

TOWN OF CHEVY CHASE  
COUNCIL MEETING  
TOWN HALL  
May 22, 2019

OPEN SESSION TO VOTE TO ENTER CLOSED SESSION (5:30 p.m.)

The Town Council will meet in open session for the purpose of voting to enter a closed session pursuant to the Open Meetings Act, Maryland Code, General Provisions Article, Section 3-305(b)(1) to discuss a personnel matter that affects one or more specific individuals.

- I. GENERAL BUSINESS (7:00-7:45 p.m.)
  - A. Call to Order
  - B. Pledge of Allegiance
  - C. Swearing-In of Newly Elected Council Members
  - D. Election of Council Officers & Committee Liaisons
  - E. Approval of Minutes of April 24 Council Meeting and May 7 Annual Meeting
  - F. Acceptance of April 2019 Financial Report
  - G. [Town Manager's Report](#)
  - H. Public Comments
  
- II. COUNCIL ACTIONS (7:45-8:15 p.m.)
  - A. Consideration of a Resolution to Thank Town Residents and the Town's Community Relations Committee for Support of the Family Justice Center
  - B. [Consideration of a Proclamation for National Gun Violence Awareness Day](#)
  - C. [Consideration of an Ordinance to Adopt the FY20 Budget and Tax Rates](#)
  - D. [Consideration of a Resolution to Adopt the Montgomery County Hazard Mitigation Plan 2018](#)
  
- III. COUNCIL DISCUSSIONS (8:15-9:30 p.m.)
  - A. Zimmerman Park Amenities & Improvements
    - 1. Lee Dennison Sustainable Garden
    - 2. Pathway and Staircase
    - 3. Concept Master Plans
  - B. Project Updates:
    - 1. East West Highway Safety Improvements
    - 2. Bradley Lane Safety Improvements
    - 3. East Avenue Traffic Calming
    - 4. Town Traffic Study
    - 5. Permit Parking Program
    - 6. Purple Line Mitigation
    - 7. Bethesda Downtown Plan Implementation: Farm Women's Market Project and 7000 Wisconsin Avenue Proposed Development
  - C. Household Organic Waste Collection Program
  
- IV. ADJOURNMENT (9:30 p.m.)

# MEMORANDUM

I-G

TO: Town Council  
FR: Todd Hoffman, Town Manager  
RE: Town Manager's Report  
DATE: May 22, 2019

This report highlights some of the initiatives undertaken by Town staff over the past month. In the interest of brevity, I have not included ongoing staff functions. Please let me know if you have any questions or need additional information.

- Assisted Purple Line Mitigation Committee with obtaining additional information from MTA/PLTP/PLTC.
- Communicated with SHA and MCPD re. traffic and pedestrian safety improvements on East West Highway.
- Communicated with SHA re. recent traffic safety improvements on Bradley Lane.
- Continued to assist Land Use Committee with reviewing possible changes to the Town building ordinance.
- Issued RFP for sustainable garden project and held pre-bid meeting with prospective bidders.
- Retained landscape designer to develop conceptual master plans for Zimmerman Park.
- Retained engineering firm to begin a Phase 1 conceptual design plan for proposed staircase/pathway in Zimmerman Park.
- Assisted Long Range Planning Committee with tracking Bethesda redevelopment projects.
- Assisted Public Services Committee with developing RFP for Town-wide traffic study and responding to resident inquiries/requests re. public safety, traffic and street lighting.
- Began spring/summer asphalt and concrete repairs.
- Installed radar speed board on East Avenue.
- Finalized and published proposed FY20 budget.
- Planned and assisted in supervising 2019 election.
- Planned and attended May 7 Annual Meeting.
- Worked with Community Relations Committee on special events.

**TOWN OF CHEVY CHASE, MARYLAND  
PROCLAMATION  
DECLARING THE FIRST FRIDAY IN JUNE TO BE  
NATIONAL GUN VIOLENCE AWARENESS DAY**

This proclamation declares the first Friday in June to be National Gun Violence Awareness Day in the Town of Chevy Chase, Maryland to honor and remember all victims and survivors of gun violence and to declare that we as a country must do more to reduce gun violence.

