

COUNCIL COMING ATTRACTIONS



Week of July 29, 2019

Bus Rapid Transit, High PAH Sealants, Economic Impact Statements, Elderly Individuals and Retired Military Tax Credit, Disposition of County Property, Housing, Population and Employment Trends, Economic Development, School Bus Safety, Business Roundtable

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 30 at 9:30 a.m.
- 🌟 Councilmember Andrew Friedson will present a proclamation recognizing Farmers Market Week.
- 🌟 Council President Nancy Navarro will recognize Sgt. Scott Brooks, Montgomery County Police Department, and Lt. Wesley Owens, Montgomery County Fire and Rescue Service, for their heroic efforts in rescuing two people from a burning house on the morning of July 16.

COUNCIL

Supplemental Appropriations and Amendments to the 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 July 30 at 10 a.m. the Council is scheduled to vote on supplemental appropriations and amendments to the County's Fiscal Year 2020 (FY20) Capital Budget and FY19-24 CIP of three million dollars for Bus Rapid Transit (BRT) along MD 355 and one million dollars 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/>. The Transportation and Environment (T&E) Committee's recommendations will be available on July 29. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190730/20190730_3-4.pdf

Bill 8-19, Erosion, Sediment Control and Stormwater Management - High PAH Sealants

The Council is scheduled to vote on Bill 8-19, which would prohibit the use of a sealant to cover an asphalt or concrete surface, including a driveway or parking area, in the County that contains more than 0.1 percent Polycyclic Aromatic Hydrocarbons (PAH). Councilmember Craig Rice is the lead sponsor. Council President Nancy Navarro is a cosponsor. The bill also would require the director of the Department of Environmental Protection to establish a system to approve alternative sealants that would comply with this law. The goal of this legislation is to help protect the environment by eliminating the introduction of PAH into the environment through asphalt sealants. The T&E Committee recommends enactment amendments. The amendments change the requirement to create an all-inclusive list of acceptable pavement sealants to requiring the director to prepare a non-exclusive list of acceptable products that have been tested under a standard testing protocol for PAH content. The amended bill also clarifies that the ban is limited to a pavement sealant intended for surface application to an asphalt or concrete surface to protect or seal the asphalt or concrete. Finally, the Committee added a requirement for the Executive to report on the availability of a standard testing protocol for PAH content in a pavement sealant on or before April 1, 2020, to provide the Council time to reconsider the effective date of the bill, if necessary. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190730/20190730_5A.pdf

Key search terms for this legislation on the Council's website include: asphalt, sealant, driveways and parking lots. #AsphaltSealant is being used for this bill on social media.

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

The Council is scheduled to vote on Bill 10-19, which 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 (EIS). Councilmember Andrew Friedson is the lead sponsor. All other Councilmembers are cosponsors. 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. The Government Operations and Fiscal Policy (GO) Committee recommends enactment with the following amendments:

- The Committee amended the bill to make the substantive contents of the EIS discretionary in order to avoid a legal challenge to the sufficiency of the EIS.
- The Committee also amended the effective date to March 1, 2020.

The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190730/20190730_5B.pdf

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.

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

The Council is scheduled to vote on Expedited 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 and Councilmembers Gabe Albornoz and Evan Glass are cosponsors. The goal of this bill is to implement changes to the state enabling

law made during the 2019 General Assembly session. The GO Committee's recommendations will be available on July 29. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190730/20190730_5C.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.

Bill 13-19, County Property – Disposition - Reuse Analysis

The Council is scheduled to vote on Bill 13-19, which would modify the procedures for disposition of County property and require the Executive to submit a reuse analysis to the County. Councilmember Gabe Alborno is the lead sponsor. All other Councilmembers are cosponsors. The goal of this bill is to bring greater transparency and accountability to the property disposition process and give the Council information on how the reuse analysis was performed; and to allow the Council to see which County departments or outside agencies have expressed interest in potential surplus property and for what purpose. The GO Committee recommends enactment. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190730/20190730_5D.pdf

Key search terms for this legislation on the Council's website include: disposition of property, County properties and County facilities. #MoCoProperties is being used for this bill on social media.

