

**ADEQUATE PUBLIC FACILITIES
ADVISORY COMMITTEE**

ACTION MINUTES

MEETING OF APRIL 28, 2011

The meeting was convened at 7:02 p.m. Sean Hart was absent.

Charles Littlefield moved, seconded by Eric Siegel, to extend the discussion time for the Citizen's Survey on the agenda. The motion passed unanimously.

The committee will consult among themselves regarding the school student generation from select neighborhoods. The discussion will include how to do it in way to make it valid, and the members will go through the chair. The results will be evaluated at next week's meeting.

The discussion then moved to consideration of the April 14 meeting minutes. A minor edit was made to the closing time of public input following the forum. Tom Gibney moved the approval of the revised minutes, seconded Eric Siegel. The motion passed 6-0-2, with Charles Littlefield and Dennis Cain abstaining.

There was discussion of how to format the announcement of the public forum in media other than Rockville Reports. Notice will be sent to the neighborhood associations via the City's Listserve.

Louise Atkins from the City Manager's office then made a presentation on the City's Citizen's Survey from November, 2010. It is the only survey that encompasses the entire city. 2000 survey forms were mailed out with 761 returned. There were about 4% that were undeliverable. She recommended that the committee members view the Mayor and Council briefing by the consultant on Channel 11 at the March 21 meeting. The briefing includes an overview of the survey, its results, and comparisons to other jurisdictions. Chief Treshuck also gave a report on the public safety aspects at the Mayor and Council meeting on March 28.

The survey also includes "key drivers" that indicate where resources should allocated – snow and ice removal, maintenance of the Town Center, water and sewer, recreation, etc. This information is on the city's web site.

The survey consultants, NRC, set up the survey based on statistical performance by unit type and age of respondents to get a proportional representation.

We also do a Zoomerang survey to track Citizen's Service Requests (CSR's) which indicates how well the city responds to these items. Constant Contact was also used in

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connection with the city's consideration to become part of the County's Commission on Common Ownership Communities.

The National Citizen's Survey template was customized for use in the city. It does show survey trends over time.

A question was asked from p. 48 of the survey report on building permits and who this applies to.

Charles Littlefield asked about the 100 point vs. percent scale. Louise indicated that we prefer the percent scale. She noted that the survey was issued in six different languages. We received 81 calls for assistance and got 23 returns from these different language surveys.

Charles noted that he had been trying to pull out information relevant to the APFO and asked if the City has considered entering a few "current issues" questions. Louise noted that we do have a few specific issue questions each time, but we need to keep the core questions in order to maintain the on-going statistics. In 2008 there was a question regarding arts, culture and entertainment. Charles suggested that a future question to consider might be where residents go to do their shopping.

Charles also noted in looking at the County's survey that 83% of those responding said that they had a good quality of life and it was a good place to retire. However, 86% thought that there was too much growth.

Discussion turned to whether or not we might be able to do an APFO-specific survey. One of the challenges would be to craft the questions. This might be something to consider recommending to the Planning Commission, but it should be fairly specific in how it would be framed.

Discussion then turned to the memos from the City Attorney on the impact tax and the Beall's Grant court decision. The City Attorney provided the Committee with a memorandum that explained how the City had applied the schools APF and that the Court rejected the City's methodology. The Committee then further discussed the merits of the Court decision. The Committee also discussed the reasoning behind having to do the schools test in the first and second year.

With regard to the impact tax issue, Jason Anthony would like to see more information on how the impact tax applies. This seems to be a gray area. More specifically, how does the state language for "governmental or proprietary function" apply to services not provided by the City. In addition, would it be possible to enter into a Memorandum of Understanding with the County on allocation of funds such that the fees collected would be earmarked for City schools?

Another question - can the White Flint area be used as a model? Can we do the same thing with schools that they are doing with the traffic impact fee? We may need to look

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at crafting state legislation. In that vein, are there other municipalities in the state that have gotten authority for imposing local impact fees?

With regard to the Beall's Grant court case, the question was asked as to what the underlying really was – a matter of process, or was it to stop the project. In addition, what was the reasoning behind having to do the school test in both the first and second year?

Eric Siegel noted that the committee's task was to look at what we want the law to do and write it clearly.

Dennis Cain moved, seconded by Charles Littlefield, to invite the appellants in the case to speak about their views on the case at a future meeting. The motion passed 7-0-1 with Jason Anthony abstaining.

The meeting was adjourned at 9:34 p.m.