



## SILVER SPRING CITIZENS ADVISORY BOARD

March 19, 2021

Council President Tom Hucker

[Delivered via e-mail]

*Advice from the Silver Spring Citizens Advisory Board re:*

### **SILVER SPRING BUSINESS IMPROVEMENT DISTRICT**

Dear Council President Tom Hucker:

- **The SSCAB cannot advise support for the Silver Spring Business Improvement District (BID) at this time without a pause in the process to address a series of questions outstanding.**

The County Council drafted Bill 3-21, to establish the Silver Spring Business Improvement District (BID). The BID will be a private entity that assumes many of the functions currently handled by the Silver Spring Urban District (SSUD) under the direction of the Regional Services Director. It is proposed that the BID be managed by a board of directors made up of the property owners in the district, which is almost identical in size and form to the Urban District. Funding for the BID is to be from dues paid by members plus some funding from the County, though all of this funding is not entirely clear at present.

The BID would impose an unrepresentative and biased authority over the Silver Spring business community. The BID's Board members are likely to represent the large, national businesses located in Silver Spring and they will be wealthy, White, and absentee property owners. In contrast, 80% of the small business owners in the SS district are People of Color. The Office of Legislative Oversight (OLO) has found that there may be negative impacts on Racial Equity and Social Justice in the district under the BID. Additionally, the Office of the County Attorney has determined the County's ethics requirements are not applicable to the BID. This is problematic insofar as they are to be a private entity but tasked with providing services widely perceived as coming from the government.

Therefore, the SSCAB suggests to the Council and the County Executive that clarification be provided on several points prior to the County moving forward with the BID. These include:

1. What will be the County funding over and above the assessment tax?
2. What functions will be retained by the Urban District?
3. If the assessment tax is to go to the BID, how will the Urban District be funded?
4. If the BID is to replace the SSUD, will the BID hire the SSUD work force?
5. What recourse will small business owners have?
6. Should the County have a seat on the BID Board of Directors?

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7. Should the BID be subject to the County's ethics requirements?
8. What are the responses to the questions raised by OLO about security and social services?
9. Why was half of Fenton Village excluded in the initial BID map?

While we are aware of BIDs in the region which have worked well and provided a wealth of valuable services, we also know of negative impacts of BIDs on small businesses and we have seen letters from individuals and groups expressing these concerns. **The SSCAB cannot advise support for the BID at this time without a pause in the process to address the questions posed above.**

Sincerely, on behalf of the SSCAB,

Lysette House\*  
Chair

Sofia Bushen\*  
Vice-Chair

Parliamentarian  
Melanie Funder Kaye\*

Secretary  
Katherine Lucas McKay\*

*(\*Signatures on file)*

CC:

Marc Elrich, County Executive  
Montgomery County Council Members  
Reemberto Rodriguez, Silver Spring Regional Area Director  
Members of the SSCAB