

**ADEQUATE PUBLIC FACILITIES  
ADVISORY COMMITTEE**

**ACTION MINUTES**

**MEETING OF August 4, 2011**

The meeting was convened at 7:05 p.m. In attendance – Julie Carr, Dennis Cain, Soo Lee-Cho, Tom Gibney, Charles Littlefield, Eric Siegel, Jason Anthony and Roald Schrack. Sean Hart attended via conference phone.

The chair moved, seconded by Roald Schrack, to approve the agenda with the addition of a briefing on the Planning Commission presentation on August 3. The motion passed unanimously.

The chair reviewed the questions posed by the Planning Commission members following the presentation of the committee report. The chair recommended viewing the video of the meeting via the City web site. The questions involved the fire-rescue response times, the proposal for phasing development along the Pike, critical lane volumes (CLV's), and the possibility of a super-majority vote to amend the APFO and APFS.

The committee discussed what is meant if the committee doesn't make a recommendation on a specific topic. Is it implicit support, or a matter that the committee did not have time to investigate? This should be clarified in the final report.

The committee reviewed the minutes of the July 27 meeting. Several revisions were noted. Tom Gibney moved, seconded Charles Littlefield, to approve the revised minutes. The vote was 7-0-2 with Eric Siegel and Jason Anthony abstaining.

The committee then reviewed the minutes of the July 28 meeting. One minor clarification was noted. Eric Siegel moved, seconded by Tom Gibney, to approve the revised minutes. The motion passed 8-0-1 with Jason Anthony abstaining.

The discussion began on the school recommendations. The committee discussed four possible alternative recommendations regarding enrollment recommendations: 1a) Develop an school student projection algorithm specific to the City; 1b) Work with Montgomery County Public Schools (MCPS) to develop better projections for the City; 1c) Appoint a standing commission on education to report to the Mayor and Council; 1d) Essentially maintain the status quo, understanding that any of these projections are difficult to predict accurately. With regard to a possible commission, consider requiring some members to have some expertise in statistical projections.

APFO Committee Meeting Minutes

August 4, 2011

After discussion, the committee reached general agreement on the process, essentially combining items 1b and 1c.

With regard to item 2, the committee suggests that there needs to be consideration of how to update the generation rates with new demographic survey data and/or GIS data for all new buildings, especially mid-rise types.

Discussion of item 3 was deferred until later in the meeting.

For item 4, there was much discussion about how to deal with the grandfathered projects. They are essentially holding student capacity that may not be used for many years, if ever. There should be consideration of having the developers provide an annual report on their status, developing a process to get them to either move forward, or possibly some type of transfer of capacity rights, patterned on a transfer of development rights market model.

Item 5 concerned whether to move the test year from the current 1 and 2 years out to maybe 2-3 years out. The general consensus was moving to the 2 and 3 year test was acceptable with better projection methodology available. Soo Lee Cho spoke for only having one test year, not two.

Item 7 concerned how to improve the interaction between the City and MCPS. This might be better addressed in the background discussion rather than as a specific recommendation.

Item 8, regarding the posting of the projections, was accepted with the caveat that the formulas deriving the numbers also be made available.

There was plurality support to delete item 9.

The suggestions for revisions to the citizen survey and further market research were accepted.

With regard to the suggested changes to the previously approved recommendation regarding development phasing along the Pike, the general opinion was to leave the language as is. Eric Siegel moved, seconded by Tom Gibney, to make no change. The vote was unanimous.

With regard to any recommendation on CLV's, comments may be included the background discussion, but it should be noted that the current CLV's are not automatically OK.

Eric Siegel moved, seconded by Tom Gibney to accept the technical amendment to the previously approved recommendation regarding sewer service.

APFO Committee Meeting Minutes  
August 4, 2011

Discussion then returned to items 3 and 6. Charles Littlefield provided hand-outs analyzing the differences in moratoria based on 110%, 115%, and 120% of capacity. Eric Siegel suggested raising the level to 120%. Otherwise, the County may just ignore the city's school needs since it will never get out of its own moratorium. Roald Schrack also supported raising the threshold to 120% and include some form of school facility payment. Charles Littlefield put forth a suggestion to leave the level at 110%, but create some form of waiver process whereby the Planning Commission could allow development if the PTA's of the affected schools supported the waiver.

Eric Siegel noted that raising the level to 120% will reduce the possible objections by the County to funding school improvements and construction. Eric will draft consolidation language for a recommendation for next week.

The chair requested that all drafts of the various sections of the report be completed by the end of Sunday. The chair will draft the section on the waivers.

The meeting was adjourned at 10:50 p.m.