



Montgomery County Government

A DESCRIPTION AND EVALUATION OF THE COMMITTEE FOR ETHNIC AFFAIRS

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I. SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

This report describes and evaluates the operation of the Committee for Ethnic Affairs (CEA) which is legislatively scheduled to sunset on July 1, 1990.

The conclusions and recommendations of this report are as follows:

- Due to the size of the multicultural contingent in Montgomery County and the projects in which the CEA is involved, there is a basis to continue the CEA beyond July 1990. Therefore, the Council should amend Code Section 27-61 to extend the CEA beyond its current sunset date of July 1990 to July 1995.
- During the first two years of operation, the CEA met few of its legislated responsibilities. However, the Committee has become more active and has concentrated on a variety of activities during the last two years of its existence. To ensure continuation of the CEA as an active group, OLO recommends that staff of the Executive branch work with the Committee to establish an annual workplan for the group.
- Membership on the Committee has not reflected official representation of ethnic groups. However, with only 14 members to represent the diverse number of ethnic groups in the County, it may not be feasible to require that ethnic representation be in an official capacity. Therefore, OLO recommends that the Council amend Code Section 27-53 to clarify the phrase "represent ethnic groups in Montgomery County" by defining the phrase to mean that members "will be selected for appointment from among ethnic populations in Montgomery County".
- Leadership of the CEA has been confined to a few individuals, and the Committee has not complied with the legal requirement associated with the election of chairpersons. The past practice of holding elections in the March-May timeframe has sometimes excluded new members from participating in the election process, thereby precluding new members from being nominated to serve as officers. In addition, the CEA chairpersons have not followed the legislative guidelines in determining which committee members would be contacted for resignation due to failure to attend meetings. OLO therefore recommends that the CEA hold discussions regarding the leadership of the Committee, including succession of officers, timing of elections, and removal of members, and amend the bylaws to reflect its decisions in these areas.
- The relationship between the CEA and the Office of Minority and Multicultural Affairs (OMMA) has been somewhat strained, with the result that many current members of the Committee are uncertain of the relationship and responsibilities of the two entities. It was also noted that OMMA does not have a staff position which could be assigned exclusively to multicultural/ethnic affairs and could provide a continuity of professional staff support to the CEA and the annual Ethnic Heritage Festivals. To remedy these areas of potential conflict, OLO recommends that Executive branch management (a) examine the activities of the CEA since the creation of OMMA to determine the proper responsibilities of each and clarify the relationship between the two entities, and (b) add a professional position to the staff of OMMA to coordinate multicultural affairs, provide staff support to the CEA, and coordinate the annual Ethnic Heritage Festivals.

II. AUTHORITY, SCOPE, AND METHODOLOGY

A. Authority

Council Resolution No. 1360, CY 1989 Work Program of the Office of Legislative Oversight, adopted April 4, 1989.

B. Scope

This report describes and evaluates the operation of the Committee for Ethnic Affairs (CEA). The CEA was created in 1985 by Emergency Bill 6-85 (Montgomery County Code, Article VII, Sections 27-53 through 27-61)* and is legislatively scheduled to sunset on July 1, 1990.

C. Methodology

This project was conducted by Joan Pedersen, Program Evaluator, with assistance from Jeffrey Knee, Public Administration Intern, during August - September of 1989. Research for the evaluation included the accumulation of information through questionnaires completed by prior and current CEA members, review of Committee minutes of meetings and other CEA documents, interviews with prior and current CEA members and Ethnic Heritage Festival coordinators, interviews with various County Executive administrators and staff, and interviews with County Council members.

D. Acknowledgment

The Office of Legislative Oversight (OLO) acknowledges the cooperation of the officers and members of the CEA and the staff of the Office of Minority and Multicultural Affairs (OMMA). All interviews with County staff and past and present members of the CEA were forthright, and OLO was impressed with the interest and dedication of the persons who are associated with the work of multicultural/ethnic affairs.

III. BACKGROUND

A. Creation of the Committee for Ethnic Affairs

In 1983, a Maryland Heritage Committee was appointed by the Governor to coordinate the 350th anniversary of the State. To assist the State committee in its work, each of the 23 counties and Baltimore City established local "350" committees. The Maryland 350 Committee of Montgomery County planned and coordinated six events in celebration of the 350th birthday of the State. The sixth and final event was an Ethnic Heritage Festival,

* Unless otherwise indicated, all code chapters and sections cited in this report are references to the Montgomery County Code, 1984, as amended.

which was held in Wheaton Regional Park on September 9, 1984, to celebrate the richness and diversity of cultures in Montgomery County. This event, accomplished by the Ethnic Heritage Festival Subcommittee of the Maryland 350 Committee of Montgomery County, was considered such a success by Executive staff that it was decided to continue the event annually.

In the fall of 1984, Executive staff began planning for continuation of the goals and objectives of the Ethnic Heritage Festival Subcommittee. These goals and objectives included promoting positive relations among all County residents, helping to make people aware of the similarities and differences between themselves and their neighbors, and organizing the annual Ethnic Heritage Festival. It was envisioned that an ethnic heritage committee would be established as an ongoing entity, with a less formal festival planning group to be formed out of the broader committee.

Emergency Bill 6-85 proposed establishing the Committee for Ethnic Affairs (CEA) to advise the County Executive and the County Council on public policies relating to ethnic affairs. The bill was introduced on March 5, 1985 by the Council President at the request of the County Executive, and a public hearing was held on March 12, 1985. There were no speakers at the public hearing and the bill was enacted at the close of the hearing, to become effective March 19, 1985. A copy of the code sections that established the CEA and outlined its responsibilities is attached as Exhibit A.

