

COUNCIL COMING ATTRACTIONS



Week of October 16, 2017

Resolution Condemning Gun Violence, Faith-based Facilities Security Improvement Grants, Regulations for Burial Sites, Student Loan Refinancing Authority, and Substance Abuse Prevention



Council Coming Attractions is a summary of some of the issues before the Council. All Council staff reports and additional information on each item scheduled for Council or Committee review can be viewed at:

<http://www.montgomerycountymd.gov/COUNCIL/ondemand/index.html> .

The Council meeting schedule may change from time to time. The current Council and Committee agendas can also be viewed at:

<http://www.montgomerycountymd.gov/COUNCIL/ondemand/index.html> .

-  **On October 11, the Council meeting will begin at 1 p.m.** with a proclamation presentation by Councilmember Floreen recognizing Breast Cancer Awareness Month.

COUNCIL

-  **Resolution to Condemn Acts of Gun Violence**
The Council is scheduled to vote on a resolution that condemns acts of gun violence, in response to the October 1 mass shooting in Las Vegas, Nevada. Councilmember Leventhal is the lead sponsor. All other Councilmembers are cosponsors. The resolution states that County leaders will work more collaboratively with those in the health, social services, and criminal justice systems to

address conditions that exacerbate gun violence. It also calls on state and federal elected officials to limit access to firearms. The resolution can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7208&meta_id=144457 .

Zoning Text Amendment 17-12, Definitions – Rear Building Line

The Council is scheduled to introduce ZTA 17-12. Councilmember Leventhal is the lead sponsor. A public hearing is scheduled for November 28 at 1 :30 p.m. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7208&meta_id=144467 .

Currently, the County Zoning Ordinance exempts fences and walls from setback requirements if the height of the structure is 6.5 feet or lower. A landowner who wants a higher fence is either required to meet the setback requirement or to apply for a variance. The sponsor believes that when the owner of residentially zoned property abuts a non-residentially zoned property (in commercial/residential, employment, or industrial zones), an 8-foot fence should be allowed without a setback or a variance.

Amendment to the County Government’s FY17-22 Capital Improvements Program (CIP), Department of Recreation, for Cost Sharing to Fund Security Improvements at Specified Community Institutions, and Amendment to Resolution 18-823, Section G, FY18 Designation of Entities for Non-Competitive Award Status

The Council is scheduled to vote on an amendment to the FY17-22 CIP for the Department of Recreation to implement security improvements at specified community buildings. The Council, in Resolution 18-778, approved \$225,000 for security improvements for three faith-based organizations that experienced hate crimes. The resolution also authorized another \$225,000 to provide security improvements to benefit other faith communities.

- Executive staff developed a “Faith-based Facilities Security Improvement Grants” program, which includes an online application process. The grant proposals received totaled nearly \$509,000.
- The Executive is recommending an amendment to the FY17-22 CIP for Cost Sharing: MCG (No. 720601) to designate a total of \$300,365 to 32 individual faith-based organizations in FY18. No further appropriation is needed since additional funding above \$225,000 is currently appropriated in the Cost Sharing: MCG Project.
- The list of recommended grants for each entity is found in the staff report at:
http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7208&meta_id=144479 .

COMMITTEE

ZTA 17-04, Country Inn - Standards

On October 16 at 2 p.m. the Planning, Housing and Economic Development (PHED) Committee will review ZTA 17-04. Councilmembers Elrich and Hucker are the lead sponsors. Council President Berliner and Councilmembers Katz, Rice, Leventhal, Riemer, Navarro and Floreen are cosponsors. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7435&meta_id=144415 .

ZTA 17-04 would revise the standards for allowing a Country Inn as a conditional use in the residential R-200 Zone. Conditional use approval for a Country Inn in an R-200 zone would only be allowed if the property abuts a larger lot zone. A Country Inn is defined as “an establishment for dining in a rural area that may include a maximum of 12 overnight guest rooms” and other subordinate uses like antique shops and recreational facilities. The sponsors believe that the ZTA adds an appropriate limitation on what is considered a rural area.

Bill 24-17, Land Use Information - Burial Sites

The Committee also will review Bill 24-17. The lead sponsors are Councilmember Rice, Council President Berliner and Councilmember Leventhal. Councilmembers Katz, Navarro, Riemer and Elrich are cosponsors. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7435&meta_id=144417 .

Bill 24-17 would require the Planning Board to establish and maintain an inventory of burial sites in the County. Subdivision Regulation 17-01 would require burial sites identified in the inventory to be respected in the subdivision approval process.

Subdivision Regulation Amendment 17-01, Approval Procedures - Burial Sites

The Committee will close out its meeting with a review of SRA 17-01. The lead sponsors are Councilmember Rice, Council President Berliner and Councilmember Leventhal. Councilmembers Navarro, Hucker and Elrich are cosponsors. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7435&meta_id=144419 .

As a companion regulation to Bill 24-17, SRA 17-01 would require burial sites identified in the inventory of burial sites to be respected in the subdivision approval process. Specifically, SRA 17-01 would define burial sites, require the identification of burial sites on preliminary plan applications and require approved preliminary plans to appropriately preserve burial sites.

