

COUNCIL COMING ATTRACTIONS



Week of June 17, 2019

Policing Advisory Commission, Minority Owned Businesses, Gude Landfill Remediation, Stormwater Management, Relocation Expenses for Tenants, Workforce Development & Public Safety Communications Towers

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, June 18 at 9:30 a.m.
-  Council Vice President Sidney Katz will present a proclamation recognizing the Chesapeake K-9 Fund.
-  Councilmember Will Jawando will present a proclamation recognizing Captain Sonia Pruitt, who is the first African American woman to achieve the rank of Captain with the Montgomery County Police Department.

COUNCIL

Bill 14-19, Police – Policing Advisory Commission Established

On June 18 the Council is scheduled to introduce Bill 14-19, which would establish a 13-member Policing Advisory Commission. The lead sponsor is Councilmember Hans Riemer. Councilmember Will Jawando is a cosponsor. The Policing Advisory Commission would advise the Council on policing matters; provide information on best practices in policing; recommend policies, programs, legislation or regulations; comment on matters referred to it by the Council and conduct at least one public forum each year for community input on policing matters and engage in public education. The group must also provide an annual report to the Executive and Council by July 1. The 13-member commission would include nine appointed public members with an interest in policing matters, with each Councilmember nominating one member. Four members would be nominated by the Executive. Non-voting, ex-officio members would include the police chief or a designee and a representative of an employee organization. Members will

serve three-year terms. The goal of Bill 14-19 is to enhance trust and transparency between the police department and community members and to identify best practices in policing. A public hearing is scheduled for July 9 at 7:30 p.m. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190618/20190618_3A.pdf

Key search terms for this legislation on the Council's website include the following: Policing Advisory Commission, best practices in policing, police oversight, police transparency and police department. #MoCoPolicingAdvisory is being used for this bill on social media.

Expedited Bill 15-19, Contracts and Procurement – Minority Owned Businesses – Sunset Date – Amendments

The Council will introduce Bill 15-19, which would extend the sunset date for the County's minority-owned business purchasing program. The lead sponsor is Council President Nancy Navarro, at the request of the County Executive. The goal of Bill 15-19 is to extend the minority-owned business purchasing program while the County Executive evaluates the need to continue it further. A public hearing is scheduled for July 9 at 1:30 p.m. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190618/20190618_3B.pdf

Key search terms for this legislation on the Council's website include the following: minority-owned purchases, minority-owned businesses and County purchases. #MoCoMinorityOwnedBizPurchases is being used for this bill on social media.

Expedited Bill 16-19, Special Capital Improvements Project – Gude Landfill Remediation

The Council will introduce Bill 16-19, which would authorize the planning, design and construction of the Gude Landfill Remediation project in the Rockville area. The lead sponsor is Council President Navarro at the request of the County Executive. The goal of this legislation is to provide for the remediation of low-level environmental contamination at the Gude Landfill. A public hearing is scheduled for June 25 at 1:30 p.m. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190618/20190618_3C.pdf

Key search terms for this legislation on the Council's website include the following: capital improvements, environment, infiltration and Gude landfill. #GudeLandfill is being used for this bill on social media.

Bill 17-19, Bond Authorization - Stormwater Management

The Council will introduce Bill 17-19, which would increase the County's authority to issue special limited obligation bonds for stormwater management facilities or other related projects. The lead sponsor is Council President Nancy Navarro, at the request of the County Executive. The goal of this legislation is to provide new bond authorization for the planning, design, acquisition and construction of stormwater management facilities and other related projects. The proceeds will fund projects in the Conservation of Natural Resources category that were approved for long-term financing in the FY19-24 amended Capital Improvements Program. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190618/20190618_3D.pdf

#BondAuthority is being used for this item on social media.

Bill 18-19, Landlord Tenant Relations – Relocation Expenses

The Council will introduce 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 public hearing is scheduled for July 16 at 1:30 p.m. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190618/20190618_3E.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 is scheduled to introduce 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; meets the needs of the underemployed and unemployed; and develops efficient and effective career pathways that lead to sustainable wage jobs that support a thriving economy. A public hearing is scheduled for July 16 at 1:30 p.m. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190618/20190618_3F.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.

