

COUNCIL COMING ATTRACTIONS



Week of October 15, 2018

Labor Peace Agreements, Transportation Service Improvement Fund, Bicycle Master Plan, Colocation Study, Planning Board's Semi-Annual Report and Fire and Rescue Savings Actions



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> .

The Council meeting will begin at 9:30 a.m. on Tuesday, October 16 with three proclamation presentations:

-  Councilmember Nancy Floreen will recognize Breast Cancer Awareness Month.
-  Councilmember Leventhal will recognize the 10th Annual Bethesda Green Gala.
-  Councilmember Katz will recognize 40 years of smoke detector and fire safety.

COUNCIL

-  **Expedited Bill 13-18, Taxicabs – Transportation Services Improvement Fund – Use of Fund**
The Council is scheduled to vote on Expedited Bill 13-18, Taxicabs – Transportation Services Improvement Fund – Use of Fund. Council President Hans Riemer is the lead sponsor, at the request

of the County Executive. As introduced, Expedited Bill 13-18 would expand the purpose and use of the Transportation Services Improvement Fund. The goal of this bill is to provide flexibility to use these funds for any transportation purpose in the County.

- In 2015, the Council enacted Bill 33-15 to impose a charge authorized by the State of Maryland regulating “transportation network companies” (TNCs), which include ride-hailing services such as Uber and Lyft. In addition to imposing the charge, Bill 33-15 created the Transportation Services Improvement Fund to receive and distribute the revenue generated by the charge. Money from the fund is to be used to offset higher costs of operating accessible taxicabs in the County, and to provide incentives for improving or expanding transportation options for eligible seniors and persons with limited incomes. The bill requires the County Executive to establish the procedure for making disbursements from the fund by regulation.
- Bill 13-18 would remove these specific use requirements for the fund and would instead allow use of the fund for any transportation purpose in the County.

The Transportation, Infrastructure, Energy and Environment (T&E) Committee recommends enactment with amendments to: (1) retain and clarify the current law’s purpose and limitations on the uses of the fund; and (2) clearly provide that the fund must be used to supplement, and not supplant prior appropriated expenditures. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20181016/20181016_4A.pdf



Bill 6-18, Contracts – Labor Peace Agreements – Displaced Service Workers – Amendments

The Council is scheduled to vote on Bill 6-18, Contracts – Labor Peace Agreements – Displaced Service Workers – Amendments. Councilmembers Marc Elrich and Tom Hucker are the lead sponsors. Councilmember Craig Rice and Council Vice President Nancy Navarro are cosponsors. The goal of this bill is to prevent potential interruptions of services for residents provided by County contractors. A covered contract is defined as a County contract to “provide services directly to County residents with a value equal to or greater than \$250,000.” Some examples of these types of contracts include: building maintenance, food preparation, janitorial, security, trash hauling and some non-professional healthcare services. As introduced, Bill 6-18 would amend the County procurement laws to:

- require certain County contractors to enter in to a labor peace agreement with a labor organization;
- establish minimum requirements for a labor peace agreement;
- require certain County multi-term contracts to include a minimum price increase provision; and
- add certain workers performing services under a County residential solid waste collection contract to the County Displaced Service Workers Protection Act.

The Government Operations and Fiscal Policy (GO) Committee recommends enactment with amendments that can be found on pages 3-5 of the Council staff report. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20181016/20181016_4B.pdf



Resolution to approve amendments to the Office of Zoning and Administrative Hearings (OZAH) Rules of Procedure governing zoning, conditional uses and Board of Appeals referral cases

The Council will introduce a resolution to approve amendments to the Office of Zoning and Administrative Hearings (OZAH) Rules of Procedure governing zoning, conditional uses and Board of Appeals referral cases. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20181016/20181016_5A.pdf



Bicycle Master Plan

The Council will review the Bicycle Master Plan, which has the goals of making the County a world-class bicycling community; promoting access to a comfortable, safe and connected bicycle network; and making bicycling a viable transportation option that improves the County's quality of life. The Planning Board draft of the plan can be viewed at:

<http://montgomeryplanning.org/planning/functional-planning/bicycle-master-plan/2018-bicycle-master-planplanning-board-draft/>

The T&E Committee recommends approval with the following changes:

- remove references to specific implementation years;
- add text to the plan to make it clear that it does not guarantee that all the bikeways will be built and even those built may not be built as specified; and
- provide that no bikeway should be built that would cause any part of the Subdivision Staging Policy's then-applicable transportation test to fail.