Over the next eight months, the required 26 members for the CEA were recommended for appointment by the County Executive, with 18 members confirmed by the Council in August, four confirmed in October, and the remaining four members confirmed in December 1985. The first chairperson was appointed by the Executive in December 1985, and the Committee held its first official meeting on January 16, 1986.

Because the CEA was not fully functioning in time to plan and organize the September 1985 festival, a temporary employee of the Executive's Office was assigned to coordinate the festival and an Ethnic Heritage Festival Planning Committee was formed. This planning committee was composed of representatives from various County departments, the public school system, the park police, and a few citizens who had served on the 1984 festival subcommittee. (These citizens later became appointed members of the CEA.) Each year since 1986, the Ethnic Heritage Festival Planning Committee has been reconstituted to plan and organize the annual Ethnic Heritage Festival.

B. Establishment of the Office of Minority and Multicultural Affairs

In the fall of 1986, the County Executive, recognizing a need for more effective coordination of programs for the rapidly growing multicultural population in the County, appointed a special 36-member Multicultural Program Planning Advisory Council. A major assignment of the Advisory Council was to recommend a formal organizational structure which would be appropriate for coordinating the delivery of services to the multicultural community. This goal was met when the Advisory Council recommended establishment of an Office of Minority and Multicultural Affairs. Specifically, the Advisory Council

recommended that the proposed office report directly to the County Executive and serve as the focal point for multicultural policy development; outreach services; technical assistance; information and referral services; tracking of legislative issues; and planning and coordination of public and private programs.

The Advisory Council further recommended that the new office work in close collaboration with the two existing Minority Affairs Officers* and the many County departments and agencies administering specific programs. Also, the Advisory Council recommended that the Office serve as the central clearinghouse for information on program resources, publicity of available services, and public education. Finally, the Advisory Council recommended that the law be amended to redefine the Committee for Ethnic Affairs as an advisory body to the recommended Office of Minority and Multicultural Affairs (OMMA), so as to contribute to policy development efforts in the area of ethnic affairs.

Creation of OMMA was not accomplished by law, but through expansion of the minority affairs coordination activity, which was located in the Office of the Executive. In October 1987, the Executive designated OMMA to provide staff support to the Committee for Ethnic Affairs (CEA), and the Director of OMMA was assigned to be liaison to the CEA on behalf of the Executive branch.

IV. DESCRIPTION OF THE ORGANIZATION, RESPONSIBILITIES, AND ACTIVITIES OF THE COMMITTEE FOR ETHNIC AFFAIRS

A. Committee Organization

The Committee for Ethnic Affairs (CEA) consists of 26 members appointed by the County Executive and confirmed by the County Council. The initial base terms of membership were staggered one, two, and three-year terms. Since then, all appointments have been for three-year terms that end on April 1st of a particular year. Consequently, about one-third of the membership terms expire every year.

The law requires that 14 members "represent ethnic groups in Montgomery County" and 12 members "represent Montgomery County, including the business and education communities". Members do not receive compensation for serving on the Committee, but are entitled to reimbursement for actual expenses incurred as members. The CEA does not participate in the budget process and does not receive direct County funding to carry out its activities. However, a budget for the annual Ethnic Heritage Festival, which the CEA is responsible for organizing, is adopted as a non-departmental account each year,

* Within the Office of the Executive, the two Minority Affairs Officers served as liaisons to the Hispanic and Black communities. In FY88, a third Minority Affairs Officer was added to serve as liaison to the Asian community.

With few changes, the CEA adopted the mandates included in its enabling legislation as its bylaws, and defined its officers to include a chairperson, four vice-chairpersons, and a secretary. After the first chairperson, who by law was appointed by the County Executive, each subsequent chairperson has been elected by the members of the CEA.

B. Committee Responsibilities

The CEA was created as an advisory body pursuant to Code Section 2-143. The legislatively mandated responsibilities of the Committee are to:

- Advise the County Executive and County Council on public policy that relates to ethnic affairs.
- Emphasize the richness of the lingual and cultural diversity in the County.
- Organize and appoint a group of citizens that will be responsible for producing an annual ethnic heritage festival and organize an annual ethnic heritage festival in celebration of the ethnic diversity in the County.
- Identify ways of introducing and welcoming permanent and temporary residents from other countries to the County and integrating them into the community.
- Identify special needs of ethnic groups for public services, including interpreters, health, housing, employment, and education and monitor any programs designed to provide these services.
- Promote dissemination of information in as many languages as possible.
- Promote maximum involvement of all ethnic groups in the government, business, and community affairs of the County.
- Establish and maintain liaison with the Maryland State Ethnic Heritage Commission and other public and private agencies that have similar responsibilities.
- Submit annually at least one report to the County Executive and the County Council which will include: (1) the findings of the committee; (2) a summary of the activities, accomplishments, plans, and objectives of the committee; and (3) recommendations for changes in the functions of the committee.
- Meet at the direction of the chairperson at least six times each year.

C. Committee Activities

Although CEA members report that the Committee was somewhat inactive in the first two years of operation, the CEA has recently involved itself in a number of activities. Since February 1987, CEA members have participated in the naturalization proceedings at the Sixth Judicial Court in Montgomery County. A Committee member has been a speaker at 20 proceedings since the CEA began participating in this program.

Because the CEA did not become active until January 1986, an Ethnic Heritage Festival Planning Committee was formed to organize the 1985 festival. This planning committee has continued to organize the subsequent festivals. Until 1988, CEA participation in organizing the festivals was limited to a few CEA members who served on the Festival Planning Committee. For 1988 and 1989, the CEA, as a group, assumed more responsibility in the planning and coordination of the festivals.

In March 1989, the CEA hosted an Ethnic Dialogue Reception in the Executive Office Building. The purpose of the reception was to establish dialogue between multicultural ethnic communities, the Montgomery County government, and the business community. Because of the success of this dialogue reception, the CEA is currently planning a second reception.