Zoning Text Amendment (ZTA) 19-01, Accessory Residential Units – Accessory Apartments

The Council will review ZTA 19-01, which would remove the requirement for conditional use approval for all accessory apartments and revise the limited use provisions for attached and detached accessory apartments. Councilmember Hans Riemer is the lead sponsor. The goal of this zoning change is to streamline the process for having an accessory apartment, to help increase the supply of affordable housing. The Planning, Housing and Economic Development (PHED) Committee recommends approval with amendments. The PHED Committee's recommendations are as follows:

1. Revise the maximum gross floor area for an Accessory Apartment (hereafter referred to as ADU (Accessory Dwelling Unit)):
 - For attached ADUs, 1,200 square feet of gross floor area; however, if the footprint of the principal structure is greater than 1,200 square feet, an ADU may occupy the basement or cellar of that structure without a square footage limit.
 - For detached ADUs, the maximum gross floor area (which, under the current Code definition, includes basements and for this purpose would include cellars) must be the least of:
 - 50 percent of the gross floor area in the principal dwelling;
 - 10 percent of the lot area; or
 - 1,200 square feet of gross floor area.
2. Retain the current Code on-site parking requirement for ADUs located more than one mile away from any Metrorail or Purple Line Station. Within one mile of such stations or within the boundaries of the City of Takoma Park, delete the additional on-site parking requirement for an ADU.
3. Retain the current Code prohibition for a newly-constructed ADU entrance on the front (street) side of a dwelling.

4. Allow an ADU up to 32-feet-long without additional setbacks.
5. Allow an accessory structure built before May 31, 2012 to be used as an ADU without regard to setbacks, if it was legally constructed, and there is no increase to the footprint or height of the structure. If it is a structure that violates setbacks, a new window on any wall on the side of any setback violation may not be constructed.
6. Clarify the prohibition on any other rentals on a property where an ADU is licensed.
7. Delete the ownership requirement in ZTA 19-01. (Revise the ownership requirement in the licensing requirements under a Bill to allow the required on-site owner to live either in the ADU or the principal dwelling unit.)

The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190618/20190618_4.pdf

Key search terms for ZTA 19-01 on the Council's website include: in-law suite, cottage, basement apartment, accessory apartments and accessory dwellings. #MoCoTinyHouse is being used for this item on social media.

PUBLIC HEARINGS

All public hearings will be held on June 18 at 1:30 p.m.

Bill 12-19, Human Rights and Civil Liberties - Building Maintenance Worker - Minimum Work Week

The Council will hold a public hearing on Bill 12-19. Councilmember Hans Riemer is the lead sponsor. Councilmembers Will Jawando and Tom Hucker, Council President Nancy Navarro and Councilmember Craig Rice are cosponsors. Bill 12-19 would require an employer to provide a minimum work week of at least 30 hours for each employee working as a janitor, building cleaner, security officer, concierge, doorperson, handyperson or building superintendent at an office building occupying at least 350,000 square feet in the County. The bill would also apply to a County government employee working as a building maintenance worker in an office building of at least 350,000 square feet. The bill would not apply to a person working in a building owned by the United States, any state or any local government. The goal of this bill is to increase the availability of full-time work with health insurance for the above types of workers. The Health and Human Services Committee meeting on Bill 12-19 is scheduled for June 24. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190618/20190618_9.pdf

Key search terms for this legislation on the Council's website include: building maintenance worker, building maintenance employee and minimum work week. #MinimumWorkWeek is being used for this bill on social media.

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

The Council is scheduled to hold a public hearing 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 Albornoz 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; 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 Government Operations and Fiscal Policy Committee meeting on Bill 13-19 is scheduled for June 27. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190618/20190618_10.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.