The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20181016/20181016_5B.pdf



Update from Dr. Travis Gayles, County Health Officer

The Council will receive an update from Dr. Travis Gayles, County Health Officer. On September 24, Dr. Gayles met with the Health and Human Services (HHS) Committee as a follow-up to the July 2018 meeting with the Council. At the July meeting he informed the Council about the Department's data-driven approach to looking at health conditions and health disparities in the County. At the HHS Committee meeting, he provided a slide presentation on the "D2P" approach, which includes prevention, promotion, policy, practice and planning. His presentation to the HHS Committee can be viewed here:

http://www.montgomerycountymd.gov/council/Resources/Files/REPORTS/Innovative_Data_Driven_Approaches2018.pdf

The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20181016/20181016_6A-B.pdf



Annual Meeting with Commission on Health

The Council will hold its annual meeting with the Commission on Health. The County Code establishing the Commission on Health requires the Commission to report to and meet with the County Board of Health at least annually. The Council's practice has been to hear from the Commission as a part of its October update. Information from the Commission will be presented at the session. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20181016/20181016_6A-B.pdf



Colocation of Public Facilities Study

The Council will receive a briefing on the Colocation of Public Facilities Study. Those expected to attend include the following: Ramona Bell-Pearson, Director, Office of Community Use of Public Facilities; Gwen Wright, Planning Director, Montgomery Planning (Planning); Carrie McCarthy, Division Chief, Research and Special Projects, Planning; Nick Holdzkom, Senior Planner, Planning. In 2016, the Planning Department and the County Executive's Office, at the direction of the County Council, advanced the Colocation of Public Facilities Study with the assistance of a consultant. The work also was overseen by an interdepartmental work group consisting of senior staff from various County agencies, the Board of Education, the County Executive's Office and the Council. This report establishes a framework for the County to pursue colocation opportunities for County agencies and departments. Colocation conserves resources and helps to promote operational cost-effectiveness. The Public Facilities Colocation Study focuses on approaches to:

- Enhance the delivery of county services.
- Address resource constraints (real estate and financial).
- Encourage County agency and department engagement.
- Establish a framework for next steps.

- Advance the colocation conversation.

Specific objectives include:

- Compiling and reviewing agency planning procedures and metrics.
- Establishing multi-organizational colocation principles and approaches to planning.
- Dissecting constraints to colocation options.
- Exploring colocation prospects for inter-jurisdictional liaison and cooperation.
- Promoting a holistic approach to community engagement and interests.

The Colocation of Public Facilities Study can be viewed at:

http://montgomeryplanning.org/wp-content/uploads/2018/09/Montgomery_County_Colocation_Study_Final_Report_20180830.pdf

The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20181016/20181016_3A-7.pdf

Semi-Annual Report of the Montgomery County Planning Board

Twice a year the Montgomery County Planning Department and the Department of Parks jointly produce a report that provides highlights from their work programs. Department leaders and Planning Board members present their report to the Council for review and comment. The Council will review the Fall 2018 Semi-Annual Report of the Montgomery County Planning Board. The full report can be viewed at:

http://montgomeryplanning.org/wp-content/uploads/2018/09/2018_Fall_semiannual_web.pdf

The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20181016/20181016_8.pdf

COMMITTEE

Special Appropriation to the Department of Health and Human Services' (HHS) Fiscal Year 2019 Operating Budget; \$70,799 for Behavioral Health and Crisis Services for Adult Drug Court