Meeting with Health and Human Services Boards and Commissions

On October 18 at 8:30 a.m. the HHS Committee will hold its annual meeting with Health and Human Services Boards and Commissions. The Committee will discuss priorities and establish a work plan for next year. The staff report will be available on Oct. 17.

Student Loan Refinancing Authority

On October 19 at 9:30 a.m. the Government Operations and Fiscal Policy (GO) Committee will meet jointly to receive an update on the possibility of creating a Student Loan Refinancing Authority in the County. Those expected to participate in this meeting include: Robert Hagedoorn and Mary Casciotti, Department of Finance, and Kathleen Boucher, Office of Intergovernmental Relations. The issues that will be discussed at the meeting include:

recommendations from the state-wide student loan refinancing study; potential tasks/products for a student loan refinancing market study for the County; alternatives to creating a student loan refinancing authority; and the funding required for a County study.

- OLO Report 2017-8, Student Loan Refinancing Authority, was reviewed by the Committees on July 20. The full report can be viewed at:
<http://www.montgomerycountymd.gov/OLO/Resources/Files/2017%20Reports/2017-8%20Report%20Student%20Loan%20Refinancing%20Authority.pdf>
- According to OLO staff, student loan debt in the United States reached \$1.28 trillion in 2017, with 44.2 million residents having an average monthly payment of \$351. Refinancing a student loan can help borrowers by lowering interest rates or reducing the length of the loan period by lowering monthly payments and/or lowering the overall amount of repayment. Neither Maryland nor the County currently has a student loan refinancing authority.
- In 2016 the Maryland General Assembly enacted enabling legislation to allow the County to establish a Student Loan Refinancing Authority (SLRA). Before the County can establish a SLRA, the enabling legislation (House Bill 1079) requires the County to conduct a study that, among other things, examines feasibility and demand and studies the operations of similar refinancing authorities in other systems.
- The Council asked OLO to undertake the study by executing a feasibility and demand study, assessing potential benefits to recruitment and retention, and studying the operation of similar programs in other systems, including operating and startup costs.

- OLO's research shows that it would be feasible to establish a student loan refinancing authority in the County. Fully analyzing market demand in the County would require the determination of major program characteristics and a professional market study.
- Councilmember Hucker is working on legislation to create a Student Loan Refinancing Authority in the County.
- Timothy Firestine, Chief Administrative Officer, recommends that the Council not pursue a Student Loan Refinancing Authority. His response to the OLO report can be found on pages 37-41.

 **Declaration of No Further Need: Disposition of 10315 Darnestown Road**

On October 19 at 10:15 a.m. the GO Committee will meet to review the Declaration of No Further Need for 10315 Darnestown Road. On June 21 the Council received the material terms of the disposition that include 23,492 square feet of property located at 10315 Darnestown Road in Rockville. The County intends to dispose of the property through a fee simple sale to Lau Enterprises. The property is bordered by Key West Avenue to the south, Belward Farm to the northwest, and an office building and associated surface parking to the northeast. The property is what remains from a land sale in 1984 for road construction and includes a fifteen-foot utility easement along Key West Avenue. The staff report will be available on October 17.

 **Declaration of No Further Need: Disposition of Germantown Town Center Urban Park**

The Committee also will review the Declaration of No Further Need for Germantown Town Center Urban Park. The Council received the material terms of the disposition on June 21. The disposition relates to a transfer of ownership of a park, which is owned by the County, to the Maryland-National Park and Planning Commission (M-NCPPC). In return, M-NCPPC is transferring ownership of a portion of North Chevy Chase Local Park for a County road project (Platt Ridge Road). The County will convey a fee simple interest in the 4.4-acre property to M-NCPPC in exchange for a 1.5-acre portion of the North Chevy Chase Local Park, which is needed to extend Platt Ridge Drive. The staff report will be available on October 17.

 **IG Report 18-001, Improper Procurement of Gateway Signage**

The Committee will close out its meeting with an update from the Inspector General on Report 18-001: Improper Procurement of Gateway Signage. The report details the procurement by the Wheaton Urban District (WUD) of a \$38,684 monument-style sign for the gateway entrance to Wheaton, paid for in June 2015 but not delivered as of February 2017.

- The report recommends holding WUD managers accountable for failing to observe the County's procurement regulations and guidelines, and for mismanagement of public funds (and taking appropriate remedial actions in both cases). It also recommends that management provide specific and adequate guidance relating to public entity procurement regulations and guidelines for departments and agencies, to ensure they observe the intent of County public entity purchasing laws. The IG report can be viewed at:

https://www.montgomerycountymd.gov/OIG/Resources/Files/PDF/IGActivity/FY2018/mcwud_improper_procurement_19_jun_2017.pdf.

 **Substance Abuse Prevention in Schools**

On October 19 at 2 p.m. the HHS Committee will meet jointly with the Education (ED) Committee to discuss substance abuse prevention efforts in schools with representatives from MCPS and DHHS. Topics will include: substance abuse and suicide trend data for County youth; collaborative efforts between MCPS, DHHS and other key stakeholders to implement prevention efforts in schools; and MCPS sponsored/directed prevention activities. The staff report will be available on October 17.