**WHEREAS**, every day, 100 Americans are killed by gun violence and on average there are nearly 13,000 gun homicides every year; and

**WHEREAS**, Americans are 25 times more likely to be killed with guns than people in other high-income developed countries; and

**WHEREAS**, protecting public safety in the communities they serve is the district's highest responsibility; and

**WHEREAS**, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people with dangerous histories; and

**WHEREAS**, in January 2013, Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later, should be now celebrating her 22nd birthday; and

**WHEREAS**, to help honor Hadiya – and the 100 Americans whose lives are cut short and the countless survivors who are injured by shootings every day – a national coalition of organizations has designated June 7, 2019, the first Friday in June, as the 5th National Gun Violence Awareness Day; and

**WHEREAS**, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

**WHEREAS**, anyone can join this campaign by pledging to Wear Orange on June 7th, the first Friday in June in 2019, to help raise awareness about gun violence; and

**WHEREAS**, by wearing orange on June 7, 2019 Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

**WHEREAS**, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe.

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Chevy Chase, Maryland declares the first Friday in June, June 7, 2019, to be National Gun Violence Awareness Day. We encourage all schools to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

Approved May 22, 2019

**Town of Chevy Chase  
Budget and Tax Rate Ordinance**

Resolution No.: 19-05  
Introduced: April 24, 2019  
Adopted: May 22, 2019  
Effective Date: July 1, 2019

**SUBJECT:** AN ORDINANCE TO ADOPT A BUDGET FOR FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020 AND TO LEVY A TAX ON CERTAIN REAL AND PERSONAL PROPERTY UNDER THE PROVISIONS OF SECTION 6-203 OF THE TAX-PROPERTY ARTICLE OF THE MARYLAND CODE, AS AMENDED

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland, including the Town of Chevy Chase, general power to pass such ordinances not contrary to the Constitution of Maryland, or the public general law, as deemed necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Maryland Code, Local Government Article, Section 5-205, as amended, authorizes the legislative body of each municipal corporation in the State of Maryland to spend money for any public purpose and to affect the safety, health, and general welfare of the municipality and its occupants;

WHEREAS, Maryland Code, Tax-Property Article, Section 6-203, as amended, grants authority to municipal corporations to levy a tax on personal property, land, and improvements thereon, within the municipal corporation;

WHEREAS, Section 301 of the Town of Chevy Chase Charter authorizes the Town Council to pass ordinances as it may deem necessary for the good government of the Town; for the protection and preservation of the Town's property, rights and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger and destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare and happiness of the resident(s) of the Town; and for such other police and health matters as it may deem necessary;

WHEREAS, pursuant to Section 501 of the Town of Chevy Chase Charter, the Town operates on an annual budget;

WHEREAS, Section 503(a) of the Town of Chevy Chase Charter authorizes the Town Council to levy and collect from the owners of real and/or taxable tangible personal property used in a trade or business in the town, tax on the assessed valuation of the real and/or taxable

tangible personal property used in a trade or business within the boundaries of the Town at a rate or rates set by the Town Council;

WHEREAS, the Town Council introduced the following Ordinance in public session assembled on the 24<sup>th</sup> day of April, 2019;

WHEREAS, the Town Council, after proper notice to the public, considered the following Ordinance at a public hearing held on the 7<sup>th</sup> day of May, 2019; and

WHEREAS, the Town Council finds that the ordinance as hereinafter set forth is necessary for the good government of the Town; for the protection and preservation of the Town's property, rights and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger and destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare and happiness of the residents of the Town.

NOW, THEREFORE, the Town Council does hereby adopt the foregoing Ordinance.