COMMITTEES

Bill 6-19, Landlord-Tenant Relations – Termination of Lease – Tenant Health and Safety

On June 17 at 9:30 a.m. the Planning, Housing and Economic Development Committee will meet to continue its review of Bill 6-19. Councilmember Tom Hucker is the lead sponsor. All other Councilmembers are cosponsors. Bill 6-19 would require each lease for rental housing located in the County to allow the tenant to terminate the lease, if the landlord does not correct a violation that adversely affects the immediate health and safety of the tenant within 30 days after being ordered to do so by the department. This bill applies to the tenant's unit or a common area available for use by the tenant. The goal of this bill is to allow tenants to protect their health by providing them an opportunity to terminate their lease if there are serious health and safety violations that remain uncorrected. The Council staff report can be viewed at: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190617/20190617_PHED1.pdf

Key search terms for this legislation on the Council's website include: renter, tenant, lease, health and safety. #MoCoRentersRights is being used for this bill on social media.

Resolution to Amend the 2016-2020 Subdivision Staging Policy in association with blighted/condemned buildings or affordable housing

The PHED Committee also will review amendments to the 2016-2020 Subdivision Staging Policy (SSP). Councilmembers Craig Rice and Hans Riemer have sponsored an amendment to the 2016-2020 SSP that was introduced on April 23 to allow a project with housing to be approved in a cluster or individual school service area that is in moratorium, if the project would generate ten or fewer school students and either:

- replaces or remediates an uninhabited blighted or condemned or previously condemned structure within or adjacent to a state-designated Opportunity Zone; or
- has more than 50 percent affordable housing units for families earning 60 percent or less of area median income.

The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190617/20190617_PHED2.pdf

Community Policing

On June 17 at 9:30 a.m. the Public Safety Committee will meet to receive a briefing from the Montgomery County Police Department (MCPD) on community policing. The briefing will cover police community policing practices and how police work as partners with community stakeholders to prevent and solve crime. The police held more than 1,200 formal community policing events last year, and engaged in community policing from the top down, including but not limited to Chief meetings with the African American, Latino and LGBTQ liaison committees, and district officer participation in programs such as the Truancy Prevention Program. Those expected to attend the Committee meeting include the following: Acting Chief Marcus Jones, MCPD; Acting Assistant Chief Dinesh Patil; and Captain Sonya Pruitt, Director of the Community Engagement Division. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190617/20190617_PS1.pdf

Bill 5-19 Development Impact Tax for Transportation and Public-School Improvements – Exemptions

On June 17 at 2 p.m. the Government Operations and Fiscal Policy (GO) and PHED Committees will meet jointly to review Bill 5-19. Councilmember Hans Riemer is the lead sponsor. Bill 5-19 would amend the exemptions from the development impact tax for transportation and public-school improvements for certain dwelling units. It would modify the impact tax exemption for all units in

a development where at least 25 percent of the dwelling units are built under certain government regulations or agreements. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190617/20190617_GOPHED1.pdf

Key search terms for this legislation on the Council's website include: moderately priced housing, MPDU and development impact tax. #MoCoAffordableHousing is being used for this bill on social media.

Public Safety Communications Towers

On June 18 at 2:30 p.m. the PS and GO Committees will meet jointly to discuss public safety communications towers. There also will be a closed session on the same topic. The discussion will focus on the recent system disruptions that caused significant outages, and the status of the replacement system, which has most recently been delayed in Olney and Darnestown. These two sites (out of 22) have been delayed to find alternate tower sites due to community concerns. Executive staff also will provide information on:

- their contingency plans for any future failures in the current system;
- a modified alternative design for the new system that includes 20 towers rather than 22 (in an effort to meet the Fall 2020 cutover date);
- information on whether that alternate design will meet coverage requirements; and
- additional costs stemming from the delay.

Those expected to attend include the following: Dieter Klinger, Chief Operating Officer, Department of Technology Services (DTS); Mike Knuppel, Chief Data Officer, Program Director for Public Safety System Modernization (PSSM), DTS; Acting Assistant Chief Dinesh Patil, Montgomery County Police Department (MCPD); and Chief Scott Goldstein, Montgomery County Fire and Rescue Service. The Council staff report can be viewed:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190617/20190617_PHED2.pdf

Vaping in Schools

On June 20 at 9:30 a.m. the Education and Culture Committee and the Health and Human Services Committee will discuss vaping in schools. The Council staff report will be available on June 18 at <https://tinyurl.com/CountyCouncilMeetings>.

