cents a cubic yard to dump the leaves at the Sugarland site. Prior to 1980, the leaves were delivered to the site of a private contractor in eastern Montgomery County where they were received at no cost to the County, recycled and sold as organic mulch. The leaves collected in the fall of 1980 and the spring of 1981 were transported to Sugarland during the period January to October in approximately 2,000 truck loads, each truck carrying 22 cubic yards. In FY 81, the County paid the contractor \$20,000 for a guaranteed 40,000 cubic yards of leaves at .50 cents per cubic yard. (During the period of temporary storage at the three holding sites, the leaves compress to approximately half the collected volume.) In the fall of 1981, the leaf disposal contract was renewed for an additional year at a revised fee of .549 cents per cubic yard. Thus for FY 82 the contractor was paid \$21,960 for a guaranteed 40,000 cubic yards of leaves at .549 cents per cubic yard.

45. Cost of leaf collection and disposal. The leaf collection and disposal operation is neither budgeted nor accounted for as a single activity. Nonetheless, the Services Section has been able to review the operation over the past two fiscal years and estimate the various costs associated with the operation. These costs for fiscal years 1980 and 1981 are reflected at TABLE VIII.

TABLE VIII

Estimated Costs of Leaf Collection and Disposal Operations for Fiscal Years 1980 and 1981

<u>Activity</u>	<u>FY 1980</u>	<u>FY 1981</u>
Personnel-Services Section	\$493,500	\$551,600
Personnel-Highway Maintenance a)	161,000	158,800 b)
Motor Pool/Equip-Services Sect	100,000	114,400
Motor Pool/Equip-Highway Main. a)	40,800	54,400
Material	3,600	4,800
Disposal Contract	0 c)	20,000 d)
	<u>\$798,900</u>	<u>904,000</u>

- Notes: a) Paid to Highway Maintenance from the Suburban District Fund.
b) Unlike FY 80, overtime for leaf collection was not authorized in FY 81.
c) Equates to 28% of Services Section total FY 80 expenditures.
d) Equates to 31% of Services Section total FY 81 expenditures.

46. Leaf collections in other jurisdictions. Leaf collection operations in adjacent jurisdictions were briefly examined.

--Fairfax County, Virginia, uses 22 vacuum leafers to collect approximately 60,000 cubic yards annually from households in one-sixth of the County. The cost of this service to homeowners is .02 cents on each \$100 of assessed property value.

--Arlington County, Virginia, uses sixteen vacuum leafers to collect 55,000 cubic yards annually. The service is available to all householders as one of the County-wide services of the Department of Public Works.

--The City of Rockville also collects leaves as part of city-wide services. Approximately 20,000 cubic yards are collected with six vacuum leafers.

In Fairfax, Arlington and Rockville, collected leaves are placed on sites convenient for citizens, nurseries, etc. to retrieve as mulch and compost.

47. Leaf operations summary. Leaf collection and disposal operations constitute approximately one-third of the budgeted work program of the Services Section. The remaining two-thirds are divided almost equally between tree services and street cleaning activities discussed earlier. The next section of this report is devoted to an evaluation of the Suburban District Tax and Fund and all activities of the Services Section, with emphasis on the leaf collection operations.

IV. EVALUATION OF THE MONTGOMERY COUNTY SUBURBAN DISTRICT

General

1. My critique of the Suburban District will be presented in three separate, albeit overlapping, evaluations:

--the need today for a Montgomery County Suburban District and the current statutory basis for that District;

--the organization and operation of the Services Section, with emphasis on collection and disposal of leaves; and

--other services in the Suburban District.

2. In the course of this evaluation, I had many opportunities to observe leaf collection operations, street cleaning and trash and litter pick-up operations. Neither tree service nor mowing operations were conducted during this period. On the basis of these site visits and observations, it is my unequivocal opinion that the work force of the Services Section is dedicated, hardworking and responsible. The management of the Services Section is open and cooperative and clearly demonstrates its professional understanding of the organization, mission and responsibilities of the Services Section.

An Evaluation of the Present Montgomery County Suburban District

3. The Montgomery County Suburban District is an anachronism. The Suburban District was originally created in recognition of the fact that the lower portion of the County was becoming more urbanized. The original purpose for creating a special taxing area was to enable the controlled funding and development of the public infrastructure required by that urbanization. However, in the half century since the District was created, Montgomery County has grown and developed, urbanization has spread, and the means and methods of funding and developing the public infrastructure has changed. The result has been that the original concept of a special Suburban District with unique characteristics and needs is now archaic. Specifically, the Montgomery County Suburban District legislation, Chapter 68, Montgomery County Code, 1972, as amended, is deficient in four general areas:

--it does not accurately reflect the current purpose for the existence of the Suburban District and the imposition of a special tax;

--it does not accurately reflect the services provided by funds from the Suburban District Tax;

--it has not kept up with the realities of urban development beyond the Suburban District's statutory finite borders; and

--it does not recognize the major impact on the internal composition of the Suburban District resulting from the changes within the central business districts, especially with the introduction of METRO.