BE IT ORDAINED AND ORDERED, this 22<sup>nd</sup> day of May, 2019, by the Town Council, acting under and by virtue of the authority given it by the Maryland Code and the Town of Chevy Chase Charter, that the attached Budget be and is hereby adopted.

AND BE IT FURTHER ORDAINED AND ORDERED, that the Town Council of the Town of Chevy Chase, pursuant to the authority granted by the Town Charter and Section 6-203 of the Tax-Property Article of the Maryland Code, hereby levies a tax at the following rates:

- (i) ninety-nine one-hundredths of a cent (\$0.0099) per One Hundred Dollars of assessable value (fair market value) on real property subject to taxation;
- (ii) zero dollars and zero cents (\$0.00) per One Hundred Dollars of assessed value of assessable business-owned personal property subject to taxation; and
- (iii) zero dollars and sixty-six cents (\$0.66) per One Hundred Dollars of assessed value of assessable utility property subject to taxation.

AND BE IT FURTHER ORDAINED AND ORDERED, by the Town Council, acting under and by virtue of the authority granted to it by the Maryland Code, and the Charter of the Town of Chevy Chase, that:

- (1) That the tax levied hereby be certified to the County Council for Montgomery County, Maryland;
- (2) If any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof; and

(3) This Ordinance shall take effect on the 1<sup>st</sup> day of July, 2019.

ATTEST:

TOWN OF CHEVY CHASE

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Kirk Renaud, Secretary

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Barney Rush, Mayor  
Town of Chevy Chase

## MEMORANDUM

II-C

TO: Town Council  
FR: Todd Hoffman, Town Manager  
RE: Consideration of a Resolution to Adopt the Montgomery County Hazard Mitigation Plan 2018  
DATE: May 22, 2019

The Town Council is asked to approve the attached resolution adopting Montgomery County's Hazard Mitigation Plan 2018. This plan is an update to the one developed and approved by Montgomery County, and adopted by the Town, in 2013.

The plan, required by the Disaster Mitigation Act of 2000, assesses community natural hazards and risks, determines mitigation needs and capabilities, provides mitigation solutions and guides post-disaster recovery. The plan addresses most natural hazards, including droughts, floods, tornadoes, hurricanes and blizzards.

All municipalities with land use authority in Montgomery County must either adopt the County's plan or create their own plan in order to continue to receive pre and post-disaster mitigation grant funding from the Federal Emergency Management Agency (FEMA). As such, the Town Council is asked to approve the County plan.



Resolution No. 19-06  
Adopted: May 22, 2019  
Effective: May 22, 2019

**RESOLUTION OF  
THE TOWN OF CHEVY CHASE**

SUBJECT: RESOLUTION TO ADOPT MONTGOMERY COUNTY  
HAZARD MITIGATION PLAN 2018

WHEREAS, the Town of Chevy Chase recognizes the threat that natural hazards pose to people and property; and

WHEREAS, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and

WHEREAS, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121, *et seq.*, and the implementing regulations thereto, local governments are required to develop a hazard mitigation plan as a condition for receiving disaster mitigation grant funding; and

WHEREAS, by Resolution 19-70, adopted April 8, 2019, the Montgomery County Council adopted the Montgomery County Hazard Mitigation Plan 2018; and

WHEREAS, the Town of Chevy Chase finds that adopting the Montgomery County Hazard Mitigation Plan 2018 would promote the good government of the Town and protect and preserve the Town's rights, property, and privileges.

NOW, THEREFORE, BE IT RESOLVED this 22<sup>nd</sup> day of May, 2019, by the Council of the Town of Chevy Chase that:

1. The Town of Chevy Chase hereby adopts the Montgomery County Hazard Mitigation Plan 2013, as adopted by the Montgomery County Council by Resolution 19-70; and
2. This resolution is effective as of this 22<sup>nd</sup> day of May, 2019.

I, Kirk Renaud, Secretary of the Town Council, hereby certify that the foregoing Resolution was adopted by the Council at its open meeting on May 22, 2019.

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Kirk Renaud, Secretary