



PHIL ANDREWS

Council District 3 • 2009 Report

Derwood, Gaithersburg, North Potomac, Rockville, Washington Grove

Public Education

Public Schools. Our County's excellent public schools benefit all by providing an educated citizenry and highly competent workforce. Outstanding efforts by teachers, support staff and administrators, strong public support for investing in education, and a close partnership of the County Council, County Executive, and Board of Education (BOE) have been crucial to the success of Montgomery County Public Schools (MCPS).

In the past decade, the Council has approved funding for all-day kindergarten, reading classes of no more than 15 students per teacher in all elementary schools, smaller class sizes in elementary schools with high poverty rates, and modernized schools. Despite this record, the recession, and the fact that 99% of the MCPS FY10 budget request was funded, the State BOE denied the County's request to waive the Maintenance of Effort requirement for local funding for education for FY10—a request supported by the County's Board of Education.

Montgomery College. The Council approved funds for Montgomery College, which with the Universities at Shady Grove, provides high-quality, affordable education to many needy students.

Public Libraries. Libraries are integral to public education. I proposed the policy of free parking for library patrons to avoid a *de facto* fee for County library use. Without this policy, there would be a \$1/hour parking fee at the County's Rockville Library. The expansion of Gaithersburg Library will begin in 2010.

Dear Neighbor,

How best to spend less has been the major challenge facing the County Council this year. It will be next year as well.

Recognizing that the deep recession has hurt many people, the Council approved a budget that cut spending on non-essential programs, held the line on tax rates, avoided layoffs by eliminating cost-of-living raises for employees, and protected safety net services for the vulnerable. For the first time since 1992, tax-supported operating budget spending is less than the prior year.

The Council protected services that residents told us they value most—public safety, education, libraries, parks, bus service, and safety net programs. School and County employees gave up raises totaling \$125 million. The Council did not approve proposals by the County Executive for ambulance fees of \$300 to \$800, for untargeted and unneeded \$40,000 early retirement buyouts, and for take-home patrol cars for County police officers who live up to 15 miles outside of the County.

* This fall the Council will review and vote on the Planning Board's Draft Gaithersburg West Master Plan, which proposes 150-foot buildings in the Life Sciences Center area (see back page for details). The public hearings will be Sept. 15 at 7 p.m. and Sept. 17 at 7:30 p.m. The Council will also review and vote on the Growth Policy (see details inside). That public hearing will be Sept. 22 at 7:30 p.m. To sign up to testify, call 240-777-7931.

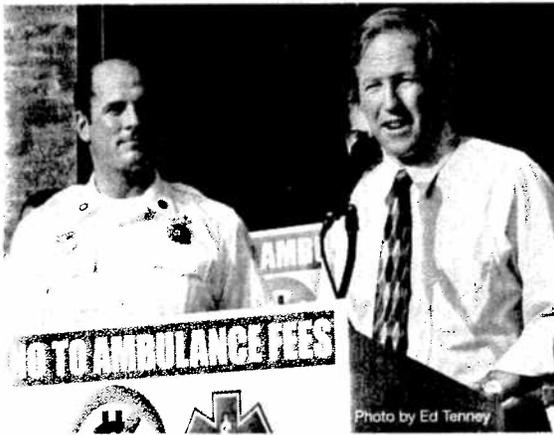
Phil Andrews
President, County Council

If you have a question or concern on a County matter, please call my office at 240-777-7906 or email me at councilmember.andrews@montgomerycountymd.gov. To get updates, please send me your email address. Also, please visit www.montgomerycountymd.gov.

Fire and Rescue

Our fire and rescue services are among the nation's best. More than 1,200 highly trained volunteers serve with outstanding career personnel, saving taxpayers millions of dollars annually. Many other volunteers serve in support positions. At a time when most volunteer departments across the nation are shrinking, the volunteer component in our County is growing.

Ambulance Fees. The Council has not approved the County Executive's proposal for ambulance fees. I share the concern of the Montgomery County Vol-



Councilmember Andrews, chair of the Council's Public Safety Committee, and Rockville Volunteer Fire Dept. President Eric Bernard speak out against ambulance fees.

unteer Fire and Rescue Association that some people would hesitate to call for an ambulance if they had to pay \$300-\$800 ambulance fees—as visiting relatives and tens of thousands of workers in the County would have to pay under the Executive's plan. Insurance companies would not absorb the cost if the County billed them for ambulance services; insurance companies aren't charities.

New Fire Stations. The County is building fire stations to keep up with service demands and to maintain acceptable emergency response times. A West Rockville/Travilah fire station is planned on Darnestown Rd. across from the Universities at Shady Grove. The West Germantown station is open, and East Germantown station is being built.

Police

Maintaining a high level of public safety is a primary goal of the County. As chair of the Council's Public Safety Committee since 2000, I have been very involved on a wide range of public safety issues. To drive the crime rate down to the lowest feasible level, the County police need your help. If you see suspicious behavior, call 911. If you have a tip that might solve a crime, call the County Police Dept.'s Anonymous Tip Line at 240-773-8477.

