



OFFICES OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Douglas M. Duncan
County Executive

Bruce Romer
Chief Administrative Officer

November 13, 2006

Mr. David Humpton
City Manager
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, Maryland 20877

Dear Dave:

Thank you for your letter of November 7, 2006 indicating that the City of Gaithersburg has reversed its position with respect to an employment center for day laborers and will no longer look for sites or pursue this matter further. As communicated in the letter and your most recent meeting with County staff, I understand the City's position to be as follows:

- The City has given up and will no longer search for potential employment center sites.
- The City believes the County should establish an employment center outside the City.
- The City will not partner with the County or provide any support for an employment center outside the City.
- The City will consider an anti-solicitation ordinance to prevent day laborers from gaining work in the City.
- The City is prepared to take zoning action against the property owner of 17 North Frederick Avenue – the property leased by the County.
- The City is prepared to address its financial obligation to the County for the County's lease of 17 North Frederick Avenue.

We are troubled and disappointed by the City's position which reverses prior policy decisions made by the City and upon which the County reasonably relied in providing assistance to the City. The City's position also impacts the coalition of faith-based organizations that have been trying to fill the void created by the City's failure to act in a timely manner to address the needs of the day laborers. A brief chronology of events is instructive.

- Day laborers have been gathering at informal locations in the City for many years. Workers originally gathered at the Spanish Catholic Center located in the shopping center across from Grace United Methodist Church. They continued to gather in the nearby parking area after the Spanish Catholic Center moved to another location.
- In fall 2004, the City requested the County's assistance in addressing the needs of the day laborers. Through the winter and spring, County staff attended numerous meetings with City officials, including Mayor Katz, and other stakeholders to identify solutions. The City and County both agreed that the best solution was to create an employment center.
- The structure of the partnership between the City and the County called for the City to select the location of the employment center and renovate the building and grounds. The County was responsible for entering into a lease for the property and contracting with an operator for the employment center.
- In summer 2005, at the City's request, the County entered into a 5 year lease for 17 North Frederick Avenue as the location for an employment center.
- In fall 2005, after the City demolished the interior of the leased premises at 17 North Frederick Avenue, the City pulled back from its commitment to partner with the County to establish an employment center and instead established a task force to study the issue.
- In spring and summer 2006, the City Task Force and the City Council ultimately endorsed an employment center.
- Now the City has reversed its position indicating that it has given up and will no longer pursue an employment center in the City and will introduce an anti-solicitation ordinance to disrupt those trying to find work.

This is a most unfortunate turn of events. The day laborers are City of Gaithersburg residents. The vast majority of the day laborers walk from apartments in the North Summit Avenue area and other rental apartment communities nearby to a place where they have gathered for many years to seek work. Clearly this is a City issue and it is disappointing that after two years the City is calling it quits and refusing to do the difficult work of forging and implementing a real solution in partnership with the County.

The County has spent considerable time, energy and money assisting the City and has remained a full and active partner in the process to open and operate an employment center. As you know, the County has established successful employment centers in unincorporated areas of the County (Wheaton and Silver Spring) and provides financial support to the City of Takoma Park to help cover the City's costs of contracting for operation of an employment center.

It appears the City is attempting to wash its hands of this issue and push the day laborers outside of City borders. Although the City will no longer look for employment center sites in the City, the City would like the County to establish an employment center in an unincorporated area outside of the City. Experience in Montgomery County and elsewhere has shown that the success of employment centers for day laborers is dependent on the center being located in close proximity to the existing site where the day laborers gather. We believe that to have the greatest chance of success, an employment center must be in close proximity to where the day laborers live and have traditionally congregated and that is in the City. A successful employment center

Mr. David Humpton

November 13, 2006

Page 3

serving City of Gaithersburg day laborers would be difficult if not impossible to achieve without the City's support, assistance and active participation. We are also quite surprised that Gaithersburg is considering an anti-solicitation ordinance when the City has not addressed the need for an employment center.

Montgomery County continues to believe that 17 North Frederick Avenue is a very viable location for the employment center and was leased specifically for this purpose. We also understand that the Spanish Catholic Center has opened for business at 415 East Diamond Avenue providing health services, ESOL classes, employment services and other services. This was a site previously proposed by City staff for an employment center and is another viable location in the City close to where the day laborers have been gathering that could also be used effectively as an employment center in coordination with the Spanish Catholic Center. There would be a certain logic to this since the informal site across from Grace United Methodist Church started with workers visiting the Spanish Catholic Center.

With regret and pursuant to the City's request, the County is moving to terminate the lease for 17 North Frederick Avenue and will send the City an invoice to cover all of the County's expenses in leasing the property and all of the lease termination costs, including the cost of restoring the premises demolished by the City.

The unfortunate result of the City's decision to retreat from its prior commitments and withdraw from its partnership with the County is that there may be no employment center to provide needed services for the City of Gaithersburg's day laborers. The County will take the next few weeks to review this issue. The County has been extremely patient and generous in working with the City. The City needs to take an appropriate level of ownership of the issue and work in partnership with the County to create a successful employment center and we encourage the City to do so.

Sincerely,



Bruce Romer
Chief Administrative Officer

BR:dar