

COUNCIL COMING ATTRACTIONS



Tuesday, June 21, 2016

**Collective Bargaining, Neighborhood Action Teams, Signs along County Roads
and Minimum Wage**



Council Coming Attractions is a summary of some of the issues before the Council. All Council staff reports and additional information on each item scheduled for Council or Committee review can be viewed at: <http://www.montgomerycountymd.gov/council/packet/index.html> .

Also the Council meeting schedule may change from time to time. The current Council agenda can always be viewed at:

http://www.montgomerycountymd.gov/council/resources/files/agenda/col/current_agenda.pdf .

The Council Session is scheduled to begin at 9:30 a.m. with proclamation presentations.

- 🌐 Proclamation recognizing the service of Joseph Beach, Director, Department of Finance, by Council President Floreen
- 🌐 Proclamation recognizing Rachel Robinson as one of the longest-serving Hebrew school teachers in the County, by Councilmember Leventhal
- 🌐 Proclamation recognizing the Robotics Team “Organized Kaos”, by Councilmember Rice

Other Council Highlights

- 🌐 Expedited Bill 24-16, Collective Bargaining-Impasse Procedures-Amendments

The Council will introduce Expedited Bill 24-16. A public hearing is scheduled for July 12 at 7:30 p.m. Council President Floreen is the lead sponsor of the bill. Councilmember Rice is a cosponsor.

The bill would make changes to the County's collective bargaining law to create a transparent process and promote a more equitable approach to labor negotiations. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4558&meta_id=123546 .

Bill 24-16 would:

- open parts of the collective bargaining process to the public;
- extend time for negotiations;
- standardize the list of employer rights across all of the County's collective bargaining agreements;
- require the Executive to appoint, subject to Council confirmation, a labor relations administrator who is experienced in conducting adjudicatory hearings;
- separate the role of a mediator and an arbitrator in resolving an impasse in collective bargaining;
- create a three-person arbitration panel headed by a retired judge; and
- strengthen the language requiring the arbitration panel to first consider the affordability of an agreement before any other factor.

 Expedited Bill 25-16, Housing and Building Maintenance Standards-Neighborhood Action Team

The Council will introduce Expedited Bill 25-16. Councilmembers Leventhal and Navarro are the lead sponsors. Council Vice President Berliner is a cosponsor. A public hearing is scheduled for July 12 at 1:30 p.m. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4558&meta_id=123548 .

Bill 25-16 would require the Executive to create an interdepartmental Neighborhood Action Team and specify the duties and membership of such a team. The purpose of this bill is to create a holistic approach to dealing with quality of life issues in neighborhoods throughout the County.

 Bill 26-16, Environmental Sustainability-Montgomery County Green Bank-Amendments

The Council will introduce Bill 26-16. Council President Floreen is the lead sponsor, at the request of the County Executive. A public hearing is scheduled for July 12 at 1:30 p.m. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4558&meta_id=123550 .

Bill 26-16 would clarify the effect of Green Bank designation on certain activities that may continue or mature after the designation expires. The bill would also revise the recommended composition of the Board of Directors.

 Zoning Text Amendment 16-06, Prohibited Signs-Public Rights-of-Way

The Council will introduce ZTA 16-06. Councilmember Leventhal is the lead sponsor. A public hearing is scheduled for Aug. 2 at 1:30 p.m. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4558&meta_id=123552 .

ZTA 16-06 would prohibit all non-permanent signs in public rights-of-way and specify enforcement procedures for illegal signs in rights-of-way.

- All private temporary signs in the County's public rights-of-way are illegal. The current code allows for such signs by permit, but the Department of Permitting Services has no applications or permits on file.
- In the sponsor's opinion, the use of public rights-of-way for temporary signs is both a safety hazard and an eyesore.

Zoning Text Amendment 16-07, Exemptions-Pre-1958 Lots

The Council will introduce ZTA 16-07. The lead sponsor is Council President Floreen. A public hearing is scheduled for Aug. 2 at 1:30 p.m. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4558&meta_id=123554.

ZTA 16-07 would reinstitute provisions for pre-1958 lots and parts of lots that existed before the Zoning Ordinance Rewrite. It has been the Council's policy to allow the reconstruction of existing dwellings despite any irregularities in the lot or parcel on which it is located.

- Zoning changes are needed for certain pre-1958 parcels where reconstruction would occur on parcels or parts of lots that do not meet width requirements of their current zoning.
- The proposed ZTA clarifies that pre-1958 parts of lots are included, and permits reconstruction on pre-1958 parcels that do not meet lot width at the front building line as well as the front lot line.