Gang-related Crime. Although gang-related crime is a small percentage of overall crime, it is a serious problem that the state's attorney, sheriff, and police, corrections, recreation, and health and human services departments are working together to address comprehensively.

Speed Cameras. Speeding is especially dangerous in residential neighborhoods and near schools. The County is using speed cameras to change unsafe driving behavior to protect pedestrians, bicyclists, and drivers. Speed cameras are well-marked and are working. As of Dec. 2008, speeding and crashes declined more than 20% on roads with speed cameras. The Council will hold a forum on Sept. 29 at 7 p.m. at the Council building, 100 Maryland Ave. Rockville, to hear the public's ideas about speed control strategies, including speed humps.

Helicopters. The Council opposes the Executive's plan to begin a police helicopter unit, projected to cost \$4.5 million over the next five years, when the County will have one, rather than two, recruit classes and he proposed closing two stations overnight to the public.

Domestic Violence. The County has opened the Family Justice Center, a one-stop center for victims of domestic violence, at 600 Jefferson St. (at Rts. 355 and 28) in Rockville. The phone number is 240-773-0444. Call 911 in emergencies.

Deer Management. The overpopulation of deer contributes to Lyme disease, vegetation loss, and about 2,000 vehicle collisions annually with deer. The County has revised its weapons laws to enable more controlled hunts. For information, visit www.parksdeermanagement.org.

Disability Retirement

A well-functioning disability retirement system will enable County employees injured in the line of duty and unable to perform an essential function of their position to receive an appropriate disability pension. It also will have sufficiently rigorous review procedures to deter and reject claims that lack merit in order to ensure the system's integrity, protect taxpayers, and maintain public confidence.

In Sept. 2008, the County's Inspector General (IG) issued a report that found that from 2004-08, 62% of retiring County police officers received a disability pension (67% of salary tax-free). The IG

In Sept. 2008, the County's Inspector General reported that from 2004-08, 62% of retiring police officers received a disability pension (67% of salary tax-free). The County Council has since approved important reforms.

concluded that the disability retirement system was functioning in a way that "a prudent person would consider abusive."

In response, Councilmember Duchy Trachtenberg (at-large) and I introduced reform legislation to require that the disability review panel consist of well-qualified doctors who are independent of claimants, to require independent exams, and to require a two-tier disability retirement benefit, since 90% of claims are for orthopedic conditions that would not typically prevent a person from being able to work in another job.

In May, the Council approved reforms that will ensure that doctors appointed to the disability review panel are expert in occupational health and independent of claimants. Independent medical exams will be standard; reviews will be mandatory. A two-tier disability benefit, to distinguish between full and partial disabilities, is still needed. I will continue to work for this crucial reform.

Property Taxes

Since I first proposed cutting the property tax rate in 2004, the County has reduced the rate by 10% and approved credits totaling \$2,219 to homeowners.

Many homeowners wonder why their property tax bills have increased during a time of declining assessments. The primary reason is that recent lower assessments of residential properties have not offset the large increase in home values (assessed by the State) that occurred between 2002 and 2006.

As a result of the State's Homestead Tax Credit, which limits the increase in a homeowner's taxable assessment to 10% a year, most homeowners are still paying property taxes on less than the assessed value of their homes. Although residential property tax bills have increased an average of less than 5% annually since 2005, the average in the last two years was higher primarily because the full impact kicked in of the huge increases in assessed values from 2004-06.

Homeowners with incomes below \$60,000 and modest assets are eligible for the "circuit breaker" credit. Homeowners who qualify and are 70 or older can receive an added 25% circuit breaker credit. Call 1-800-944-7403 or visit www.dat.state.md.us/sdatweb/htc.html



Councilmember Andrews wrote the law that ensures prospective home buyers get accurate and timely information on real estate flyers about property taxes. Since the Homestead Tax Credit doesn't apply the first year for new owners, taxes can spike. Visit www.montgomerycountymd.gov and click on "view estimated property tax."



Growth Policy Review

This fall the County Council will review and adopt its biannual Growth Policy. Its purpose is to help ensure that the transportation and school infrastructure needed to keep up with new development is built in time to handle the impact of the new development on roads and schools.

The current Growth Policy, adopted in Fall 2007, strengthened the test for school overcrowding by requiring a developer to make a school facilities payment when elementary school enrollment in a cluster exceeds 105% of capacity. This payment offsets the cost to taxpayers of providing the capacity to handle the additional students that the development is likely to bring. If elementary, middle, or high school enrollment in a cluster exceeds 120% of capacity, the area goes into moratorium for new residential development until adequate

capacity is funded to be built within five years. The school facilities fee is in addition to a schools impact tax levied on all new residential development, except on senior and affordable housing.

The Planning Board's proposed revisions to the Growth Policy could worsen school overcrowding by not requiring school facilities payments from developers until enrollment exceeds 110% of capacity, and by letting projects borrow capacity from each other.