4. When established in 1927, the Suburban District encompassed an area of approximately one-seventh of the County. Within this District the following "urban" facilities, standards, regulations and services were considered necessary:

--regulations controlling type and size of buildings;

--the construction, maintenance and lighting of roads, streets and sidewalks;

--licensing and regulation of trade and manufacturing operations, facilities and businesses;

--the issue and retirement of bonds backed by the faith and credit of the County to fund public infrastructure projects;

--a variety of services such as refuse, ash, garbage and trash collection; and

--repair of streets, curbs and gutters.

5. Currently, nearly all of the above regulations and services apply County-wide. Very few standards and regulations which apply only to the Suburban District remain. Two examples are the prohibition on open burning of leaves and provisions for the control of Dutch Elm disease. The services once provided only to the District have steadily been expanded County-wide. For example, financing of street lighting was broadened to the entire County in 1964. At this time only four services remain unique to the District and funded by the Suburban District Tax: leaf collection and disposal, tree services, street cleaning and roadside mowing. These four services are provided by the Services Section, a subordinate element of DOT. The statutory basis for these activities is contained in Sec. 2-58A, of the County Code which includes in the functions of the Department of Transportation, "...street cleaning, trees, plantings, and leaf collections."

6. The current statutory borders of the Suburban District (see map at EXHIBIT A) do not reflect the realities of urban growth in the County. Anyone familiar with the County can readily recognize that urbanization exists east of Northwest Branch Park, north of Bel-Pre Road and west of Routes 270 and 495.

7. Finally, the current services provided within the Suburban District do not recognize the changing internal composition of the District. Today, the composition and needs of the three central business districts (CBDs) within the District (Silver Spring, Bethesda and Wheaton) are as distinct from the rest of the District as the Suburban District was once distinct from the rest of the County. In discussions with the Chambers of Commerce of Silver Spring and Wheaton and in separate interviews with the directors of the Community Service Centers in each of the three CBD's, it was stressed that commercial activity, population density and economic and transportation developments (METRO) in the central business districts require that services presently provided by the Services Section be expanded. Examples of the services include: the use of sidewalk vacuums, more frequent street sweeping, more litter and trash containers and more frequent service, grass pick-up or raking after mowing. The Executive branch is aware of the above and, it is my understanding, has opened a dialogue with representatives of the central business districts, which includes a suggested Central Business District Service Tax to fund more frequent specialized services.

8. In 1973, the Executive branch recognized the need for a change to the Suburban District law and recommended in a bill, No. 17-73, that it be expanded so as to provide those services County-wide which were then currently provided within the District (leaf collection, tree services, etc.). Also, the bill proposed additional roadway environmental services (trash and litter pick-up and resurfacing rural roads). Bill No. 17-73 was rejected by the County Council for a variety of economical and political reasons. The time Bill No. 17-73 was being debated coincided with the period when the Services Section was at its highest personnel complement. In the decade since 1973, the size of the Services Section has steadily declined. For example, the budgeted number of work years decreased from 137.8 WY in FY 73 to 102.4 WY in FY 82, a decrease of over 25%. The reduction in the personnel complement of the Services Section has resulted in a corresponding reduction in the level of services to the District.

Leaf Collection and Disposal

9. There is a need for organizational and operational improvements in the collection and disposal of leaves. The commitment of personnel, equipment and time devoted to the collection of leaves needs to be increased; and the operating procedures for the disposal of leaves needs restudy and modification. The Services Section devotes approximately one-third of its total budgeted resources to the collection and disposal of leaves. The collection operation is thoroughly planned and conscientiously executed by the Services Section, aided by a significant augmentation of personnel and equipment from Highway Maintenance. In my opinion, the management of Services Section effectively utilizes its personnel and equipment within the constraints imposed by its available resources. Unfortunately, those resources are not sufficiently adequate to permit the accomplishment of leaf collection operations in a period of time and at a frequency which satisfies many Suburban District residents.

10. Essentially, citizen comments fall into two categories: the priority in which sub-areas are collected and the frequency of collections. Obviously, all Suburban District areas cannot be first in the collection process. In my opinion, the Services Section has a logical processes of determining the priority by which sub-areas will be serviced (e.g. number and type of trees, presence of curbs and gutters where vehicles must park directly on the sub-area's roadways, etc.). As for the number of collections, current resources and operating procedures permit only one fall collection in two-thirds of the District with the other one-third receiving two collections. It is the frequency of collections which, in my opinion, are inadequate to meet the task of collecting thousands of cubic yards of leaves in a period of time between when they fall and the arrival of winter weather.

11. Discussed below are suggested improvements to leaf collection operations which, in my opinion, would result in an increase in the number of collections. Admittedly, the suggested improvements will result in an increase in expenditures. However, as currently funded, the Services Section is unable to meet the level of service of past years with the result that there is citizen criticism of the program, criticism which apparently is increasing. The leaf collection requirement will undoubtedly increase because the tree population is predominantly in the young and maturing stage.

a) Leaf collection operations should be more intensive, with extra hours per work day and some weekends devoted to the collection of leaves. Currently, leaf collection is basically a Monday to Friday operation for a period of less than eight hours a day. The normal eight hour day is reduced by travel time to and from the various depots where the vacuum leafers are serviced and parked each evening.