Other recent activities of the Committee include initiating an ethnic calendar; participating in forums sponsored by OMMA for African-Americans, Hispanics, and Asians; reviewing proposals for Community Block Grants; and establishing liaisons with various County agencies. In its first annual report, issued in May 1989, the CEA indicated that it intends to continue to be an active group.

V. EVALUATION OF THE COMMITTEE FOR ETHNIC AFFAIRS

The previous section of this report described the organization, responsibilities, and activities of the Committee for Ethnic Affairs (CEA). This section examines the structure of the CEA and its relationship with the Office of Minority and Multicultural Affairs (OMMA). Also provided in this section are evaluations of the performance of the CEA in relation to its legislated responsibilities, and in relation to criteria established in the 1979 Committee on Committees report to determine whether a committee should continue to exist.

A. Structure of the Committee for Ethnic Affairs

1. Examination of Committee Composition. Code Section 27-53 (b) through (f) defines the intended composition of the CEA to include 14 members to represent ethnic groups in Montgomery County and 12 members to represent Montgomery County including the business and education communities. The wording "represent ethnic groups" is vague and can be construed to mean that members of the CEA should be official representatives of organized ethnic groups.

There is no reference to the meaning of this phrase either in the legislation itself or in Council committee minutes. Responses to questionnaires and interviews with CEA officers and Executive staff indicate that the actual membership of the Committee has not reflected official representation of ethnic groups.

The current CEA membership consists largely of first generation members of various ethnic groups. Although these members may be active in formal ethnic organizations and bring a certain amount of insight to the CEA, they are not spokespersons of these ethnic organizations. From responses to OLO questionnaires, and through interviews, it was learned that many of the CEA members feel that they are representative of business, education, or government, as well as the ethnic interests particular to their backgrounds. Many also indicated that as CEA members, they should represent the ethnic interests of the general community rather than just their own ethnic or social segments.

2. Examination of Committee Leadership. Code Section 27-53 (d) empowered the County Executive to appoint the first CEA chairperson with subsequent chairpersons to be elected by the Committee for one-year terms. Since creation of the CEA in 1985, two individuals have held the office of chairperson. The County Executive appointed the first chairperson in December 1985, who was elected by the CEA in May 1987 to serve a second term. The second individual was elected by the Committee in March 1988 and subsequently re-elected in April 1989.

Although the legislation implies that election of the chairperson should occur each year, actual timing of elections is not prescribed in either the legislation or the CEA's bylaws, and generally more than one year passed before an election was held. The three elections were respectively held at the fourth, second, and third meetings of the year (based on a calendar year). The timing of the last two elections limited the availability of members who could serve as officers. For instance: the 1988 election was held in March, whereas six memberships expired and were not renewed in April; then six new members were confirmed in May. The 1989 election was held 13 months later, in April, when the Committee had 20 confirmed members; the six new members were not confirmed until May.

In questionnaires and interviews, several past and present members of the CEA expressed the opinion that the leadership has rested among a few individuals throughout the life of the Committee. These members felt that a method of rotating the leadership would improve the CEA and encourage members with varying backgrounds to guide the Committee into fresh directions.

B. Evaluation of Committee Responsibilities

Each of the legislative responsibilities of the CEA is listed in the following section of this report, and is followed by an evaluation of the performance of the CEA in relation to the requirement:

1. Responsibility. Advise the County Executive and County Council on public policy that relates to ethnic affairs. (Code Section 27-54 (a).)

Evaluation. The current officers of the CEA have met with the County Executive and/or his staff on at least six occasions during the last two years. Also, the CEA Chairperson reports that he has, on occasion, provided advice to Council members in conversations. There is, however, no evidence that advice on public policy that relates to ethnic affairs has been tendered by the CEA as a group. No mention of this activity appears in CEA documents, minutes of meetings, or in its annual report.

2. Responsibility. Emphasize the richness of the lingual and cultural diversity in the County. (Code Section 27-54 (b).)

Evaluation. Although relatively inactive in this area until 1988, the CEA appears to now focus on specific projects related to this responsibility. In 1988, the CEA took a more active role in coordination and administration of the Ethnic Heritage Festival by creating a Festival Steering Subcommittee to oversee management of the event. Also during this time, the CEA worked with the Executive branch and the Council to establish an official Ethnic Heritage Week in Montgomery County. The first annual designation of this special week was proclaimed in September 1988.

In 1989, the CEA helped to plan for an annual Ethnic Art Exhibit, which was arranged as the "kickoff" event in celebration of Ethnic Heritage Week. The Committee also reports that it recently assisted the Office of Minority and Multicultural Affairs (OMMA) with planning for the Hispanic Art Exhibit in celebration of Spanish Heritage Month. However, the Executive branch disputes CEA participation in planning for the Hispanic Art Exhibit.

3. Responsibility. Organize and appoint a group of citizens that will be responsible for producing an annual ethnic heritage festival and organize an annual ethnic heritage festival in celebration of the ethnic diversity in the County. (Sections 27-55 (a) and 27-54 (c).)

Evaluation. Committee participation in the first three festivals for which it was responsible was confined to approximately three to five members who served on the Festival Planning Committee, and to individual CEA members who volunteered time and assistance at the festivals. In 1988, the CEA formed a steering committee to actively participate in planning, organizing, and managing the festivals. This work was continued by the CEA for the 1989 festival.

While the CEA has taken more responsibility in relation to the last two festivals, it has never attempted to organize a group of citizens to be responsible for producing the event. Organizing and producing the event has fallen to the Ethnic Heritage Festival Planning Committee, which consists of representatives of various County departments, a few CEA members, and the festival coordinator hired for the event.

