

COUNCIL COMING ATTRACTIONS



Week of June 24, 2019

Economic Development Strategy, Planning Board Appointments, Landlord-Tenant Relations, Tax Credit for Elderly Individuals and Retired Military, Gude Landfill Remediation, Stormwater Management Bonds, Tenant Health and Safety

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 25 at 9:30 a.m.
- 🕒 Councilmember Hans Riemer will present a proclamation recognizing the 75th Anniversary of the Montgomery County Historical Society.
- 🕒 Councilmember Evan Glass will present a proclamation recognizing Pet Adoption Month.
- 🕒 Councilmembers Gabe Albornoz, Craig Rice and Evan Glass will present a proclamation recognizing PTSD Awareness Month.

COUNCIL

Resolution to Amend the 2016-2020 Subdivision Staging Policy in Association with Blighted/Condemned Buildings or Affordable Housing

On Tuesday, June 25 the Council is scheduled to vote on a resolution to amend the 2016-2020 Subdivision Staging Policy (SSP). Councilmembers Craig Rice and Hans Riemer have sponsored an amendment to the 2016-2020 SSP that would 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 Planning, Housing and Economic Development (PHED) Committee recommends approval amendments. The recommended amendments can be viewed on page 1 of the Council staff report, which can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190625/20190625_2-5.pdf

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

The Council is scheduled to vote on a resolution to approve the Tax Supported Fiscal Plan Summary for the Fiscal Years 2020-25 (FY20-25) Public Services Program. The County Charter states that the County Executive must submit a comprehensive six-year program for public services and fiscal policy to the Council every year, no later than March 15. The six-year programs require a Council vote for approval or modification. The FY20-25 Tax Supported Fiscal Plan summary, like all versions of the Fiscal Plan, reflects current fiscal projections and policy assumptions. As economic and fiscal conditions change, future versions of the plan will change as well. The Government Operations and Fiscal Policy (GO) Committee recommends approval. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190625/20190625_3.pdf

Appointments to Montgomery County Planning Board and Designation of Chair

The Council is scheduled to appoint two members to the five-member Montgomery County Planning Board. The Council interviewed seven of the 24 residents who applied for the two positions including: Casey Anderson, Julian Haffner, William Kirwan, Charles Kauffman, Jennifer Russel, Partap Verma and Brandy Brooks.

The Montgomery County Planning Board plans for livable communities by developing large- and small-scale plans, providing guidelines for the pattern and pace of future development and preserving historic resources throughout our 323,000-acre County. The Planning Board implements plans through its review of development applications and its subdivision decisions. The Planning Board also is responsible for the development and management of County's nationally recognized 36,512-acre park system. The Montgomery County Planning Board, together with the Prince George's County Planning Board, comprise The Maryland-National Capital Park and Planning Commission. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190625/20190625_4.pdf

County's Economic Development Strategy

The Council will hold a discussion on the County's economic development strategy. Councilmembers met with the Montgomery County Economic Development Corporation (MCEDC) and WorkSource Montgomery (WSM) in March to discuss the County's economic development initiatives and strategies with its designated economic development organizations. As follow up to the March meeting, this discussion with County Executive Marc Elrich and Executive staff will focus on the functions of MCEDC, the Department of Finance and other County departments and agencies in creating conditions for economic growth; the possible expansion of such functions over the next 24-36 months; and the Executive branch's immediate action steps and goals for economic development; and the identification of items that will require Council action. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190625/20190625_5.pdf

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

The Council will introduce 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 public hearing is tentatively 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/2019/20190625/20190625_13A.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.

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

The Council will introduce 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 public hearing is tentatively 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/2019/20190625/20190625_13B.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.

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

The Council is scheduled to vote on 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. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190625/20190625_11.pdf

Bill 17-19, Bond Authorization - Stormwater Management

The Council is scheduled to vote on 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/2019/20190625/20190625_12.pdf

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

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

The Council is scheduled to vote on 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 of Housing and Community Affairs. This bill applies to the tenant's unit or a common area available for use by the tenant. The goal of this bill give tenants the right to protect their health by terminating their lease in the event of uncorrected health and safety violations. The PHED Committee recommends enactment

with one technical amendment, which can be found on page 1 of the Council staff report. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190625/20190625_15.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.

PUBLIC HEARINGS

All public hearings will be held on June 25 at 1:30 p.m.

Special Appropriation to the FY19 Operating Budget, Montgomery County Public Schools (MCPS) - \$1,248,757 for a School Safety Safe Schools Grant

The Council is scheduled to hold a public hearing and vote on a special appropriation to the MCPS Fiscal Year 2019 Operating Budget of \$1,248,757 for a school safety grant. This grant would be used to provide salaries and overtime, contractual services, program supplies and equipment. The source of funds is a Maryland Center for School Safety Grant. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190625/20190625_6.pdf

Supplemental Appropriation to the FY19 Capital Budget and Amendment to the FY19-24 Capital Improvements Program, Montgomery County Public Schools (MCPS) - \$1,388,000 for Technology Modernization Project

The Council is scheduled to hold a public hearing and vote on \$1,388,000 in supplemental funding for MCPS's Technology Modification Project. This funding, which is provided through federal e-rate reimbursement, would allow MCPS to use rebates for internet and telecommunication service costs. MCPS has been using E-Rate rebates to support improving student access to technology by purchasing technology hardware and software, as part of its technology modernization plan. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190625/20190625_7.pdf