During the fall 1980 collection period (FY 81) overtime for Saturday collections was not authorized; however, in the FY 82 budget, funds were available for four Saturday collections in the fall of 1981. Extending the number of hours each day that collections are made and making collections on weekends would be a more productive use of the 40 vacuum leafers and would permit an increase in collection cycles from the present 1-1/3 to 2 or more in the same relative period of time. The City of Rockville works sixteen hours a day during the height of the fall leaf collection period and with only six vacuum leafers is able to make four collections city-wide.

b) Temporary and other labor services personnel should be used to collect leaves. The Services Section should use temporary labor and personnel from other labor services to extend the hours each day and to increase the number of days per week devoted to leaf collection. In the past, temporary workers were hired for leaf collection. The FY 73 budget was the last year 100 part-time personnel were authorized. In recent years, personnel authorization reductions and an apparent reluctance to use temporary labor has resulted in the utilization of full time workers from Highway Maintenance to augment the Services Section fall leaf collection operations. It would appear that temporary labor could be

employed as rakers to replace some full time employees and for absent full time rakers. Full time employees would continue to be used as supervisors and vehicle operators. The City of Rockville successfully employs temporary laborers to rake leaves at approximately half the hourly wage cost of full time city employees and without any fringe expenses.

In addition to temporary labor, the Department of Transportation should explore the increased use of Alternate Service clients from the program directed by Department of Corrections and Rehabilitation and Workfare participants from the Department of Social Services.

Finally, use of temporary workers would release tree climbers to prune trees and would reduce the number of Highway Maintenance personnel who currently augment the Services Section in the fall leaf collection operation. Release of Highway Maintenance personnel from leaf collection operations would permit them to return to the normal activities of permanent patching and repair and replacement of sidewalks, gutters and curbs.

c) Use of more temporary leaf holding areas. Under current operations, three sites (two of which are located outside the Suburban District) are used to temporarily store leaves until they are disposed of at a site near Poolesville. These three sites are on County or Park and Planning property. If more sites were used, especially sites within the Suburban District, the distance between the collection areas and the storage sites could be reduced. A reduced travel distance would reduce the time that vacuum leafers are idle waiting for a dump truck prime mover to empty its leaves.

d) Lease more dump trucks prime movers to pull the vacuum leafers. Except for one team, each of the leaf collection teams have three vacuum leafers and four prime mover dump trucks to pull the leafer and collect the vacuumed leaves in prefabricated boxes mounted on the trucks. When collection of leaves in areas near one of the three current storage sites, the rotation of four trucks results in almost continuous use of the three vacuum leafers. Unfortunately, too often mechanical breakdown or other reasons reduce the number of available trucks so that there is only one truck available for each vacuum leafer. As a result, when that truck is full and must empty its leaves at a temporary storage site, the vacuum leafer and the two rakers are idle.

e) Examine the possible advantages of self-contained vacuum leafers when replacing current vacuum leafers. Currently all forty vacuum leafers are towed models which require that the towing vehicle be able to collect the leaves which are vacuumed. Self-contained vacuum leafers which only require a towing vehicle and not a truck to collect the vacuumed leaves are also available. Since most adjacent jurisdictions use the self-contained model, there may be advantages to that types leafer.

12. Leaf Disposal. The disposal of leaves requires less personnel than the leaf collection operations, but it is still a costly operation. Each year, leaf disposal extends from January to September/October. Over this eight to nine month period, the leaves which were temporarily stored on the three sites are transported to a site in Sugarland, south of Poolesville. The operation requires approximately 2,000 round trips from the three temporary sites. Because of compacting, the amount of leaves transported is approximately half the volume of leaves which were collected. The site at Sugarland is leased by a private contractor, who receives .50 cents a cubic yard from the County to dump the leaves.

In 1981, the County paid \$20,000 to dump approximately \$39,000 cubic yards of leaves at Sugarland. In addition, the operation required 2,000 truck loads, at 22 cubic yards per load, and travel of approximately 90,000 miles. The cost for fuel for these 2,000 trips was over \$25,000.

In my opinion, other methods of disposing of leaves must be examined for feasibility and cost. Outlined below are some suggestions which, admittedly, require a depth of examination beyond the scope of this report.

a) Examine the feasibility of either integrating leaves directly into the present composting operation or adding leaves to compost as a soil amendment. Representatives of the Department of Transportation and the Office of Environmental and Energy Planning have discussed alternate methods of disposing of leaves. Until this last year, a commercial company accepted, the leaves at no charge and processed and sold them as mulch. There is general agreement that leaves are a beneficial addition to soil; however, the County has considered and dumped on a rural site. The Office of Environmental and Energy Planning has made an initial analysis on alternate uses of collected leaves, to include their use:

--as a soil amendment in restoration of disturbed ground such as the sludge trenching sites;

--in the final cover of landfills to assist in soil stabilization and planting;

--to satisfy the County's requirements for mulch and compost;
and

--eventually, as a part of the refuse recovery operation.

