

**Action**

**MEMORANDUM**

November 4, 2011

TO: County Council

FROM: Amanda Mihill, Legislative Attorney *AMihill*

SUBJECT: **Action:** Bill 29-11, Boards, Committees, and Commissions – Sunset, Consolidation and Resolution to sunset or repeal certain boards, committees, and commissions

**Government Operations and Fiscal Policy Committee recommendation (3-0):** do not enact Bill 29-11 or the Resolution.

Bill 29-11, Boards, Committees, and Commissions – Sunset, Consolidation and Resolution to sunset or repeal certain boards, committees, and commissions, sponsored by Councilmember Leventhal, was introduced on September 27, 2011. A Government Operations and Fiscal Policy Committee worksession was held on October 24.

**Background**

This proposal arose from a September 12 Government Operations and Fiscal Policy Committee meeting in which Executive staff presented information indicating that staff time associated with the various boards, committees, and commissions totaled more than \$1.4 million in Fiscal Year 2011. Code §2-146 requires the Executive to appoint a citizens review committee to review the committee structure as a whole and the individual committees (the Committee Evaluation and Review Board). CERB issued its latest report in 2004. CERB noted in its 2004 report that the County had more boards, committees, and commissions than any of the neighboring jurisdictions that it surveyed. Excerpts of the CERB report for specific consolidations proposed in Bill 29-11 begin on ©26-34.<sup>1</sup> In its January 31, 2011 report, the Organizational Reform Commission recommended that the Executive accelerate the appointment of the CERB and to require the CERB to complete its work in 6 months (see excerpt on ©35-37).<sup>2</sup>

<sup>1</sup> A copy of the CERB report is at [http://www.montgomerycountymd.gov/content/EXEC/boards/cerb\\_final%20report\\_7-20-2004.pdf](http://www.montgomerycountymd.gov/content/EXEC/boards/cerb_final%20report_7-20-2004.pdf). CERB did not review the Cable Compliance Commission.

<sup>2</sup> A copy of the ORC report is at [http://www.montgomerycountymd.gov/content/council/PDF/REPORTS/ORC/ORC\\_FinalReport.pdf](http://www.montgomerycountymd.gov/content/council/PDF/REPORTS/ORC/ORC_FinalReport.pdf).

Together, Bill 29-11 and the resolution to sunset or repeal certain boards, committees, and commissions, sponsored by Councilmember Leventhal, was introduced on September 27, 2011. A public hearing was held on October 18 (see testimony and correspondence beginning on ©38).

Together, Bill 29-11 and the Resolution would:

- require the Committee Evaluation Review Board to issue an interim report within 6 months and a final report within 12 months of appointment;
- sunset certain advisory boards, committees, and commissions on December 1, 2012;
- terminate the recreation advisory boards and alter the membership of the County Recreation Board to include 1 representative from each regional services center citizen advisory board and require the County Recreation Board to collaborate with the citizens advisory boards on recreation issues;
- terminate the Cable Compliance Commission and authorize the Board of Appeals to adjudicate customer cable service complaints;
- terminate the Dickerson Area Facilities Implementation Group, increase the size of the Solid Waste Advisory Committee by 3 and require 3 members to be from the Dickerson community and require SWAC to advise the Executive and Council on the execution of the policies and strategies in the Facilities Master Plan for the Solid Waste Operations in the Dickerson Area; and
- terminate the Silver Spring TMD Advisory Committee and require the Silver Spring Urban Advisory Committee to advise on programs, management, and finances related to the transportation system and demand management in the Silver Spring Transportation Management District.

### **Issues Raised**

**1. *Sunset provision.*** As drafted, Bill 29-11 would sunset several advisory boards, committees, and commissions (©16-17, lines 349-389). As the sponsor has stated, it is his intention that many of these advisory boards would be continued through subsequent legislation. The purpose behind the sunset provision is to provide an impetus for the CERB to review the advisory boards. The Council received testimony and letters from, or on behalf of, the following advisory boards urging the Council to not sunset their board:

- Committee on Hate/Violence (see ©38)
- Commission for Women (see ©39)
- Domestic Violence Coordinating Council (see ©47)
- Greater Silver Spring Chamber of Commerce regarding the Silver Spring Urban Advisory Committee (see ©56)
- Montgomery County Chapter of the Women's Bar Association regarding the Commission for Women (see ©58)
- Paulette Dickerson regarding the Library Board (see ©60)
- Silver Spring Transportation Management District Advisory Committee (see ©62)

After the Committee worksession, the Council receive a letter from Carol Garvey supporting Bill 29-11 (©68)

**2. Geographic Recreation Advisory Boards.** Bill 29-11 would eliminate the geographic recreation advisory boards and alter the membership of the County Recreation Board to include 1 representative from each regional services center citizen advisory board and require the County Recreation Board to collaborate with the citizens advisory boards on recreation issues. Mark Pharaoh, Chair of the East County Recreation Advisory Board, spoke in support of this portion of Bill 29-11, (©67). However, rather than including 1 representative from each regional citizens advisory board on the County Recreation Board, Mr. Pharaoh suggested that there should be 1 representative from the County Recreation Board added to each regional citizens advisory boards.

**3. Cable Compliance Commission/Board of Appeals.** Bill 29-11 would terminate the Cable Compliance Commission and require the Board of Appeals to adjudicate customer cable service complaints. Board staff notes that many subscriber complaints are resolved at the staff level and that the language of the bill should reflect this process.

**Committee recommendation (3-0): do not enact Bill 29-11.**

<u>This packet contains:</u>	<u>Circle</u>
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Bill No. 29-11  
Concerning: Boards, Committees, and  
Commissions – Sunset, consolidation  
Revised: 9/16/2011 Draft No. 1  
Introduced: September 27, 2011  
Expires: March 27, 2013  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Councilmember Leventhal

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**AN ACT** to:

- (1) establish a deadline for the Committee Evaluation and Review Board to issue its report to the Executive and Council;
- (2) authorize the Board of Appeals to adjudicate customer cable service complaints;
- (3) alter the membership and duties of the County Recreation Board;
- (4) terminate the Cable Compliance Commission and the recreation advisory boards;
- (5) alter the membership and duties of the Solid Waste Advisory Committee;
- (6) require the Silver Spring Urban District Advisory Committee to advise on programs, management, and finances related to the transportation system and demand management in the Silver Spring Transportation Management District;
- (7) sunset certain boards, committees, and commissions; and
- (8) generally amend County law regarding the membership, structure, and functions of boards, committees, and commissions.

By amending

Montgomery County Code  
Chapter 2, Administration  
Section 2-112 and 2-146

Chapter 41, Recreation and Recreation Facilities  
Sections 41-21 through 41-30

Chapter 48, Solid Wastes  
Sections 48-38 and 48-39

Chapter 68A, Montgomery County Urban Districts  
Section 68A-5

By repealing

Chapter 8A, Cable Communications  
Sections 8A-31

<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:*

**Sec. 1. Section 2-146 is amended as follows:**

**2-146. Terms of committees.**

\* \* \*

(c) Committee Evaluation and Review Board.

(1) The County Executive must appoint and convene at least every 10 years, subject to confirmation by the Council, a citizens review committee comprised of [no fewer than] at least 11 members.

(2) [This committee] The Committee must review the committee system and each then-existing committee and report to the Executive and Council its recommendations for changes in individual committees and the committee system as a whole. The Committee must submit an interim report to the Executive and Council within 6 months of appointment and submit a final report within 12 months of appointment.

(3) The County Executive must designate the review committee's chair and vice-chair.

**Sec. 2. Section 2-112 and Section 8A-31 are amended as follows:**

**2-112. Jurisdiction.**

\* \* \*

(f) (1) The Board must adjudicate subscriber complaints involving customer cable service and other consumer protection claims that arise under Chapter 8A, any regulation adopted or franchise agreement approved under Chapter 8A, or Section 11-4A.

(2) The Board may:

- 27                   (A) Require a franchisee to provide a refund to a  
28                   complainant.
- 29                   (B) Appoint a qualified person to mediate a case if the  
30                   complainant and respondent agree to binding or  
31                   non-binding mediation. A consent order resulting  
32                   from mediation and approved by the Commission is  
33                   an order of the Commission. If the mediator or the  
34                   Commission finds that the parties are not likely to  
35                   agree to a mediated consent order within a  
36                   reasonable time, the Commission must decide the  
37                   case.
- 38                   (C) Order a franchisee to pay damages of up to \$1,000  
39                   to a person injured or aggrieved by the franchisee's  
40                   actions. This limit applies separately to each  
41                   violation.
- 42                   (3) The Cable Communications Administrator must provide  
43                   staff support to the Board for any complaint filed under  
44                   paragraph (f).

45 **8A-31. [Cable Compliance Commission] Reserved.**

- 46                   [(a) *Established.* The Cable Compliance Commission is established to  
47                   adjudicate subscriber complaints involving customer cable service and  
48                   other consumer protection claims that arise under this Chapter, any  
49                   regulation adopted or franchise agreement approved under this Chapter,  
50                   or Section 11-4A.]
- 51                   [(b) *Membership.* The Commission is comprised of 5 voting members  
52                   appointed by the County Executive and confirmed by the County

53 Council. Each appointee must be appointed to a 3-year term. The  
54 Commission should include:

- 55 (1) a cable television service subscriber;
- 56 (2) a broadband Internet service subscriber;
- 57 (3) an individual with general business experience; and
- 58 (4) an individual with technical experience in communications.]

59 [(c) *Officers.* The Commissioners annually must elect a chair and vice chair  
60 of the Commission. An individual must not serve more than 2  
61 consecutive terms as chair.]

62 [(d) *Reserved.*]

63 [(e) *Ethics.* Each member of the Commission is subject to Chapter 19A,  
64 except that the member must file a limited public financial disclosure  
65 statement regarding any communication-related activities and interests  
66 and a full confidential financial disclosure statement.]

67 [(f) *Authority.* The Commission may:

- 68 (1) Require a franchisee to provide a refund to a complainant.
- 69 (2) Appoint a qualified person to mediate a case if the complainant  
70 and respondent agree to binding or non-binding mediation. A  
71 consent order resulting from mediation and approved by the  
72 Commission is an order of the Commission. If the mediator or  
73 the Commission finds that the parties are not likely to agree to a  
74 mediated consent order within a reasonable time, the  
75 Commission must decide the case.
- 76 (3) Order a franchisee to pay damages of up to \$1,000 to a person  
77 injured or aggrieved by the franchisee's actions. This limit  
78 applies separately to each violation.]

79 [(g) *Hearing Procedures.*

- 80 (1) The Administrative Procedures Act (Article II of Chapter 2A)  
81 applies to a complaint filed with the Commission and governs the  
82 Commission's hearings and decisions, unless otherwise expressly  
83 provided in this Chapter. The Commission may issue procedural  
84 rules under method (2) to implement this subsection.
- 85 (2) Before filing a complaint with the Commission, a complainant  
86 must file the complaint with the county cable administrator. If  
87 the cable administrator is unable to resolve the complaint to the  
88 complainant's satisfaction within 30 days, the complainant may  
89 file the complaint with the Commission.
- 90 (3) If the Commission decides to conduct a public hearing on the  
91 complaint, the Commission must notify the complainant, the  
92 franchisee, the county cable administrator or the County's Chief  
93 Information Officer (CIO), and any other person that  
94 Commission rules require to be notified. Except as provided in  
95 Section 2A-9, the notice must be sent at least 15 days before the  
96 hearing. The Commission may hold a hearing at the request of  
97 any party to the complaint (which may include the cable  
98 administrator or CIO) or on the Commission's own initiative, or  
99 may decide a complaint without a hearing.]
- 100 [(h) *Legal representation.* The County Attorney must provide legal advice  
101 and representation to the Commission and must enforce any  
102 Commission order. The County Attorney may represent the interests of  
103 the County in any proceeding before the Commission, consistent with  
104 policies established by the Council.]
- 105 [(i) *Conflicting subscriber agreement.* Any provision in a subscriber  
106 agreement, whether written or oral, that conflicts with this Chapter, a

107 franchise agreement, or any regulation or other legal requirement is  
 108 unenforceable. An unenforceable provision does not affect other  
 109 provisions of the subscriber agreement that can be given effect without  
 110 the unenforceable provision. "Subscriber agreement" includes any  
 111 agreement that the franchisee requires a subscriber to agree to as a  
 112 condition of receiving cable service or any other products and services.]

113 [(j) *Fee.* The Executive may issue regulations under method (3) setting a  
 114 reasonable fee for filing a complaint with the Commission. The filer  
 115 must pay the fee to the County when filing a complaint. The  
 116 Commission, cable administrator, or CIO may waive the filing fee upon  
 117 request if the fee would be a financial hardship for the complainant. If  
 118 the parties agree to a consent order after mediation, the Commission  
 119 may refund the filing fee. The Commission may order the losing party  
 120 to pay another party's filing fees or other reasonable expenses related to  
 121 the hearing, including attorney's fees, in addition to ordering payment  
 122 of damages.]

123 [(k) *Staff and other support.* The Chief Administrative Officer must provide  
 124 the services and County facilities that are reasonably necessary for the  
 125 Commission to perform its duties.]

126 **Sec. 3. Sections 41-21 through 41-30 are amended as follows:**

127 **41-21. Recreation board.**

- 128 (a) There is a County Recreation Board. Each member is appointed by the  
 129 County Executive and confirmed by the County Council for a 3-year  
 130 term beginning on July 1. A member serves until a successor is  
 131 appointed and confirmed.
- 132 (b) The voting members of the Board are:

- 133 (1) 1 representative from each [recreation area advisory board]
- 134 Regional Service Center’s Citizens Advisory Board; and
- 135 (2) 15 members appointed from the County at-large to represent a
- 136 cross-section of the population of the County.
- 137 (c) The ex officio, nonvoting members of the Board are:
- 138 (1) a representative of the Department of Parks of the Maryland-
- 139 National Capital Park and Planning Commission;
- 140 (2) an administrative representative of the Board of Education;
- 141 (3) the immediate past Chair of the County Recreation Board, unless
- 142 that person serves on the Board in another capacity;
- 143 (4) a representative of the Office of Community Use of Public
- 144 Facilities;
- 145 (5) a representative of the Community Action Board;
- 146 (6) a representative of the Commission on Aging; and
- 147 (7) a representative of the Commission on People with Disabilities.

**41-22. Same-Duties and responsibilities.**

The County Recreation Advisory Board must:

\* \* \*

- 151 (h) [Coordinate the activities of the recreation area advisory boards]
- 152 collaborate with the various Regional Service Center Citizens Advisory
- 153 Boards on area recreation issues.

