Resolution No.: 18-624
Introduced: September 13 2016
Adopted: October 18, 2016

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: County Council

SUBJECT: Approval of Declaration of No Further Need: Disposition of Avery Road Treatment Center, 14703 Avery Road, Rockville, Maryland

Background

1. Montgomery County Code §11B-45 requires the Council to approve a Declaration of No Further Need before the Executive can dispose of real property that has more than nominal value. Prior to seeking Council approval of a Declaration of No Further Need, the Executive must:
   (a) submit all material terms of the proposed disposition and any appraisal the Executive relied on in setting the property's market value to the Council; and
   (b) publish a declaration in the County Register and post a notice on the County website that the County has no further need for the property.

   If the Council, by resolution, approves the Executive's Declaration of No Further Need, the Executive may dispose of the property for fair market value.

2. On May 6, 2016 the Council received a memo from David Dise, Director of the Department of General Services, transmitting the County Executive's recommended material terms for the disposition the Avery Road Treatment Center. The material terms include entering into a P3 General Development Agreement with the Potomac Health Care Foundation to design and construct a new building using public and private funds in accordance with Capital Improvements Program project P601502, leasing the building to the Potomac Health Care Foundation for $1 per year that is co-terminus with a contract for services the County, and the County maintaining unencumbered ownership of the facility and all improvements made by the tenant at the end of the lease term..

3. On September 6, 2016 the Council received Executive Order 102-16, Disposition of 14703 Avery Road, Rockville, Maryland, which is the location of the Avery Road Treatment Center. This is the County Executive's Declaration of No Further Need.

4. The Joint Government Operations and Fiscal Policy Committee and Health and Human Services Committee held a joint worksession on October 13, 2016 and recommends approval.

5. A public hearing was held on October 4, 2016.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The Declaration of No Further Need for 14703 Avery Road, Rockville, Maryland, location of the Avery Road Treatment Center is approved and the property may be disposed of as described in the material terms provided to the Council on May 6, 2016.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council