

COUNCIL COMING ATTRACTIONS



Week of March 4, 2019

Equal Pay, Affordable Housing, Renters' Rights, Clean Energy, Outdoor Smoking Areas, Workforce Development, Non-Merit Positions, Office Involved Deaths, Medical and Dental Clinics, Veirs Mill Corridor Master Plan, School Safety and Security, MCPS Child Abuse and Neglect Policy

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> .

COUNCIL



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

The Council will introduce Bill 4-19, Personnel – Merit System – Requesting Salary History Prohibited. Councilmember Evan Glass is the lead sponsor. Council President Nancy Navarro, Council Vice President Sidney Katz and Councilmembers Andrew Friedson, Will Jawando, Craig Rice, Tom Hucker, Hans Riemer and Gabe Albornoz 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 eliminate this reason for wage inequity between genders. A public hearing is tentatively scheduled for March 26. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190305/20190305_4A.pdf

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.

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

The Council will introduce Bill 5-19, Development Impact Tax for Transportation and Public School Improvements – Exemptions- Amendments. 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. A public hearing is tentatively scheduled for March 26. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190305/20190305_4B.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.

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

The Council will introduce Bill 6-19, Landlord-Tenant Relations - Termination of Lease - Tenant Health and Safety. Councilmember Tom Hucker is the lead sponsor. 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 of applicable law that adversely affects the immediate health and safety of the tenant in the tenant’s unit or a common area available for use by the tenant within 30 days after being ordered to do so by the Department. 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. A public hearing is tentatively scheduled for March 26 at 1:30 p.m. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190305/20190305_4C.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.

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

The Council will introduce Bill 7-19, Environmental Sustainability - Commercial Property Assessed Clean Energy Program - New Construction. Councilmember Tom Hucker is the lead sponsor. Bill 7-19 would expand the Commercial Property Assessed Clean Energy Program to new construction. The goal of this bill is to increase the effectiveness, efficiency and responsiveness of these policy-driven positions. A public hearing is tentatively scheduled for March 26 at 1:30 p.m. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190305/20190305_4D.pdf

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 35-18, Health and Sanitation – Smoking – Outdoor Serving Areas**

The Council is scheduled to vote on Bill 35-18, Health and Sanitation – Smoking – Outdoor Serving Areas. The Health and Human Services (HHS) Committee recommends enactment as amended. Council Vice President Sidney Katz is the lead sponsor. Councilmembers Craig Rice and Hans Riemer and former Councilmember Marc Elrich are cosponsors. Bill 35-18 and the Board of Health regulation would prohibit smoking in certain outdoor serving areas, such as patios, decks and porches, which are under the control of eating or drinking establishments. The goal of this bill is to protect the health of residents. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190305/20190305_5A-6A.pdf

 **Resolution to adopt Bill 35-18, Health and Sanitation – Smoking – Outdoor Serving Areas, as a Board of Health Regulation**

The Council is scheduled to vote on a resolution to adopt Bill 35-18, Health and Sanitation – Smoking – Outdoor Serving Areas, as a Board of Health Regulation. The Health and Human Services (HHS) Committee recommends approval. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190305/20190305_5A-6A.pdf

 **Workforce Development Continuum**

The Council will discuss the workforce development system in Montgomery County with representatives of Worksource Montgomery (WSM). The following topics will be discussed:

- How WSM is improving performance at the job centers and meeting compliance with the State’s performance measurements. See page 8 for details.
- How to expand access and mobility for individuals leaving the Montgomery County Correctional Facility (MCCF).
- Additional ways WSM and the County’s workforce development system can identify and assist underemployed individuals. See page 8 for details.
- What an integrated workforce development system would look like in the County.
- How to improve data collection, data sharing and standardizing data across the workforce development system.

Ellie Giles, CEO of WSM, Ted Rose, chair of the WSM board and others are expected to attend. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190305/20190305_7.pdf

PUBLIC HEARINGS

 **Bill 3-19, Administration – Executive Branch – Non-Merit Positions**

At 1:30 p.m. the Council will hold a public hearing on Bill 3-19, Administration – Executive Branch – Non-Merit Positions. Council President Nancy Navarro is the lead sponsor, at the request of the County Executive. Bill 3-19 and its accompanying Executive Regulation would designate certain positions in the Executive Branch as non-merit positions. A Government Operations and Fiscal Policy (GO) Committee meeting is tentatively scheduled for March 7. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190305/20190305_8.pdf

 **Bill 1-19, Police – Officer Involved Death – Independent Investigation**

At 7:30 p.m. the Council will hold a public hearing on Bill 1-19, Police – Officer Involved Death – Independent Investigation. Councilmember Will Jawando is the lead sponsor. Councilmembers Craig Rice, Hans Riemer Riemer, Council President Nancy Navarro, Councilmember Gabe Albornoz, Council Vice President Sidney Katz and Councilmembers Andrew Friedson, Evan Glass and Tom Hucker are cosponsors. A Public Safety (PS) Committee meeting is tentatively scheduled for March 25. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190305/20190305_10.pdf

Key search terms for Bill 1-19 on the Council’s website include: LETT Act, officer involved death and police investigation. #LawEnforcementTransparency is being used for this item on social media.

