

COUNCIL COMING ATTRACTIONS



January 28, 2019

FY19 Budget Savings Plan, Veirs Mill Corridor Master Plan, Estate Sales, Mall Height Limits, Fences, Street Tree Preservation, Spending Affordability Guidelines

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> .

**Useful Information
Week of January 28, 2019**

COUNCIL

 **Resolution to approve FY19 Savings Plan**

The Council is scheduled to vote on a resolution to approve the FY19 Budget Savings Plan. The Council's six Committees have reviewed all elements of the County Executive's proposed savings plan. Their recommendations for FY19 savings are now before the Council for action. The Committees recommend \$45.7 million in operating budget savings and \$200,000 in current revenue in the Capital Improvements Program (CIP). In total, the Committees' recommendations are \$680,590 less than recommended by the Executive but exceed the identified gap. The table on circle pages 13-17 lists the Committee changes and circle pages 18 to 51 contain the Council staff memoranda to the Committees. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190129/20190129_6.pdf

 **Amendment to the FY19-24 Capital Improvements Program, Department of Transportation, Street Tree Preservation Program**

The Council will introduce an amendment to the FY19-24 Capital Improvements Program, Department of Transportation, Street Tree Preservation Program. A public hearing and vote on the amendment is tentatively scheduled for February 26 at 1:30 p.m. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190129/20190129_6-5.pdf

 **Veirs Mill Corridor Master Plan**

The Council will receive an overview of the Veirs Mill Corridor Master Plan. The Montgomery County Planning Department, under the guidance of the Montgomery County Planning Board and the Council, initiated the Veirs Mill Corridor Plan in January 2017. The plan focuses on neighborhood access to the anticipated bus rapid transit (BRT) stations, compatibility with adjoining land uses, potential redevelopment opportunities and improved connectivity. The plan extends approximately four miles, from the City of Rockville to the Wheaton Central Business District and Vicinity Sector Plan boundary. More information on the plan can be found [here](#). A public hearing is scheduled for 7:30 p.m. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190129/20190129_7.pdf

#VeirsMillPlan2019 is being used for this item on social media.

PUBLIC HEARINGS

All public hearings will be held on Tuesday, January 29 at 1:30 p.m. unless otherwise indicated.

 **Spending Affordability Guidelines for FY20 Operating Budget**

The Council will hold a public hearing on the Spending Affordability Guidelines for the FY 2020 Operating Budget. A Government Operations and Fiscal Policy (GO) Committee meeting is scheduled for January 31. The Council must act to adopt these guidelines by February 12. These guidelines set the parameters for the overall operating budget by setting the ceiling on property tax revenues and the aggregate operating budget and the allocation of the aggregate operating budget. Any aggregate operating budget that exceeds the guidelines requires the affirmative vote of seven Councilmembers. This supermajority requirement is the most significant aspect of the spending affordability guidelines for the operating budget. The Council

staff report outlines recommendations for the Council to consider and can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190129/20190129_8.pdf

 **2018 National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit Financial Assurance Plan**

The Council will hold a public hearing on the 2018 National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit Financial Assurance Plan. A Transportation and Environment (T&E) Committee meeting is scheduled for January 31. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190129/20190129_9.pdf

 **Supplemental appropriation to the County Government’s FY19 Capital Budget, Department of General Services - \$20,990,000 for Rockville CORE**

The Council will hold a public hearing on a supplemental appropriation to the County Government’s FY19 Capital Budget, Department of General Services of \$20,990,000 for Rockville CORE. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190129/20190129_10.pdf

 **Supplemental appropriation to MCPS’ FY19 Operating Budget, Teacher Induction, Retention, and Advancement (TIRA) Pilot Grant - \$500,183 to improve first-year teacher retention in Title I schools**

The Council will hold a public hearing on a supplemental appropriation to MCPS’ FY19 Operating Budget, Teacher Induction, Retention, and Advancement (TIRA) Pilot Grant of \$500,183 to improve first-year teacher retention in Title I schools. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190129/20190129_11.pdf

 **Supplemental appropriation to MCPS FY19 Operating Budget, Comprehensive School Safety Initiative Grant - \$683,946 for study on combining the Positive Behavioral Interventions and Supports Program with Restorative Justice practices to improve school safety**

The Council will hold a public hearing on a supplemental appropriation to MCPS FY19 Operating Budget, Comprehensive School Safety Initiative Grant of \$683,946 for a study on combining the Positive Behavioral Interventions and Supports Program with Restorative Justice practices to improve school safety. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190129/20190129_12.pdf

 **Veirs Mill Corridor Master Plan**

At 7:30 p.m. the Council will hold a public hearing on the Veirs Mill Corridor Master Plan. The vision of the Veirs Mill Plan is to preserve and strengthen the communities of the Veirs Mill corridor by enhancing existing community resources, increasing connectivity and promoting safety. The primary goals and recommendations of the plan include: improving connectivity between transit, community uses and facilities, and enhance safety for all users of Veirs Mill Road; support the existing residential scale and neighborhood character; and introducing limited redevelopment opportunities to strengthen the existing centers and neighborhood identity. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190129/20190129_7.pdf

#VeirsMillPlan2019 is being used for this item on social media.