Special Appropriation to the FY19 Operating Budget, MCPS - \$3,978,197 for the Title I-Part A Grant (Source: State Grant)

The Council is scheduled to hold a public hearing and vote on a supplemental appropriation for Title I funding for MCPS. The source of funds is a state grant. This funding would provide professional part-time salaries, associated employee benefits, instructional materials and student transportation at County Title I schools. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190625/20190625_8.pdf

Supplemental Appropriation to the FY19 Operating Budget, MCPS - \$5,600,000 for the School Bus Safety Camera Program

The Council is scheduled to hold a public hearing and vote on a supplemental appropriation for the School Bus Camera Program. The source of funds is citation fines and the County's General Fund. The appropriation would be used to improve student safety and enforce traffic violations. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190625/20190625_9.pdf

Supplemental Appropriation to the FY19 Operating Budget, MCPS - \$541,837 for the Heroin and Opioid Prevention Grant

The Council is scheduled to hold a public hearing and vote on a supplemental appropriation for the Heroin and Opioid Prevention Grant. A state grant is the source of funds. The appropriation would provide students, their families and the community with training, information and resources on substance abuse through training, workshops, a public awareness campaign, and Narcan for each school location. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190625/20190625_10.pdf

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

The Council is scheduled to hold a public hearing and vote on Bill 16-19. For more information see page 3 of this document. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190625/20190625_11.pdf

Bill 17-19, Bond Authorization - Stormwater Management

The Council is scheduled to hold a public hearing and vote on Bill 17-19. For more information see page 3 of this document. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190625/20190625_12.pdf

COMMITTEES

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

On June 24 at 9:30 a.m. the Health and Human Services (HHS) Committee will review Bill 12-19. Councilmember Hans Riemer is the lead sponsor. Councilmembers Will Jawando and Tom Hucker 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, doorman, handyman 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 other 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 Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190624/20190624_HHS1.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.

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

On June 24 at 9:30 a.m. the Planning, Housing and Economic Development (PHED) Committee will review 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/cm/2019/20190624/20190624_PHED1.pdf

The Missing Middle Housing Study

The PHED Committee will receive a briefing on the Montgomery County Planning Board’s 2018 Missing Middle Housing Study. The term “missing middle” signifies multi-unit, clustered housing, such as townhouses, courtyard dwellings and smaller apartment buildings, that can bridge low- and high-density areas. Missing middle housing has been recognized as a potential solution to providing residential options along a spectrum of affordability for an increasingly diverse population, including downsizing seniors, young families and newcomers to the region. Developing these projects, however, is challenging due to market and economic challenges, unfavorable neighborhood perceptions and regulatory requirements. The 2018 study provides an in-depth analysis of the challenges and identifies potential ways that Montgomery County can address them through policy changes or incentives. Some recommendations from the study include the following:

- Create, through a zoning text amendment, a Missing Middle Optional Method of Development in the most appropriate zoning categories, which would have clear locational criteria and design standards, including site plan review.
- Evaluate the ability to use floating zones to create Missing Middle housing. Modify prerequisites for certain floating zones in specific locations or create a Missing Middle Floating Zone.
- Create a staff/consultant group that can evaluate and suggest potential financial incentives, such as tax credit programs and fee waivers that encourage Missing Middle typologies.

The study can be viewed here:

https://montgomeryplanning.org/wp-content/uploads/2018/09/MissingMiddleHousingStudy_9-2018.pdf

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; and Paul Mortensen, Senior Urban Designer. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190624/20190624_PHED2-3.pdf

Report on Housing, Population, and Employment Trends Since 1990

The PHED Committee will close out its meeting with a briefing on 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; and Paul Mortensen, Senior Urban Designer. 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 at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190624/20190624_PHED2-3.pdf

Office of Consumer Protection

On June 24 at 2 p.m. the Public Safety (PS) Committee will received an update from the Office of Consumer Protection (OCP). The mission of OCP is to enforce consumer protection laws prohibiting unfair and deceptive business acts or practices to ensure a fair marketplace for consumers and businesses. Topics to be discussed include a staffing and volunteer overview, summaries of recent cases and consumer education

and outreach initiatives. The meeting also will focus on the growing number of online fraud and scams that impact our residents. Those expected to attend include Eric Friedman, Director of OCP; Tracy Rezvani, Administrator; Samuel K. Buo, Administrator; and Marsha Carter, Management and Budget Specialist. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190624/20190624_PS1.pdf

Declaration of No Further Need: Disposition of the former Silver Spring Library site located at 8901 and 8907 Colesville Road in Silver Spring

On June 27 at 2 p.m. the Government Operations and Fiscal Policy (GO) Committee will meet to review the disposition of the former Silver Spring library site. The previous County Executive sent a memorandum dated March 21, 2018 to the Council regarding material terms for his proposed disposition of the former Silver Spring library property, located at 8901 and 8907 Colesville Road in Silver Spring. The County Executive stated in this memo that “the Department of General Services completed the required reuse analysis for the property and determined that it was no longer needed for a public use.” The previous County Executive issued Executive Order No. 060-18, effective March 20, 2018, in which he declared the property was no longer needed for County use. The Council staff report will be available on June 25.