The Executive branch should encourage a further examination into the disposal of leaves. It should be noted that the City of Rockville and other municipalities have a similar, albeit lesser, leaf disposal problem. The municipalities also "dump" the leaves. A side benefit from a disposal program could reduce or even eliminate the collecting of bagged leaves by refuse collectors for disposal in the landfill.

b) Develop a program to make leaves available to County residents for nursery and landscaping purposes. In every adjacent jurisdiction, citizens may obtain leaves without charge for use in landscaping and home gardens. In some jurisdictions leaves are delivered to the homeowners at a nominal charge. In Montgomery County there are no such programs.

Not only would the County benefit from disposing of collected leaves, but citizens would also benefit from the soil amendment benefits of the leaves. Some suggestions which have worked in disposal programs in other jurisdictions include the bailing of leaves with a commercial bailer to facilitate their transportation. In Fairfax County collected leaves are processed through a tub grinder, a portable grinding machine which reduces the bulk of the leaves to one-third or one-fourth their original volume with the additional benefit of hastening the decomposition of the leaves.

c) Use larger capacity vehicles to transport leaves from temporary sites to the permanent dump site. As long as the requirement exists to transport over 40,000 cubic yards of leaves to an outlying site, it would appear to be an advantage to use larger capacity trucks or trailers. Refuse trucks which compact its loads and larger dump trailers of the type to be used at the transfer station could double the capacity of the trucks currently used.

Other Services in the Suburban District

13. In the last decade there has been a decline in the level of services in the Suburban District. The preceding section described leaf collection and disposal, an operation which takes up one-third of the Services Section effort and budget. It was also pointed out that the frequency of fall leaf collection services has been reduced from two cycles each fall to a little over one cycle. In the past decade, the level of services has decreased for most services in the Suburban District.

A review of the Services Section budget over the last ten years reveals that budget authorizations have not kept pace with inflation. In the decade from FY 73 to FY 82, the budget of the Services Section has increased 86%. At the same time, the CPI has increased over 110%. The result has been an 11% decrease in available real dollars. It should be noted that in the ten years between the 1970 census and 1980 census, the population of the Suburban District decreased 5%, while the assessable base increased over 88%.

Outlined below is a list of services which have decreased in the Suburban District:

a) Tree Unit. The Tree Unit only spends a little over eight months a year on tree services, because of its total commitment to assisting the Street Cleaning Unit in the fall leaf collection.

--the cycle of pruning and trimming has stretched to once every 22 years. (Failure to prune on a timely basis has contributed to claims against the County for damage to cars and other personal property from falling limbs);

--no new plantings on public land except to replace some of the removed trees;

--no new plantings on rights-of-way which previously have not been planted with new trees;

--an end to plantings on private property for a modest fee;

--terminated spraying of Elm trees; and

--mowing has been reduced from six times a season to three, a cycle which often places the County in violation of its own weed ordinance, and the grass is not raked after mowing.

b) Street Cleaning.

--flushing of streets eliminated in FY 82;

--curbs are no longer edged when mowing;

--weeds are no longer removed by hand along sidewalks; and

--reduced sweeping in CBD. Until FY 82, the Services Section had seven sweepers, now they have five. Each of the three CBDs are assigned one sweeper and should be swept five nights a week for three cycles per week. In reality it is less. During the fall leaf collection period, operators of two of the three sweepers are used to service the 40 vacuum leafers at night, leaving only one sweeper and operator available to sweep the three CBDs.

V. OTHER MATTERS

1. In the course of this evaluation, several matters relating indirectly to the Suburban District and Services Section were examined. These matters are presented in this section of the report.

2. Maintenance Management System. Beginning in FY 82, the Department of Transportation initiated a Maintenance Management System (MMS) in two operational subdivisions: Highway Maintenance Section and the Services Section. Under MMS each work activity will have a developed annual work program with set goals, finite resources and performance standards. Management will be able to evaluate actual work accomplishments (production) against these goals, resources and standards. With this management tool, management will be better able to improve scheduling, standardize crew size and work procedures, refine work standards and improve control over resources--all with the potential of improving productivity.

The Maintenance Management System currently monitors 43 separate work activities in the Services Section. An example of one of these work activities is #2111, Fall Leaf Collection, Street Cleaning Unit. At EXHIBIT D is a copy of the performance standards for the basic eleven member leaf collection team.

At present, MMS is a manual operation. It is anticipated that it will be computerized by mid-FY 83, at which time other activities within DOT will be added to the system.

3. Landscape Maintenance in Rights-of-Way. The Services Section is responsible for basic landscape maintenance in rights-of-way within the Suburban District. An example is the landscaping in the Randolph Road-Parklawn Drive intersection area. However, there is no agency responsible for landscape maintenance in rights-of-way outside the Suburban District. For example, approximately \$300,000 was expended for landscaping along the Shady Grove right-of-way between Muncaster Mill Road and Route 355. With the exception that Highway Maintenance mowes along that right-of-way, no agency has responsibility for maintaining the other expensive plantings in that right-of-way.