COMMITTEES

 **ZTA 19-02, Clinics – Limited Use**

On March 4 at 9:30 a.m. the Planning, Housing and Economic Development (PHED) Committee will review ZTA 19-02, Clinics – Limited Use. Council President Nancy Navarro is the lead sponsor. The goal

of this zoning change is to streamline the process for having medical and dental clinics as an accessory use in certain zones. ZTA 19-02 would allow medical and dental clinics as an accessory to certain large institutional uses. Under the current zoning code, any permitted or limited use in a zone may be an accessory use to any other use in the same zone. Before 2014, an accessory use could be any use that was incidental and subordinate to the principal use. Under this older provision, the Department of Permitting Services allowed medical and dental clinics as accessory uses to some institutional uses. That is no longer the case because those uses are not listed as permitted or limited uses in many residential zones. ZTA 19-02 would allow accessory use clinics in all residential zones with limitations on their size. Council staff recommends approval with amendments. The recommended amendments can be seen on page 1 of the Council staff report, which can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190304/20190304_PHED1.pdf



Veirs Mill Corridor Master Plan

The PHED Committee also will continue its review of the Veirs Mill Corridor Master Plan. 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. The Council held a public hearing on the plan on Feb. 7 at the Holiday Park Senior Center to hear directly from residents in their own community. Casey Anderson, chair of the Planning Board, Gwen Wright, director of the Planning Department, and others are expected to attend. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190304/20190304_PHED2a.pdf



MCPS Safety and Security

At 2 p.m. the Education and Culture (E&C) and Public Safety (PS) Committees will meet jointly to receive an update on safety and security in Montgomery County Public Schools (MCPS). During the FY18 and FY19 capital and operating budget processes, the Council reviewed and approved funding for several initiatives intended to enhance MCPS school safety and security. Additionally, in July 2018 the Committees received a briefing on the Maryland Safe to Learn Act of 2018. The following topics will be discussed at the meeting:

1. A breakdown of how MCPS has spent and/or allocated the additional operating and capital funds for security issues the Council approved as part of the FY17-19 operating budgets.
2. Detail on how MCPS would utilize the proposed \$28 million in new CIP funding for school security as part of the Board's FY19-24 CIP Amendments.
3. Status on the implementation of the Maryland Safe to Learn Act of 2018.
4. MCPS and MCPD's collaboration to review and revise emergency preparedness protocols in schools in alignment with best practices.
5. An update on the School Resource Officer (SRO) Program, to include any revisions to the SRO Memorandum of Understanding and changes to SRO hours.

Those expected to attend include the following: Dr. Andy Zuckerman, MCPS Chief Operating Officer; Ed Clarke, MCPS Chief Safety Officer; Todd Watkins, director of the MCPS Department of Transportation; Assistant Chief Laura Lanham, Montgomery County Police Department (MCPD); and Captain Elizabeth Hattenburg, director of the MCPD Community Engagement Division. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190304/20190304_ECPS1.pdf



MCPS Child Abuse and Neglect Policy

The Committees also will receive an update on MCPS's child abuse and neglect policy. The following topics will be discussed at the meeting:

1. Staff Training/Employee Code of Conduct
2. Screening of new and existing MCPS employees

3. Training and screening for volunteers and contractors
4. Collaboration with partner agencies
5. Committee on Child Abuse and Neglect
6. Communication with the school community
7. Personal body safety lessons and information for parents
8. Child abuse and neglect reporting, outcome, and disciplinary data

Those expected to attend include the following: Dr. Donna Hollingshead, associate superintendent of school administration, MCPS; Gregory Edmundson, coordinator, MCPS Compliance Unit; Dr. Henry Johnson, MCPS chief of staff; and Joshua Civin, MCPS general counsel. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190304/20190304_ECPS2.pdf



Expedited Bill 3-19, Administration – Executive Branch – Non-Merit Positions

On March 7 the GO Committee will review Expedited Bill 3-19, Administration – Executive Branch – Non-Merit Positions. For more information, see the “Public Hearings” section on page 1 of this document. The Council staff report will be available on March 5.