Resolution to amend the FY20 Operating Budget Resolution 19-128, Section G, Designation of Entities for Non-Competitive Contract Award Status: Jewish Council for the Aging of Greater Washington, Inc.

The Council is scheduled to vote on Resolution 19-128, which would amend the non-competitive award status list in the FY20 Operating Budget resolution. This resolution is for a supplemental appropriation to the FY20 Operating Budget of \$50,000 for the Jewish Council for the Aging Mislser Adult Day Care Center. See the public hearings section below for more information. The T&E Committee recommends approval of the resolution. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190730/20190730_10-11.pdf

Executive Regulation 3-19, Position Description: Deputy Director of Department of Housing and Community Affairs

The Council is scheduled to vote on Executive Regulation 3-19. This regulation establishes the position description for the deputy director of DHCA, which is a non-merit position. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190730/20190730_14.pdf

PUBLIC HEARINGS

All public hearings will be held on July 30 at 1:30 p.m.

Amendment to the FY19-24 CIP and Supplemental Appropriation to the FY20 Capital Budget, Montgomery County Public Schools, \$1,722,000 for School Security System

The Council will hold a public hearing on an amendment to the FY19-24 Capital Improvements Program (CIP) and supplemental appropriation to the FY20 Capital Budget for Montgomery County Public Schools (MCPS) of \$1,722,000 for school security systems. The Board of Education requested this appropriation and CIP amendment on May 30. The County Executive recommended approval on June 21. The supplemental appropriation is needed to fund enhanced security infrastructure for MCPS. State Aid will allow MCPS to perform work related to security vestibules and guided entrances, as well as other security improvements at schools. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190730/20190730_8.pdf

Amendment to the FY19-24 CIP for Montgomery County Government, Department of Technology Services - Public Safety System Modernization project

The Council will hold a public hearing on an amendment to the FY19-24 CIP for Montgomery County Government, Department of Technology Services - Public Safety System Modernization (PSSM) project. This amendment would ensure that PSSM's Radio System Infrastructure Project (RSIP) meets the targeted cutover date of December 2020 within the current appropriated level of funding. To meet this date and stay within budget, the Executive must use the 22 sites identified by the vendor (Motorola). This project is fully funded, and the amendment does not require additional funds. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190730/20190730_9.pdf

Supplemental Appropriation to the FY20 Operating Budget for Montgomery County Government, Department of Transportation, \$50,000 for the Jewish Council for the Aging Mislser Adult Day Care Center

The Council will hold a public hearing on a supplemental appropriation of \$50,000 to the County's Fiscal Year 2020 (FY20) Operating Budget for the Aging Mislser Adult Day Care Center. This one-time grant for the Jewish Council for the Aging (JCA) Mislser Adult Day Care Center will partially fund the Elderbus transportation service. This increase is needed to provide support to JCA to provide transportation services to disabled and vulnerable seniors within the County. The source of funds is the Transportation Services Improvement Fund. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190730/20190730_10-11.pdf

COMMITTEES

Executive Regulation 3-19, Position Description: Deputy Director of DHCA

On July 29 at 9:30 a.m. the Planning, Housing and Economic Development (PHED) Committee is scheduled to review Executive Regulation 3-19. This regulation establishes the position description for the deputy director of DHCA, which is a non-merit position. Fariba Kassiri, deputy chief administrative officer; and Tim Goetzinger, acting director of DHCA, are expected to attend. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190729/20190729_PHED1.pdf

Report on Housing, Population and Employment Trends Since 1990

The PHED Committee will continue its review of the Montgomery County Planning Board's recent report "Montgomery County Trends: A Look at People, Housing, and Jobs Since 1990," which identifies changes in population characteristics, housing stock and employment in Montgomery County since 1990. The Planning Board will use this data to inform the update beginning later this year of the County's General Plan, its long-range, guiding vision for growth policies and planning initiatives. Summaries of housing, population and employment trends can be found on pages 9, 45 and 67 of the report, respectively. Some key data points include the following:

- The County's population grew 38 percent from 765,476 to 1,058,810 people between 1990 and 2017.
- The median age of County residents has increased from 33.9 in 1990 to 39 in 2017.
- The County has grown increasingly diverse with people of color comprising more than 56 percent of the total population in 2016.
- The number of housing units in Montgomery County increased by 32 percent from 295,723 to 390,563 units between 1990 and 2016.
- The number of renters grew significantly as a result of the changing mix of housing units and household types. Rates of home ownership decreased among households under age 35.