4. Position Vacancies. In reviewing position vacancies in the Services Section, it was noted that there were positions approved and budgeted by the Council which have gone vacant for an extended period. One example was a position of Arborist, Grade 21, which remained vacant for over a year after it was approved and budgeted. As of January 1, 1982, Services Section had eight budgeted positions vacant. One position had been vacant for 20 months, another for 11 months and another for nine months. The remainder had been vacant from one to five months.

5. Protective masks and hearing protectors. Employees raking leaves into the path of the vacuum leafers are required to work very close to the leafer. As such the employee is exposed to the loud noises caused by the leafer's internal combustion engine and its huge vacuum blades, and to fine dust blowing from the leaf collection box on the back of the truck. On several visits to observe leaf collection operations, I noted some employees wearing commercial masks of the type painters wear, while others had makeshift masks fashioned from handkerchiefs. As for hearing protectors, most employees had been issued the ear-insert type, but few were wearing them. Their general complaint was that they were uncomfortable and it "didn't help" to wear them. One employee was wearing an ear-muff style hearing protector which he had privately acquired. Conversation with employees indicated that they would prefer a better mask, one which would not chafe their face, and the ear-muff style hearing protector. To avoid possible claims, especially for damage to hearing, appropriate protective devices which employees will wear should be issued.

6. Description of Services Section in the Annual Financial Report. The current and past annual financial reports have a description of each of the Special Revenue Funds. The description of the Suburban District Fund (on page 54 of the FY 1981 Annual Financial Report) does not

accurately describe the purpose of the fund.

7. Accuracy of the description of the Services Section's program in the FY 1982 Operating Budget. After conducting this examination of the Services Section, I reviewed that portion of the Recommended FY 82 Budget devoted to the Services Section and Suburban District Fund (pages 26-1 thru 26-3). The review disclosed several discrepancies which would result in the average reader obtaining an inaccurate description of the program. Examples include:

--"Activities of this [Service] Section are financed by the Suburban District Tax and no services are performed outside its boundaries." Actually, the Services Section does perform services outside the Suburban District. These services include: advice on tree and landscape problems; tree work other agencies are not equipped to perform; street sweeping prior to and after resurfacing of all County streets; annual Christmas tree collection; and the inspection and approval of tree permit requests anywhere in the County.

--"Young trees are planted as replacements [for removed trees] and as new plantings in subdivisions." Actually, some removed trees may be replaced in FY 82, by contract, but no new plantings in subdivisions will be made.

--"The leaf collection program normally provides two Fall collections and one Spring collection for all the residents of the Suburban District area." Actually, only one fall collection is provided for the entire Suburban District, with approximately one-third of the District receiving a second collection.

--"Arterial roads are swept and cleaned of litter at least once a month...." Residential streets are swept two times per year and streets in the business districts are swept three times weekly. However, the Services Section makes no distinction of arterial roads and, in any case, does not sweep any roads on a once-a-month cycle.

--"The staff of this [Services] Section also assists with oversight coordination of landscaping efforts for capital improvement projects." My examination revealed only one remote request for comments on CIP landscaping projects and no history of any oversight role in this area by the Services Section.

--Finally the narrative relating to tree service is misleading. An initial reading left me with the impression that a sample tree inventory and evaluation of tree care concluded that the quality of landscaping was "...good to excellent," and "...most trees are in good health...and about half need some type of work...." A reading of the basic tree inventory and evaluation report reveals that the report concludes that the Suburban District is not keeping pace with the need for tree work, that 68% of the trees need work of some sort, and that there are about three times as many trees requiring pruning and trimming as there should be if maintenance practices were ideal. The report suggested a pruning cycle of at least once every 8 to 12 years; however, the current authorized strength of the Tree Unit permits a pruning cycle of once every 22 years.

8. Environmental permits for leaf dumping site. The County's contract to dump leaves on a permanent site specifies that the contractor is responsible for "obtaining any necessary licenses and permits to comply with all applicable Federal, State, County or city laws, codes and regulations...." A check with the County's Department of Environmental Protection indicates that there has neither been a verification as to whether there is a requirement for a license or permit to dump leaves at the Sugarland site, nor has there been a field inspection to determine if dumping more than 40,000 cubic yards of leaves at Sugarland is environmentally sound.

VI. CONCLUSIONS

1. The Montgomery County Suburban District legislation, Chapter 68, Montgomery County Code, 1972, as amended, is deficient in four general areas:

- the law does not accurately reflect the current purpose for the Suburban District and the imposition of a special tax;

- the law does not accurately reflect the services provided by funds from the Suburban District Tax;

- the law has not kept up with the realities of urban development beyond the Suburban District's statutory finite borders; and

- the law does not recognize the major impact on the internal composition of the Suburban District resulting from the changes within the central business districts, especially with the introduction of METRO.

2. Services Section, Department of Transportation, is managed effectively within the constraints imposed by its available resources; however, those resources are not sufficiently adequate to accomplish leaf collections in a period of time and at a frequency which satisfies many Suburban District residents.