4. Responsibility. Identify ways of introducing and welcoming permanent and temporary residents from other countries to the County and integrating them into the community. (Code Section 27-54 (d).)

Evaluation. Since early 1987, CEA members have participated regularly in naturalization ceremonies which are held in Rockville under the authority of the 6th Judicial Circuit Court. A Committee member speaks at each of these events, welcoming new citizens to the County and providing County flags and/or materials which highlight available County services. Eleven different Committee members have participated in 20 of the 22 naturalization ceremonies held since February 1987. (See Exhibit B.)

5. Responsibility. Identify special needs of ethnic groups for public services, including interpreters, health, housing, employment, and education and monitor any programs designed to provide these services. (Code Section 27-54 (e).)

Evaluation. The CEA has recently begun to examine ways to meet its obligations in this area. In the last year, the CEA has attempted to establish liaison relationships with various County departments and agencies. Committee members have attended meetings of advisory groups to County agencies, such as the Department of Public Libraries and the Department of Recreation, and departments have been invited to send representatives to speak at CEA meetings. In addition, individual Committee members have been encouraged by the CEA chairperson to attend local ethnic group meetings and report back to the CEA.

6. Responsibility. Promote dissemination of information in as many languages as possible. (Code Section 27-54 (f).)

Evaluation. According to CEA officers, the County library system is making books and films available in various languages because of the efforts of the CEA. Also, the Department of Health, through the Committee's persuasion, has issued some of its bulletins in languages other than English, and community centers and libraries have facilitated the distribution of these bulletins.

7. Responsibility. Promote maximum involvement of all ethnic groups in the government, business, and community affairs of the County. (Code Section 27-54 (g).)

Evaluation. The Committee has only recently begun to meet its responsibilities in this area. The CEA planned, organized, and participated in an Ethnic Dialogue Reception in March 1989, and plans to host another such reception during the early part of 1990.

8. Responsibility. Establish and maintain liaison with the Maryland State Ethnic Heritage Commission and other public and private agencies that have similar responsibilities. (Code Section 27-54 (h).)

Evaluation. The CEA reports that the CEA Chairman attends five to six meetings per year in his capacity as liaison to the Maryland State Ethnic Heritage Commission.

9. Responsibility. Submit annually at least one report to the County Executive and the County Council which will include: (1) the findings of the committee, (2) a summary of the activities, accomplishments, plans, and objectives of the committee, and (3) recommendations for changes in the functions of the committee. (Code Section 27-56 (a).)

Evaluation. For the first three years, the CEA did not meet its obligation to produce an annual report. The first annual report issued by the Committee covers the period of April 1, 1988 through March 31, 1989, and was submitted to the County Executive and the Council in May 1989. This report addressed Committee activities for the year and the relationship between the CEA and OMMA, and included recommendations for improvement to the CEA.

10. Responsibility. Meet at the direction of the chairperson at least six times each year. (Code Section 27-58 (a).)

Evaluation. The CEA has met this responsibility in that eight official meetings have been scheduled each year since the Committee began full operation in January 1986.

C. Evaluation of Committee Sunset Provision

In 1977, the Council created a citizens' Committee on Committees to make recommendations for improving the County's system of boards, committees, and commissions. The Committee on Committees Final Report, issued in January 1979, included a recommendation that the law, resolution, or executive order establishing or continuing any committee should specify a term of existence for the committee. In accordance with this recommendation, and to ensure review of the Committee for Ethnic Affairs (CEA) at a specified time, the legislation creating the CEA included a sunset date of July 1990.

According to the final report of the Committee on Committees, a committee should be evaluated according to five criteria to determine whether it should continue to exist. This section of the report lists each criteria and reviews the extent to which the CEA meets the requirements.

1. Evaluation Criteria. The issues to be addressed by the committee are relevant to a broad segment of the community.

Review Information. According to the Montgomery County Social Indicators report, issued in September 1987,* the minority/ethnic population of Montgomery County as of July 1987 was estimated to be about 168,000 individuals or 25.3 percent of an estimated total population of 665,000. These figures included estimates of approximately 60,000 Blacks, 52,000 Hispanics, 46,000 Asians, and 10,000 people from other races or ethnic groups.

The Office of Minority and Multicultural Affairs (OMMA) estimates that the current minority and ethnic population still exceeds 25 percent of the total County population. With such ethnic diversity in the County, a citizen group such as the CEA can play an important role in advising the government on policy issues which are relevant to a sizable portion of the general community.

2. Evaluation Criteria. There is a special need for an interest group, whose views have historically been under-represented in government, to have its views recognized through a committee.

Review Information. In 1985, the County Executive recognized that there is a growing multicultural contingent in the County and the minority affairs activity was expanded to include a multicultural component under the auspices of OMMA. While OMMA provides information and referral services to this multicultural component, it appears the main focus of that office is on minority affairs. The CEA can be utilized to enhance the work of OMMA in addressing multicultural views and issues and bringing concerns to the attention of the government.

3. Evaluation Criteria. The members of the committee have demonstrated interest and have been productive in their activities. (Evidence of lack of meetings, attendance, or any significant work product over a sustained period of time, probably indicates that the committee should be terminated or at least reconstituted with different leadership or membership.)**

Review Information. Although the law creating the CEA became effective in March 1985, the full complement of Committee members were not confirmed and a chairperson appointed until December 1985. Because of the time it took to form the Committee, the first CEA meeting of record was not held until January 1986.

* Montgomery County Social Indicators, September 1987, Montgomery County Department of Family Resources, Office of Human Services Coordination and Planning, p 9.

** Parenthetical explanation taken from the Committee on Committees Report.

During its first year of operation, the CEA experienced low attendance at its meetings and the group was able to achieve the quorum necessary to conduct official business only 50 percent of the time. For instance, the CEA bylaws were not adopted until May 1986 because a quorum was not achieved at the first three official CEA meetings. The CEA has reported that this lack of attendance at meetings also hindered the Committee's efforts to meet its legislated responsibilities.

