

Emergency Bill No. 27-00  
Concerning: County Information  
Technology Management -  
Reorganization  
Revised: Apr. 2, 2002 Draft No. 10  
Introduced: August 1, 2000  
Enacted: April 2, 2002  
Executive: April 11, 2002  
Effective: April 11, 2002  
Sunset Date: None  
Ch. 5, Laws of Mont. Co. 2002

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Councilmember Praisner

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### AN EMERGENCY ACT to:

- (1) reorganize County information technology functions under a new Department of ~~[[Information]]~~ Technology Services;
- (2) designate the Director of the Department as the County's Chief Information Officer responsible for certain interdepartmental services and projects and heading certain interagency coordination efforts;
- (3) clarify how a government entity is designated as either a department or principal office;
- (4) generally amend County law regarding County information technology management.

By amending

Montgomery County Code  
Chapter 1A, Establishing the Structure of County Government  
Section 1A-201  
Chapter 2, Administration  
Division 11D

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Section 1.** Section 1A-201 and Division 11D of Chapter 2 of the County  
2 Code are amended as follows:

3 **1A-201.     Establishing departments and principal offices.**

4           (a) Executive Branch.

5                   (1) These are the departments and principal offices of the  
6 Executive Branch.

7   \*     \*     \*

8   [[Information]] [Systems and Telecommunications]

9   Technology Services [Section 2-58D]

10   \*     \*     \*

11                   (2) [The] If the Charter or County law does not designate an entity  
12 in paragraph (1) as a department or a principal office, the  
13 County Executive [determines] must determine whether [an]  
14 the entity is a department or a principal office[.] as follows:

15                                   [a. Entities]

16                                   (A) an entity that [directly serve] primarily serves the public  
17 [are departments.] is a department; and

18                                   [b. Entities]

19                                   (B) an entity that [provide] primarily provides internal  
20 support to other parts of County government [are] is a  
21 principal [offices] office.

22   \*     \*     \*

23 DIVISION 11D. DEPARTMENT OF [[INFORMATION]] [SYSTEMS AND  
24 TELECOMMUNICATIONS] TECHNOLOGY SERVICES.

25 **2-58D. Functions.**

26 (a) *Generally.* The purposes of the [department of information systems  
27 and telecommunications] Department of [[Information]] Technology  
28 Services are to:

- 29 (1) [Promote] promote the appropriate use of automated  
30 information systems and telecommunications technology by the  
31 [county] County government;
- 32 (2) [Plan] plan, develop, and ensure the proper operation of the  
33 [county] County government's telecommunications capabilities,  
34 with special emphasis on the long-term issues of  
35 [[connectability]] connectivity and compatibility;
- 36 (3) [[Ensure]] ensure that the [county] County government  
37 provides automated information services;
- 38 (4) [[Review]] review decentralized process support systems for  
39 consistency with overall policy and compatibility with other  
40 governmental systems; and
- 41 (5) [[Promote]] promote the sharing of data and [[computer]]  
42 information technology systems among the departments and  
43 agencies, subject to the state public records act.

44 (b) *Duties.* The [department of information systems and  
45 telecommunications] Department must:

- 46 (1) [Operate] operate the [county's] County's central computer  
47 system and provide technical support necessary to:
- 48 [a. Generate]
- 49 (A) generate and maintain the software of all systems;
- 50 [b. Assess]

- 51                   (B) assess requirements for computer hardware and software;  
 52                   and  
 53                   [c. Supervise]  
 54                   (C) supervise network control activities;
- 55           (2) [Provide technical assistance to the administrator of the]  
 56                   administer each cable communications or other  
 57                   telecommunications franchise granted by the County Council  
 58                   and any other telecommunications agreement involving or  
 59                   regulated by the County;
- 60           (3) [Operate] operate and manage all [nonentertainment transport]  
 61                   telecommunications facilities [that the cable franchise or the  
 62                   county government installs] owned or controlled by the County,  
 63                   including the County fiber-optic data network, telephone  
 64                   system, Internet service, cable television transmissions, and  
 65                   public safety communications;
- 66           (4) [Make] make County policy recommendations [[to the  
 67                   Executive, the Council, and the Information Technology Policy  
 68                   Committee]];
- 69           (5) [Establish] establish standards for automated information  
 70                   systems and telecommunications;
- 71           (6) [Plan] plan and oversee the installation and support of  
 72                   departmental and enterprise automated information systems,  
 73                   [[telephones, radios, microwave installations, and other]]  
 74                   [transmission] [[telecommunications facilities]] [. These  
 75                   facilities include], including public safety communications  
 76                   systems, [[and]] local- and wide-area networks [and their  
 77                   interconnection with the cable communications system's

78 nonentertainment broadband transport] [[owned or controlled  
 79 by the County]], enterprise servers, and the desktop computer  
 80 replacement program, under written policies approved by the  
 81 Chief Administrative Officer (CAO);

82 (7) [Maintain] maintain a geographic database [file that includes  
 83 geographic identification associated with street segments] of all  
 84 installed telecommunications facilities in the County for which  
 85 the County has any legal authority to require data, or is able to  
 86 obtain voluntarily or through a third-party;

87 (8) [Approve] approve, deny, or modify all requests for  
 88 telecommunications and information processing facilities[[,  
 89 except those for the]] [county council] [[County Council,]]  
 90 [prior to] before acquisition; and

91 (9) [Advise] advise the [county council] County Council on the  
 92 acquisition of telecommunications and information processing  
 93 systems[. However], although the [council] Council has the  
 94 final authority to acquire [the] facilities and systems for its own  
 95 use.

