

COUNCIL COMING ATTRACTIONS



Week of April 1, 2019

Retiree Health Benefits Trust, Corrective Map Amendment to Takoma Park Master Plan, Planning Board's Semi-Annual Report, Code Enforcement, Lead in Drinking Water in Schools, Business Incubators, Accessory Apartments and Equal Pay

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> .

On Tuesday, April 2 the Council meeting will begin at 9:30 a.m. with the following proclamation presentations:

-  Councilmember Gabe Alborno and County Executive Marc Elrich will present a proclamation recognizing National Public Health Week;
-  Council Vice President Sidney Katz and County Executive Marc Elrich will present a proclamation recognizing Child Abuse Prevention Month; and
-  Councilmember Evan Glass will present a proclamation recognizing International Transgender Day of Visibility.

COUNCIL

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

On Tuesday, April 2 at 10:30 a.m. the Council will introduce Bill 9-19, Consolidated Retiree Health Benefits Trust – Delegation of Duties. Council President Nancy Navarro is the lead sponsor, at the request of the Board of Trustees for the Consolidated Retiree Health Benefits Trust. Bill 9-19 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. 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/2019/20190402/20190402_3A.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.

Semi-Annual Report of the Montgomery County Planning Board

The Council will receive a briefing on the 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 schedule for master plans that are in progress and the proposed schedule for new plans can be found on page 34 of the report. Some of the other topics what will be covered include: Vision Zero, Purple Line Corridor Mobility, the Economic Development and Transit-Oriented Finance and Implementation Plan, community engagement, housing, community planning and revitalization and Maryland's Managed Lanes Study. Topics related to the Department of Parks are interspersed throughout the report and focus on activating parks, delivering new and improved hard and natural surface trails near areas of highest population, planning for trails where there are service gaps and expanding potential commuting opportunities with e-bikes and e-scooters.

The full report can be viewed at:

https://montgomeryplanning.org/wp-content/uploads/2019/03/2019_Spring_semiannual_print.pdf

The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190402/20190402_5.pdf

PUBLIC HEARINGS

All public hearings will be held starting at 1:30 p.m. on Tuesday, April 2.

Special Appropriation to Montgomery County Public Schools' (MCPS) FY19 Capital Budget - \$5,000,000 for Relocatable Classrooms

The Council will hold a public hearing on a special appropriation to MCPS' Fiscal Year 2019 Capital Budget of \$5 million for relocatable classrooms. This appropriation would cover the leasing, purchase, movement and rehabilitation of relocatable classrooms needed for the 2019-20 MCPS school year. The Council is tentatively scheduled to vote on this appropriation on April 8. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190402/20190402_6.pdf

Amendment to the FY19-24 Capital Improvements Program (CIP) and transfer of unexpended project balance within the FY19 Capital Budget for MCPS in the amount of \$7,500,000 to MCPS Local Unliquidated Surplus Account: \$2,500,000 from Planned Lifecycle Asset Replacement, \$2,000,000 from Restroom Renovations and \$3,000,000 from Roof Replacement

The Council will hold a public hearing on an amendment to the Fiscal Years 2019-2024 CIP, and transfer of unexpended project balance within the FY19 Capital Budget for MCPS in the amount of \$7.5 million to MCPS Local Unliquidated Surplus Account: \$2.5 million from Planned Lifecycle Asset Replacement, \$2 million from Restroom Renovations and \$3 million from Roof Replacement. An Education and Culture (E&C) Committee meeting is tentatively scheduled for April 12. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190402/20190402_7-8.pdf

 **Amendment to the FY19-24 CIP and transfer of unexpended project balances within MCPS FY19 Capital Budget from the MCPS Local Unliquidated Surplus Account in the amount of \$7,500,000 to Current Revitalizations/Expansions (Seneca Valley High School)**

The Council will hold a public hearing on an amendment to the Fiscal Years 2019-2024 CIP and transfer of unexpended project balances within MCPS FY19 Capital Budget from the MCPS Local Unliquidated Surplus Account in the amount of \$7.5 million to Current Revitalizations/Expansions (Seneca Valley High School). On March 8, the Council received a request from the Board of Education to transfer \$7.5 million from several projects to the Current Revitalizations/Expansions project to provide funding for the build-out of space for the Career and Technology program at Seneca Valley High School as part of its Current Replacements/Modernizations Project. An E&C Committee meeting is tentatively scheduled for April 12. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190402/20190402_7-8.pdf