**[41-25. Recreation area advisory boards-Created.]**

[In each recreation area created pursuant to this article, there shall be one (1) recreation area advisory board which shall serve as the representative body for such area on recreation matters.]

**[41-26. Same-Purpose; goals and opportunities.]**

159 [The recreation area advisory boards shall encourage the development of  
160 desirable recreational and park opportunities in the designated recreation areas of the  
161 county, so that all the people may live enriched lives, find greater enjoyment and  
162 happiness, have better mental health, greater physical vitality and deeper moral  
163 strength. To accomplish this purpose, each board shall be concerned with the  
164 following recreational goals and opportunities:]

- 165 [(a) Opportunities that reflect the interests and needs of recreation area  
166 residents.]
- 167 [(b) Opportunities within the financial ability of all the people.]
- 168 [(c) Equality of opportunity for all people, regardless of race, origin,  
169 religion, age or sex.]
- 170 [(d) Year-round opportunity for all ages and both sexes.]
- 171 [(e) A wide range and diversity of individual choices (e.g., camping, dance,  
172 drama, athletics, fine arts, performing arts, games, music, social  
173 recreation, crafts and special events).]
- 174 [(f) A balanced emphasis within the range of individual choices.]
- 175 [(g) Opportunities for varying degrees of skill.]
- 176 [(h) Opportunities for the individual, the family and groups.]
- 177 [(i) Opportunities for progressive advancement.]
- 178 [(j) Opportunities for creative expression.]
- 179 [(k) Active and passive opportunities.]
- 180 [(l) Opportunities that utilize other community resources.]
- 181 [(m) Relating opportunities to other community agencies.]
- 182 [(n) Opportunities for residents to participate in recreational planning.]
- 183 [(o) Assistance to individuals and groups seeking their own opportunities.]
- 184 [(p) Indoor and outdoor recreation opportunities centrally located and easily  
185 accessible.]

186 [(q) Advice on the acquisition of open space to satisfy recreational pursuits,  
187 prevent overcrowding, make the district a more attractive place to live,  
188 conserve wooded areas and stream valleys, preserve historical,  
189 geological and horticultural features, and preserve areas of natural  
190 beauty.]

191 [(r) Recreation grounds and facilities based upon user interests and needs  
192 and population ratio.]

193 **[41-27. Membership.]**

194 [(a) Each recreation area advisory board consists of 9 members and 2  
195 alternates, each of whom resides in the designated recreation area. Each  
196 member is appointed by the county executive, subject to confirmation  
197 by the county council. Individual appointments to a board must reflect a  
198 wide diversity of recreational interests. The Executive must consider  
199 geographical representation from different neighborhood centers in the  
200 recreation area. In order to maintain continuity on each recreation area  
201 advisory board, the Executive must appoint 3 members of each board  
202 annually and appoint the 2 alternates every 3 years. Each member serves  
203 3 years or until a successor is confirmed. A regular board member must  
204 not serve more than 2 consecutive full terms, but any member may be  
205 reappointed after a lapse of one year. A vacancy occurring before a term  
206 expires is filled for the remainder of the unexpired term of the  
207 predecessor. Appointments to unexpired terms are not a full term.]

208 [(b) When the Executive appoints an alternate member of a recreation area  
209 advisory board, the Executive must designate whether the appointee  
210 would serve as the primary or secondary alternate. Alternate members  
211 may participate in board discussions but must not vote unless acting for  
212 an absent board member. When a board member resigns, the first

213 alternate becomes a full member for the remainder of the former  
214 member's term and the second alternate becomes the first alternate.]

215 [(c) A municipality with an active recreation program in a designated  
216 County recreation area may designate one or more representatives to  
217 serve as non-voting, ex officio members of the recreation area advisory  
218 board for that area.]

219 [(d) The members of each board serve without compensation. The  
220 department of recreation must designate a department employee to  
221 advise each board, and the director of the department must ask the  
222 Maryland-National Capital Park and Planning Commission to have a  
223 staff member present at meetings of each board.]

224 **[41-28. Same-Chairperson and vice-chairperson.]**

225 [The chairperson and vice-chairperson shall be elected by each recreation area  
226 advisory board from among its members. The term of the chairperson and vice-  
227 chairperson shall be one (1) year, and each shall be eligible for reelection for an  
228 additional one-year term. No chairperson or vice-chairperson shall serve  
229 consecutively for more than two (2) years.]

230 **[41-29. Meetings; quorum.]**

231 [Each recreation area advisory board meets in public session on call by the  
232 chairman as frequently as necessary to perform its duties, but not less than 10 times  
233 annually. Reasonable notice must be given for all meetings of the board. A majority  
234 of the members of the board is a quorum for the transaction of business, and a  
235 majority vote of those present at any meeting is required for any action taken by the  
236 board.]

237 **[41-30. Duties.]**

238 [Each board must advise the county recreation board, the county executive, the  
239 county council, the director of the county department of recreation, and the

240 Montgomery County Planning Board about the appropriate number and nature of  
 241 recreation programs, neighborhood and community parks, and facilities for leisure  
 242 activities and the well-being of county residents. A board also may:]

243 [(a) Study and appraise the existing and future recreation needs of its  
 244 recreation area in terms of program, facilities and services, and suggest  
 245 plans to meet those needs.]

246 [(b) Provide general comments on annual budget requests for recreation and  
 247 parks, programs and facilities.]

248 [(c) Support high standards in recreation leadership and in quality of  
 249 program service.]

250 [(d) Encourage cooperation with other related agencies and assist in  
 251 correlating community forces for the development of recreation and  
 252 parks.]

253 [(e) Render advice on the design and layout of recreation grounds and  
 254 facilities.]

255 [(f) Advise the county council on legislative and budgetary matters  
 256 regarding recreation.]

257 [(g) Inform the Regional Citizens Advisory Board about matters related to  
 258 recreation and parks, and collaborate with the Regional Board on  
 259 planning, conservation, environment, and other issues that affect park  
 260 and recreation facilities and services.]

261 **41-25 – 41-30. Reserved.**

262 **Sec. 4. Section 48-38 is amended as follows:**

263 **48-38. Established; composition; terms.**

264 (a) *Creation:* The County Executive must appoint a Solid Waste Advisory  
 265 Committee, subject to confirmation by the County Council.

266 (b) *Composition:*

- 267 (1) The Committee has [15] 18 voting members.
- 268 (2) The Committee has one ex officio nonvoting member
- 269 representing the Maryland-National Capital Park and Planning
- 270 Commission.
- 271 (c) *Appointment:*
- 272 (1) The County Executive should appoint members so that the
- 273 Committee membership reflects:
- 274 (A) broad geographic areas of the [county] County;
- 275 (B) the solid waste industry;
- 276 (C) business users;
- 277 (D) [a] 1 representative of the County Chapter of the Maryland
- 278 Municipal League; [and]
- 279 (E) 3 residents from the Dickerson community; and
- 280 (F) the general public.

281 \* \* \*

282 **48-39. Duties.**

283 The [committee shall be advisory to the county council and the county

284 executive on all matters relating to solid waste management within the county. In

285 particular, the committee shall] Committee must:

- 286 (a) advise the County Council and County Executive on all matters relating
- 287 to solid waste management in the County;
- 288 (b) [Review] review and offer recommendations on the ten-year solid waste
- 289 management plans for the [county.] County;
- 290 [(b)] (c) [Investigate] investigate and make recommendations on systematic
- 291 programs and alternative methods, both public and private, for the
- 292 storage, collection, transportation, processing, disposal and resource
- 293 recovery of solid wastes, including sludge[.];

294 [(c)] (d) [Evaluate] evaluate the impact of the solid waste management  
 295 program on citizens, institutions, business, and industry throughout the  
 296 [county.] County;

297 [(d)] (e) [Recommend] recommend methods to assure public involvement in  
 298 solid waste planning, and develop educational programs to inform the  
 299 public on all aspects of solid waste management[.];

300 [(e)] (f) [Recommend local] recommend County and state legislation  
 301 necessary to accomplish effective solid waste management[.];

302 [(f)] (g) [Review] review and comment on the annual [county] County budget  
 303 for solid waste activities.

304 [(g)] (h) advise the Executive and Council on the execution of the policies and  
 305 strategies in the Facilities Master Plan for the Solid Waste Operations in  
 306 the Dickerson Area; and

307 (i) [Submit] to the [county executive] Executive and [county council]  
 308 Council, and make available to the general public, an annual report of  
 309 the activities of the [committee] Committee.

310 \* \* \*

311 **Sec. 5. Section 68A-5 is amended as follows:**

312 **68A-5. Advisory committees.**

313 \* \* \*

314 (c) *Duties.*

315 (1) An urban district advisory committee may advise the County  
 316 government on all aspects of the program, management, and  
 317 finances of the urban district.

318 (2) An urban district advisory committee should:

319 [a.] (A) by July 15 each year, advise the department on the  
 320 program and budget of the urban district;

321 [b.] (B) by September 15 each year, review the urban district  
322 budget and submit comments to the department; and  
323 [c.] (C) by October 1 each year, meet with the head of the  
324 department to resolve areas of disagreement regarding the  
325 budget.

326 (3) The Silver Spring Urban District Advisory Committee may  
327 advise the Transportation Management Organization, any  
328 employer, any party with whom the County contracts under  
329 Resolution No. 14-1511, or any subsequent resolution, and  
330 Section 42A-23(b), and the County government on all aspects of  
331 programs, management, and finances relating to the  
332 transportation system and demand management in the Silver  
333 Spring Transportation Management District and its vicinity,  
334 including:

- 335 (A) propose guidelines for traffic mitigation plans;  
336 (B) monitor the implementation of the traffic mitigation plans;  
337 (C) evaluate progress in attaining the commuting goals  
338 specified in the Annual Growth Policy;  
339 (D) recommend government, private, or joint actions to  
340 facilitate attainment of the commuting goals specified in  
341 the Annual Growth Policy;  
342 (E) advise the Director of Transportation on parking policies;  
343 (F) review traffic patterns and control measures in the Silver  
344 Spring TMD and vicinity, including neighborhood parking  
345 and pedestrian access and safety; and  
346 (G) submit comments and recommendations on the Director's  
347 report required under Section 42A-27.

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**Sec. 6. Sunset of Certain Committees.**

The following board, committee, or commission will sunset on December 1,  
2012:

- Advisory Committee on Consumer Protection
- Agricultural Advisory Committee
- Cable and Communications Advisory Committee
- Commission for Women
- Commission on Aging
- Commission on Child Care
- Commission on Children and Youth
- Commission on Health
- Commission on Juvenile Justice
- Commission on People with Disabilities
- Commission on Veterans Affairs
- Committee Evaluation and Review Board
- Committee for Ethnic Affairs
- Committee on Hate/Violence
- County Recreation Advisory Board
- Criminal Justice Coordinating Commission
- Department of Permitting Services Advisory Committee
- Domestic Violence Coordinating Council
- Down County Recreation Advisory Board
- East County Recreation Advisory Board
- Energy and Air Quality Advisory Committee
- Fire and Emergency Services Commission
- Forest Conservation Advisory Committee

- 375 Library Board
- 376 Mental Health Advisory Committee
- 377 Mid-County Recreation Advisory Board
- 378 Montgomery Cares Program Advisory Board
- 379 Noise Control Advisory Board
- 380 Pedestrian and Traffic Safety Advisory Committee
- 381 Rustic Roads Advisory Committee
- 382 Silver Spring Urban District Advisory Committee
- 383 Solid Waste Advisory Committee
- 384 Sustainability Working Group
- 385 Taxicab Services Advisory Committee
- 386 Upcounty Recreation Advisory Board
- 387 Victim Services Advisory Board
- 388 Water Quality Advisory Group
- 389 Wheaton Urban District Advisory Committee

390 *Approved:*

391

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Valerie Ervin, President, County Council

Date

392 *Approved:*

393

---

Isiah Leggett, County Executive

Date

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

395

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Linda M. Lauer, Clerk of the Council

Date

## LEGISLATIVE REQUEST REPORT

Bill 29-11,  
Boards, Committees, and Commissions – Sunset, consolidation

<b>DESCRIPTION:</b>	Bill 29-11 would establish a deadline for the Committee Evaluation and Review Board (CERB) to issue its report to the Executive and Council; authorize the Board of Appeals to adjudicate customer cable service complaints; alter the membership and duties of the County Recreation Board; terminate the Cable Compliance Commission and the recreation advisory boards; alter the membership and duties of the Solid Waste Advisory Committee; require the Silver Spring Urban Advisory Committee to advise on programs, management, and finances related to the transportation system and demand management in the Silver Spring Transportation Management District; sunset certain boards, committees, and commissions; and generally amend County law regarding the membership, structure, and functions of boards, committees, and commissions.
<b>PROBLEM:</b>	The CERB, in their report on the County's system of boards, committees and commissions, recommended many changes to specific boards, committees and commissions. The Council received information that the County spent an approximate \$1.4 million on personnel and operating costs to support the County's boards, committees, and commissions.
<b>GOALS AND OBJECTIVES:</b>	To consolidate certain boards, committees, and commissions and reduce expenditures associated with providing staff support to those boards, committees, and commissions.
<b>COORDINATION:</b>	Executive and Legislative branch staff.
<b>FISCAL IMPACT:</b>	To be requested.
<b>ECONOMIC IMPACT:</b>	To be requested.
<b>EVALUATION:</b>	To be requested.
<b>EXPERIENCE ELSEWHERE:</b>	To be researched.
<b>SOURCE OF INFORMATION:</b>	Amanda Mihill, Legislative Attorney (240) 777-7815
<b>APPLICATION WITHIN MUNICIPALITIES:</b>	Applies only to County boards, committees, and commissions.
<b>PENALTIES:</b>	N/A

Resolution No: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY MARYLAND

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By: Councilmember Leventhal

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Subject: Resolution to sunset or repeal certain boards, committees, and commissions.

**Background**

1. The Council adopted Resolution No. 14-1511 on November 26, 2002 which authorized the County Executive to establish a Silver Spring Transportation System Management Advisory Committee.
2. The Council adopted Resolution No. 13-1498 on December 1, 1998 establishing the Facilities Implementation Group. The Council adopted Resolution No. 15-1165 on October 11, 2005 which changed the name of the Facilities Implementation Group to the Dickerson Area Facilities Implementation Group.
3. Bill 29-11 would require the Solid Waste Advisory Committee to perform the functions of the Dickerson Area Facilities Implementation Group.