Code Section 27-58 states that a CEA member is considered to have resigned if in a six-month period the member is absent from the greater of 25 percent or two of the scheduled meetings. The legislation does not address the method by which the six month period is to be counted.

Since four CEA meetings generally have been scheduled for each six month period, absence from one meeting during that time would place a member at a 25 percent absence rate, and two absences would result in a 50 percent absence rate. Because a majority of the CEA members hold full-time jobs, many of which have associated travel requirements, the first CEA chairperson was not inclined to enforce the statutory guidelines regarding meeting attendance.

For information purposes, the following table summarizes, in three percentage ranges, the number of members who attended meetings by calendar year for 1986, 1987, 1988, and through September of 1989:

<u>Percentage of Meetings Attended</u>	<u>-----Number of Members-----</u>			
	<u>Jan/Dec 1986</u>	<u>Jan/Dec 1987</u>	<u>Jan/Dec 1988</u>	<u>Jan/Sept 1989</u>
From 0% to 49%	11	10	13	6
From 50% to 74%	11	7	6	10
From 75% to 100%	5	10	14	10
# of Scheduled Meetings	8	8	8	7

Recognizing that attendance at meetings impacts group participation, which in turn affects group output, the current CEA chairperson paid closer attention to attendance and issued warnings to the CEA members absent most often. In January 1989, six inactive CEA members were notified that they were considered to have resigned due to failure to attend scheduled meetings, and in October 1989, two additional members were likewise notified due to their failure to meet the attendance requirements. At both times, there were other CEA members who had missed two scheduled meetings or more and had absence rates in excess of 25% in a six-month period, but were not notified of removal from the Committee.

4. Evaluation Criteria. The committee's responsibilities and activities have been taken seriously by the elected official or governmental body or agency to whom it reports. (A record of being ignored by such officials or agencies over a sustained period of time is evidence that the committee probably should not continue to exist.)*

Review Information. The CEA was established as an Executive committee to advise both the County Executive and the Council on public policy relating to ethnic affairs. From available records, it appears that the CEA has been taken seriously by both branches of County government. The Executive and/or his staff have met with CEA officers when requested and Council members have also made time available to the officers. Aside from the initial establishment of the CEA, the Executive branch has appointed members expeditiously and the Council has provided timely confirmations.

In accordance with Code Section 27-57, the Chief Administrative Officer has provided services, staff, and facilities to assist the CEA in its work. In the early years of the CEA's existence, staff support and coordination of the festivals were provided by an assigned temporary employee of the Executive Office. Since OMMA was created in the fall of 1987, staff support for the CEA has been provided by that Office, and contractual services have been provided for coordination of the festivals.

5. Evaluation Criteria. A committee with a specifically assigned task should dissolve when it completes its task.

Review Information. All of the mandated responsibilities of the CEA are continuous in nature. Montgomery County has a large multicultural population, and the CEA can be an important conduit for exchange of information between ethnic cultures and the government. Also, the assigned responsibility for the Ethnic Heritage Festival is expected to be continued annually.

D. Examination of Committee Relationship with the Office of Minority and Multicultural Affairs

Information provided by CEA members in questionnaires and interviews indicates that the relationship between the CEA and OMMA has been somewhat strained. OMMA was several months in formation, and because it was a new office, the Director of OMMA needed to spend some time determining priorities, establishing workplans and procedures for his office, and obtaining staff. During this time, staff support to the CEA was inadequate in that minutes of meetings were not distributed in a timely manner, requests for typing services were not honored as expeditiously as CEA officers would have liked, and phone calls from CEA officers were not returned promptly.

* Parenthetical explanation taken from the Committee on Committees Report.

Many members of the CEA felt that their group was threatened by the existence of OMMA, and that the CEA was being ignored because the Committee was no longer considered necessary. CEA officers met with a Special Assistant to the Executive, the County Administrative Officer, and the Executive himself to receive clarification of the CEA's role in relation to OMMA.

Through interviews, OLO has discerned that there remains a difference of opinion between the CEA and Executive branch staff regarding the outcome of these meetings. Individuals involved in the meetings agree that it was made clear to all that one of OMMA's responsibilities is to provide staff support to the CEA. However, the meaning of the term "staff support" appears to differ between the CEA and OMMA. In addition, the Executive branch feels that it was made clear to the CEA officers that the Committee should accomplish its work on behalf of the Executive through OMMA. The CEA officers have indicated that this role was not made clear to them.

There also appears to be a difference of opinion among the members of the CEA regarding what the Committee's role should be in relation to OMMA. Some members feel that the CEA should be completely independent of OMMA and advise the Executive directly, whereas other members feel that the Committee should be advisory to OMMA. Although this issue has been debated in several CEA meetings, there has been no resolution. Consequently, the CEA included a section in its annual report which addresses its relationship with OMMA and the staff support which has been provided, and recommended that the legal status of the CEA in relation to OMMA be clarified.

OMMA is staffed by a director, three minority affairs liaison officers, and two clerical positions (one full-time and one part-time). There is no position exclusively dedicated to coordinate multicultural affairs and to provide support to the CEA. Many CEA members feel that, although OMMA has a large workload and may be understaffed, OMMA has been directed to provide staff support to the CEA, and the Executive branch should ensure that the support is adequate.

Since the CEA does not have a budget, projects endorsed by the Committee, such as the Ethnic Dialogue Reception and the Ethnic Art Exhibit, have been underwritten by OMMA. While there has been cooperation between the CEA and OMMA in creating these programs, there has been disagreement among Committee members whether OMMA should be included on invitations to receptions or cited in reports. Although each issue has been eventually resolved by the Committee, these kinds of questions continue to arise at CEA meetings. For example, issues of this type arose at each of the three recent CEA meetings which were attended by OLO staff.