3. There is a need for organizational and operational improvements in the collection of leaves. Suggested improvements include:

- increasing the hours per day and days per week devoted to leaf collection;

- using temporary and other labor services personnel;

- increasing the number of temporary leaf holding areas; and

- increasing the number of dump trucks to optimize the time the vacuum leafers are in operation.

4. Alternate methods of disposing of collected leaves should be examined for feasibility and cost. Suggested methods include:

--integrating leaves directly into the present composting operation or adding leaves to compost to improve its soil amendment qualities;

--using as a final cover in restoration of disturbed ground such as sludge trenching sites and landfills; and

--initiating a program which would make leaves available to County agencies and citizens for mulching and composting.

5. In the last decade, the budget of the Services Section has failed to keep pace with inflation with the result that there has been a decline in the level of services in the Suburban District.

VII. RECOMMENDATIONS

1. The Montgomery County Suburban District legislation, Chapter 68, Montgomery County Code, 1972, as amended, should be reviewed and modified to reflect current realities of the Suburban District and the County, such as:

--the current purpose for the Suburban District;

--the current services provided by funds from the Suburban District Tax;

--the urban development beyond the current borders of the Suburban District; and

--the impact on the internal composition of the Suburban District resulting from the changes within the central business districts.

2. Organizational and operational improvements in collecting leaves and alternate methods for disposing of leaves should be determined and adopted where feasible and cost effective.

3. The Services Section, Department of Transportation should be given the resources necessary to provide an acceptable level of service within the Suburban District.

VIII. AGENCY/DEPARTMENT COMMENTS AND OLO RESPONSE

Before submitting this report to the County Council, a draft copy was sent to the Chief Administrative Officer, the Office of Management and Budget, the Department of Transportation and the Services Section. The official response of the Chief Administrative Officer and the Department of Transportation is reproduced below. All recommended factual changes have been incorporated into this final report.

M E M O R A N D U M

February 25, 1982

TO: Mr. Andrew Mansinne, Jr., Director, Office of Legislative Oversight

VIA: Mr. Robert W. Wilson, Chief Administrative Officer

FROM: Gerald R. Cichy, Director, Department of Transportation

SUBJECT: Office of Legislative Oversight Report #82-2, A Description and Evaluation of the Montgomery County Suburban District: The Suburban District Tax, the Suburban District Fund and the Services Section, Department of Transportation

The draft of the Report #82-2 prepared by your office on the Suburban District and the Services Section of the Department of Transportation has been reviewed and found to be factual and very accurate. The following comments are submitted to be included in Part VIII, Agency/Department Comments.

Comments on Section V - Other Matters

- Item 7 Accuracy of the description of the Services Section's program in the FY82 Operating Budget.
- In line with your comments, the FY83 budget narrative will be modified to eliminate any misunderstanding that existed in the FY82 narrative and provide accurate descriptions of the programs.

Comments on Section VI - Conclusions

1. The existing law, Chapter 68, Montgomery County Code, is very broad and all encompassing and has been interpreted to include the activities of the Services Section. It is agreed that a review and possible revision of the Chapter should be undertaken.

2. The comment on the management of the Services Section is appreciated but it should be understood that the level of service for the collection of leaves expected by many of the citizens of the Suburban District is far above what could be feasibly provided without additional and excessive expenditures. The present level of service is geared to provide a minimum of one collection prior to December 24.
3. The suggested improvements in organizational and operational improvements, with one exception, would require that a considerable increase in funds be appropriated.

Increase the hours worked each day and days per week would increase the level of service by shortening the time required to collect the leaves but would result in excessive costs as all time would be overtime at premium wages.

The use of temporary personnel was used a number of years ago which resulted in bad experiences. Some of the problems experienced were men walking off the job; low quality workers only were available; inconsistent number of workers available each day; some training needed each day; and, turnover extremely high on a daily basis. Use of Highway Maintenance personnel was found to be the only reliable source of personnel. Temporaries were hired on a walk-in basis as well as provided by Labor Services. Use of temporaries in lieu of any Highway Maintenance Section personnel would require additional funding in that Section's budget to offset charges to the Services Section. Up to \$200,000 of the salaries and wages for the Highway Maintenance Section is funded by charges to the Services Section for services during leaf collection operations.

In past years there was a larger number of temporary leaf holding sites in use. These sites had to be given up due to the request of the owners, development of property and complaints by surrounding residents. We have continuously been searching for usable additional holding sites.

The use of additional trucks to optimize the operations of the leaf collecting machines would increase the efficiency of the operation. This addition of either County trucks, which are in relatively short supply without drastic curtailment of other activities, and/or the rental of privately owned trucks would involve additional funding. Rental trucks pose some problems due to lack of uniformity in installation of leaf boxes, matching hitches, light connections, etc.

4. Alternate methods for the disposal of collected leaves has been under study for almost twelve months by the Office of Environmental Planning and a more efficient method should be developed in the near future.

5. The austere budgeting adopted by the County Executive and the County Council has affected the level of service in all activities and functions of the County government.