**Action**

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

1. The following board, committee, or commission will sunset on December 1, 2012:  
Airpark Liaison Committee  
East County Citizens Advisory Board  
Friendship Heights TMD Advisory Committee  
Mid-County Citizens Advisory Board  
Silver Spring Citizens Advisory Board  
Silver Spring Transportation Management District Advisory Committee  
Technology Investment Fund Loan/Grant Committee  
Upcounty Citizens Advisory Board  
Western Montgomery County Citizens Advisory Board
2. Resolution No. 14-1511 is amended by deleting paragraphs 4, 5, and 6 and deleting references to the Silver Spring Transportation Management District Advisory Committee in paragraph 7.

3. Resolution No. 13-1498 establishing the Facilities Implementation Group is repealed.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council

F:\LAWBILLS\11xx BCC Consolidation\Resolution 1.Doc



OFFICE OF MANAGEMENT AND BUDGET

Isiah Leggett  
County Executive

Jennifer A. Hughes  
Director

**MEMORANDUM**

October 20, 2011

**TO:** Valerie Ervin, President, County Council  
**FROM:** Jennifer A. Hughes, Director *JAH*  
**SUBJECT:** Council Bill 29-11, Boards, Committees, and Commissions – Sunset Consolidation and Resolution to sunset or repeal certain Boards, Committees and Commissions

The purpose of this memorandum is to transmit a fiscal and economic impact statement to the Council on the subject legislation.

**LEGISLATION SUMMARY**

Bill 29-11 and the accompanying Resolution would:

- require the Committee Evaluation Review Board to issue an interim report within six (6) months and a final report within twelve (12) months of appointment;
- sunset certain advisory boards, committees, and commissions on December 1, 2012;
- terminate the recreation advisory boards and alter the membership of the County Recreation Board to include 1 representative from each regional services center citizen advisory board and require the County Recreation Board to collaborate with the citizens advisory boards on recreation issues;
- terminate the Cable Compliance Commission and authorize the Board of Appeals to adjudicate customer cable service complaints;
- terminate the Dickerson Area Facilities Implementation Group, increase the size of the Solid Waste Advisory Committee by three (3) and require three (3) members to be from the Dickerson community and require SWAC to advise the Executive and Council on the execution of the policies and strategies in the Facilities Master Plan for the Solid Waste Operations in the Dickerson Area; and
- terminate the Silver Spring TMD Advisory Committee and require the Silver Spring Urban Advisory Committee to advise on programs, management, and finances related to the transportation system and demand management in the Silver Spring Transportation Management District.

**FISCAL SUMMARY**

Attached are estimated in-kind County staff support hours of individual Boards, Committees, or Commissions using 'Total Average Work Hours per Month' data from the Discussion of

Office of the Director

101 Monroe Street, 14th Floor • Rockville, Maryland 20850 • 240-777-2800  
www.montgomerycountymd.gov

montgomerycountymd.gov/311



240-773-3556 TTY

Staff Time Dedicated to Boards, Committees and Commissions packet presented to the Government Operations and Fiscal Policy Committee on September 12, 2011. Based on a current average county government salary, wage, and FICA hourly cost of \$35.36, annual in-kind County staff support costs would be approximately \$521,170. While this estimate represents the collective values of in-kind County staff support, services are provided by multiple staff in multiple departments, and do not represent a significant portion of the workload of any one position. Therefore, passage of Bill 29-11 would not provide measurable savings, since no one position could be eliminated.

### ECONOMIC SUMMARY

The Department of Finance notes that Bill 29-11 would:

- require the Committee Evaluation Review Board to issue an interim report within six (6) months and a final report within twelve (12) months of appointment. *Since this requirement is an administrative change to the deadline to the submission of a report, this provision has no economic impact on the County's economy.*
- sunset certain advisory boards, committees, and commissions on December 1, 2012. Those advisory boards, committees, and commissions are listed in Section 6 of the Bill. *It is uncertain without any specificity that this provision of the Bill will or will not have an economic impact. The list of candidates for sunset is extensive, and it is uncertain which of these candidates has a direct or indirect effect on the County's economy.*
- terminate the recreation advisory boards and alter the membership of the County Recreation Board (Board) to include one (1) representative from each regional services center citizen advisory board and require the Board to collaborate with the citizens advisory boards on recreation issues. *Since the sunset provision alters the makeup of the Board and provides for collaboration with the citizens advisory boards, this provision has no economic impact on the County's economy.*
- terminate the Cable Compliance Commission and authorize the Board of Appeals to adjudicate customer cable services complaints. *Since this provision of Bill 29-11 transfers responsibilities of customer complaints to the Board of Appeals, the process of adjudicating customer complaints is not changed. Therefore this provision of the Bill has no economic impact on the County's economy.*
- terminate the Dickerson Area Facilities Implementation Group, increase the size of the Solid Waste Advisory Committee (SWAC) by three (3) and require three (3) members to be from the Dickerson community and require SWAC to advise the Executive and County Council on the execution of the policies and strategies in the Facilities Master Plan for the Solid Waste Operations in the Dickerson Area. *The provision alters the makeup of the SWAC and terminates the Dickerson Area Facilities Implementation Group and therefore there is no economic impact to the County's economy.*
- terminate the Silver Spring TMD Advisory Committee and require the Silver Spring Urban Advisory Committee to advise on programs, management, and finances related to the transportation system and demand management in the Silver Spring Transportation Management District. *The provision eliminates one committee and transfers duties and responsibilities to another and therefore there is no economic impact on the County's economy.*

**Valerie Ervin, President, County Council**  
**October 20, 2011**  
**Page 3**

The following contributed to and concurred with this analysis: David Platt, Department of Finance, Michael Coveyou, Department of Finance, Bryan Hunt and Lori O'Brien, Office of Management and Budget.

JAH:bh

**Attachments**

**c: Kathleen Boucher, Assistance Chief Administrative Officer**  
**Lisa Austin, Offices of the County Executive**  
**Sonetta Neufville, Offices of the County Executive**  
**Joseph F. Beach, Director, Department of Finance**  
**Michael Coveyou, Department of Finance**  
**David Platt, Department of Finance**  
**Lori O'Brien, Office of Management and Budget**  
**Amy Wilson, Office of Management and Budget**

	A	B	C	D	E
	Organizational Name	Staffed By Dept	Average # of Work Hours/Month	Average # of Work Hours/Year	Cost at Average MCG Hourly S & W cost with FICA \$35.36
2	Advisory Committee on Consumer Protection	OCP	10	120	\$ 4,243
3	Agricultural Advisory Committee	DED	7.5	90	\$ 3,182
4	Cable and Communications Advisory Committee	DTS	13	156	\$ 5,516
5	Cable Compliance Commission	OCA & DTS	15.25	183	\$ 6,471
6	Commission for Women	CFW	Abolished in FY12 budget		\$ -
7	Commission on Aging	DHHS	60	720	\$ 25,459
8	Commission on Child Care	DHHS	29	348	\$ 12,305
9	Commission on Children and Youth	DHHS	84.5	1,014	\$ 35,855
10	Commission on Health (Required by Law)	DHHS	80	960	\$ 33,946
11	Commission on Juvenile Justice	DHHS	83	996	\$ 35,219
12	Commission on People with Disabilities	DHHS	80.75	969	\$ 34,264
13	Commission on Veterans Affairs	DHHS	74.5	894	\$ 31,612
14	Committee Evaluation and Review Board	OCEX	Ad Hoc Committee, last report July 2004		\$ -
15	Committee for Ethnic Affairs	CEX (OCP)	5	60	\$ 2,122
16	Committee on Hate/Violence	HRC	53	636	\$ 22,489
17	County-wide Recreation Advisory Board	Recreation	16	192	\$ 6,789
18	Criminal Justice Coordinating Commission	OCEX	4.5	54	\$ 1,909
19	Department of Permitting Services Advisory Committee	DPS	10	120	\$ 4,243
20	Domestic Violence Coordinating Council	Sheriff's Office	164	1,968	\$ 69,588
21	Dickerson Area Facilities Implementation Group	DEP	5.75	69	\$ 2,440
22	Down County Recreation Advisory Board	Recreation	20	240	\$ 8,486
23	East County Recreation Advisory Board	RCS - EC	19	228	\$ 8,062
24	Energy and Air Quality Advisory Committee	DEP	3	36	\$ 1,273
25	Fire and Emergency Services Commission	FRS	31	372	\$ 13,154
26	Forest Conservation Advisory Committee	DEP	15	180	\$ 6,365
27	Library Board	Libraries	5	60	\$ 2,122
28	Mental Health Advisory Committee (Required by Law)	HHS	15	180	\$ 6,365
29	Mid-County Recreation Advisory Board	Recreation	16	192	\$ 6,789
30					

	A	B	C	D	E
2	Organizational Name	Staffed By Dept	Average # of Work Hours/Month	Average # of Work Hours/Year	Cost at Average MCG Hourly S & W cost with FICA \$35.36
31	Montgomery Cares Program Advisory Board	HHS	83.5	1,002	\$ 35,431
32	Noise Control Advisory Board	DEP	6	72	\$ 2,546
33	Pedestrian and Traffic Safety Advisory Committee	DOT	21	252	\$ 8,911
34	Rustic Roads Advisory Committee	DPS	32	384	\$ 13,578
35	Silver Spring Transportation Management District Advisory Committee	DOT & RSC - SS	21.5	258	\$ 9,123
36	Silver Spring Urban District Advisory Committee	RSC - SS	22	264	\$ 9,335
37	Solid Waste Advisory Committee	DEP	28	336	\$ 11,881
38	Sustainability Working Group	DEP	7.5	90	\$ 3,182
39	Taxicab Services Advisory Committee	DOT	4	48	\$ 1,697
40	Upcounty Recreation Advisory Board	Recreation	16	192	\$ 6,789
41	Victim Services Advisory Board	HHS	29.5	354	\$ 12,517
42	Water Quality Advisory Group	DEP	10	120	\$ 4,243
43	Wheaton Urban District Advisory Committee	RSC - MC	27.5	330	\$ 11,669
44	<b>Totals ----&gt;</b>		<b>690.75</b>	<b>8,289</b>	<b>\$ 521,171</b>

**AREA/REGIONAL RECREATION ADVISORY BOARDS -- WESTERN AREA, EAST COUNTY, UPCOUNTY, MID-COUNTY AND SILVER SPRING RECREATION ADVISORY BOARDS**

Created -- Montgomery County Code – Section 41-21 thru 30. Exec. Order 239-01.

Purpose -- Advisory to the County Executive, the County Council, the Director of the Department of Recreation, and the Planning Board. The Boards shall encourage the development of desirable recreational and park opportunities in the designated recreation areas of the County.

Membership -- **Area/Regional Boards** --There are five area boards: West County, Upcounty, East County, Mid-County and Silver Spring. Each of the five regional boards has 9 members and 2 alternates who reside in the designated recreation area.

Comments -- Formerly the Recreation Department had three defined recreation areas (Upcounty or previously called the Northern Area, Western Montgomery County and the East County). In March 2002, the regional recreation boards were expanded from three areas to five areas. Since that time, recruitment on the area boards has been challenging, especially in terms of diversity, and some positions have been left unfilled.

This difficulty was also referenced in the 1992 Committee on Committee's Report ("Maintaining a steady level of participation has been difficult due to number of volunteer members required.") The East County Recreation Advisory Board and the Mid-County Recreation Advisory Board are the only area boards that produce an annual report.

Recommendation -- Discontinue. The 5 area boards should be dissolved and area recreation issues should become the responsibility of the five Regional Service Centers' Citizens Advisory Boards. Formal linkages between the Regional Citizens Advisory Boards and the County-wide Recreation Advisory Board should be established. An annual report should be published.

**RUSTIC ROADS ADVISORY COMMITTEE**

Created -- Montgomery County Code, Sec. 49-80

Purpose -- To promote public awareness and knowledge of the rustic roads program in the County; review and comment on classification of rustic roads and exceptional rustic roads; review and comment on Executive Regulations and other County policies and programs that may affect the program; and report annually on June 1 to the County Executive, the County Council and the Planning Board on the status of the rustic roads program.

checklist so that each range is evaluated using the same criteria. The Committee needs to publish an annual report on the ranges it has inspected and approved and on recommendations dealing with the urban boundaries.

## **COUNTY-WIDE RECREATION ADVISORY BOARD**

Created -- Montgomery County Code -- Section 41-21 through 41-30.

Purpose -- Advisory to the County Executive, the County Council, the Director of the Department of Recreation, and the Planning Board. The Boards shall encourage the development of desirable recreational and park opportunities in the designated recreation areas of the County.

Membership-- **County-Wide:** 20 members consisting of 15 at-large members, and 5 representatives for each of the five regional recreation advisory boards.  
7 non-voting ex-officio members: a representative of the Dept. of Parks of the M-NCPPC, an administrative representative of the Board of Education, the immediate past Board Chair, and representatives from the Office of Community Use of Schools, Community Action Board, Commission on Aging, and Commission on People with Disabilities, and  
4 alternate members from the County-at-large. (31 total members)  
Area/Regional Boards --There are five area boards: West County, Upcounty, East County, Mid-County and Silver Spring. Each of the five regional boards has 9 members and 2 alternates who reside in the designated recreation area.

Comments -- There has been difficulty filling all the positions on the County-wide and Regional Recreation Boards and more diverse representation is needed. CERB believes that the five Regional Citizens Advisory Boards are well-equipped to deal with recreation and park issues and have a more diverse membership as well. The overlap of information to the Regional Recreation Boards with the County-wide Recreation Board provides a duplication of effort that is not providing additional benefit and is staff intensive. It is also confusing to citizens who do not know where to bring up specific issues. County-wide recreation issues can continue to be handled at the County-Wide Recreation Advisory Board; regional needs should be addressed and coordinated by the Regional Service Centers' Citizens Advisory Boards. No annual report is published.

Recommendation --Continue the County-wide Recreation Advisory Board, insuring that there is county-wide membership reflective of the five regions; discontinue the alternate positions. The CERB is recommending that each of the regional recreation boards be discontinued and their work be subsumed by the Regional Services Centers' Citizens Advisory Boards. There should be formal liaison positions between the Regional Service Centers' Citizens Advisory Boards and the County-wide Recreation Advisory Board. An annual report should be published.

\$80/meeting for chairs). Management policies and practices that have been implemented under the current ASD leadership should be institutionalized to ensure continued high level of support and responsiveness. The County should consider restructuring the Board so that technical expertise from a veterinarian is available on an as needed basis. An annual report should be published.

## **BOARD OF APPEALS**

Created -- Sections 2-108, Montgomery County Code

Purpose -- The Board of Appeals has authority to hear and decide certain land use issues including special exceptions for uses not otherwise permitted in the particular zone; variances from the setback requirements of the Zoning Ordinance; and Administrative Appeals from actions of the County Government (as specified by the County Code). The Board has countywide jurisdiction, except for the municipal corporations of Brookeville, Poolesville, Laytonsville, Rockville, Barnesville, Gaithersburg and Washington Grove.