COMMITTEES

 **ZTA 18-12, Setback Exemptions – Fences**

The PHED Committee will review ZTA 18-12, Setback Exemptions – Fences. Councilmember Hans Riemer is the lead sponsor. ZTA 18-12 would allow a fence up to eight feet, if it is abutting a master planned right of way for a rail line or abutting any service roads that provides access to a master plan right of way for a rail line. The goal of this zoning proposal is to protect residents’ privacy, allowing them to shield their properties from rail line facilities including the Purple Line. Those expected to attend the meeting include the following: Jason Sartori, acting chief, Functional Planning and Policy, Maryland-National Capital Park and Planning Commission (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 here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190128/20190128_P HED2.pdf

Key search terms for ZTA 18-12 on the Council's website include: light rail, Purple Line and right of way. #Fences is being used for this item on social media.

ZTA 18-13, Regional Shopping Center Overlay Zone – Standards

The PHED Committee will close out its meeting with a review of ZTA 18-13, Regional Shopping Center Overlay Zone – Standards. Councilmember Hans Riemer is the lead sponsor. ZTA 18-13 would amend the Regional Shopping Center Overlay Zone. It would allow for free standing buildings used for retail sales and service, structured parking, or health clubs at a maximum height of 90 feet. The Regional Shopping Center Overlay Zone applies to Westfield Montgomery and Westfield Wheaton Malls. The general building height limit in the zone is 45 feet. The overlay zone has exceptions to that height limit for a building that includes a theater complex (90 feet), a hotel or motel (150 feet), and an apartment building or a multi-use building with residential use (150 feet). This ZTA would add to those exceptions. The goal of this zoning proposal is to allow more flexibility to use allowable density in different configurations. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190128/20190128_P HED3.pdf

Key search terms for ZTA 18-13 on the Council's website include: height limits, regional shopping center, Montgomery Mall and Wheaton Mall. #WestfieldMallHeight is being used for this item on social media.

Repeal of ER 66-89, Cave-In Team Response

At 9:30 a.m. the Public Safety (PS) Committee will review the repeal of ER 66-89, Cave-In Team Response. The regulation is being repealed because it no longer meets the criteria for modern day cave-in rescue incidents. A new cave-in response incident policy was created and became effective on January 2, 2019. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190128/20190128_P S1.pdf

Repeal of ER 9-18, First Response for Trench Rescue Incidents

The PS Committee will review the repeal of ER 9-18, First Response for Trench Rescue Incidents. The regulation is being repealed because it no longer meets the criteria for modern day trench rescue incidents. A new cave-in response incident policy was created and became effective on January 2, 2019. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190128/20190128_P S2.pdf

Bill 40-18, Secondhand Personal Property - Dealers – License

The PS Committee will close out its meeting with a review of Bill 40-18, Secondhand Personal Property - Dealers – License. Councilmembers Andrew Friedson and Sidney Katz are the lead sponsors. Councilmember Gabe Albornoz, Council President Nancy Navarro and Councilmember Hans Riemer are cosponsors. Bill 40-18 would exclude certain personal property from the definition of secondhand personal property and provide that a secondhand personal property dealer license expires one year from the date of issuance. The goal of this bill is to provide that individuals and businesses that assist in coordination and marketing of estate sales are not considered secondhand personal property dealers. Its other goal is to avoid a high volume of license renewal applications at the same time each year, by providing that licenses issued under the law are valid for a period of one year. Captain Michael Ward of the Montgomery County Police Department, Eric Friedman, director of the Office of Consumer Protection and others are expected to attend. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190128/20190128_PS3.pdf

Key search terms for Bill 40-18 on the Council's website include: estate sales, secondhand property and Office of Consumer Protection. #EstateSales is being used for this item on social media.



Spending Affordability Guidelines for FY20 Operating Budget

On January 31 at 9:30 a.m. the GO Committee will review the Spending Affordability Guidelines for the FY 2020 Operating Budget. The Council staff report will be available on January 29.



2018 National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit Financial Assurance Plan

At 2 p.m. the T&E Committee will review the 2018 National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit Financial Assurance Plan. The Council staff report will be available on January 29.