COMMITTEE

 **Zoning Text Amendment (ZTA) 19-03, Commercial/Residential Zones – Animal Board and Care**

On April 1 at 9:30 a.m. the Planning, Housing and Economic Development (PHED) Committee will review ZTA 19-03, Commercial/Residential Zones – Animal Board and Care. Council President Nancy Navarro is the lead sponsor, at the request of the County Executive. ZTA 19-03 would allow animal boarding and care as a limited use in commercial/residential (CR) zones. Those expected to attend include the following: Casey Anderson, Chair, Montgomery County Planning Board; Jason Sartori, Acting Chief, Functional Planning and Policy, M-NCPPC; Greg Russ, Planner Coordinator, M-NCPPC; and Ehsan Motazed, Chief, Zoning and Enforcement, Department of Permitting Services. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190401/20190401_PHED1.pdf

 **Overview of County Housing Code Enforcement**

The PHED Committee also will receive a briefing on County housing code enforcement. Some of the issues that the Department of Housing and Community Affairs will focus on include:

- requirements for inspections for rental housing (multi-family, single-family, and accessory apartments) and how DHCA responds to complaint-initiated requests for inspections;
- the surge inspection program and “troubled properties”;
- the most common violations for both multi-family and single-family properties; and
- what violations regarding the parking and storage of automobiles is within the purview of DHCA Code Enforcement and other issues.

Those expected to attend include the following: Tim Goetzinger, acting director, Department of Housing and Community Affairs (DHCA), Chris Anderson, chief, DHCA Community Development, Dan McHugh, manager, DHCA Code Enforcement, Ivan Eloisa, supervisor, DHCA Code Enforcement, Kenneth (Keen) Nichols, code enforcement specialist, Cynthia Lundy, code enforcement specialist, Sharla Quintanilla, DHCA outreach and education specialist. Representatives from the Department of Permitting Services (DPS) and the Department of Health and Human Services (DHHS) will also be present to respond to questions. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190401/20190401_PHED2.pdf

 **OLO Report 2019-3, Afterschool Bookings at MCPS Elementary Schools**

On April 1 at 2 p.m. the PHED and E&C Committees will meet jointly to review Office of Legislative Oversight (OLO) Report 2019-3, Afterschool Bookings at MCPS Elementary Schools. This report responds to the Council’s request to compare the availability of afterschool programming among elementary schools based on the percentages of students receiving Free and Reduced-Price Meals (FARMS) and to determine factors that influence afterschool providers operating in schools. Key OLO findings include:

- The data show a strong connection between a lack of afterschool programming and a school's FARMS rate when excluding four outlier elementary schools that have targeted programming through Excel Beyond the Bell.
- Elementary schools with more PTA members, higher student enrollment and a childcare provider onsite tend to have more afterschool bookings.
- Elementary schools with more students eligible for FARMS, English as a Second Language (ESOL), or special education services experience greater numbers of students entering or withdrawing during the school year – referred to as student “mobility.”
- Schools with more active Parent-Teacher Associations have more afterschool bookings. Active PTAs have more capacity to fundraise, organize and promote afterschool programs in their respective schools.
- Higher FARMS schools with a greater percent of students eligible for bus service tend to have fewer afterschool bookings. Stakeholders reported that without bus transportation available following afterschool programming, many students cannot participate.
- Examining elementary school data by high school cluster revealed that five clusters had, on average, the fewest afterschool bookings per student: Gaithersburg, Northeast Consortium, Northwest, Seneca Valley and Watkins Mill. In comparison, elementary schools in clusters with the highest bookings per student are located down and west County.