Membership -- Five members, all of whom shall be residents of Montgomery County. Not more than three members of the Board shall be from the same political party. Members are appointed by the County Council.

Financial Disclosure -- Public Financial Disclosure statement required; all applicants must also complete the financial disclosure form when applying.

Terms -- Four years

Meetings -- Four meetings per month, approximately 5 hours each

Compensation -- \$18,615 Chair; \$12,999 members (does not reflect July 2004 CPI-U) Compensation is adjusted every July, and is tied to the CPI-U.

Comments -- Section 2-108 of the County Code requires the Council to ask the County Executive to recommend within 30 days one or more qualified applicants before making any appointment to the Board of Appeals. Neither the current nor the prior County Executive has ever opposed any applicant identified by the Council. The Board's decisions are frequently not written in the legally mandated time of 30 days or 45 days, depending on the type of case. An annual report is not published.

Recommendation -- Continue. Final written decisions should be done in a timely manner. An annual report should be published. CERB is recommending a uniform compensation plan for all Adjudicatory, Licensing and Program Direction B/C/C (\$60/meeting up to four hours; \$80/meeting for chairs).

Terms -- Members serve approximately two years.

Comments -- There is a very large amount of work involved in CERB's charge. Dealing with five resignations of Board members in the course of the two years presented challenges to the group. An Interim Report has been prepared; this report constitutes the Final Report.

Recommendation -- Continue. Based on the experience of this Board over the past 2 years, the following recommendations should help future CERB's complete their mission.

- Increase the number of members to 11. Unlike all other B/C/C, the CERB has no natural constituency. There is not a pool of advocates or interest groups (such as farmers or gun owners) to provide CERB membership. When a member resigns (the 2002-2004 CERB has had 5 members leave), replacing a member takes months. During this time, the group effort suffers and/or adds additional Board assignments for the remaining members. Adding 2 more members should allow the CERB to account for members leaving during the term and enable redistribution of the large workload.
- Appoint the Chair and Vice Chair or Co-Chairs before the CERB starts. Too much time was spent getting the group to self organize and appoint leadership. The time would have been better spent doing research and meeting with B/C/C and County departments. The objectivity of the CERB should not be compromised if the Council and Executive each appointed a person with B/C/C experience for a co-leadership position.

## **FACILITIES IMPLEMENTATION GROUP**

Created -- County Council Resolution No. 13-1498

Purpose -- To address community and environmental issues and concerns pertaining to the operations of the County's solid waste facilities located in the Dickerson area. These facilities include the Resource Recovery Facility, the Yard Trim Composting Facility, properties originally purchased for the Site 2 landfill, and property associated with the original Matthews Farm.

Membership -- 18 members. 12 voting members including representatives of Sugarloaf Citizens Association, For a Rural Montgomery (FARM), the Town of Poolesville, the Town of Barnesville, the Solid Waste Advisory Committee (SWAC), the Upcounty Citizens Advisory Board, and 6 representatives of the affected community. Six non-voting members including representatives of the Operator of the Resource Recovery Facility, the Operator of the Dickerson Compost Facility, the Operator of the Dickerson PEPCO Facility, and the County's Departments of Public Works and Transportation, Environmental Protection, and M-NCPPC.

Comments -- This group is committed to protecting and preserving the quality of rural life in the agricultural reserve of upper Montgomery County. Members take very seriously their oversight role in the implementation of the Solid Waste Facilities Master Plan, and minimizing impacts on the affected community. Members have indicated that they occasionally do not receive information from the County about proposals and projects in a timely manner, or are not included in planning activities that may affect their community. The current schedule of quarterly meetings may make updates even less timely. Recruiting applicants to fill the required membership categories is difficult and current recruitment methods are not always effective. The FIG is concerned with attracting members who have specific expertise in the technical disciplines covered by the environmental effects of solid waste facility operations and who also share the community's interest in preserving their rural legacy. While their advisory goals overlap with those of the SWAC and the Upcounty Citizens Advisory Board, both the membership and the DPWT recognize the value of a community focused advisory group in this region of the county. FIG is cognizant of the fact that their recommendations must be realistic and consider the broader needs of the County.

Although the FIG was created specifically to address citizen concerns related to solid waste management facilities in the Dickerson area, the group has potential for evolving a broader mandate related to the environment and quality of life in this rural area. Assuming that the need for focused oversight of the Dickerson facility will diminish over time, the FIG members might consider long-term strategies to maintain an active voice in County government. For example, consider strengthening the presence of these citizens in other related B/C/C (e.g., Solid Waste Advisory Committee, Water Quality Advisory Group, Energy and Air Quality Advisory Committee, Upcounty Citizens Advisory Board, and the Agricultural B/C/C). In addition, with a revised charter, the FIG could be maintained as a community based citizens advisory group that is staffed by the Upcounty Regional Services Center. The FIG publishes an annual report.

Recommendation – Continue. Future planning should consider alternate long-term strategies for ensuring that the residents of this geographic area are adequately represented in County B/C/C.

**FRIENDSHIP HEIGHTS TRANSPORTATION MANAGEMENT DISTRICT  
ADVISORY COMMITTEE**

Created -- Council Resolution No. 14-325

Purpose -- The FHTMDAC may advise the Transportation Management Organization (TMO), any employer and any other party with whom the County contacts pursuant to Resolution 14-325 and Section 42A-23(b) and the County government on all aspects of programs, management, and finances relating to the implementation of the transportation system and demand management in the Friendship Heights TMD and vicinity. Specifically, the FHTMDAC may (a) propose guidelines for traffic mitigation plans; (b) monitor the implementation of the traffic mitigation plans; (c) evaluate progress in

## **BOARD OF SOCIAL SERVICES**

Authority -- Maryland Code Article 88-A, Section 14 and Montgomery County Code Sec. 37-8

Purpose -- Advise local Director and state Director of the Department of Health and Human Services regarding the local application of state policies or procedures; keeping well informed on local departmental activities, communicating to resident's broad and comprehensive information as to the objectives, policies, programs, and problems of local social services and public assistance administration.

Membership -- Thirteen members; one must be a member of the County Council.

Financial Disclosure--Confidential disclosure required

Comments -- This Board deals with a variety of issues related to social services within Montgomery County and the state of Maryland that several other Montgomery County B/C/C also deal with on a specialized basis. The Board of Social Services interacts with these other boards on an as-needed basis. No annual report is published.

Recommendations -- Continue. Meetings should be more broadly publicized to encourage greater community participation. There should also be communication with the Department of Health and Human Services (DHHS) service recipients, and more involvement from diverse community groups and residents. Opportunities for sharing of information and cross communication with other B/C/C within the DHHS, county, and state who have similar missions and concerns should be coordinated to encourage joint ventures, reduce duplication of efforts, and encourage mutually beneficial partnerships. An annual report should be published.

## **SOLID WASTE ADVISORY COMMITTEE**

Created -- Montgomery County Code Section, 48-38

Purpose -- To advise the County Council and the County Executive on all matters relating to solid waste management within the county. (1) Review and offer recommendations on the county's ten-year solid waste management plans. (2) Investigate and make recommendations on systematic programs and alternative methods, both public and private, for the storage, collection, transportation, processing, disposal and resource recovery of solid wastes, including sludge. (3) Evaluate the impact of the solid waste management program on citizens, institutions, business and industry throughout the county. (4) Recommend methods to assure public involvement in solid waste planning and develop educational programs to inform the public on all aspects of solid waste management. (5) Recommend local and state legislation necessary to

accomplish effective solid waste management.(6) Review and comment on the annual county budget for solid waste activities.(7) Submit to the County Executive and County Council, and make available to the general public, an annual report of the activities of the committee.

Membership -- Fifteen voting members. The County Executive appoints members, subject to confirmation by the County Council, to include (a) broad geographical areas of the county, (b) the solid waste industry, (c) business users, (d) a representative of the Montgomery County chapter of the Maryland Municipal League, and (e) the general public. In addition, there is one ex-officio, non-voting representative of MNCPPC.

Comments -- This is a well functioning committee that provides a valuable service to the County. Occasionally its ability to perform effectively has been hampered through lack of timely communication from other branches of government regarding projects and policy proposals. The County Code outlines specific operational functions for this committee beyond what is mandated for other B/C/C. These include special procedures for nominating members, appointing officers, and establishment of subcommittee functions. Section 48-42 references a solid waste collection advisory subcommittee that is nonexistent. The Committee produces an annual report.

Recommendation -- Continue. There should be a review of the County Code to assess whether changes are warranted regarding specific language about the operations of this Committee.

## **TAXICAB SERVICES ADVISORY COMMITTEE**

Created -- Montgomery County Code Section 53-37

Purpose -- To study, inquire into and examine taxicab matters affecting the public interest, including a review of the state of the taxicab utility, the adequacy of service to the public, including any special or unusual issues and problems.

Membership -- Eleven Members.

*Voting Members:* Nine members--four represent the taxicab industry: 2 must represent management and 2 must be taxicab drivers; of the 2 drivers, one must be an owner-operator and one must be a non-owner operator; five public members including one representative of people with disabilities.

*Non-Voting, Ex-Officio* Two members --a representative of the Director, Dept. of Public Works and Transportation and of the County Attorney.

Chair -- Appointed by the County Executive, confirmed by the Council.

Financial Disclosure - Confidential disclosure required.

Recommendation -- Continue. This Board should continue to work collaboratively with other regional B/C/C to develop partnerships and collaborative solutions to mutual issues and concerns. Expanded recruitment and targeted outreach to community groups should result in more diverse representation on the Board and for overall community representation at meetings. Take over recreation advisory function with the abolishment of the Silver Spring Recreation Advisory Board. Continue to promote opportunities for joint B/C/C meetings to share county-wide issues, board best practices, board challenges, and lessons learned. The SSCAB should produce an annual report.

### **SILVER SPRING TRANSPORTATION SYSTEM MANAGEMENT ADVISORY COMMITTEE**

Created -- Montgomery County Code, Section 42A-10.

Purpose -- The Committee may advise the County government on all aspects of programs, management and finances relating to the implementation of transportation system management in the Silver Spring Central Business District and vicinity. The Committee also proposes guidelines for traffic mitigation plans; monitors the implementation of the traffic mitigation plans; evaluates progress in attaining the commuting goals specified in the Annual Growth Policy for Silver Spring; recommends government, private or joint actions necessary to facilitate attainment of the commuting goals specified in the Annual Growth Policy; advises the Director of DOT on parking policies, including any relevant issues relating to neighborhood parking and pedestrian access and safety; and, submits comments and recommendations on the Director's Annual Report by December 1 of each year.

Membership -- 12 voting members and 4 non-voting members. Three members are nominated by the Silver Spring Chamber of Commerce; three members are nominated by the Silver Spring Citizens Advisory Board of which one is a resident of the transportation management district established in the Silver Spring Central Business District; one is a resident within the North and Western Silver Spring Sector Plan areas; and one is a resident of the southern portion of the Kemp Mill-Four Corners or the Silver Spring East master plan area, or the Montgomery County portion of the Takoma Park planning area. Three members are employers of fewer than 50 employees and three members are employers of 50 or more employees in the Central Business District. Non-voting members are the Directors or the designees of the Department of Transportation and the Silver Spring Center; a representative of the Planning Board; and, a representative of the Montgomery County Police Department.

Comments -- Some Committee categories have been extremely difficult to fill and require a difficult process (such as nomination of residents by the Silver Spring Citizens Advisory Board from four regional planning areas and a requirement to send letters to civic

association presidents and the City of Takoma Park). An estimated 25% of those who do become Committee members do not complete their terms. The Silver Spring Citizens Advisory Board already has a subcommittee that deals with transportation issues. The Silver Spring Urban District Advisory Committee also takes an interest in transportation issues in downtown. The Committee does not prepare an annual report.

Recommendation -- Discontinue. CERB recommends this Committee be eliminated as it duplicates efforts by two other Silver Spring advisory groups (Silver Spring Citizens Advisory Board and Silver Spring Urban District Advisory Committee) and it has continual problems with filling and keeping members which prevent the Committee from effectively meeting its goals. The work should be done by one of these other groups.

### **SILVER SPRING URBAN DISTRICT ADVISORY COMMITTEE**

Created -- Montgomery County Code, Sec. 68A-5 (a).

Purpose -- The Committee should, by July 15 of each year, advise the Department of Transportation and Public Works on the program and budget of the urban district; by September 15 of each year, review the urban district budget and submit comments to the Department; and by October 1 of each year, meet with the Department Director to resolve areas of disagreement regarding the budget.

Membership -- Eight members which includes two persons nominated by the Silver Spring Chamber of Commerce; three representatives of optional method developers; one representative from a business that employs fewer than 10 employees; one representative of a residential community in the urban district; and one representative of a residential community either in or outside of the urban district and who is nominated by the Silver Spring Citizens Advisory Board.

Comments -- This Board is requesting that its voting members be increased from eight to eleven (adding two additional small business members and one additional residential member) due to the expansion of businesses and residential housing in downtown Silver Spring. The Board has historically had trouble with recruitment due to the strict category requirements and the inability to find members in specific categories. The Committee does not produce an annual report.

Recommendation -- Continue. CERB recommends that this Board be increased to eleven members. It is also recommends that specific membership categories be made goals (soft targets) and not mandates. The resident representative (either inside or outside the urban district) who is nominated by the Silver Spring Citizens Advisory Board should instead be a member of the Silver Spring Citizens Advisory Board, to be consistent with the other urban district advisory committees. An annual report should be published.

## **Boards, Committees and Commissions**

### *Statement of the Issue*

The County can achieve cost-savings by eliminating, consolidating and restructuring certain boards, committees and commissions, particularly those that have significant staff resources associated with them. This can be done while still maintaining a high level of access to County government by all citizens and retaining their ability to participate in County policies and projects to a significant extent. We applaud the work of many of these boards, committees and commissions, but suggest that their role and scope be tailored to meet both the current needs of citizens and the budget pressures facing the County.

### *Discussion of the Issue and Recommendations*

The growth and development of the County's boards, committees and commissions is a direct result of many years of the County government seeking to be responsive to emerging new issues and problems. These bodies also provide a forum for citizens to provide input on policy-making, a place for resolution of problems, and a base from which certain services could be provided. A generous County can more easily afford to do these things during a time of rising revenues. However, the budget crisis that now plagues the County makes it necessary to view these entities with a more critical eye. We note that the phrase "boards, committees and commissions" is a broad-brush description and that not all of these disparate entities "are created equal" in size, stature or responsibility. As such, they would not always yield similar savings or efficiencies, if eliminated or merged. It should also be noted that of the 86 or so of these County groups, many are deemed as advisory, but some are necessary for specific statutory functions.