- Two industries—education, health and social services, and professional, scientific and management services—employed the largest number of residents in both 1990 and 2016.
- Commuting data indicate a strong employment base, showing that 62 percent of residents also worked in the County in 2016.
- The number of jobs in the County increased by 21 percent between 1990 and 2016.

Those expected to attend the Committee meeting include Casey Anderson, chair of the Planning Board; Gwen Wright, director; Tanya Stern, deputy director; Caroline McCarthy, research chief; Pamela Zorich, demographer; and Lisa Govoni, housing specialist. The full report can be viewed here:

https://montgomeryplanning.org/wp-content/uploads/2019/01/MP_TrendsReport_final.pdf

The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190729/20190729_PHEd2.pdf

Economic Development Functions

The PHED Committee will close out its meeting with a review of the economic development functions of different County departments and agencies. Likely discussion topics include the possible consolidation of some functions in one department or office to improve efficiency; the interdepartmental communication and coordination process for economic development strategies; and making it easier to undertake a comprehensive review of the impact of the County’s efforts during the budget process. Jerome Fletcher, assistant chief administrative officer for the Office of the County Executive, is expected to attend. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190729/20190729_PHEd3.pdf

School Bus Safety

On July 29 at 2 p.m. the Public Safety (PS) and Education and Culture (E&C) Committees will meet jointly to review school bus safety. The County has multiple initiatives that focus on pedestrian safety, which are embodied in the Vision Zero Initiative, which sets a goal of zero traffic and pedestrian fatalities in the County by 2030. Several of these cross-departmental approaches focus on prevention through education and enforcement. This meeting will focus on one of those initiatives: school bus cameras used to enhance student safety as children travel to and from school each day. Taking advantage of state legislation that permits local jurisdictions to implement school bus camera programs, the Council passed legislation in 2012 that allowed the County to implement its own program. School bus cameras are attached to buses and can photograph and videotape vehicles that pass the stopped bus when it has its red lights flashing and stop sign/arm extended. Assistant Chief David Anderson, Field Services Bureau, Montgomery County Police Department (MCPD); Captain Tom Didone, Traffic Division, MCPD; Richard Hetherington, manager of Automated Traffic Enforcement Unit, MCPD; and Todd Watkins, transportation director for Montgomery County Public Schools, are expected to attend. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190729/20190729_PSEC1.pdf

PHED Business Advisory Roundtable

On July 31 at 8:30 a.m. the PHED Committee will hold a business advisory roundtable about Opportunity Zones (OZs) at the headquarters of the Montgomery County Economic Development Corporation (MCEDC), which is located at 1801 Rockville Pike #320 in Rockville. OZs are select census tracts in which businesses, equipment and real property can receive investment through Opportunity Funds (OFs). OFs provide investors the chance to use needed capital to rebuild select census tract areas. A broad array of investors can work together to pool resources, encourage new development and help re-energize underserved communities. OZs were nominated by Maryland state officials and certified by the U.S. Treasury Department in Spring, 2018. Montgomery County has 14 such zones. Topics to be discussed include how the local legislative and regulatory landscape can complement OZs; opportunities and obstacles in the County’s OZs; successful OZ deals in other jurisdictions; and how Opportunity Funds can support local industries such as medical, bio tech, advanced manufacturing and food and beverages. David Petr, president and chief executive officer of MCEDC; Bill Tompkins, chief operating officer of MCEDC;

and members of the local business community will attend the roundtable. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190731/20190731_PHED1.pdf