VI. CONCLUSIONS AND RECOMMENDATIONS

A. Conclusions

1. CEA Sunset Provision. Due to the size of the multicultural contingent in Montgomery County and the projects in which the Committee for Ethnic Affairs (CEA) is involved, there is a basis to continue the CEA beyond July 1990.

2. CEA Membership. Actual membership on the Committee has not reflected official representation of ethnic groups. However, with only 14 members to represent the diverse number of ethnic groups in the County, it may not be feasible to require that ethnic representation be in an official capacity.

3. CEA Leadership. Leadership of the CEA has been confined to a few individuals, and the Committee has not complied with the legal requirement associated with the election of chairpersons. The past practice of holding elections in the March-May time frame has sometimes excluded new members from participating in the election process and thereby precluded new members from being nominated to serve as officers.

4. CEA Activities. During the first two years of operation, the CEA met few of its legislated responsibilities. However, the Committee has become more active and has concentrated on a variety of activities during the last two years of its existence.

5. CEA Attendance. The CEA chairpersons have not followed the legislative guidelines in determining which members would be contacted for resignation due to failure to attend meetings.

6. CEA Relationship to OMMA. The relationship between the CEA and OMMA has been somewhat strained, with the result that many current members of the Committee are uncertain of the relationship and responsibilities of the two entities. Also, with the three professional positions in OMMA assigned as minority affairs liaison officers, the major focus of OMMA appears to be on minority affairs. OMMA does not have a staff position which could be assigned exclusively to multicultural/ethnic affairs and could provide a continuity of professional staff support to the CEA and the annual Ethnic Heritage Festivals.

B. Recommendations

1. Legislative Actions

- The Council should amend Code Section 27-61 to extend the Committee for Ethnic Affairs (CEA) beyond its current sunset date of July 1990 to July 1995.
- The Council should amend Code Section 27-53 to clarify the phrase "represent ethnic groups in Montgomery County" by defining the phrase to mean that members "will be selected for appointment from among ethnic populations in Montgomery County".

2. Administrative Actions

- Executive branch management should examine the activities of the CEA since the creation of OMMA to determine the proper responsibilities of each and clarify the relationship between the two entities. If necessary, the Executive should submit to the Council legislative amendments to change the responsibilities of the CEA and to clarify its relationship with OMMA.
- To ensure continuation of the CEA as an active group, staff of the Executive branch should work with the Committee to establish an annual workplan for the group. A workplan would help to familiarize new members to the work of the CEA and assist the Committee to focus its energies on specific projects for the year.
- The CEA should hold discussions regarding the leadership of the Committee, including succession of officers, timing of elections, and removal of members, and amend the bylaws to reflect its decisions in these areas.
- A professional position should be added to the staff of OMMA to coordinate multicultural affairs, provide staff support to the CEA, and coordinate the annual Ethnic Heritage Festivals.

VII. EXECUTIVE BRANCH COMMENTS

Before submitting this report to the County Council, a draft copy was sent to the Chief Administrative Officer, the heads of affected County offices and departments, and members of the Committee for Ethnic Affairs (CEA). All technical corrections received either orally or in writing are incorporated into this final report.

Written comments received from the Executive branch are included in their entirety starting on page 17.



Montgomery County Government

ROCKVILLE, MARYLAND 20850

MEMORANDUM

November 20, 1989

TO: Andrew Mansinne, Jr., Director
Office of Legislative Oversight

FROM: Lewis T. Roberts, Chief Administrative Officer *Lewis T. Roberts*

SUBJECT: Draft OLO Report No. 89-3, A Description and Evaluation of the Committee for Ethnic Affairs

Thank you for the opportunity to review and comment on the draft of the above-mentioned report. The report provides a useful analysis of the Committee for Ethnic Affairs and a basis from which to plan for the Committee's future.

The crucial difficulty with the Committee on Ethnic Affairs (CEA) as it is presently structured flows from the fact that the CEA was formed before the Office of Minority and Multicultural Affairs (OMMA) was created. As a result, the Committee leaders interpret too broadly its mandate, what are executive functions as compared to advisory activities. Consequently, the mandate of CEA should be amended to clarify that it is purely advisory. The CEA should not try to supervise the management of the Ethnic Festival or OMMA itself. In essence, the CEA should be encouraged to function as a forum and a limited channel of communication for those matters which do not fall within the responsibility of other agencies, such as the Human Relations Commission or Minority Procurement.

The following specific comments are offered to clarify points raised within the report:

Section III A - Creation of the Committee for Ethnic Affairs

The original concept for the creation of a Committee for Ethnic Affairs (CEA) was an excellent way to promote positive ethnic and multicultural relations among County residents and show the majority of the County the great cultural diversity that exists here. The establishment of the Committee in 1985 was a good way to make people aware of the various cultural groups that reside in Montgomery County.

As the report implies, each year since 1986 the Ethnic Heritage Festival Planning Committee has been created to organize the Annual Ethnic Heritage Festival. It is relevant to note that since OMMA's creation in 1988, OMMA has been involved in the coordination and management of the Festival. This includes the administration and monitoring of the Festival, the selection and contractual arrangement of the Festival Coordinator, as well as publicity, coordination with County agencies, community outreach and overall staff support.

Section III B - Establishment of OMMA

The report references there being three minority affairs officers prior to the establishment of OMMA. This information is incorrect. At that time, the then Minority Affairs Office only had two Minority Affairs Officers: one each dealing with Black and Hispanic concerns.

Section IV A - Committee Organization

Regarding the reference to the CEA and the Festival budget, please note that the Festival budget is administered by OMMA with staff assistance from the Office of the Chief Administrative Officer.