The full report can be viewed here:

<https://www.montgomerycountymd.gov/OLO/Resources/Files/2019%20Reports/OLOREport2019-3.pdf>

The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190401/20190401_ECPHED1.pdf

Police Crime Lab and Forensics

On April 1 at 2 p.m. the Public Safety (PS) Committee will receive a briefing on the Montgomery County Police Department's (MCPD) crime lab and forensics. Those expected to attend include the following: Assistant Chief Marcus Jones, Investigative Services Bureau, MCPD; Captain Michael Ward, Director of the Criminal Investigations Division; Francis Chiafari, Crime Lab Director. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190401/20190401_PS1.pdf

Bill 2-19, Health – Lead in Drinking Water – Schools and Resolution to Adopt Bill 2-19 as a Board of Health Regulation

On April 2 at 2:30 p.m. the Health and Human Services (HHS) and E&C Committees will meet jointly to review Bill 2-19, Health – Lead in Drinking Water – Schools that would establish a County lead limit for drinking water that is stricter than the State of Maryland's water quality requirement for lead in drinking water in public schools. Councilmembers Tom Hucker is the lead sponsor. All other Councilmembers are cosponsors. The bill also requires corrective action for water fountains and other water sources in public school buildings with lead concentration greater than the County lead limit. The goal of this legislation is to help ensure that students have safe drinking water at public schools. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190402/20190402_HHSEC1-2.pdf

Key search terms for this legislation on the Council's website include: lead, water, water fountains, schools and health. #SafeWater4Students is being used for this bill on social media.

County's Direction for Business Incubators

On April 4 at 9:30 a.m. the PHED Committee will review the County's direction for business incubators. The Council staff report will be available on April 2.

ZTA 19-01, Accessory Residential Uses - Accessory Apartments

The PHED Committee also will continue its review of ZTA 19-01, Accessory Residential Uses - Accessory Apartments. Councilmember Hans Riemer is the lead sponsor. ZTA 19-01 would remove the requirement for conditional use approval for all accessory apartments and revise the limited use provisions for attached and detached accessory apartments. 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 Council staff report will be available on April 2.

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.

Bill 4-19, Personnel – Merit System – Requesting Salary History Prohibited

On April 4 at 2 p.m. the Government Operations and Fiscal Policy (GO) Committee will review Bill 4-19, Personnel – Merit System – Requesting Salary History Prohibited. Councilmember Evan Glass is the lead sponsor. All other Councilmembers are cosponsors. Bill 4-19 would prohibit the County from requesting salary history from an applicant for County employment and prohibit the County from relying on salary history to determine an applicant's starting salary. The goal of this bill is to help eliminate wage inequity between genders for Montgomery County Government employees. The Council staff report will be available on April 2.

Key search terms for this legislation on the Council's website include: equal pay, salary history, wage gap and pay disparities. #MoCoEqualPay is being used for this bill on social media.

Stormwater Management and MS4 Permit Status

On April 4 at 2 p.m. the Transportation and Environment (T&E) Committee will receive an update on stormwater management issues and the status of the municipal separate storm sewer systems (MS4) permit. The Council staff report will be available on April 2.

Bill 7-19, Environmental Sustainability – Commercial Property Assessed Clean Energy Program – New Construction

The Committee will review Bill 7-19, Environmental Sustainability - Commercial Property Assessed Clean Energy Program – New Construction. Councilmember Tom Hucker is the lead sponsor. All other Councilmembers are cosponsors. Bill 7-19 would expand the Commercial Property Assessed Clean Energy (CPACE) Program to new construction. The goal of this bill is to promote environmental sustainability by allowing new commercial construction to be eligible for the CPACE program. The Council staff report will be available on April 2.

Key search terms for this legislation on the Council's website include: Clean Energy Program, new construction and environmental incentives. #MoCoCleanEnergy is being used for this bill on social media.

Bill 36-18, Transportation Management – Transportation Demand Management Plan - Amendments

The T&E Committee also will review Bill 36-18, Transportation Management – Transportation Demand Management Plan – Amendments. Councilmember Hans Riemer is the lead sponsor, at the request of the County Executive. The goal of this legislation is to reduce traffic congestion and automobile emissions and to support multi-modal transportation. Expedited Bill 36-18 would do the following:

- expand transportation demand management to reduce traffic congestion and automobile emissions, support multi-modal transportation and non-automobile travel goals, enhance the efficient use of transportation infrastructure and promote the sustainability of existing and future development; and
- establish the requirements for a transportation demand management plan for development in certain areas of the County. The Council staff report will be available on April 2.