New development also must pass a local area traffic impact test and a policy area traffic test, and pay a transportation impact tax to help cover the cost of additional road capacity needed. However, the Planning Board's proposed Growth Policy would significantly increase the "acceptable" traffic congestion levels in Metro Station Areas.



Traffic Relief

There is no one solution for traffic congestion. Among the most cost-effective traffic improvements are intersection improvements, like those done on Great Seneca Hwy. at Muddy Branch Rd. and Sam Eig Hwy. The State's I-270 Corridor Study Recommendations are before the County Council for review and comment. In addition to recommending construction of the Corridor Cities Transitway, the study proposes adding four lanes on I-270 to expand HOV capacity and add HOT from Shady Grove Road into Frederick County at a cost of about \$4.5 billion.

An alternative is to add two reversible HOV lanes. This would reduce costs, minimize any sprawl effect, and reduce the percentage of single-occupant vehicles. If I-270 is widened, it will be important to appropriately address environmental and community impacts, including assisting displaced residents.

I support the State's proposal for expanding service on the MARC train line that runs from Brunswick—and on a spur to Frederick—through Germantown, Metropolitan Grove, Gaithersburg, Washington Grove, Rockville, and Kensington to Union Station. Expanding service on an existing transit line makes good sense.

The County Council unanimously supports the Corridor Cities Transitway that would connect Clarksburg, Germantown, Gaithersburg, and west Rockville to the Shady Grove Metro, and the Purple Line to connect Bethesda, Silver Spring, College Park, and New Carrollton. Federal and State funding is needed to help get these critical transit lines built in the next five to ten years.

The Planning Board's Gaithersburg West Master Plan proposals (see back page) would increase "acceptable" traffic to urban levels in the Life Sciences Center, which would weaken current traffic mitigation requirements.



Council President Phil Andrews
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Phil Andrews, chief sponsor of our County's Smoke-free Restaurant law (the Region's first) with County HHS Director Uma Ahluwalia (center) and public health advocates.

Projects of Major Interest in County Council District 3 Communities

Derwood and Washington Grove

Service Park Relocations. To build a mixed-use, transit-oriented community at the Shady Grove Metro, the County has had to find new locations for County, Park and Planning, and MCPS service facilities. The County's Equipment Maintenance and Operations Center and the Highway Services Department are moving to the north of Shady Grove Road. These relocations are of particular concern to the residents of historic Washington Grove and of Derwood. I will continue to closely monitor the design of these new facilities to ensure that the County addresses concerns about noise, screening, streetscape, pollution, traffic, safety, and pedestrian/bicyclist access to Metro.

Inter-County Connector Toll Hwy.

Residents of Derwood and Washington Grove are particularly harmed by the Inter-County Connector (ICC) toll highway being built by the State. While I respect that many people support the ICC, I've long and strongly opposed it, including the planned \$7/day roundtrip tolls that the State's official study concluded will significantly reduce daily use. (See my 2008 report at www.montgomerycountymd.gov/council.) I will continue to press State officials to mitigate the highway's damage to communities and to our environment.

Gaithersburg, North Potomac, and Rockville

Gaithersburg West Master Plan. On Sept. 15 and 17, the Council will hold hearings on the proposed plan. (See front page for details.) I support a reasonable increase in density in the Life Sciences Center (LSC) to advance the life sciences, but the density proposed would overwhelm this suburban area, which unlike Bethesda/NIH is miles from Metrorail.

Of huge concern are the scale and traffic impacts of the proposed master plan for Gaithersburg West, which calls for 150-foot buildings and 60,000 jobs—equal to downtown Bethesda and NIH combined—most in the Life Sciences Center, including Belward Farm.

The Planning Board's plan (at www.montgomeryplanning.org/community/gaithersburg) would increase the number of potential jobs from 38,000 to 60,000, require five grade-separated interchanges nearby, and rely heavily on the Corridor Cities Transitway to achieve an unrealistic 30% non-auto share of trips.

Residents have proposed alternatives that support the life sciences focus, but add less density in the LSC. Their plans may be viewed at www.scale-it-back.com and www.reasonabledevelopment.info.

The Gaithersburg West Master Plan (GWMP) supports moving the Public

Safety Training Academy; the Executive has proposed the Webb Tract as the new site, as well as for relocated MCPS and Park and Planning facilities. The GWMP allows Longdraft Rd. to expand to four lanes. The Council should reject this.

Plans for the Former National Geographic Building. The County is consolidating several public safety headquarters in the former National Geographic Building in Gaithersburg, and is moving the

Dept. of Liquor Control into the warehouse on the adjacent Finmarc property. I have requested additional screening of the warehouse from neighboring homes.

Gaithersburg High School Modernization. This is a pressing need. Gaithersburg Cluster PTAs brought it to the fore.

North Potomac Community Center. Long awaited by residents, it will be built next to Big Pines Local Park on Travilah Rd. Property acquisition is proceeding.

Town Hall Meeting. The Council looks forward to taking your questions on Oct. 7 at 8 p.m. at the Universities at Shady Grove in west Rockville.