

COUNCIL COMING ATTRACTIONS



Week of July 15, 2019

Accessory Dwelling Units, Cybersecurity Tax Credit, Air Conditioning in Rental Housing, Retiree Health Benefits Trust, Tenant Relocation Expenses, Workforce Development, Licensing of Rental Housing, Bus Rapid Transit, Landscape Contractors, White Oak, Economic Impact Statements, Environmental Protection, Rent Subsidy Programs

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 will meet on Tuesday, July 16 at 10:30 a.m.
- 🌟 Council Vice President Katz will present a proclamation recognizing Peace Day.
- 🌟 Council Vice President Katz will present a proclamation recognizing lifeguard Marisa Arnold's quick actions to save a young child.
- 🌟 Councilmember Riemer will present a proclamation recognizing the anniversary of the Open Housing Law in Montgomery County.

COUNCIL

Bill 22-19, Accessory Dwelling Units - Licensing - Requirements - Amendments

On July 16 at 10:45 a.m. the Council will introduce Bill 22-19, which would replace the phrase "accessory apartment" with "accessory dwelling unit." Councilmembers Hans Riemer, Andrew Friedson, Will Jawando and Council President Nancy Navarro are the lead sponsors. Bill 22-19 also would do the following: amend the standards for minimum ceiling heights for basements or cellars used for accessory dwelling; amend the accessory dwelling unit licensing procedures concerning ownership and common ownership associations; require information and notice concerning common ownership communities in the applicant and review of an accessory dwelling unit license; and require reporting by the Executive of

accessory dwelling unit problems and planned solutions. A public hearing is scheduled for September 10 at 1:30 p.m. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190716/20190716_4A.pdf

Key search terms for this legislation on the Council's website include accessory dwelling units, accessory apartments and DHCA licensing. #AccessoryDwellingUnits is being used for this bill on social media.

Bill 23-19, Cybersecurity Investment Incentive Tax Credit Supplement - Amendments

The Council will introduce Bill 23-19, which would allow a qualified investor to receive the cybersecurity investment incentive tax credit supplement. Councilmembers Hans Riemer, Andrew Friedson and Will Jawando are the lead sponsors. The Cybersecurity Tax Credit Supplement Program is Montgomery County's local incentive program aimed at spurring job and business growth in the cybersecurity sector. The County offers a local supplement to the Maryland Cybersecurity Investment Incentive Tax Credit to qualified Maryland cybersecurity companies that receive a final Maryland tax credit certificate and have their headquarters and base of operations in the County. A public hearing is scheduled for September 10 at 1:30 p.m. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190716/20190716_4B.pdf

Key search terms for this legislation on the Council's website include the following: cybersecurity investment, Maryland Cybersecurity Investment Tax Credit Program, qualified investor, cybersecurity company, tax credit and cybersecurity incentive. #CybersecurityTaxCredit is being used for this bill on social media.

Bill 24-19, Landlord-Tenant Relations - Obligations of Landlord - Air Conditioning

The Council will introduce Bill 24-19, which would require a landlord to provide and maintain air conditioning service for rental housing located in the County during certain months and establish standards for air conditioning service provided by a landlord. Councilmember Tom Hucker is the lead sponsor. Councilmember Will Jawando is a cosponsor. The goal of this bill is to ensure tenants in rental housing have access to a working air conditioning unit. A public hearing is scheduled for September 10 at 1:30 p.m. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190716/20190716_4C.pdf

Key search terms for this legislation on the Council's website include: air conditioning, AC unit, air conditioning in rental housing, obligations of landlords, landlord-tenant relations. #MoCoRentalAC is being used for this bill on social media.

Expedited Bill 9-19, Consolidated Retiree Health Benefits Trust - Delegation of Duties

The Council is scheduled to vote on Expedited Bill 9-19, which would permit the Board to delegate duties if such an action is deemed appropriate and consistent with its fiduciary duties. The Government Operations and Fiscal Policy (GO) Committee recommends enactment. Council President Nancy Navarro is the lead sponsor, at the request of the Board of Trustees for the Consolidated Retiree Health Benefits Trust. The goal of this bill is to better align the roles and responsibilities of the Board and its staff in the oversight of the investment program and to further enhance the efficiency of the operation of the program. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190716/20190716_5A.pdf

Key search terms for this legislation on the Council's website include: Board of Trustees and Trust Management Fund. #MoCoRetireeHealthTrust is being used for this bill on social media.

PUBLIC HEARINGS

All public hearings will be held on July 16 at 1:30 p.m. unless otherwise indicated.

Bill 18-19, Landlord Tenant Relations - Relocation Expenses

The Council will hold a public hearing on Bill 18-19, which would require a landlord to make a tenant relocation payment if the tenant's housing is condemned as unfit for human habitation and require a landlord to provide a tenant with a right of first refusal to re-occupy rental housing. The lead sponsor is Councilmember Jawando. The goal of this bill is to help improve the health and safety of tenants and to provide financial assistance when a tenant is displaced because of unfit living conditions not caused by the tenant. The relocation payment would be the greater of three months fair market value rent for a unit of comparable size, as established by the most current federal Department of Housing and Urban Development schedule of fair market rents for the Washington-Arlington-Alexandria area, or three months of the tenant's rent at the time of relocation. The landlord must pay the relocation payment directly to the displaced tenant within 72 hours of posting the condemnation. A Planning, Housing and Economic Development (PHED) Committee meeting is tentatively scheduled for September 9. The Council staff report can be viewed at: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190716/20190716_7.pdf

Key search terms for this legislation on the Council's website include the following: relocation payments, rental housing, health and safety. #MoCoTenantRights is being used for this bill on social media.