Comments on Section VII - Recommendations

1. I am recommending that a Staff Task Force be established in the immediate future and charged with the review of Chapter 68, Montgomery County Code, 1972, paying specific attention to the items listed in your recommendations.
2. The Department of Transportation will study and analyze the suggested organizational and operational changes for possible adoption where feasible, cost effective and fundable.
3. The Services Section will be provided its share of the funds available to all County departments/agencies, etc., from the taxes established by the County Council. The amount of the Suburban District Tax must be considered in the overall tax assessments to the property owners in the district.

We are also submitting the changes and corrections we feel should be made in the text of the report in regard to specific details and figures.

I want to compliment you on the thoroughness and impartial evaluation of the Suburban District and the Services Section of the Department of Transportation and if further information or assistance may be needed, do not hesitate to contact any of the appropriate personnel of this department.

ATTACHMENT A

REQUESTED CHANGES OR CORRECTIONS

Page 5

Paragraph 6: All properties in the Suburban District receive services such as street cleaning, tree maintenance, etc., on the County street or road right-of-way adjacent to the properties which would include country clubs, shopping centers, cemeteries, etc.

* * * * *

(Factual changes incorporated into the final report)

Paragraph 11(b): Temporary labor has in the past proved to be undependable and hard to manage. Also, a statement should be added to indicate that if temporary personnel were hired that tree climbers would be released to prune trees in addition to releasing Highway Maintenance personnel for other work and that substantial funds would be required. In FY82 available Alternative Services workers were used on each weekend to supplement our workforce.

Paragraph 11(e): We have discussed and examined the use of self-contained leaf vacuum equipment. It is our feeling that more productive time is lost from employees who generally ride to the disposal site with the self-contained equipment. Additionally, there is a much higher initial cost to the equipment, a greater storage problem, and reduced capacity than the system currently in use.

Paragraph 12: In 1981 the County paid \$20,000, not \$21,960, for disposal of approximately 40,000 cubic yards of leaves at Sugarland.

Paragraph 12(b): There had been home delivery of leaves until approximately 1980. The reasons we currently do not deliver leaves to residents is that; first, we have a contract to deliver 40,000 cubic yards of leaves to Sugarland and; secondly, the Environmental Protection Department has developed residential leaf dumping requirements and require permits that all but prohibit home delivery of leaves except freshly collected leaves.

We have investigated leaf bailing and found it to be slower, less efficient and results in a less desirable final product. A report is available should you wish to review it.

We also have investigated the rotary hopper-grinder. The manufacturer has indicated that to be successful in grinding the leaves they must be dry. This necessitates that they be ground as they are brought to a temporary storage site. As we currently have three temporary storage sites, we would require three rotary hopper-grinders.

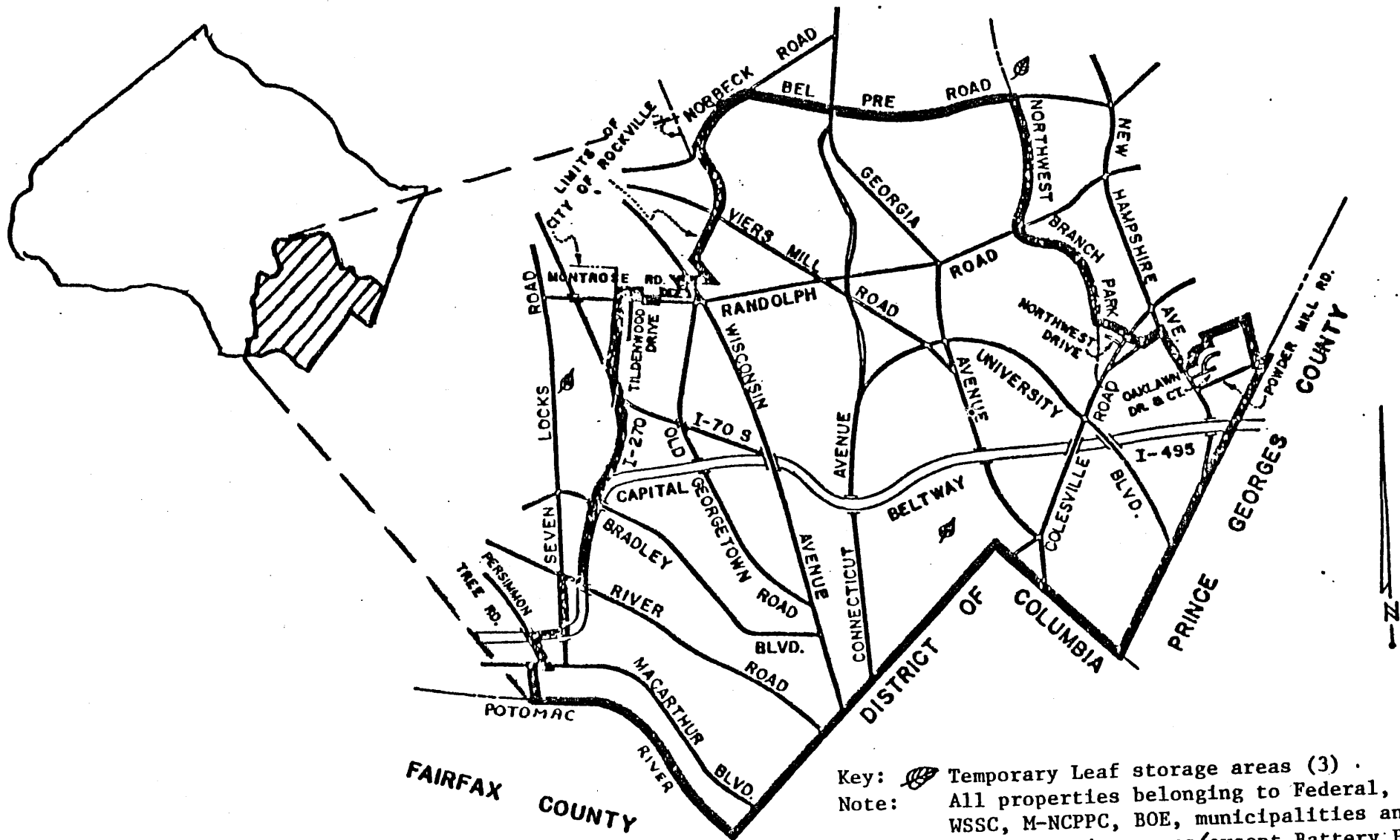
Paragraph 12(b): Leaves are furnished upon request to residents within the Suburban District during collection operations.


