



# MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Disposition of Silver Spring Library 2 <sup>nd</sup> Floor 900 Wayne Avenue Silver Spring, Maryland	Executive Order No. 189-15	Subject Suffix ORE
Department of General Services	Department No. ORE	Effective Date 11/25/15

## BACKGROUND

WHEREAS the County owns property located at 900 Wayne Avenue in Silver Spring, Maryland comprised of 58,000 gross square feet and known as the new Silver Spring Library, and

WHEREAS, in January 2015, the Department of General Services issued a solicitation seeking organizations to occupy the Basement, First and Second floors of the library; and

WHEREAS, the solicitation advertised a long term lease opportunity with the intent to incorporate services provided by the lessee with County library community programming; and

WHEREAS, upon review of the proposals, Levine Music, Inc. was selected to enter into negotiations with the County to lease the second floor space in the Silver Spring Library. Levine Music, Inc. was founded in 1976 as a nonprofit community music school, open to anyone who wanted to learn about and study music, regardless of age, ability, means, or financial circumstances. Levine currently has four campuses in the area, one of which is located in Montgomery County at the Strathmore. The proposed lease will allow Levine to expand its services to another part of the County. This location will also allow Levine Music, Inc. to benefit from the Arts and Entertainment District assets that the Silver Spring area provides; and

WHEREAS, the County Executive intends to approve the disposition of the second floor of the Silver Spring Library as leased space for Levine Music, Inc.; and

WHEREAS, the Department of General Services did not conduct a formal reuse analysis for this portion of the Silver Spring Library because the Council previously approved the Capital Improvement Program (CIP) for the library which included a plan to use the basement, first and second floors of the library as potential leased space; and

WHEREAS, the material terms of the lease agreement are as follows:

- Levine Music proposes to lease the second floor space which is approximately 9,000 square feet of the total 38,200 net square feet of the library facility.
- Levine Music proposes to build out the second floor and operate a Levine Music facility in the Silver Spring Library.
- In addition to self-funding the build out, Levine Music has agreed to pay a pro rata share of



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utilities and operating expenses. Those costs represent the utility and operating expenses that are estimated to result from their second floor programming activities. The costs are estimated to be \$3.58/ sq. ft. and \$4.00/sq. ft. respectively.

- Levine Music would be responsible for their own signage on the exterior of the building, internal security system for the tenant space, and the cost of parking in the County garage.
- The lease term would be for a ten-year period with an option for two 5 year term renewal extensions. This lease arrangement will not be based on fair market value so the County Executive will request Council to waive the fair market value for this disposition.
- Levine Music has also offered to provide performances and events coordinated with the County. Those performances will provide community benefits, such as music therapy that Levine Music will coordinate with the national headquarters of the American Music Therapy Association located on Colesville Road. Music therapy is one of many services and performances offered by Levine Music that will further support the Arts and Entertainment District offerings in the Silver Spring area; and

WHEREAS, in accordance with the provisions of Section 11B-45, Disposition of Real Property, the County Executive must issue an Executive Order declaring that County owned or controlled real property is no longer needed for public use.

### ACTION

In consideration of the above recitals, the County Executive declares that the second floor of the Silver Spring library property located at 900 Wayne Avenue in Silver Spring, Maryland is no longer needed for public use and hereby directs the Department of General Services to take all steps necessary to dispose of the second floor through a lease agreement with Levine Music, Inc., in the manner described in this Executive Order.



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Approved as to Form and Legality  
Office of the County Attorney (insofar as  
bond counsel has approved)

By: *Clifford D. Rapley*  
Date: 11/25/15

- Distribution:
- County Council
  - County Attorney
  - Department of General Services

APPROVED

*Ramona Bell-Pearson*  
Ramona Bell-Pearson  
Assistant Chief Administrative Officer