Declaration of No Further Need: Disposition of County Parking Lot 43

On June 20 at 2 p.m. the GO and Transportation and Environment (T&E) Committee will meet to review the declaration of No Further Need for County Parking Lot 43 which is located at 8009 Woodmont Ave. in Bethesda. The Council staff report will be available on June 18 at <https://tinyurl.com/CountyCouncilMeetings>.

Transportation Demand Management (TDM) Programs in the Washington Region

On June 20 at 2:30 p.m. the T&E Committee will receive a briefing on TDM programs in the Washington region. Those expected to attend the Committee meeting include regional Council of Government representatives from Washington D.C., Arlington, Alexandria and Fairfax Counties. The discussion will focus on the regional context of TDM programs and comparison of practices. The Council staff report will be available on June 18 at <https://tinyurl.com/CountyCouncilMeetings>.

Resolution to approve the Tax Supported Fiscal Plan Summary for FY20-25 Public Services Program

On June 20 at 2:30 p.m. the GO Committee will review the fiscal plan for fiscal years 2020-2025.

The Council staff report will be available on June 18 at <https://tinyurl.com/CountyCouncilMeetings>.

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

The GO Committee also will review Bill 9-19, which would allow the Board of Trustees to delegate certain duties as set forth in its written policies. The bill would permit the board to delegate duties if such an action

is deemed appropriate and consistent with its fiduciary duties. 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 will be available on June 18 at <https://tinyurl.com/CountyCouncilMeetings>.

Executive Regulation 9-19, Position Description: Chief Digital Officer, Office of the County Executive

The chief digital officer serves under general policy direction from the chief administrative officer (CAO) and works collaboratively with other County Executive-level managers to achieve the priority goals and objectives of the County. The chief digital officer is responsible for the following:

- Monitoring trends in digital government practices and strategies.
- Reviewing current and planned information technology and digitalization efforts, investments and initiatives of the County to advise the CAO and major stakeholders in the development and maintenance of appropriate organizational structures necessary for the County to meet emerging and future challenges and demands in enterprise digital business management.
- Working with the Department of Technology Services (DTS) and all others to make recommendations to the CAO related to the County's services and digital business.
- Monitoring digital trends and opportunities and advises the CAO on their use to affect large-scale outcomes, including the use of smart mobile devices (in the hands of customers/residents and employees), social media, technology embedded in products (such as vehicles), the integration of IT and operational technology (e.g., 5G telecom networks, county-wide networks, energy and transportation grids), and the Internet of Things (e.g., smart lighting, sensor-based SMART controls, body worn networks and devices).
- Making recommendations on augmenting current enterprise organizational structures and increasing the focus on the big digital picture including opportunities, threats, capabilities and gaps.
- Ensuring resourcing and organizational design strategy recommendations integrate well with the overall business strategy of the County.
- Advising on the selection, acquisition, or creation of digital solutions and services or the addition of digital capabilities to existing solutions and services.
- Assisting in identifying digital products, services or customer experiences to broaden constituent and partner engagement and service equity through appropriate digital channels and communities selection.
- Developing digital risk governance artifacts and instruments to support the digital risk management objectives of the County.
- Working with executive management to determine acceptable levels of risk for the organization and guides security culture, policy, and technology for measurable improvement in the County's digital services risk posture.

Executive Regulation 9-19 can be viewed at:

<https://montgomerycountymd.gov/exec/Resources/Files/9-19.pdf>

The Council staff report will be available on June 18 at <https://tinyurl.com/CountyCouncilMeetings>.