96 (c) Chief Information Officer. The Director of [[Information]]  
 97 Technology Services serves as the County's Chief Information Officer  
 98 (CIO). The CIO, under the supervision of the Chief Administrative  
 99 Officer, must:

100 (1) serve as chair of the Information Technology Policy Advisory  
 101 Committee;

102 (2) review and approve any proposed procurement of information  
 103 technology for the County government to ensure that the  
 104 proposed procurement is consistent with approved information

- 105 technology policies and standards, unless the Director of  
 106 Procurement appeals the CIO's decision to the Chief  
 107 Administrative Officer to resolve;
- 108 (3) plan, direct [[a project management team responsible for  
 109 planning and implementing]], and manage each major  
 110 information technology project of the County government,  
 111 under written policies approved by the CAO;
- 112 (4) submit a plan to the County Council by February of each year  
 113 for the County's use of any information technology resources  
 114 that a person was required to provide under a cable or other  
 115 telecommunications franchise granted by the Council under  
 116 Chapters 8A or 49;
- 117 (5) administer each cable television or other telecommunications  
 118 franchise granted by the Council strictly according to law, the  
 119 approved franchise agreement, and any franchise administration  
 120 policies established by the Council by resolution;
- 121 (6) provide technical assistance to the Interagency Technology  
 122 Policy and Coordination Committee or any successor  
 123 organization;
- 124 (7) serve as the County government's liaison with other County,  
 125 State, regional, and federal government agencies, such as the  
 126 Montgomery County Public Schools, Montgomery College, the  
 127 Washington Suburban Sanitary Commission, and the Maryland-  
 128 National Capital Park and Planning Commission, to promote  
 129 efficiency and, to the extent practical, consistent standards and  
 130 interoperability of information technology among the County  
 131 government and these agencies; and

132           (8) perform the duties described in Section 2-58E to coordinate all  
133           telecommunications transmission facilities in the County.

134       (d) *Information Technology Policy Advisory Committee.*

135           (1) The Information Technology Policy Advisory Committee  
136           includes:

137           (A) the Director of Finance;

138           (B) the Director of the Office of Management and Budget;

139           (C) the Director of the Office of Procurement;

140           (D) the Director of the Office of Human Resources;

141           (E) the County Attorney;

142           (F) the Chief of Police;

143           (G) the Director of Fire/Rescue Services;

144           (H) the Director of Public Works and Transportation; [[and]]

145           (I) the Director of Health and Human Services; and

146           (J) any other head of a County agency, department, or office  
147           listed in Executive regulations approved under method

148           (2).

149           (2) The members listed in paragraph (1) serve as permanent, *ex*  
150           *officio* voting members.

151           (3) The Committee must:

152           (A) establish and frequently review, at least twice a year,  
153           information technology policies and standards for the  
154           County government that:

155           (i) promote efficient delivery of government services  
156           to the public;

157           (ii) are cost-effective;

- 158                    (iii) promote, to the extent practical, interoperability  
 159                    with other public and private information  
 160                    technology systems;
- 161                    (iv) ensure the accuracy, integrity, and security of  
 162                    information created by or entrusted to the County  
 163                    government; and
- 164                    (v) comply with federal, State, and local laws;
- 165                    (B) monitor information technology developments and  
 166                    promptly advise the Executive and Council about  
 167                    potential impacts of new technology;
- 168                    (C) review and [[approve]] advise the CIO on any proposed  
 169                    procurement of information technology for the County  
 170                    government that exceeds an amount established by  
 171                    Executive regulation; and
- 172                    (D) make recommendations to the CIO regarding the use of  
 173                    any information technology resources that a franchisee  
 174                    was required to provide under a cable television or other  
 175                    telecommunications franchise granted by the Council.

176 **2-58E. Telecommunications facility coordination.**

- 177                    (a) The [[Director of the Department of Information]] [Systems and  
 178                    Telecommunications] [[Technology]] Chief Information Officer,  
 179                    [[acting through a designee or by a contract with any private party,]]  
 180                    must [[set up]] establish and maintain a process to coordinate the  
 181                    location of public and private telecommunications transmission  
 182                    facilities in the County. The County Executive must [adopt a  
 183                    Regulation under method (2)] issue regulations to implement this  
 184                    process, including time limits for any review of a siting decision by

185 the [[Director's]] CIO or the CIO's designee or contractor, or the  
186 Telecommunications Transmission Facility Coordinating Group.

187 \* \* \*

188 **Sec. 2. Transition.**

- 189 (a) Any function performed by the Department of Information Systems  
190 and Telecommunications or the office of cable communications in the  
191 Department of Housing and Community Affairs immediately before  
192 this Act takes effect are transferred to the Department of  
193 [[Information]] Technology Services.
- 194 (b) A regulation that implements a function assigned to the Department of  
195 [[Information]] Technology Services by this Act continues in effect  
196 but any reference to any other agency that performed the function  
197 must be treated as a reference to the Department of [[Information]]  
198 Technology Services.

199 **Sec. 3. Effective Dates.**

200 The Council declares that an emergency exists and that this legislation is  
201 necessary for the immediate protection of the public health and safety. This Act  
202 takes effect on the date on which it becomes law [[and expires on June 30, 2004.  
203 When this Act expires, any function transferred by this Act to the Department of  
204 Information Technology reverts to the Department that administered the function  
205 before this Act took effect]]].

206 *Approved:*

207 /S/

April 4, 2002

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Steven A. Silverman, President, County Council

Date

208 *Approved:*

209 /S/ April 11, 2002

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Douglas M. Duncan, County Executive Date

210 *This is a correct copy of Council action.*

211 /S/ April 15, 2002

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Mary A. Edgar, CMC, Clerk of the Council Date