

January 29, 2018

The Honorable Hans Riemer
President, Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

RE: County Council January 30, 2018 Agenda Items:

- (4) Public Hearing Amendments to the FY 17-22 Capital Improvements Program Reflecting the County Executive's Savings Plan; and
- (5) Suspension of Rules / Action-Resolution to Approve FY18 Savings Plan; and

Request for Removal of Proposed Supplemental Request for Another Route 29 BRT Study for a Median Guideway; and
Request for Public Notice and Public Hearing for Council's Supplemental Budget Request in Accordance With the Charter of Montgomery County.

Dear Council President Riemer and Members of the County Council:

As community leaders in numerous neighborhoods with more than 15,000 residents located along Route 29 in Silver Spring, we have been actively participating for the last three years in the Corridor Advisory Committee process for the proposed Route 29 Bus Rapid Transit (BRT) project. **As you know, Corridor Advisory Committees (CACs) were established because BRT construction recommendations were not contained in area master and sector plans along the corridor.** The purpose of the CACs is to provide communities with the opportunity to study and address community impacts in a comprehensive manner; provide input to all planning and design; fulfill the County Council requirements for transparency; and serve as a clearinghouse for sharing of timely and accurate information on the studies and plans in each corridor.¹

We are very dismayed that County Councilmembers are taking actions to undermine that process. After three years of diligent work with the Route 29 CAC, we were astonished to learn that you are ordering a supplemental budget request within a "Savings Plan" for a new Route 29 BRT Median Guideway Study, without holding a public hearing as promised and as required by Section 307 of the Charter of Montgomery County. Last year we wrote to you after a hearing was scheduled prematurely for construction and right-of-way acquisition funding for Route 29 BRT construction even though the master plan requires that no County funding be provided until

¹ Purpose and Mission for the Corridor Advisory Committees, MCDOT, February 28, 2015.

the public engagement process has been fulfilled. Although you programmed the construction funding, we still have not been informed of the right of way requirements and the study is still in the planning phase of the project.

Delete Additional Budget Item “US29 Bus Rapid Transit Guideway and Operations”

We are requesting that the additional NEW handwritten budget item buried on page © 228 “US29 Bus Rapid Transit Guideway and Operations” be deleted at this time for the following reasons:

- This additional item is not even mentioned in Dr. Orlin’s memorandum or in any other text in the packet for January 30. The public would have no way of knowing about this additional new project and expenditure being added to the County Executive’s FY18 “Savings Plan”. It is only found if one happens to review every page of the 245 page packet to see the item handwritten in on page ©228 as “US 29 BRT Guideway and Operations” under Facility Planning No 509337, separate and apart from No. P501318 Project Description Form which is for all BRT facility planning items. This lack of transparency and absence of public notice and input conflicts with the purpose and mission of the project and fails to meet the Council’s requirements adopted in the Master Plan.²
- Furthermore, Dr. Orlin’s memo states on page ©192:
“Given the ratcheting down of resources for the CIP, the pace of facility planning should also be reduced, so as not to create a backlog of projects”.
Since there is a ratcheting down for the CIP and it is recommended that facility planning should be reduced, new items for a completely different BRT study should not be added at this time, especially since the CAC has been working on the County Executive’s proposal for two years and is in the detailed planning phase. Moreover, the County is cutting \$25 million for our schools as well as the limited stop service promised for Route 29. You will recall that WMATA had buses ready to implement this long delayed service when MCDOT insisted that they could provide the service for less money.
- Last year when a different conceptual proposal was made public in a Staff memo AFTER the public hearing on the current County Executive proposals, CAC members expressed concern that they were not provided an opportunity to comment on this concept in the public hearing since it was not part of the public hearing packet. A median busway has been studied numerous times both for Route 29 as well as 3 other corridors. The concept was always rejected for reasons that have

² Countywide Transit Corridors Functional Master Plan, Approved and Adopted by Montgomery County Council, December 2013

nothing to do with lane width. The CAC has done a tremendous amount of review, analysis and comment on numerous concepts so bringing back a concept that was not advanced for very valid reasons would also undermine the CAC process. In response President Berliner stated that they would request an estimate and scope of work and it would be made public for a public hearing on a supplemental request.

- Not only did the Council promise to provide the scope of work and public hearing, but public notice of at least one week and public hearing are required by Section 307 of the County Charter of Montgomery County for this request.
- There is no justification or urgency to providing funds without sufficient public notice or public hearing for an additional and completely separate study for the Route 29 BRT project. The current project is still in the planning and design phase.

In summary, for the reasons outlined above, we respectfully request that

1. the new budget item “US29 Bus Rapid Transit Guideway and Operations” be deleted at this time from the “Savings Plan” and that
2. The County Council provide sufficient public notice and hearing for any new requests for the Route 29 BRT project including study scope changes, as well as for requests for additional funding as required by the Charter of Montgomery County.

Thank you for your consideration. We look forward to your response and to working with you on this matter of public importance.

Sincerely yours,

Alan Bowser, CAC Representative, Park Hills Civic Association

Michael Bufalini, President, Seven Oaks Evanswood Citizens Association

Laurence Dickter, Vice-President South Four Corners Citizens Association

John Collins, President, Burnt Mills Citizens Association

Jay Elvove, President North Hills of Sligo Civic Association

Roberta Faul-Zeitler, CAC Representative, Woodside Park Civic Association

Melissa Goemann, CAC Representative, Vice-President, Greater Four Corners Alliance

Jonathan Halpern, Transportation Chair, Sligo-Branview Community Association

Sharon Canavan, President, Northwood Four Corners Civic Association

Kevin Harris, CAC Representative, Northwood Four Corners Civic Association

Linda Keenan, CAC Representative, North Hills of Sligo Civic Association
Becky Lavash, President, Sligo-Branview Community Association
Daniel Martin, President, Woodside Park Civic Association
Michael McDonough, President, Woodmoor-Pinecrest Citizens Association
Karen Michels, CAC Representative, South Four Corners Citizens Association
Mike Pfetsch, CAC Representative, Woodmoor-Pinecrest Citizens Association
Harriet Quinn, Vice-President, Transportation Chair, Woodmoor-Pinecrest Citizens Association
Carolyn Stanek Lucy, President, South Four Corners Citizens Association
Michael Bufalini, President Seven Oaks Evanswood
Becky Lavash, President, Sligo Branview Community Association
Linda Keenan, Vice-President and CAC representative, North Hills of Sligo.

Cc:

The Honorable Isiah Leggett, Montgomery County Executive
Glenn Orlin, Montgomery County Council Deputy Administrator
Megan Davey Limarzi, Esquire, Clerk of the Council
Federal Transit Administration