Section IV C - Committee Activities

It should be clarified that during its first two years of operation OMMA became involved in the administration and coordination of the Festival and contractual arrangement with the Festival Coordinators. Also, the Director of OMMA agreed with the CEA leadership about the creation of a Festival Steering Committee in order to better coordinate efforts between the CEA and OMMA. The Steering Committee members is composed of the CEA Chair, the OMMA Director, the Chair of the Festival Planning Committee (who is also a CEA member) and the Festival Coordinator.

Regarding the Ethnic Dialogue reception, the idea for such a reception was indeed a good one and has proven to be very successful. However, the actual administration, logistics and preparation of mailing lists, invitations to community leaders and ethnic media contacts were done by several members of OMMA's staff. It goes without saying that the success of the reception would not have happened without OMMA's support.

Insofar as a second Ethnic Dialogue Reception is concerned, due to the heavy workload of the OMMA staff, there has been a need for prioritizing activities and programs because of pressing deadlines. Consequently, the CEA leadership must understand that their work requests are considered in light of all of OMMA's work program requirements. For instance, in one of the most recent CEA meetings the Second Dialogue idea was brought up and several dates were suggested in February and March, 1990. However, it just so happens that the office becomes extremely busy in

February because of Black History Month and will be even busier in March and April because of the Census '90 Promotion efforts which OMMA was given the task to coordinate County-wide. A possible date is still being worked out not to conflict with any of our on-going activities during this period of time. Setting a specific date is really an executive function, not one for an advisory body.

Section V B - Evaluation of Committee Responsibilities

2. As noted earlier, it is OMMA's role to coordinate and administer the Festival through the Festival Steering Committee.

Regarding the Ethnic Heritage Art Exhibit, it should be noted that this event was initiated by OMMA. There was a discussion among some CEA members with the 1988 Festival Coordinator about the real need for an Ethnic Heritage Art Exhibit. After much discussion, the idea was accepted and CEA agreed to co-sponsor the event with OMMA.

The information regarding the Ethnic Art Exhibit is incorrect. According to Betty Valdes, Hispanic Affairs Liaison Officer, the Ethnic Art Exhibit ran from September 7 - 14, 1989 and the Hispanic Art Exhibit was opened on September 18, 1989 by the County Executive. This was coordinated by: Sol del Ande Eaton from the U.S. Public Health Services; Marta Parraga from the Wheaton Center; Sheila Haggerty from the Department of Facilities and Services and Betty Valdes, Hispanic Affairs Officer at OMMA. The CEA had nothing to do with the planning of the Hispanic Art Exhibit.

5. The identification of special public service needs of ethnic groups is an important responsibility for which I am pleased to see CEA now address. However, it is important that the Committee share with OMMA information they gain from activities or relationships with County agencies that may benefit the ethnic communities. Coordination of this type of information is crucial in order for OMMA not to duplicate the same efforts.
6. The inference that the CEA is responsible for the dissemination of information in as many languages as possible through programs operating in the Library and Health departments is misleading. The County Department of Public Libraries through its Service to Cultural Minorities has been involved for some time in acquiring books and informational materials in a variety of languages. This unit is extremely active and proud of their operation. These efforts on the part of the Library Department are due to the CEA.

The Department of Health, on its own initiative, requested last year that OMMA assist in the coordination and translation of Health Department brochures into Spanish, Chinese, Korean and Vietnamese. Even more recently at the Health Fair in Germantown, OMMA contributed with a number of interpreters of Spanish, Chinese, Vietnamese and Farsi who tremendously helped those non-English speakers attending the event.

Section V C - Evaluation of Committee Sunset Provision

2. This is incorrect. OMMA's main focus is both multicultural and minority communities. The CEA cannot be used to enhance the work of OMMA in addressing multicultural views and issues because it is not an operational unit of the County Government. However, such a Committee can indeed work hand in hand with OMMA to assist OMMA with getting the message out to the various communities which CEA members are supposed to represent.
3. Because the 25% absence rate is the legislatively mandated trigger for resignation, the table would be more useful if it indicated the percentage of meetings missed, so that the number of members who exceeded the requisite 25% absence rate would stand out. It would also be useful to include a comparative figure for the number formally notified to have exceeded the 25% absence rate. While this information is contained in the report, including it in the table would add to its clarity.

Section VI - Conclusions and Recommendations

1. I concur that the Code should be amended to extend the Committee for Ethnic Affairs (CEA) beyond its current sunset date of July 1990 to July 1995, but only after a thorough review and clarification of responsibilities between the CEA and OMMA. This is particularly important insofar as distinguishing CEA's advisory role from OMMA's operating responsibilities. Ed Rovner, Special Assistant to the County Executive, will be responsible for coordinating this effort.
2. The recommendation that a professional position be added to the staff of OMMA may be premature. Addressing this issue should be deferred until such time as the relationship of the role of the CEA and OMMA are clarified. Additionally, any new positions will need to be measured against other competing resource needs of the County Government.

Judgment is reserved on the remaining recommendations. The Executive Branch looks forward to a vigorous and productive discussion of the future of the Committee on Ethnic Affairs.

KEK:psa

cc: Sidney Kramer, County Executive

**ARTICLE VII. COMMITTEE FOR ETHNIC
AFFAIRS.**

Sec. 27-53. Committee for ethnic affairs—Established; membership; terms of membership; chairperson.

(a) *Establishing the committee.* There must be a committee for ethnic affairs.

(b) *Membership.*

(1) All members must be appointed by the county executive and confirmed by the county council.