Paragraph 12(c): We would be in favor of hauling with larger trucks for more efficiency, however, tractor trailers could not maneuver into temporary storage sites and would be too heavy to maneuver into the non-paved fields at final disposal sites. Additionally, the vehicles and drivers are needed for the fall leaf pick-up.

Paragraph 13(a): Regarding the Tree Unit's tree planting - trees were never planted on private property for a modest or any type fee. New tree plantings on rights-of-way has been discontinued in areas which previously have not been planted with new trees.

Paragraph 13(b): Weeds are no longer removed by hand along sidewalks unless necessary. Weed control, where we feel is necessary, is completed by chemical spraying.

MONTGOMERY COUNTY SUBURBAN DISTRICT



Key:  Temporary Leaf storage areas (3) .
 Note: All properties belonging to Federal, State, WSSC, M-NCPPC, BOE, municipalities and special taxing areas (except Battery Park) are excluded.

Montgomery County Suburban District Tax
and Suburban District Fund

Statement of Actual Accessable Base, Tax Rates, Tax Collections, Revenues,
Expenditures and Fund Balances for Fiscal Years 1977-1981 (FY 82 Estimated)

Suburban District Tax

Suburban District Fund

Fiscal Year Funded	Assessable Base (Bil \$)	Tax Rate (\$100 Ass Val)	Tax Collections	Revenues ^{c)} (Excluding Surplus)	Expenditures	Revenue Over (under) Expend	Fund Balance
1977	\$2.847	\$.088	\$2,488,274	\$2,498,404	\$2,133,688	\$364,716	\$375,449
1978	3.181	.078	2,535,454	2,542,299	2,267,998	274,301	649,750
1979	3.293	.065	2,134,792	2,138,296	2,538,748	(400,452)	249,298
1980	3.677	.065	2,386,814	2,393,707	2,816,632	(422,925)	(173,627)
1981	3.941	.085	3,348,626	3,351,223	2,900,738	450,485	276,858
1982	4.205 ^{a)}	.075	3,365,000 ^{b)}				

Notes: a) Estimated as of July 1, 1981 (beginning of FY 82)
b) Estimated as of end of 1st Quarter, FY 82
c) Revenues are over 99% from Suburban District Tax

Source: Montgomery County Operating
Budgets and Annual Financial
Reports.

LEAF COLLECTION

Within A Few Days

Weather Permitting

PLEASE HELP BY:

1. PLACING LEAVES BEHIND CURB.
2. KEEPING LEAVES FREE OF
DEBRIS AND OTHER BRUSH.

THANK YOU FOR YOUR COOPERATION

PERFORMANCE STANDARDS

EXHIBIT D

ACTIVITY	FALL LEAF COLLECTION - STREET CLEANING UNIT	CODE	2111
DESCRIPTION AND PURPOSE			
Collection and removal of leaves placed at curbside by residents as part of the organized fall leaf collection program.			
WORK CONTROL CATEGORY	Unlimited	AUTHORIZED BY	WFL II
SCHEDULING			
Schedule the fall leaf pickup from about the middle of November through the end of January.			

CREW SIZE	11	MEN	WORK METHOD
ASSIGNMENT	QTY.		
Public Service Worker II	6		1. Place "Notice" signs along streets about 5 days before leaf pickup.
Equipment Operator II	4		2. Rake leaves where necessary into piles adjacent to curb.
Work Force Leader II	1		3. Feed leaves into vacuum chute by raking or with pitchfork.
EQUIPMENT	QTY.	CODE	4. Haul leaves to temporary leaf dump sites.
Dump Truck	4		5. Remove "Notice" signs.
Loaders	3		
Crew Cab Pickup	1		
MATERIALS		CODE	
Leaf Signs			
AVERAGE DAILY PRODUCTION			APPROVED BY
9-11 Truckloads			
EFFECTIVE			EXHIBIT D