On October 15 at 9:30 a.m. the Health and Human Services (HHS) and Public Safety (PS) Committees will meet jointly to review a special appropriation to the Department of Health and Human Service's Fiscal Year 2019 (FY19) Operating Budget totaling \$70,799 for Behavioral Health and Crisis Services for Adult Drug Court. Councilmember Sidney Katz is the lead sponsor. Councilmember Nancy Floreen is a cosponsor. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2018/20181015/20181015_HHSPS1.pdf

Executive Regulation 11-18, Requirements and Procedures for MPDU program

On October 15 at 10 a.m. the Planning, Housing and Economic Development (PHED) Committee will review Executive Regulation 11-18, Requirements and Procedures for the Moderately Priced Dwelling Unit (MPDU) Program. This Executive Regulation repeals and replaces the provisions of Executive Regulation 13-05AM which established the requirements and procedures for the MPDU Program. The regulation can be viewed at:

https://www.montgomerycountymd.gov/DHCA/Resources/Files/housing/singlefamily/mpdu/execreg_11-18_clean.pdf

The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2018/20181015/20181015_PHED1.pdf

FY19 Montgomery County Fire and Rescue Service (MCFRS) Savings Actions

On October 15 at 10 a.m. The PS Committee will meet to review savings actions on the MCFRS FY19 budget. The County Executive has recommended cost savings measures totaling \$3,008,851 for the remainder of FY19. The County Executive has proposed these reductions because MCFRS's FY18 expenditures exceeded the approved budget by \$12.8 million, or about 6 percent. This overrun was driven primarily by overtime costs (between \$8 and \$9 million), but also reflects unexpected fleet repair costs (about \$2.7 million). The proposed reductions include:

- Eliminate overtime backfill of four-person staffing during non-peak hours;

- eliminate night staffing on Ambulance 711 (Glen Echo), 733 (Rockville Falls Road) and 721 (Kensington-Parkland);
- eliminate weekday staffing for Aerial Tower 703 (Rockville-Downtown); and
- eliminate Paramedic Engine 720 (Bethesda -Cedar Lane).

The Office of Management and Budget indicates that without savings, FY19 expenditure overruns are expected to be roughly the same as FY18, which will have a compounding impact of \$25.6 million in FY20. The approved FY19 operating budget is \$218,000,207. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2018/20181015/20181015_PS1.pdf



Bill 30-18, Finance - Accessibility Features Supplement - Established

On October 18 at 9:30 a.m. the GO Committee will meet to review Bill 30-18, Finance - Accessibility Features Supplement – Established. Councilmember George Leventhal is the lead sponsor. The goal of this bill is to make home improvements that provide accessibility more affordable and available to seniors and those who have differing abilities. Bill 30-18 would provide a supplement to a non-profit organization for meeting a Level I (visit-ability) or Level II (livability) accessibility standard on a single-family residence. The Council staff report will be available on October 16.



OLO Report 2018-4, Reverse Auction Purchasing

The GO Committee also will review Office of Legislative Oversight (OLO) Report 2018-4, Reverse Auction Purchasing. The Council asked the Office of Legislative Oversight (OLO) to prepare a report that describes the use of reverse auctions in public sector purchasing, identifies the benefits and drawbacks and discusses potential future use by the County Government. The term “reverse auction” refers to a purchasing method in which vendors compete to sell goods or services to a buyer. The report offers the following findings:

- State and local government procurement officers who have managed reverse auctions believe that reverse auctions can produce significant cost savings.
- It is difficult to precisely calculate the direct effect of reverse auctions on contract price.
- Only certain types of goods and services are well suited for purchase via reverse auction.
- Reverse auctions are not appropriate for small dollar value purchases in which the cost savings do not offset additional costs.
- Pre-qualification of vendors is essential when using price as the final determinant for contract award.
- Government procurement officials interviewed by OLO do not believe that use of reverse auctions deters vendors from responding to solicitations.

The full report can be viewed at:

<https://www.montgomerycountymd.gov/OLO/Resources/Files/2018%20Reports/ReverseAuctionPurchasing2018-4.pdf>

The Council staff report will be available on October 16.