Zoning Text Amendment 16-08, Commercial/Residential "T" Zones-Building Height

The Council will introduce ZTA 16-08. The lead sponsor is Council President Floreen. A public hearing is scheduled for Aug. 2 at 1:30 p.m. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4558&meta_id=123556.

ZTA 16-08 would reinstitute provisions for pre-1958 lots and parts of lots that existed before the Zoning Ordinance Rewrite. ZTA 16-08 would allow density flexibility for the provision of workforce housing. ZTA 16-08 would also exclude the floor area devoted to a publicly owned or operated facility from height limits in Commercial/Residential (CR) "T" Zones.

- The Zoning Ordinance Rewrite was implemented by a District Map Amendment that rezoned all properties within the Council's jurisdiction.
- Commercial/Residential (CR) "T" Zones were applied to properties in Central Business District (CBD) zones. CR zones were intended to have absolute height and density limits. CBD zones had some flexibility to exceed height and density limits.
- The Council used the "T" designation to distinguish properties formerly in the CBD family of zones and allowed them to retain height and density flexibility under certain circumstances.
- Height flexibility is allowed for the provision of workforce housing; density flexibility is not currently allowed.

Montgomery Village Master Plan Sectional Map Amendment (H-112)

The Council will vote on the Montgomery Village SMA. The Council had a public hearing on the SMA on June 14. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4558&meta_id=123558.

- On February 9 the Council approved the Montgomery Village Master Plan by Resolution 18-398.
- On April 7 the Montgomery County Planning Board approved filing the SMA for the Montgomery Village Master Plan. The SMA will implement the zoning recommendations of the approved and adopted plan.

Corrective Map Amendment (H-111), to correct a technical error in zoning boundaries and zoning classifications on the official zoning maps for 5017 Rugby Road in Bethesda

The Council will vote on Corrective Map Amendment H-111. The site consists of approximately 5,576 square feet. The Council staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4558&meta_id=123560.

- The Planning Board, Hearing Examiner and Council reviewed and approved the map amendment (Council Resolution 16-1540) for the PD-44 zone.

- The zoning map incorrectly excluded 5017 Rugby Avenue, although it was clearly identified in the map amendment application and the resolution for the PD-44 zone.
- The Planning Board, planning staff and Council staff recommend reclassifying approximately 5,576 square feet of land from the R-60 zone to the PD-44 zone to correctly show the intent of the zoning boundaries.



Declaration of No Further Need for County Service Park East/Jeremiah Park

The Council will receive an update and discuss the declaration of no further need for the County Service Park East/Jeremiah Park, which is the current site of the Montgomery County Public Schools' Shady Grove Bus Depot. Executive Branch staff is expected to provide the latest information on the relocation plan for the buses currently parked at this location, so the Council can determine next steps. The link to the staff report can be found at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4558&meta_id=123562 .



Bill 12-16, Human Rights and Civil Liberties-County Minimum Wage-Amount-Annual Adjustment

The Council will have a public hearing on Bill 12-16 at 7:30 p.m. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4558&meta_id=123572 .

Councilmember Elrich is the lead sponsor. Councilmembers Leventhal, Riemer and Navarro are cosponsors. Bill 12-16 would:

- ✓ increase the County minimum wage;
- ✓ require the Chief Administrative Officer to adjust the County minimum wage rate each year; and
- ✓ generally amend the laws governing the minimum wage.
- Bill 12-16 would extend the incremental increases set in County law to go up to \$15.00 per hour effective July 1, 2020. Under the bill's transition provisions, the County minimum wage would increase to \$12.50 in 2018, \$13.75 in 2019, and \$15.00 in 2020.
- Additionally, the Bill would require, beginning in 2021, annual adjustments to the minimum wage by the annual average increase, if any, in the Consumer Price Index for urban wage earners and clerical workers for the previous calendar year.
- In 2013, the Council enacted Bill 27-13, which established a County minimum wage for private sector employees working in the County, unless the State or federal minimum wage is higher. The County minimum wage law has been amended twice since being established by Bill 27-13. Bill 59-14 modified some of the effective dates for increases, and Bill 24-15 modified the method for calculating the "tip credit" allowed to employers of tipped employees.
- The County minimum wage established under Bill 27-13, as amended, is phased in over several years. The rate was set at \$8.40 per hour effective October 1, 2014, and increased to \$9.55 per hour on October 1, 2015. It is set to increase to \$10.75 on July 1 of this year, and will go to \$11.50 per hour on July 1, 2017.