Expedited Bill 19-19, Economic Development - Workforce Development - Amendments

The Council will hold a public hearing on Bill 19-19, which would allow the Council to designate a nonprofit corporation, a public educational institution, or both, as the County's workforce development organization. The lead sponsor is Council President Navarro. Councilmember Jawando is a cosponsor. Existing law mandates that the Council must designate a single nonprofit corporation to perform this function. The goal of this bill is to better align County resources to ensure that the County's workforce development efforts meet the talent attraction, development and retention needs of strategic industries; meet the needs of the underemployed and unemployed; and develop efficient and effective career pathways that lead to sustainable wage jobs that support a thriving economy. A joint PHED and Education and Culture (E&C) Committee meeting is tentatively scheduled for September 12. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190716/20190716_8.pdf

Key search terms for this legislation on the Council's website include the following: economic development, public educational institutions, careers and jobs. #MoCoWorkforce is being used for this bill on social media.

Bill 20-19, Landlord-Tenant Relations - Licensing of Rental Housing - Fee Exemption

The Council will hold a public hearing on Bill 20-19, which would exempt a license applicant from any license fee requirement to operate an accessory apartment as rental housing in certain circumstances. Councilmember Andrew Friedson is the lead sponsor. Councilmembers Will Jawando, Gabe Albornoz, Hans Riemer, Council President Nancy Navarro and Councilmember Craig Rice are cosponsors. The goal of this bill is to eliminate any license fee associated with operating an accessory apartment as rental housing if the apartment is occupied by an individual with disabilities. A PHED Committee meeting is tentatively scheduled for September 9. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190716/20190716_9.pdf

Key search terms for this legislation on the Council's website include the following: rental housing fee, landlord-tenant relations, accessory apartments, rental housing licensing and license applicant. #AccessoryAptFeeExemption is being used for this bill on social media.

Expedited Bill 21-19, Property Tax Credit - Elderly Individuals and Retired Military Services Member - Surviving Spouse

The Council will hold a public hearing on Bill 21-19, which would expand the property tax credit for surviving spouses of retired military services members. Councilmember Craig Rice and Council Vice President Sidney Katz are the lead sponsors. Council President Nancy Navarro is a cosponsor. The goal of this bill is to implement changes to the state enabling law made during the 2019 General Assembly session. A GO Committee meeting is tentatively scheduled for July 25. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190716/20190716_10.pdf

Key search terms for this legislation on the Council's website include the following: tax credit, surviving spouses, property tax credit, elderly individuals and retired military service members. #SurvivingSpousesTaxCredit is being used for this bill on social media.

Supplemental Appropriation and Amendment to the Fiscal Year 2020 (FY20) Capital Budget and FY19-24 Capital Improvements Program (CIP), \$3,000,000 for Bus Rapid Transit: MD 355 and \$1,000,000 for Bus Rapid Transit: Veirs Mill Corridor

On Tuesday, July 16 at 7:30 p.m. the Council will hold public hearings on supplemental appropriations and amendments to the County's FY20 Capital Budget and FY19-24 CIP of \$3,000,000 for Bus Rapid Transit (BRT) along MD 355 and \$1,000,000 for BRT along the Veirs Mill corridor. On June 20, the County Executive transmitted these two supplemental appropriation requests and CIP amendments that, in each case, would fund preliminary engineering work beginning in FY20. MD 355 and the Veirs Mill corridor are two of the four FLASH Bus Rapid Transit systems currently being planned or constructed in the County. For more information, visit: <https://www.ridetheflash.com/>. A Transportation and Environment (T&E) Committee meeting is tentatively scheduled for July 25. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190716/20190716_11-12.pdf

COMMITTEES

Zoning Text Amendment (ZTA) 19-05, Industrial Zones - Landscape Contractors

On July 15 at 9:30 a.m. the PHED Committee will review ZTA 19-05, which would allow landscape contractors as a permitted use in all industrial zones. Councilmember Tom Hucker and Council Vice President Sidney Katz are the lead sponsors. Councilmember Will Jawando and Council President Nancy Navarro are cosponsors. Those expected to attend the meeting include the following: Casey Anderson, chair of the Montgomery County Planning Board; Jason Sartori, acting chief for functional planning and policy, Maryland-National Capital Park and Planning Commission (M-NCPPC); Greg Russ, planner coordinator, M-NCPPC; and Ehsan Motazed, chief of zoning and enforcement, Department of Permitting Services. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190715/20190715_PHED1.pdf

Executive Regulation (ER) 17-19, Small Business Assistance Program

The PHED Committee will review ER 17-19, which includes the award process and criteria for the provision of loans and grants from the Small Business Assistance Program (SBAP), a sub-program of the Economic Development Fund. This regulation will increase the cap on financial assistance to qualifying small businesses under SBAP from \$75,000 to \$125,000. Laurie Boyer, economic development manager at the Department of Finance, and Justin Stone, manager of SBAP, are expected to attend.