During the course of our deliberations, the ORC met with numerous members of the boards, committees and commissions and with staff liaisons from some of the core County departments to which the bodies are attached.

➤ *Based on our interviews, discussions and analyses, we recommend a three-pronged approach to achieve cost-savings and streamline the operations of County boards, committees and commissions:*

- 1) **Acceleration of the Citizens Review Committee.** As part of the existing process for County review and evaluation of boards, committees and commissions, an ad hoc committee appointed by the Executive is next scheduled to commence in 2012. We believe that is the appropriate forum to rationalize the existence of 86 boards, committees and commissions. But we recommend that the Executive accelerate this process by convening this review committee as early as possible in 2011. We also recommend that rather than its previous two-year duration, and the nearly two-year evaluation process by the Council, the Executive instruct a new review committee to complete its work in six months, and that the Council commit itself to completing its evaluation and action within the following six months. Finally, we propose that rather than allowing for an open-ended evaluation, the Executive charge the new

## Montgomery County Organizational Reform Commission

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review committee with the task of reducing or reorganizing the number of boards, committees and commissions. From our initial analysis, we believe that much of this can be achieved through consolidation of similarly purposed boards, committees and commissions.

- 2) **Regional Services Centers and the Office of Community Partnerships.** The County's Regional Services Centers each have a citizens' advisory board whose principal function is to receive input from citizens in their region on issues of importance to the community. We urge that, over time, the general culture of establishing new boards, committees and commissions to respond to particular issues be curbed in recognition of the capacity of the existing Regional Services Centers and their advisory boards. The Executive's Office of Community Partnerships can also serve as an ongoing platform to provide for citizen participation in the governmental process.
- 3) **Proposed Consolidations and Reorganizations.** The ORC proposes the following consolidations and reorganizations for boards, committees and commissions:
  - a) **Commission for Women (CFW) – Current Budget- \$881,300 –** The ORC commends the CFW, which over the years has served a very important function. But as County government and the social landscape have evolved, it is clear that many of the CFW's activities duplicate those provided by other agencies. We believe that the CFW's core functions can be served in other ways. The CFW's counseling and career center is now duplicated to a great extent by the new Family Justice Center, the County's Workforce Development program, Montgomery College, and private entities and religious organizations.

Additionally, the County's Office of Intergovernmental Relations effectively advocates for the County at all levels of government including CFW issues.

- *The ORC recommends that the Commission for Women be restructured as an advisory committee attached to another department or unit deemed most appropriate by the Council and Executive. This action could save the County more than \$800,000 annually.*
- b) **Human Rights Commission (HRC) – Current Budget - \$1,738,400 –** The work of the HRC in striving to eliminate discrimination, prejudice, intolerance and bigotry serves a vital function. A broad cross-section of federal, state and County laws protect human rights, and County citizens have access to federal and state channels to specifically address those rights covered under federal and state laws. Recent analysis indicates only a few complaints of human rights violations have been filed regarding rights protected only at the County level.
- *The ORC recommends that the Council and Executive move the adjudicatory role of the Human Rights Commission to the state and federal governments, with the creation of a Human Rights Ombudsman in the office of the County Attorney to guide citizens to the appropriate authority and provide advice on options available for relief.*

This change would result in saving a substantial portion of the \$1.7 million currently budgeted for the HRC. We propose that the HRC and Committee on Hate/Violence be combined to make their efforts more concentrated and provide a singular focal point for research and dissemination of information. This new combined commission can be aligned with the Office of Community Partnerships or another suitable entity, as determined by the Council and Executive. Finally, the activities of the Interagency Fair Housing Coordinating Group – currently supported by the Human Rights Office – should be returned to the Department of Housing and Community Affairs, from which it was removed in 1996.

**c) Interagency Coordinating Board for Community Use of Public Facilities (CUPF) – Current Budget - \$9,325,840.**

- *The ORC recommends a major modernization of the property management system for Community Use of Public Facilities. We also believe it is appropriate that the functions of the Office and Board move to the Department of General Services.*

Since CUPF is an enterprise fund, no taxpayer savings would be generated by these reforms, but it is highly likely that the efficiencies resulting from the moves could reduce costs to users or assist in improving services, thereby allocating a portion of its \$9.3 million budget to more effective uses.

**d) Criminal Justice Coordinating Commission (CJCC) – Current Budget \$158,000 -** The CJCC performs an important function in helping to coordinate the programs and activities of the County's various criminal justice agencies. However, it meets only four times a year, does not require an annual report, and in other ways has had its duties modified in recent years. In the past, it has been staffed by County personnel who also had other duties, rather than by a dedicated staff of its own.

- *The ORC believes that staff support for the CJCC does not require an executive director post that is now staffed by a high-level appointee. We recommend elimination of this position. We also recommend that the CJCC be housed in the Police Department, which would provide for its part-time staff support.*



COMMITTEE ON HATE VIOLENCE

Montgomery County Council  
Office of Legislative Information Services  
5th Floor, Council Office Building  
100 Maryland Avenue,  
Rockville, MD 20850

October 18, 2011

Thank you for this opportunity to provide written testimony on an important piece of legislation currently before the Council: **Bill 29-11, concerning Boards, Committees, and Commissions – Sunset Consolidation**. On behalf of the citizens who serve with me on the Committee on Hate/Violence, and the many constituents of yours whom we have served, I respectfully urge you to reject Bill 29-11, introduced by Councilmember George Leventhal.

We do not feel that it is prudent to arbitrarily sunset certain boards, committees, and commissions, without looking carefully at their missions and their past performance, as well as the value to the citizens of the County of the services and/or information the board, committee, or commission provides. This is especially critical during a time when direct County services are being eliminated and/or reduced due to fiscal constraints. We feel the current approach and mission of the Committee Evaluation and Review Board is sufficient and a much better approach to a comprehensive and fair assessment of the County's Boards, Committees, and Commissions.

For these reasons, the Committee on Hate/Violence respectfully urges the County Council to reject Bill 29-11 and continue to stand with those in our community who are the most vulnerable of our neighbors and in the most need of our protection and support during difficult times in their lives. Thank you for your consideration.

Respectfully,

*David A. Vignolo*

David A. Vignolo, Chair

Montgomery County Committee on Hate/Violence

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Office of Human Rights



## COMMISSION FOR WOMEN

Isiah Leggett  
County Executive

Judith Vaughan-Prather  
Director

October 19, 2011

Honorable Valerie Ervin, President and  
Council Members  
Montgomery County Council  
100 Maryland Avenue, 6<sup>th</sup> Floor  
Rockville, MD 20850

Re: The Montgomery County Commission for Women's Written Testimony  
In Opposition to Bill 29-11

*(The opinions expressed in this document are those of the Commission for Women alone  
and do not necessarily reflect those of the County Executive.)*

Madam President and Members of the County Council:

The Montgomery County Commission for Women (MCCFW) strongly urges the Council  
not to pass Bill 29-11.

Since 1972, the MCCFW has carried out its charge, pursuant to County law, and  
addressed issues of vital concern to the residents of the County, advised the County Executive,  
County Council, County Agencies and the state and federal government on the concerns of  
women. In addition, the MCCFW has garnered local and national recognition for its projects,  
initiatives and accomplishments. *(See attached Chronology of Projects, Initiatives and  
Accomplishments.)*

The MCCFW has undertaken groundbreaking initiatives that have come to the attention  
of this Council. On June 10, 2009, the MCCFW published *Single Mothers In Poverty: Agenda  
for Action* shedding light on the disproportionate and unacceptable rates of poverty in  
Montgomery County among single mothers that had gone unnoticed and unaddressed for far too  
long. The latter issue had not been studied by any other public or private organization in the  
county. In fact, statistics and findings in the publication have since been utilized by various  
members of the Council. The MCCFW has also drawn national recognition to the county  
through its thought provoking and engaging forums, workshops and conferences.

The MCCFW has long been seen as a leader and the “gold standard” for Commissions for Women across the country. Since 1980, the MCCFW has convened the County’s only annual public Women’s Legislative Briefing which has consistently reached attendance of over 600 people. The conference attracts nationally recognized keynote speakers, including Dorothy Height, Lilly Ledbetter, Donna Brazile, Congresswomen Donna Edwards and many others. The Briefing has also become the forum in which state and federal legislators want to participate and engage in meaningful discussion about current political issues. The Briefing has also become a forum in which this Council participates.

In 2010 the MCCFW hosted the national conference of the National Association of Commissions for Women (NACW) at the Rockville Hilton Hotel and Business Center. The conference drew over 170 people from across the nation to this county. Because of the MCCFW’s engaging programming and analytical look at women’s issues, the U.S. Department of Labor Women’s Bureau asked the MCCFW to host the National Dialogue on Workplace Flexibility Regional Conference. On March 31, 2011, the conference was held at the Silver Spring Civic Center and drew industry leaders, employees and employers in the hospitality, restaurant and tourism industry from Maryland, Delaware, Washington, D.C. and West Virginia.

It is also worth noting that the U.S. Equal Employment Opportunity Commission (EEOC) requested that the MCCFW host a book discussion and signing for Isabel Wilkerson, the first black woman in the history of American journalism to win a Pulitzer Prize, for her book entitled *The Warmth of Other Suns*. After having been given only a week’s notice, the MCCFW held the event at the new Rockville Public Library and the event was standing room only with a crowd of over 100. The MCCFW not only has earned a national reputation for its thought provoking works, but has highlighted this county on a national level and brought revenue to the county in doing so.

Over the years, the MCCFW has been able to leverage the equivalent of hundreds of thousands of dollars in volunteer hours. In 2010, 110 volunteer attorneys, counselors and other professionals donated 9,773 hours of service to the MCCFW’s Counseling Center equating to approximately \$500,000 of donated service.<sup>1</sup> The latter figure does not include the 15 Commissioners who make up the MCCFW and serve as volunteers. Part of the reasoning behind Bill 29-11 is the hope that \$1.4 million will be saved by sun-setting a list of boards and commissions; however, the bill fails to recognize the several million dollars worth of volunteer time and expertise that is generated by that \$1.4 million investment. Certainly the county has received more “bang for its buck” through its support of its boards, committees and commissions, including the MCCFW.

The Legislative Request Report for Bill 29-11 refers to the recommendations of the Committee Evaluation and Review Board (CERB) report when describing the problem that lead to the introduction of this bill. The recommendation of the CERB report, as it refers to the MCCFW is as follows: "Continue. Continue to share best practices with other B/C/C." The CERB report further states, in reference to the CFW: "This Commission is a well organized and focused group of active, successful volunteers. It is forceful in advising on and advocating for

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<sup>1</sup> In 2011, funding for the MCCFW was drastically cut which eliminated the Counseling Center and all staff positions that supported the MCCFW except its Executive Director.

women's issues to the County Executive and Council, the State of Maryland Legislature and the public as a whole. . . . This commission integrates its activities well with the many services provided by the department, such as counseling for displaced homemakers and education courses on self sufficiency.” As supported by the CERB report, the MCCFW should not be included on the list of boards, committees, and commissions targeted to sunset on December 1, 2012.

Despite the current virtual lack of funding, the 15 volunteers who serve on the MCCFW have connected with volunteers and partners in an effort to develop another great program year in 2012. With very little staff support, the MCCFW hopes to have another successful Women’s Legislative Briefing, a 40<sup>th</sup> Anniversary Commemoration, and is developing a plan to offer workshops related to divorce, separation, and financial planning, and the legal call line previously operated by the Counseling Center. The MCCFW represents this county’s commitment to equality for all of its residents.

Bill 29-11 does a disservice to the county’s citizens by allowing the MCCFW to “sunset” and effectively disappear. Furthermore, Bill 29-11 is contrary to the county’s mission of pursuing “the common good by working for and with Montgomery County’s diverse community members to provide a responsive and accountable county government. . . .” and is contrary to the Council’s duty “as dedicated public servants” to embody “collaboration, inclusiveness, knowledge, competence, respect for the individual and integrity” in its work as specified in the Mission Statement of Montgomery County.

The MCCFW respectfully requests that you do not pass bill 29-11.

Respectfully submitted,



Vanessa E. Atterbeary, President  
Montgomery County Commission for Women



# Montgomery County Commission for Women Chronology of Projects, Initiatives and Accomplishments 1972 - 2011

**June 7, 1972: County Law enacted creating the Montgomery County Commission for Women**

**1974: *Montgomery County Employment Patterns: The Case for Affirmative Action***

Report analyzed Montgomery County employment patterns by race, national origin, and gender, and determined that the County's current affirmative action program needed to be expanded, developed, and enforced because women were poorly represented in the three largest departments. The report was used by the County as an information baseline to open up all jobs to women and minorities.

**1974 – Present: Women's Counseling and Resource Center**

First opened as A Woman's Place on January 12, 1974, later joined by a second center – the New Phase Career Center on November 14, 1976, and then combined as one Counseling and Career Center in 1991, the program serves thousands of women each year experiencing serious life crises and transitions, providing personal, career and couples counseling, classes and seminars on a wide range of issues, professional training for counselors and social workers, information and referral, psychometric and career aptitude testing and much more.

**1980: Sexual Harassment Survey**

Surveyed 8000 county employees and recommended an executive order prohibiting sexual harassment and developed guidelines for handling and preventing sexual harassment, training for department heads and resources for victims; published a brochure describing the law, prohibited conduct and appropriate responses and resources for victims and employers.

**1980 – Present: Women's Legislative Briefings**

The Commission for Women (CFW) convenes an annual public Women's Legislative Briefing to discuss legislation under consideration by the Maryland General Assembly. The Briefing has reached attendance records of over 700 people.

**1980 - 1981: Family Law Project**

In June 1981 the CFW published a study examining the handling of family-related cases in the Montgomery County judicial system and the economic consequences of divorce for women. From the study, the CFW produced two publications: a fact sheet on Maryland's Rehabilitative Alimony Law of 1980 and a workbook based on that law to help people seeking alimony.

**1982 - 1989: Pay Equity Project**

In a groundbreaking project spanning seven years, the CFW advocated a study to determine if the County Government's job classification and compensation system discriminated against occupations held primarily by women and people of color. The County was eventually persuaded to undertake the and later to implement the recommendations stemming from that study. Many occupations traditionally held by women and minorities received upward reclassifications and the employees receive increased salaries. The recommendations took effect in March of 1989 and Montgomery County became the first county in the country to institute such a plan without a lawsuit first being filed.