Executive Regulation 7-19, Position Description: Chief Equity Officer, Office of the County Executive

This Executive management classification has broad direction over equity work across the County. The chief equity officer provides leadership and vision to ensure the development and management of innovative and effective strategies to achieve racial equity for County residents. The work requires considerable initiative and judgment, and the ability to make independent decisions within broad policies and procedures as determined by County executive management, the Council and federal, State and County laws, ordinances and regulations. Executive Regulation 7-19 can be viewed at:

<https://montgomerycountymd.gov/exec/Resources/Files/7-19.pdf>

The Council staff report will be available on June 18 at <https://tinyurl.com/CountyCouncilMeetings>.

Executive Regulation 12-19, Position Description: Deputy Director for Results, Office of Management and Budget

This is an appointed, non-merit position in the County Government. This is a senior level management position serving as the Deputy Director for the Office of Management and Budget (OMB). The position reports to the Director, Office of Management and Budget and has full authority and accountability in the absence of the Director. The position works in conjunction with the Director to oversee the planning and deployment of Countywide resources to carry out the mission of OMB in supporting the implementation of the County Executive's priorities and policy agenda. The position directs the preparation and transmittal of the County Executive's annual proposed operating budget and six-year fiscal plan; oversees OMB's involvement in the collective bargaining process; assists the Director in developing strategies and policies to implement the County's budget priorities; and assist the Director in the management of OMB. This is a supervisory position and has full line management responsibility for planning, developing, and implementing employee work programs, communicating expectations, and assessing the achievement of established goals. Executive Regulation 12-19 can be viewed at:

[https://montgomerycountymd.gov/exec/Resources/Files/12-19\(1\).pdf](https://montgomerycountymd.gov/exec/Resources/Files/12-19(1).pdf)

The Council staff report will be available on June 18 at <https://tinyurl.com/CountyCouncilMeetings>.

Executive Regulation 2-19, Position Description: Deputy Director, Department of General Services (DGS)

The deputy director in the Department of General Services is a senior level management position that reports to the director of DGS and has full authority and accountability in the absence of the director. This position focuses on an approach to Countywide planning and real estate development and assists the Executive branch in working with the Council and Planning Board on significant land use policy and implementation issues. The deputy director spends a significant amount of time at public forums to promote and support the County's vision for a more cohesive, environmentally responsible, and cost-effective use of all facilities. Executive Regulation 2-19 can be viewed at:

<https://montgomerycountymd.gov/exec/Resources/Files/2-19.pdf>

The Council staff report will be available on June 18 at <https://tinyurl.com/CountyCouncilMeetings>.

Executive Regulation 6-19, Position Description: Chief Broadband Officer, Department of Technology Services

This appointed, non-merit, single-incumbent Executive management job classification is in the Office of Broadband Programs in the Department of Technology Services. The incumbent serves as the County's chief broadband officer (CBO) and reports to the director in the Department of Technology Services (DTS). The CBO is charged with achieving the Executive's priority objectives in digital equity, economic development and workforce development through broadband technologies. The CBO is responsible for planning and deploying broadband technologies that enhance the County's ability to leverage broadband and the Internet to conduct business. Executive Regulation 6-19 can be viewed at:

<https://montgomerycountymd.gov/exec/Resources/Files/6-19.pdf>

The Council staff report will be available on June 18 at <https://tinyurl.com/CountyCouncilMeetings>.

Executive Regulation 5-19, Position Description: Chief Data Officer, Department of Technology Services

This appointed, non-merit Executive management job classification is in the Department of Technology Services. The County's chief data officer (CDO) and is appointed by Executive and works under the administrative direction of and reports to the director of DTS to do the following:

- Plan, coordinate, direct and evaluate Countywide data-management standards and practices.
- Oversee and maintain data stores and architectures.
- Ensure effective data confidentiality, security, integrity, transparency, and availability.

- Enable data exploitation and business intelligence; formulate, evaluate, and implement data systems policies and procedures.

Executive Regulation 5-19 can be viewed at:

<https://montgomerycountymd.gov/exec/Resources/Files/5-19.pdf>

The Council staff report will be available on June 18 at <https://tinyurl.com/CountyCouncilMeetings>.