The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190715/20190715_PHED2.pdf

White Oak

The PHED Committee will receive an update on the White Oak community. Topics to be discussed include recent development and community engagement efforts and marketing to attract businesses to the area. In 2014 the Council approved and adopted the White Oak Science Gateway Master Plan, which outlined a vision for developing the eastern portion of Montgomery County into a community that offers more opportunities to live, work and play in the area. The plan envisions that the major centers of the Hillandale Community, Viva White Oak and the White Oak Center will evolve from conventional, auto-dependent suburban shopping centers, business parks and light industrial areas into vibrant, mixed-use, transit-served nodes. Those expected to attend the meeting include the following: Pete Fosselman, master plan coordinator, Office of the County Executive; Patrick Butler, Montgomery Planning; Luis Estrada, Montgomery Planning; Jonathan Genn, executive vice president and general counsel, Global LifeSci Development Corporation (GLDC); Bill Tompkins, chief operating officer, Montgomery County Economic Development Corporation (MCEDC); Sara Miller, vice president of strategy, MCEDC; and Barry Wides and Shana-Davis Cook of Friends of White Oak. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190715/20190715_PHED3.pdf

Bill 10-19, Legislative Branch - Economic Impact Statements – Amendments

On July 15 at 2 p.m. the GO Committee will review Bill 10-19. Councilmember Andrew Friedson is the lead sponsor. Councilmember Gabe Albornoz, Council President Nancy Navarro, Council Vice President Sidney Katz and Councilmembers Craig Rice and Evan Glass are cosponsors. Bill 10-19 would require the director of the Office of Legislative Oversight to prepare an economic impact statement for each bill and would modify the required contents of an economic impact statement. The goal of this bill is to ensure that the economic impacts of new legislation on residents, on the County's budget and on businesses and other stakeholders is thoroughly assessed. Michael Coveyou, acting director of the Department of Finance, and Chris Cihlar, director of the Office of Legislative Oversight, are among those expected to attend. The Council staff report can be viewed here:

Key search terms for this legislation on the Council's website include: economic impact statements, Office of Legislative Oversight and legislative analysis. #MoCoEconomicImpact is being used for this bill on social media.

Department of Environmental Protection

On July 15 at 2 p.m. the T&E Committee will receive its quarterly update from the Department of Environmental Protection (DEP). Topics to be discussed in this update include the County's climate change action planning, the National Pollution Discharge Elimination System Municipal Separate Storm Sewer System and its stormwater management budget and the Gude Landfill remediation project, among others. Adam Ortiz, director of DEP; Patty Bubar, deputy director of DEP; Adriana Hochberg, assistant chief administrative officer of DEP and director of County climate policy; and other representatives of DEP are expected to attend. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190715/20190715_TE1.pdf

OLO Report 2019-4: Inventory of Rent Subsidy Program in Montgomery County

On July 18 at 9:30 a.m. the PHED and Health and Human Services (HHS) Committees will meet jointly to review OLO Report 2019-4. The Council asked OLO to prepare this report on the rent subsidy programs in Montgomery County and the populations served by these programs. This report inventories 29 programs administered in the County that provide rent subsidies on behalf of households (individuals or families) who would be otherwise unable to obtain or retain permanent housing due to low income and/or a disabling condition. The major findings of this report are as follows:

- No fewer than 29 distinct rent subsidy programs are administered in Montgomery County, ranging from large federally-funded programs administered locally by the Housing Opportunities

Commission that serve thousands of households to small programs run by local nonprofit organizations under contract to the Department of Health and Human Services.

- Despite many entities working to reduce and prevent homelessness, these organizations have successfully coordinated services and consolidated program data, and they can serve as a model for rent subsidy programs.
- No common standards govern data management across rent subsidy programs. Different programs maintain different sets of demographic and financial data, and data are not readily available for several rent subsidy programs.
- While a coordinated entry system exists for the federally-funded homelessness programs, no similar coordinated entry approach exists for the rent subsidy programs.

The OLO makes the following recommendations in the report:

- The Council should review the inventory of rent subsidy programs in this report to better understand the array of rent subsidies available to County residents and to inform Council policy and budget decision-making.
- The Council should ask the County Executive to convene an interagency group to plan for an integrated data management system for all rent subsidy programs.
- The Council should ask the County Executive to convene an interagency group to develop a coordinated entry system for all rent subsidy programs.

The full report can be viewed here:

<https://www.montgomerycountymd.gov/OLO/Resources/Files/2019%20Reports/Inventory-Rent-Subsidy-Programs.pdf>

The Council staff report will be available on July 16.

Community Grants Process

On July 18 at 3 p.m. the GO and HHS Committees will meet jointly to review the community grants process.

The Council staff report will be available on July 16.