**1986 - 1987: Employed Parent Families Project**

The CFW conducted a two-part study examining the accessibility of Montgomery County Government agencies and services to employed parents, and exploring personnel policies of the five publicly funded agencies (County Government, MCPS, WSSC, Montgomery College, and M-NCPPC). The reports recommended establishment of a parental leave policy (instituted in Montgomery County Government in 1986) and other "family-friendly" policies including offering services at other than normal business hours.

**1987 and 1990: *You Be the Judge* Conferences**

The CFW, in cooperation with the Women Judges Fund for Justice and the Maryland's Women's Bar Association, organized a "first of its kind" conference on April 2, 1987, training women attorneys about the process of attaining appointment to the bench, and educating women's organizations about their potential role in that process. By 1990, the number of women judges in Maryland had increased by 2% to 10% (23) of the 227 appellate and trial judges in the state. Several of the new women judges had attended the conference. In 1990 the seminar expanded to a two-day program. Since the conferences the number of women judges in Maryland has increased 18%. In 2006, 81 (28%) of the 285 judges were women.

**1989: *Report of the Coalition for Family Equity in the Courts***

The result of many years of work and study, this report examined the economic and social costs to families undergoing divorce and made numerous recommendations to alleviate gender imbalance in the process of divorce, and led to the establishment of the State-wide Task Force on Family Law.

**1992 and 1994: Hearings on Gender Equity in the Schools**

On May 13, 1992 the CFW held a public hearing on Educational Equity in the County's system of public education. In response, MCPS instituted policies requiring equity in distribution of equipment, uniforms, playing time and facilities, coaches' pay, and even assignment of cheerleader and pom squads to both girls and boys games. A second hearing was held, before the same distinguished panel, on April 26, 1994, this time focusing specifically on sexual harassment. One result of this hearing was the development of a comprehensive policy describing prohibited conduct, outlining sanctions, appropriate responses and resources in MCPS. Comprehensive reports on both hearings were published.

**1995: *Easing the Financial and Emotional Costs of Divorce***

A handbook was developed and published, edited by The Honorable Rosalyn B. Bell, explaining the legal, financial and some of the emotional processes of divorce, helping readers to handle highly charged emotional situation intelligently, sensitively and constructively.

**1996 - 2002: Take Our Daughters to Work Day**

In conjunction with the Office of the County Executive, the Office of Public Information and the Department of Recreation, the CFW organized a Take Our Daughters to Work Day program for the children of Montgomery County Government employees each year from 1996 - 2002. Developed for girls aged 9 and 15, the event was an opportunity to provide first-hand exposure to the workforce, and to help create awareness in both girls and their parents that girls' participation in the workforce is both expected and welcome.

**1997: Report on the Status of Women in Montgomery County**

The Commission published a comprehensive analysis of health, education, employment, economic, legal and population data, providing extensive information on the needs of Montgomery county women.

**1999: Employers Toolkit Website**

The Commission developed an online resource for employers providing sample family-friendly employment policies. This project won a 2000 Achievement Award from the National Association of Counties.

**2000 - 2010: Girls in Technology**

In 1999, the CFW worked with Montgomery College to establish "GURL Power Computer Camp" for middle school girls. In 2000, the CFW published a brochure about preparing girls for education and careers in technology (*Will Your Daughter Be a Driver on the Information Highway?*) and established a camp scholarship program for girls from families of low income families or where English is a second language. A total of 286 girls have received scholarships to attend the summer computer camps. In 2002 the CFW developed a *GURL Power Curriculum Guide* for the camps so that communities all over the country may replicate the program. Discovery Communications, Inc. developed two 5-minute video documentaries describing the project. The National Association of Counties named the Girls in Technology initiative a 2000 Achievement Award Winner. On March 31, 2004, the Commission conducted a symposium for educators from all across the state providing training on gender equity in the information technology classroom. In 2005, at the Commission's recommendation, MCPS established a system-wide Task Force on Girls and Technology.

**2001: Women as Victims of Violent Crime**

A woman's greatest risk of being victimized violently - whether by sexual assault, rape, or murder - lurks not among strangers and street crime, but among people with whom she has a relationship. Close to 80 % of all such attacks on women are carried out by people the victim knows. The commission published in English and Spanish a brochure for parents and other adults entitled *Talk to Your Daughter about Violence: What She Doesn't Know Can Hurt Her*, with coordinating posters for teens, distributed to County middle and high schools, recreation centers, libraries, government service centers, the police, sheriff, and service providers.

**2002: Women's History on-Line Archives and Quilt**

An on-line archive of the biographies of 30 women of historical significance to Montgomery County was created and posted on the Commission's website ([www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)) and a beautiful quilt was hand made by fiber artist and commissioner Anne Sanderoff-Walker, memorializing the contributions of each. The quilt is on permanent display in the Commission's Counseling and Career Center.

### **2002 – Present: Immigrant Women in Montgomery County**

The Commission established the issues confronting immigrant women as a priority area of concern in July 2002. The CFW first sought input from experts, service providers and advocates through a series of four forums entitled *A Brave New World*, conducted in 2003. This project was selected by the National Association of Counties for a 2004 Achievement Award. The Commission then focused its work on the issue of immigrant women in the workplace, especially those in low wage “sticky floor” occupations where employees, particularly those for whom English is a second language, may be most vulnerable to discrimination, exploitation and abuse. The CFW produced three brochures on workplace issues: *Sexual Harassment – It’s Against the Law*, the *Employment Rights of Pregnant Women* and the *Employment Guide for Domestic Workers*. The brochures were translated and published in a number of languages including English, Spanish, Chinese, Korean, French and Vietnamese, and widely distributed to advocacy organizations, service providers, public agencies and community groups. The *Employment Guide for Domestic Workers* was selected by the National Association of Counties for a 2008 Achievement Award.

### **2005 – 2010:**

The Commission staffed the national office of the National Association of Commissions for Women, conducting its membership campaigns each year, staffing its board meetings, maintaining its records and its website.

### **2007: Status of Women in Montgomery County**

The result of two years of research, the report analyzes and presents comprehensive data on county women in six domains (economic, health, education, immigration, law and politics), with key findings and recommendations intended to serve as both an educational and a social action tool for the public and for policy makers. This report was released at the Commission’s 35<sup>th</sup> Anniversary celebration on June 7, 2007, and was distributed to pertinent policy makers and legislators, as well as advocacy organizations and service providers.

### **2008-2009: Mothers and Poverty**

The Commission for Women established the issue of single mothers and poverty as a priority concern and created its Mothers and Poverty (MAP) Committee. In Spring 2008 CFW held a series of public forums bringing together policy makers, program administrators, service providers and consumers of those services, advocates and issue experts as a first step in developing more effective strategies and policies to alleviate the disproportionate and unacceptable rates of poverty among single mothers. The *Single Mothers and Poverty: Agenda for Action* was published on June 10, 2009.

### **2010: National Conference of the National Association of Commissions for Women**

Over 170 people from across the nation traveled to Montgomery County to participate in the 40<sup>th</sup> annual conference of the National Association of Commissions for Women (NACW): *Capital Opportunities for America’s Women and Girls*, coordinated and hosted by the Montgomery County Commission for Women. The conference was held July 22 – 25 at the beautiful Rockville/DC Hilton Hotel and Business Center in Rockville. The conference offered a three-day content-rich curriculum of professional development, strategy building and leadership training for these advocates of America’s women and families. Forty Commissions for Women from 29 different states were represented. Over the course of the conference, there were four plenary sessions with keynote speakers, nine seminars featuring 24 panelists representing some of the nation’s most prominent women’s and human rights organizations; as well as briefings at the White House and the Capitol.

**2011: *National Dialogue on Workplace Flexibility Regional Conference***

On March 31, 2011 the Commission for Women will coordinate a conference focusing on the employers and employees in the hospitality, restaurant and tourism industry in Maryland, Virginia, Delaware, Washington D.C. and West Virginia. With funding from the U.S. Department of Labor Women's Bureau, the goal of the conference is to discuss the business case and best practices for implementing workplace policies that are responsive to the needs of the changing American workforce. The event will be held at the Silver Spring Civic Center.

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## EXECUTIVE SUMMARY

In the fifth year since its creation, the Domestic Violence Coordinating Council has advanced its mission of reducing the incidence of domestic violence and creating a safe community where families are free of abuse. In 2010-2011 the four committees, Victim Services, Education and Outreach, Legislative and Policy Planning and Offender Treatment Program and Policy, have each identified focus areas and made progress on executing recommendations from the previous report. This report summarizes the accomplishments of the past year, makes recommendations for the next and submits an action plan for each proposal.

### **ACCOMPLISHMENTS**

- ◆ Installation and full operation of the video conferencing services at the FJC;
- ◆ Implementation of the Avon Foundation Self-Sufficiency Empowerment Grant at the FJC;
- ◆ Coordination with the Family Justice Center Foundation, Inc. for the 1st Annual FJC Foundation Benefit held October 3, 2010;
- ◆ Collaboration with University of Maryland on Internship Program at the FJC;
- ◆ Continuation of the joint Montgomery County FJC and FJC Foundation quarterly newsletter;
- ◆ Augmentation of on-site agency partnerships at the FJC to include Career Catchers, the Maryland Division of Parole and Probation and Montgomery County's Department of Correction's Pre-trial Supervision Unit;
- ◆ Continuation of partnerships with Catholic Charities, House of Ruth, MD counselors, Interfaith Community Against Domestic Violence Chaplains and MCPD on-site detective;
- ◆ Receipt of a Verizon Grant for Forensic Interview equipment at the FJC through the Family Justice Center Foundation;
- ◆ Coordination of FJC training in June, 2011 for ten new volunteers;
- ◆ Coordination of the Montgomery Bar Associations Toy and Gift Card Holiday Drive to benefit FJC clients and their children;
- ◆ Participation in Law Day, April 2011 to promote awareness of the FJC among attorneys practicing in Montgomery County;
- ◆ Participation in a Divorce Roundtable discussion in April, 2011 to promote awareness of the FJC;
- ◆ Presentation to the Montgomery County, Maryland Inns of Court AIC in September, 2011 to promote awareness of the FJC and FJC Foundation, Inc.;
- ◆ Coordination of outreach about the FJC to the Association of Mid-Atlantic Professionals;
- ◆ Partnership with the University of Maryland to create a database for the FJC;
- ◆ Receipt of Panera Bread "Doughnation" grant through the Family Justice Center Foundation;
- ◆ Collaboration with multiple County agencies and community organizations for the 2nd Choose Respect Teen Dating Conference, April 2010;
- ◆ Coordination of the 2nd Choose Respect Teen Dating Public Service Announcement Contest, held in conjunction with the conference;
- ◆ Presentation of the Healthy Teen Dating Curriculum in Montgomery County Public Schools to over 1250 middle and high school students;
- ◆ Presentation of the Healthy Teen Dating Curriculum to MCPS Psychologists, Pupil Personnel Workers and School Counselors;
- ◆ Translation of the Healthy Teen Dating Curriculum to Spanish;

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## ACCOMPLISHMENTS CONTINUED

- ◆ Presentation to the Criminal Justice Coordination Council regarding Break the Cycle's State Report Cards and to make recommendations for systemic change to better serve youth victims of teen dating violence;
- ◆ Creation of a teen dating survey to distribute to teens in conjunction with the Healthy Teen Dating Presentations and Conference;
- ◆ Addition of Youth member to the DVCC;
- ◆ Presentations on legal rights and challenges facing abused women at the 3rd Annual Empowerment Workshop for African Women in October 2010;
- ◆ Presentation of the Healthy Teen Dating Curriculum to various youth groups in the community to include, MC Street Outreach Network, Waxter Detention Center, Crittenton Services SNEAKERS Program, Community Preservation and Development Corporation Mentoring Group, National Center for Children and Families Adolescent Program, and Parenting Teens at the ICAP Conference;
- ◆ Presentation of the Healthy Teen Dating Curriculum to nurses at Community Health Centers and to staff at the Montgomery County Correctional Facility to promote awareness of the presentation and services for victims;
- ◆ Creation of a Choose Respect Montgomery Teen Dating Facebook page;
- ◆ Coordination of dedicated domestic violence agents to the Maryland Division of Parole and Probation;
- ◆ Coordination of presentations from Prince George's County Adam's House and J&E Associates to explore best practices in offender treatment;
- ◆ Presentation of the Healthy Teen Dating Curriculum to staff at County Health Clinics and the Montgomery County Correction Facility to promote awareness of the curriculum;
- ◆ Continuation and evaluation of Lethality Assessment Protocol (LAP) throughout Montgomery County;
- ◆ Ongoing recruitment of attorneys for the Pro Bono Lawyers Initiative Program to refer domestic violence victims to pro bono attorneys for representation at protective order hearings;
- ◆ Ongoing distribution of Spanish and English FJC Police Cards for officers and deputies to give to victims when they respond to domestic violence calls and Interim Orders;
- ◆ Ongoing distribution of FJC brochures in English and Spanish to public and community partners;
- ◆ Collaboration with the Office of Intergovernmental Relations and the Maryland Network Against Domestic Violence on numerous bills in the 2011 Maryland General Assembly including the two listed below that will take effect October 1, 2011:

**HB 667/SB 342 ▪ Peace Orders – Extension of Duration**

This legislation would allow a judge the discretion to grant an extension of a peace order for an additional six months after a hearing.

**HB 510 ▪ Criminal Law – Peace Orders, Stalking and Harassment - Penalties**

This bill would add a penalty for a second or subsequent offense of failure to comply with a peace order, a penalty for a second or subsequent offense for harassment and redefines stalking to include communication that causes mental distress.

# DVCC 2010 Annual Report

## Executive Summary

In the fourth year since its creation, the Domestic Violence Coordinating Council has advanced its mission of reducing the incidence of domestic violence and creating a safe community where families are free of abuse. In 2009-2010 the three committees, Victim Services, Education and Outreach and Legislative and Policy Planning have each identified focus areas and made progress on executing recommendations from the previous report. This report summarizes the accomplishments of the past year, makes recommendations for the next and submits an action plan for each proposal.