(2) There must be twenty-six (26) members, of whom:

a. Four (4) represent ethnic groups in Montgomery County for a base term ending in 1986;

b. Four (4) represent Montgomery County including the business and education communities for a base term ending in 1986;

c. Five (5) represent ethnic groups in Montgomery County for a base term ending in 1987;

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d. Four (4) represent Montgomery County including the business and education communities for a base term ending in 1987;

e. Five (5) represent ethnic groups in Montgomery County for a base term ending in 1988; and

f. Four (4) represent Montgomery County including the business and education communities for a base term ending in 1988.

(c) *Terms of members.*

(1) After the base term, all terms last for three (3) years and begin and end on April 1.

(2) If a member is appointed and confirmed to fill a vacancy, the member only serves until the expiration of the term.

(d) *Chairperson.*

(1) The county executive appoints the first chairperson.

(2) The committee elects all other chairpersons.

(3) All chairpersons are elected for one-year terms.

Sec. 27-54. Responsibilities of the committee.

The committee must:

(a) Advise the county executive and county council on public policy that relates to ethnic affairs;

(b) Emphasize the richness of the lingual and cultural diversity in the county;

(c) Organize an annual heritage festival in celebration of the ethnic diversity of the county;

(d) Identify ways of introducing and welcoming permanent and temporary residents from other countries to the county and integrating them into the community;

(e) Identify special needs of ethnic groups for public services, including interpreters, health, housing, employment, and education and monitor any programs designed to provide these services;

(f) Promote dissemination of information in as many languages as possible;

(g) Promote maximum involvement of all ethnic groups in the government, business, and community affairs of the county; and

(h) Establish and maintain liaison with the Maryland State Ethnic Heritage Commission and other public and private agencies that have similar responsibilities. (1985 L.M.C., ch. 43, § 1.)

Sec. 27-55. Annual ethnic heritage festival.

(a) The committee must organize and appoint a group of citizens that will be responsible for producing an annual ethnic heritage festival.

(b) The members of this group do not have to be members of the committee. (1985 L.M.C., ch. 43, § 1.)

Sec. 27-56. Periodic reports to the county executive and county council.

(a) Each year, the committee must submit at least one (1) report to the county executive and the county council.

(b) The report must include:

- (1) The findings of the committee;
- (2) A summary of the activities, accomplishments, plans, and objectives of the committee; and
- (3) Recommendations for changes in the functions of the committee. (1985 L.M.C., ch. 43, § 1.)

Sec. 27-57. Assistance and staff.

(a) *Assistance to the committee.*

(1) The county executive may name representatives of government agencies to assist the committee in its work.

(2) The agencies may include:

- a. The department of public libraries;
- b. The community service centers;
- c. The department of family resources;
- d. The office of economic development;
- e. The department of social services; and
- f. The office of minority affairs.

(b) *Staff for the committee.* The chief administrative officer must provide services, staff, and facilities to assist the committee in its work. (1985 L.M.C., ch. 43, § 1.)

Sec. 27-58. Meetings—Frequency; procedures; attendance.

(a) *Frequency.* The committee meets at the direction of the chairperson at least six (6) times each year.

(b) *Procedures.*

(1) A majority of the members of the committee must be present for the committee to conduct any official business.

(2) If a majority of members attending a meeting agree, the committee may take an action.

(c) *Attendance.*

(1) In this subsection, "scheduled meeting" means a gathering of the members of the committee for which at least seven (7) days' advance notice is given.

(2) A committee member is considered to have resigned from the committee if in a six-month period the member is absent from the greater of:

a. Twenty-five (25) percent of the scheduled meetings;

or

b. Two (2) scheduled meetings.

(3) The chairperson must expeditiously notify the county executive and the members of the committee of any absence and any extenuating circumstances.

(4) Thirty (30) days after the county executive receives the notice of absence, the resignation under this subsection becomes effective.

(5) The county executive may waive the resignation for good cause such as:

a. Illness;

b. Emergency situations; or

c. Other extenuating circumstances.

(6) The county executive must notify the member in writing whether or not a waiver has been granted. (1985 L.M.C., ch. 43, § 1.)

Sec. 27-59. Compensation and reimbursement of members.

(a) *Compensation.* Members do not receive compensation for serving on the committee.

(b) *Reimbursement.* Members are entitled to be reimbursed for actual expenses incurred as members of the committee. (1985 L.M.C., ch. 43, § 1.)

§ 27-60

MONTGOMERY COUNTY CODE

Sec. 27-60. Committee in advisory category.

The committee is in the advisory category established in section 2-143 of this Code. (1985 L.M.C., ch. 43, § 1.)

Sec. 27-61. Sunset date.

(a) Sections 27-53 through 27-60 are no longer effective after July 1, 1990.

(b) The existence of the committee for ethnic affairs terminates on July 1, 1990. (1985 L.M.C., ch. 43, § 1.)

COMMITTEE FOR ETHNIC AFFAIRS PARTICIPATION IN NATURALIZATION CEREMONIES

<u>DATE</u>	<u>NUMBER SWORN</u>	<u>CEA SPEAKER</u>
02-27-87	95	Albert Gruber
04-03-88	61	- -NONE- -
08-14-87	125	Josephine Wang
09-04-87	104	- -NONE- -
10-23-87	101	Mary Berkey
11-06-87	79	R. (Bob) Narasimhan
12-11-87	66	Sheila Moats
01-08-88	81	Kyo Jhin
04-08-88	59	Joy Cherian
08-05-88	126	Albert Gruber
09-09-88	126	Bessie Williams
10-07-88	104	George Svedja
11-04-88	93	Albert Gruber
12-09-88	115	Thomas Gikas
01-13-89	118	Kyo Jhin
02-03-89	126	Albert Goins
03-03-89	125	Thomas Gikas
03-31-89	130	Albert Gruber
04-14-89	121	Mary Berkey
08-04-89	160	Mary Berkey
09-08-89	69	Joy Cherian
10-06-89	117	Mary Berkey