### Accomplishments

Coordination of a three day Family Justice Center (FJC) strategic planning session in March 2010 with numerous representatives from multiple County agencies and organizations in attendance;

Coordination of a multi-jurisdiction workshop on creating a FJC for representatives from neighboring jurisdictions to discuss the mission of the FJC;

Creation of the joint Montgomery County FJC and FJC Foundation quarterly newsletter;

Coordination of 1st Annual FJC Foundation Benefit scheduled for October 3, 2010;

Collaboration with Verizon Wireless, Maryland Judiciary and Administrative Office of the Courts regarding the installation of the video conferencing at the FJC;

Augmentation of on-site agency partnerships at the FJC to include House of Ruth, MD counselors, Interfaith Community Against Domestic Violence Chaplains and MCPD on-site detective;

Collaboration with University of Maryland on Internship Program at the FJC;

Participation in Law Day, April 2010 to promote awareness of the FJC among attorneys practicing in Montgomery County;

Establishment of partnership with Value Village that provides gift certificates for FJC clients and their children in need of basic necessities;

Creation of Spanish and English FJC Police Cards for officers to give to victims when they respond to domestic violence calls;

Organization of Montgomery County FJC Foundation Appreciation Reception in October 2009 to recognize sponsors and volunteers;

Collaboration with multiple County agencies and community organizations for the 1<sup>st</sup> Choose Respect Teen Dating Conference, November 2009;

Coordination of the 1<sup>st</sup> Choose Respect Teen Dating Public Service Announcement Contest, held in conjunction with the conference. Winners appeared on Fox 5 Morning News;

Approval and implementation of the Healthy Teen Dating Curriculum in Montgomery County Public Schools;

Introduction and support of Bill 41-10, Domestic Violence Coordinating Council- Youth Membership;

Presentation of the Healthy Teen Dating Curriculum to conference participants at the NAACP Health Conference in October 2009, Interagency Coalition Against Teen Pregnancy in March 2010, the Interfaith Community Against Domestic Violence in April 2010 and MCPS Youth Violence Symposium in June 2010;

Presentation of the Healthy Teen Dating Curriculum to various youth groups in the community to include, teens in MCDR RecExtra Program, Identity, HOC Teen Club and MC Street Outreach Network;

Continuation and evaluation of Lethality Assessment Protocol (LAP) throughout Montgomery County;

Presentations on legal rights and challenges facing abused women to conference participants at CFW International Conference in July 2010 and 2nd Annual Empowerment Workshop for African Women in October 2009;

Ongoing recruitment of attorneys for the Pro Bono Lawyers Initiative Program to refer domestic violence victims to pro bono attorneys for representation at protective order hearings;

Ongoing distribution of FJC brochures in English and Spanish to public and community partners;

Ongoing display of FJC Bus Cards in English and Spanish to target victims of domestic violence and promote community awareness of the center;

Collaboration with the Office of Intergovernmental Relations and the Maryland Network Against Domestic Violence on numerous bills in the 2010 Maryland General Assembly including:

HB 534/SB329 Extension of Domestic Violence Protective Order  
HB 700- Protective Order Burden of Proof.

# DVCC 2009 Annual Report

## EXECUTIVE SUMMARY

In the third year since its creation, the Domestic Violence Coordinating Council has advanced in its mission of reducing the incidence of domestic violence and creating a safe community where families are free of abuse. In 2008-2009 the three committees, Victim Services, Education and Outreach and Legislative and Policy Planning have each identified focus areas and made progress on executing recommendations from the previous report. This report summarizes the accomplishments of the past year, makes recommendations for the next and submits an action plan for each proposal.

### Accomplishments:

- Coordination of a three day Family Justice Center (FJC) strategic planning session in September, 2008 with over 100 representatives from 30 county agencies and organizations in attendance;
- Sponsorship and collaboration with multiple county agencies and organizations for the 1<sup>st</sup> Montgomery County Fatherhood Conference in November 2008
- Creation of the FJC Foundation 501 (3) (c), a non-profit corporation, to help support the FJC through varied community education and fundraising efforts;
- Coordination of a two day follow up FJC Strategic Planning Session Part 2 in February, 2009;
- Soft opening of Montgomery County's FJC in April 2009, with a Grand Opening on May 18, 2009;
- Development and Implementation of a Healthy Teen Dating Curriculum and Pilot Program for Montgomery County Public Schools;
- Ongoing implementation and evaluation of Lethality Assessment Protocol (LAP) throughout Montgomery County
- Creation of FJC brochures in English and Spanish for distribution to public and community partners;
- Development of FJC Foundation Website <http://www.mcfjcfoundation.org/>;
- Development of FJC website [www.montgomerycountymd.gov/fjc](http://www.montgomerycountymd.gov/fjc);
- Coordination of Summer Camp Programs with Rockville City and Montgomery County Department of Recreation to benefit children residing in shelter and participating in the Safe Start counseling program;
- Organization of an Earth Day Volunteer Event at FJC;

- Establishment of the Pro Bono Lawyers Initiative Program to refer domestic violence victims to pro bono attorneys for representation at protective order hearings;
- Creation of an FJC Bus Card in English and Spanish to target victims of domestic violence and promote community awareness of the FJC;
- Participation in Law Day, April 2009 to promote awareness of the FJC among attorneys practicing in Montgomery County;
- Coordination and planning for October 2009 Domestic Violence Awareness Month Conference to raise awareness about healthy teen dating relationships and warning signs of potentially abusive relationships;
- Ongoing distribution of Domestic Violence Posters in coordination with the Montgomery County Office of Liquor Control;
- Ongoing outreach to domestic violence offenders through the English and Spanish bus card campaign;
- Ongoing airing of Domestic Violence Public Service Announcement in English and Spanish through Montgomery County Municipal Cable;
- Collaboration with the Office of Intergovernmental Relations and the Maryland Network Against Domestic Violence on numerous bills in the 2009 Maryland General Assembly including:
  - **SB 267/HB 296** Protective Order- Surrender of Firearms;
  - **SB 268/HB 302** Temporary Protective Order- Surrender of Firearms;
  - **HB98** Domestic Violence-Temporary Protective Orders-Extension; and
  - **HB 845/SB 1049** Domestic Violence Awareness "Tween/Teen Dating Violence Education and Awareness.
- Introduction and support of Bill 26-09, Domestic Violence Coordinating Council-Membership.

## DVCC 2008 Annual Report EXECUTIVE SUMMARY

In the second year since its creation, the Domestic Violence Coordinating Council has continued its mission of reducing the incidence of domestic violence and creating a safe community where families are free of abuse. The three committees, Victim Services, Education and Outreach, and Legislative and Policy Planning, have each addressed target areas for 2007 – 2008 and made progress on implementing the recommendations from the first annual report. This report summarizes the accomplishments of the past year, makes recommendations for the next and submits an action plan for each recommendation.

### Accomplishments:

- Development of a Family Justice Center, a “one-stop shop” for victims of family violence where critical services will be co-located;
- Development of public and private partnerships in the establishment of the Montgomery County Family Justice Center and the associated non-profit Montgomery County Family Justice Center Foundation, Inc.;
- Coordination and implementation of a Lethality Assessment Protocol (LAP) by law enforcement throughout Montgomery County;
- Coordination of an improved process of warrant service of those warrants issued by the District Court Commissioners;
- Creation of a joint initiative between the Department of Health and Human Services, the Department of Police, and the District Court Commissioner’s Office to assist victims filing for Interim Orders of Protection after courts are closed;
- Sponsorship of a “Justice for All” Public Forum on Domestic Violence October 17, 2007 (Appendix E);
- Development of a Fatherhood Day Conference planned for November 8, 2008 to encourage and honor responsible and positive involvement of fathers with their children and families;
- Presentation to the District Court Commissioners on domestic violence issues and to report updates on Pre-Trial Services, January, 2008;
- Presentation on Teen Dating Violence and Prevention Week at Alfred D. Noyes Children’s Center, February 6, 2008;
- Presentation on Domestic Violence to Women’s Bar Association, March 31, 2008;

- Presentation to the Interfaith Community Against Domestic Violence, April 2, 2008 for National Crime Victims Week;
- Presentation to the District Court judges on domestic violence issues and updates on Pre-Trial Services, August 21, 2008;
- Creation of ongoing and new Public Service Announcements on Montgomery County Cable Television;
- Coordination of the placement of Bus cards (one in English and one in Spanish) on all County Ride-On buses; and
- Formation of alliances and collaboration with the larger domestic violence community, such as the Montgomery County Women's Bar Association, Maryland Network Against Domestic Violence, and House of Ruth, Maryland on domestic violence legislation.

# DVCC 2007 Annual Report

## EXECUTIVE SUMMARY

Creation of a coordinated community response to domestic violence has been an ongoing process in Montgomery County. In furtherance of this process, the Montgomery County Council created the Domestic Violence Coordinating Council to report to the Executive and County Council on promising practices, policy and procedural recommendations. This report summarizes the accomplishments of the DVCC in its first year, outlines recommendations for consideration and sets goals for the future to maximize victim safety and offender accountability.

### Accomplishments:

- Establishment of a working partnership of agencies seeking solutions to the problem of family violence in the best interests of all residents of Montgomery County
- Submission of a "Safe Havens" grant to the U.S. Department of Justice for development of a supervised visitation center
- Creation of a public education program: "Abuse Has Many Victims"
- Meeting with Circuit and District Court judges for review of new services available to the courts to hold offenders accountable
- Creation of a private-public partnership with Marriott Corporation for donations of school book bags for shelter children and
- Planning for a public forum on domestic violence for October 2007

### Recommendations:

- Urgent outreach to the immigrant community on the issue of domestic violence and the safety options available to victims and families
- Establishment of a Family Justice Center in Montgomery County – a one stop shop for victims of family violence where services would be co-located.
- Creation of a staff support position for the Domestic Violence Fatality Review Team

### Future Activities:

- Conduct a needs assessment for future allocation of resources
- Development of a prevention program targeted to offenders
- Implementation of recommendations from the Domestic Violence Fatality Review Team
- Continuation of planning efforts towards a Family Justice Center
- Collaboration with the Maryland Network Against Domestic Violence on the 2008 legislative agenda
- Schedule a meeting with the District Court Commissioners to discuss domestic violence issues and updates on services.



**Testimony of  
The Greater Silver Spring Chamber of Commerce  
Public Hearing on Bill 29-11  
Boards, Committees, and Commissions - Sunset, Consolidation  
Montgomery County Council  
Tuesday, October 18, 2011**

On behalf of almost 400 member businesses, the Greater Silver Spring Chamber of Commerce expresses our strong opposition to the sections of Bill 29-11, which would sunset the Silver Spring Urban District Advisory Committee.

The Silver Spring Urban District Advisory Committee (SSUDAC) represents those stakeholders – primarily businesses (7) and residents (4) – that provide the funding for the Silver Spring Urban District. The Committee's mission is to advise the County government on all aspects of the program, management, and finances of the Silver Spring Urban District. It was originally established to provide a mechanism by which the stakeholders (those who pay the cost) could establish and control the level of service and the cost of an increased level of maintenance that was desired in the newly created Urban District.

Because the Urban District Advisory Committee represents primarily those businesses that provide the funding for the Urban District, the Committee is essential to giving these stakeholders input into how their money is spent in the Urban District. Potentially eliminating this Committee would take control of these decisions out of the hands of those that have agreed to be taxed at a higher level in order to realize a higher level of service.

The report of the 2004 Committee Evaluation and Review Board recommended continuing the Urban District Advisory Committee and agreed with the request to expand the Committee membership from nine to eleven.

We understand that this legislation was conceived as a means to reduce costs to the County and address potential redundancies. However, when you consider that this Committee meets only once per month, during normal business hours (when staff are already at work) in a county building (already open to the public) and requiring a minimal amount of staff support (manpower, paper, etc.), it seems a small investment to assuring that the stakeholders in the Urban District continue to have a vehicle for determining the level of service needed in the Urban District.

If further reducing staff time and other costs associated with meetings for this advisory group is the goal, the Chamber would be willing to work with the Council and the UDAC to identify ways to achieve efficiencies.

On behalf of the Chamber, we urge you to remove the Silver Spring Urban District Advisory Committee from the list of those that will sunset in December of 2012, and leave this important group in place to continue its work representing the interests of those who provide the funding for the Urban District.

We thank you for your consideration.

**Background**

The Silver Spring Urban District is funded through the Urban District Tax, Parking Lot District fees collected by the County, maintenance charges on optional method developments, transfers from the General Fund, and other miscellaneous revenue such as contributions and charges for services.

According to the County Code, each urban district must have an advisory committee, or an urban district corporation board of directors, whose members are appointed by the County Executive and confirmed by the County Council.

The Silver Spring Urban District Advisory Committee, as altered per the 2004 CERB, includes:

- two members nominated by the Silver Spring Chamber of Commerce;
- three members representing optional method developers;
- two representatives of businesses that have fewer than 25 employees;
- three residential community members from the Urban District; and
- one member representative from the Silver Spring Citizens Advisory Board.

According to the County's website, the UDAC advises the County government on all aspects of the program, management, and finances of the Urban District. It works closely with the Silver Spring Urban District on activities and issues associated with the downtown business area. According to the 2004 report of the most recent Committee Evaluation and Review Board (CERB) description of the purpose of the Silver Spring Urban District Advisory Committee, "the Committee should, by July 15 of each year, advise the Department of Transportation and Public Works on the program and budget of the urban district; by September 15 of each year, review the urban district budget and submit comments to the Department; and by October 1 of each year, meet with the Department Director to resolve areas of disagreement regarding the budget.

# Montgomery County Women's Bar Association

*Executive Committee 2011-2012*

*Barbara Graham  
President*

*Margaret Schweitzer  
President Elect*

*Sharon Johnson  
Secretary*

*Sherry Leichman  
Treasurer*

*At-Large Members  
The Honorable Audrey Creighton  
Diana Gary, At Large Member*



October 18, 2011

Madam President and Council Members:

Good afternoon. My name is Sharon Johnson, and I am here on behalf of the Montgomery County Chapter of the Women's Bar Association speaking to you in support of the Commission for Women. We strongly urge the Council not to pass Bill 29-11 and to keep what remains of the Commission for Women intact.

The Commission for Women has served many vital functions for the women of Montgomery County which are not available through other county agencies or departments. Unfortunately, because of budget cuts and the reorganization of the Commission earlier this year, the Women's Commission has been unable to provide many of the services that had been made available to Montgomery County residents for many years. As you know, before the reorganization of the Commission, it was able to provide affordable individual and group counseling to the women of our county in areas such as career counseling, loss and grief, life transitions, job loss, and re-entering the work force. Sadly, this year's reorganization and budget cuts eliminated the ability of the Commission to provide such counseling.

Despite these drastic cuts in staff and funding, the Commission has continued to provide many important resources to our citizens – largely through the efforts of the sitting Commissioners and dedicated volunteers such as the Women's Bar Association who do not want the population of Montgomery County to suffer the loss of these services. The Commission has continued to offer its legal call-back program wherein residents can call in and ask to be referred to an attorney who can help them with questions in the areas of housing, sexual harassment, separation and divorce, and employment - just to name a few.

Before the latest budget cuts earlier this year, the Commission was able to provide affordable workshops and programs in areas such as career advancement, housing, sexual harassment, health, aging, financial planning, children and family issues, and separation and divorce. Although funds and staffing are no longer available to continue these workshops on the same scale, the Commission is developing a modified approach to continuing these valuable programs so that they are not lost completely. These programs and workshops assist women in becoming self-supporting, to find better jobs, to become better parents, to find resources to strengthen family relationships, and to be less dependent on other county resources. Striking the final blow and eliminating Women's Commission completely would ultimately leave these women without the tools they need to become independent, giving them little choice but to try to find and rely on other county agencies to provide such services.

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*Please respond to:*

*P. O. Box 4465, Rockville, MD 20849*

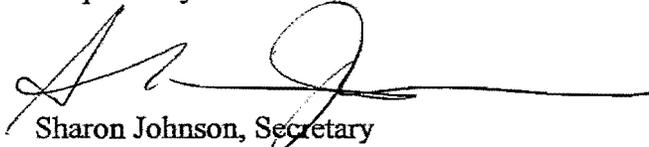
To the Montgomery County Council (in re: Bill 20-11)  
October 18, 2011  
Page Two

As we understand, the elimination of the thirty-eight (38) or so boards, commissions, and committees listed in Bill 29-11 would save the County approximately \$1.4 million. While that is not a small amount, it is negligible when compared to the \$4.4 billion budget approved for FY 2012. For a county the size and stature of Montgomery County, the elimination of these boards, committees, and commissions would be an embarrassment. If the total savings in dollars were much larger, perhaps one could argue for the justification of such a draconian measure, although we would still disagree. Montgomery County prides itself – moreover touts itself - as a leader in education, roads, facilities, recreation, etc. It was one of the first counties in the nation forty years ago to establish a commission devoted to issues which are unique to women. How forward thinking and progressive Montgomery County was at that time! Over the years, thousands of women have benefited from the services and programs offered by the Commission for Women. In return, these women have contributed to the growth and success of Montgomery County.

Eliminating the Commission in totality will do a great disservice to the women of Montgomery County which constitute approximately fifty-two percent (52%) of the population. If the Commission is eliminated, how will Montgomery County continue to promote itself as a progressive, forward thinking community worthy of convincing business and commerce to relocate here and bring in additional tax revenue? We would submit that, in addition to being an embarrassing move on the part of the County Council, it would be a penny-wise and pound-foolish decision as well. It's just bad business.

The Montgomery County Chapter of the Women's Bar Association urges you to ponder this bill with all due consideration to the effects on your citizens now and in the future. Do not pass Bill 29-11. Tell the citizens of this County that you will not turn your backs on them and that you remain the progressive, forward-thinking leaders you profess to be.

Respectfully submitted,



Sharon Johnson, Secretary  
Montgomery County Women's Bar Association and  
Montgomery County Women's Bar Association Liaison  
To the Montgomery County Commission for Women

Paulette Dickerson  
9511 Gwyndale Dr  
Silver Spring, MD 20910  
301-565-2166  
pdickerson@his.com

TESTIMONY ON BILL 29-11  
October 18, 2011

I would like to speak today against sunseting Advisory Boards, Committees or Commissions in Montgomery County, even if the intent is to recertify the useful ones, but I will speak primarily of the Board I know.

I first became involved with a citizen advisory group about twenty years ago at the Noyes Library when I joined the local Library Advisory Committee (LAC).

At bimonthly meetings we discussed the concerns of the library community, the Montgomery County Public Libraries (MCPL) Strategic Plan, the County budget process, library service issues, renovation and restructuring the branch and situations in the town of Kensington that had effects on Noyes.

Present were the branch manager, a library administrator and the Library Board Liaison to Noyes as well as the group of current and past patrons that made up the LAC.

The substance of our discussions went to the Montgomery County Library Advisory Board and to the Library Director (and through the Director to the County Executive) where community feedback was incorporated into a picture of the library system and how it served the public.

The late nineteen eighties, early nineties were a time of budget constriction. County agencies had to learn to live with less.

LACs helped the Library Board to recommend changes in hours that would serve communities well and cost the government less.

LACs helped marshall people to come forward for public reviews of library projects; they commented on self checkout machines; they tested new automation.

At every step LACs gave feedback to the branch managers and to the Library Board, through the Board Liaison, which helped MCPL understand community concerns better.

That system still works.

In an ideal situation citizen advisory boards can help point out past mistakes, can look forward to future possibilities, can inform, educate and illuminate for government how the public perceives public issues.

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When Library Board or LAC members meet with elected officials we try to convey to you a dispassionate reading of situations in our purview. We also listen to your concerns and insights which we take back to the library community.

This year from Library Board briefings, County Council and County Executive packets as well as the news media, most of us have come to realize that what appeared to be a brief, painful downturn may be the new steady state for the economy in Montgomery County. At least for a while. Maybe years.

We can't do business the way we have before. There are structural problems in the budget that must be addressed.

My concern today is that in the rush to manage these deep shifts, we may throw the baby out with the bathwater.

There is a real cost to maintaining even volunteer advisory committees but that cost is probably less than inventing a new process to stay in touch with your constituency.

Thank you.

**TESTIMONY OF SAMANTHA MAZO  
CO-CHAIR OF THE SILVER SPRING TRANSPORTATION  
MANAGEMENT DISTRICT ADVISORY COMMITTEE IN OPPOSITION  
TO BILL 29-11 THAT SEEKS TO TERMINATE THE COMMITTEE**

Good afternoon. My name is Samantha Mazo, and I am the co-chair of the Silver Spring Transportation Management District Advisory Committee. I testify today on behalf of our other co-chair, Andrew Wexler, and the voting and non-voting members of the Committee. As it did when a similar bill was introduced two years ago, the Committee strongly opposes Bill 29-11, which proposes to eliminate the Committee and transfer its duties to the Silver Spring Urban District Advisory Committee, which itself would be dissolved at the end of 2012 under the same legislation.

By way of background, the Committee is the oldest such group in the County. Since 1987, the Committee has advised the County Executive and the Department of Transportation on all aspects of the programs, management and finances relating to the Silver Spring Transportation Management District. The objective of the Committee is to promote non-automobile transportation alternatives and improve pedestrian safety within the Silver Spring Central Business District. To do so, the Committee encourages businesses and developers to enter into, and comply with Traffic Mitigation Agreements, reviews and comments on proposed developments in Silver Spring and annually submits Operating Budget priorities to the County

Executive. In addition, the Committee reviews and makes recommendations to area developers that mitigate vehicular traffic and improve pedestrian safety for CBD residents, local employees and visitors. The Committee also reviews and recommends employer Traffic Mitigation Plans and Annual Reports to the DOT Director, in compliance with Chapter 42A-24 of the County Code. Through these actions, the Committee is a strong voice of support for mass transit, pedestrian and bike commuting in Silver Spring.

The Committee is composed of representatives of Silver Spring's residential and business communities, including the Silver Spring Citizens Advisory Board and the Greater Silver Spring Chamber of Commerce. In addition, representatives of the Montgomery County Police Department and the Maryland National Capital Park and Planning Commission attend each meeting.

The Committee is vibrant and active. My fellow members and I volunteer our time to attend monthly meetings and assist Commuter Services with its various events throughout the year, such as the annual "Bike to Work" day.

The Committee is effective. In particular, this year, the Committee submitted a letter of support for a project to the M-NCPPC Planning Board that was specifically referenced by the Planning Board Chairperson. In addition, the Committee was instrumental in expediting the activation of replacement traffic

signals at the busy intersection of Georgia Avenue and Colesville Road, which had been long delayed because of difficulties with PEPCO.

However, Bill 29-11 proposes to eliminate this important committee. This Bill should be defeated for the following reasons:

- First, eliminating the Committee would harm Silver Spring and could slow down its fledgling economic recovery. Silver Spring is the County's mass transit hub. It contains heavily used MARC, Metrorail, and future Purple Line stations, serves as the single busiest bus-to-bus transfer point in the State of Maryland, and will soon be home to the Paul R. Sarbanes Silver Spring Transit Center, the design and construction of which the Committee has helped oversee since the beginning. It is this density of transit infrastructure that draws employers, residents, retailers and shoppers to Silver Spring. With the opening of the Fillmore this September and more than 1000 new residential units proposed and/or approved for construction in Silver Spring, the future will only bring more transit-oriented population to the area. Silver Spring's current and future residents and businesses need the Committee to strongly advocate for transit opportunities in Silver Spring and to act on their behalf to keep and/or improve the transit options that currently exist here. Without the Committee, Silver Spring stakeholders will

not be able to advise the County on Silver Spring's greatest resource: public transportation.

- Second, eliminating the Committee will negatively impact the functioning of DOT because Commuter Services will lose its monthly "face time" with Silver Spring's business and residential community. Commuter Services considers these meetings to be an efficient mechanism for connecting with the Silver Spring community and encouraging the use of mass transit and alternative modes of transportation. Without the Committee, Commuter Services Staff would need to spend its time calling various employers to encourage participation in County programs.
- Third, eliminating the Committee creates a lack of parity for Silver Spring because other TMDs, including North Bethesda and Bethesda are administered by independent contractors and are not in danger of elimination. Therefore, stakeholders in other parts of the County will have direct access to Commuter Services, while employers and residents in Silver Spring will not. Such disparity is unfair and creates the impression that Silver Spring lacks importance in the eyes of the County's elected officials.
- Fourth, and finally, we question the assumption that the Committee represents a major public expense and that its elimination will save tax payers a substantial amount of money. The members of the Committee

volunteer their time, and our meeting space and refreshments are donated by Discovery Communications. We are grateful to the hard work of Commuter Services Staff, but we highlight that they are not paid overtime for attending our meetings, and organizing and administering the meetings are part of their regular job duties. Finally, the Committee actually saves the County money because it provides Commuter Services Staff with monthly direct contact with the Silver Spring community, which saves them from having to contact employers and residents individually.

For these reasons, we urge the Council to reject Bill 29-11. Thank you for the opportunity to present our views.

Dear Council:

My name is Mark Pharaoh and I am the chair of the East County Recreation Advisory Board. We are mostly in agreement with Councilman Leventhal's proposal for the consolidation of the Recreation Advisory boards. His plan is almost identical to the one I proposed about eight months ago to the County wide Recreation Advisory board and the local Recreation advisory Boards. The one difference we have with his plan would be the County Wide Recreation Advisory Board should have a representative to each of the local Citizen Advisory Boards instead of the opposite way. This would have the effect of having a Parks and Recreation sub committee on all of the Citizen Advisory Boards. Once the Recreation boards are consolidated, there would be two sub committees that would match up with the new recreation staff structure for facilities (east and west region). Each sub committee would go out monthly and meet at different facilities in that region, like some local boards are doing now. The difference would be that general Parks and Recreation information would be discussed at the County Wide meeting, eliminating the need for Parks and Recreation staff at the sub committee meetings. The only person needed would be someone to tour the facility with and answer any questions about it's operation. Another advantage of this plan would be to encourage the current County Wide members to be on a sub committee and get out and see all the facilities.

As East County's representative to the County Wide Board, I agree with their position that the Boards should be given a chance to do something on their own. I also believe there should be a short time frame to come up with a plan because I haven't seen much of willingness to consolidate the Boards.

Thank You,  
Mark Pharaoh  
Chair, East County Recreation advisory Board

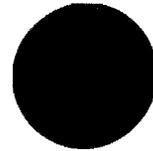
Carol Wilson Garvey, MD, MPH  
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Potomac, Maryland 20854

301-983-9282 (P) 301-299-5931 (F) [cgarvey@garveyassociates.com](mailto:cgarvey@garveyassociates.com)

October 27, 2011

Council President Valerie Ervin  
100 Maryland Avenue  
Rockville, Maryland 20850

065334



RECEIVED  
MONTGOMERY COUNTY  
COUNCIL

OCT 31 AM 9:09

Dear Valerie,

I want to express my strong support for Bill 29-11 to reduce the number of Boards and Commissions. I have long observed that some of these have become sounding boards for people with specific concerns who press for County resources but do not represent the best interests of the County as a whole. Although some may sometimes provide useful input, there is really no way that they can be saving the County money, and staffing so many groups ends up being costly.

I believe that there should be fewer groups, and they need to be broader in scope. A few possibilities:

Combine the MENTAL HEALTH ADVISORY COMMITTEE with the ALCOHOL AND OTHER DRUG ABUSE ADVISORY COUNCIL into a BEHAVIORAL HEALTH COUNCIL. So many people are dually diagnosed, suffering both from addiction and mental illness. HHS itself combines the two, and the Boards and Commissions should, too!

Combine the COMMISSION ON CHILDREN AND YOUTH, the COMMISSION ON CHILD CARE, the COMMISSION ON JUVENILE JUSTICE and the CITIZEN'S REVIEW PANEL FOR CHILDREN. It would be nice to tie in the Collaboration Council also, but because (contrary to its listing on the County website) it is mandated in COMAR as well as by the County Code, I am not sure how easily this can be done, although it would be the very best approach. The Collaboration Council has a hard time coordinating with all of these different commissions. At least, the Council could more effectively work with a single commission than with four.

Combine the DOMESTIC VIOLENCE COORDINATING COUNCIL with the VICTIM SERVICES ADVISORY BOARD. In many jurisdictions, these functions

are combined, and we have long needed to combine them in HHS. The reason they went in different directions is that if a victim does not know the abuser, there is better federal funding for treatment than if the abuse is within a family or between people known to each other. The issues overlap, however, and they should be pulled together.

Could the COMMISSION ON HEALTH and the SOCIAL SERVICES BOARD be pulled together? There would probably be too much protest from both, but it would be consistent with the Department of Health and Human Services efforts to look at social determinants of health. Or, could the SOCIAL SERVICES BOARD combine with the COMMUNITY ACTION AGENCY?

HHS combines aging and disability concerns under one director. Why couldn't the COMMISSION ON AGING join with the COMMISSION ON PEOPLE WITH DISABILITIES? (I can hear members of each howling at the very idea – but that does not make it wrong).

Could the HATE/VIOLENCE COMMITTEE and the HUMAN RIGHTS COMMISSION join forces?

Couldn't the AGRICULTURAL PRESERVATION ADVISORY BOARD, and the FOREST CONSERVATION and RUSTIC ROADS ADVISORY COMMITTEES become one committee? And perhaps the AGRICULTURAL ADVISORY COMMITTEE could be part of that group, too.

I am sure there are other possibilities in commissions with which I am less familiar. I know that each combination will be protested, but during these terrible budget times, it should be much less of a hard sell than in affluent times.

Thanks for everything you do to improve life in Montgomery County!

Sincerely yours,

A handwritten signature in cursive script that reads "Carol".