

# COUNCIL COMING ATTRACTIONS



## Week of Nov. 18, 2019

### Council's Economic Development Platform, Racial Equity and Social Justice Act, Duty of Fair Representation, OLO Report on Common Ownership Communities, Refugee Resettlement, Inspector General's School Bus Camera Report

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, Nov. 19 at 9:30 a.m.
-  Councilmember Craig Rice will present a proclamation recognizing Northwest HS student Kayla DiCello for winning the U.S. Junior Women's Gymnastic Championship.

## COUNCIL

### Resolution to endorse Maryland Economic Development Assistance Authority and Fund (MEDAAF) Loans

On Nov. 19 at 9:45 a.m. the Council will introduce a resolution to endorse Maryland Economic Development Assistance Authority and Fund Loans to assist the following entities:

- [Urban One, Inc./TV One, LLC's expansion in Montgomery County;](#)
- [Fox Television, LLC's attraction to Montgomery County;](#)
- [REGENXBIO, Inc.'s expansion in Montgomery County;](#) and
- [RADA Technologies, LLC's attraction to Montgomery County.](#)

The County must endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) loans in a formal resolution, as required by the Economic Development Article of the Maryland Code. The subject MEDAAF loan are part of a negotiated financial assistance package for the business's expansion in the County.

The Council staff report are hyperlinked to each entity.

### **Resolution to adopt an Economic Development Platform for Montgomery County**

The Council is scheduled to vote on a resolution, introduced by Council President Nancy Navarro, to adopt a new Economic Development Platform for Montgomery County. The Council's Economic Development Platform Resolution is a guiding document that identifies a thriving and diversified economy, greater innovation, racial equity and social justice, and environmental sustainability as desired outcomes. The goal of the resolution is to grow the County's tax base by creating new, well-paying job opportunities, removing regulatory barriers for new businesses seeking to locate or expand operations in the County, and investing in business development, housing, transportation and workforce development. Council President Navarro is the lead sponsor of the resolution, and all other Councilmembers are cosponsors. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191119/20191119\\_2E.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191119/20191119_2E.pdf)

### **Resolution to Support Refugee Resettlement in Montgomery County**

The Council is scheduled to vote on a resolution, introduced by Councilmember Hans Riemer, supporting refugee resettlement in Montgomery County. The resolution reinforces the Council's support for the principle of accepting refugees into the County regardless of their religion, race, nationality, sexual orientation, gender identity or country of origin. It notes that among the refugees who need to be resettled in the U.S. there are torture survivors, people with severe medical conditions, LGBTQIA individuals who faced prejudice, violence and precarity in their countries of origin, children who are in the U.S. without family or guardians, and women and children whose lives would be at risk had they remained in their countries of origin. Councilmember Riemer is the lead sponsor. All other Councilmembers are cosponsors. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191119/20191119\\_2F.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191119/20191119_2F.pdf)

### **Bill 35-19, Personnel – Collective Bargaining – Certified Representative – Duty of Fair Representation**

The Council will introduce Bill 35-19, which would amend the duty of fair representation for a certified representative of County employees and authorize a certified representative to impose the reasonable costs of filing a grievance or pursuing arbitration on an employee who does not pay membership dues or the equivalent. Councilmember Tom Hucker is the lead sponsor. Bill 35-19 also would require a certified representative to file a grievance or pursue arbitration for an employee who does not pay membership dues or the equivalent only if the employee pays the reasonable costs imposed; and generally amend the duty of fair representation of a certified representative of County employees. The goal of this legislation is to permit a union to receive payment for filing grievances on behalf of an employee who chooses not to pay union dues. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191119/20191119\\_3A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191119/20191119_3A.pdf)

#FairRepresentationMoCo is being used for this bill on social media.

### **Bill 27-19, Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established**

The Council is scheduled to vote on Bill 27-19, the Racial Equity and Social Justice Act. Council President Nancy Navarro is the lead sponsor. All other Councilmembers are cosponsors. This legislation would create a Racial Equity and Social Justice Program for Montgomery County government that would be implemented across county government by a new executive branch Office of Racial Equity and Social Justice. Council President Nancy Navarro is the lead sponsor. All other Councilmembers are cosponsors. Under Bill 27-19, the County Executive would be required to adopt a county-wide racial equity and social justice action plan by regulation. Each County department and office also would be required to develop a

racial equity and social justice action plan. In addition, Bill 27- 19 would require that legislation, public policy initiatives and government programs, supported by budget requests, include a racial equity and social justice impact statement. The bill also would establish a Racial Equity and Social Justice Advisory Committee that would include members of the public.

Since land use plans and policies are major drivers for shaping communities, Bill 27-19 requires the Montgomery County Planning Board to consider racial equity and social justice issues when preparing master plans that are submitted to the Council. These plans include recommendations for land uses, transportation and public facilities such as schools, libraries, community and recreation centers, parks and fire and police stations.

Formal community conversations on racial equity and social justice, which were co-hosted by Council President Navarro and County Executive Marc Elrich, began in March. These conversations in Silver Spring, Germantown and White Oak, and a youth meeting at Gaithersburg High School, were attended by more than 750 community members. Various community groups also hosted individual meetings at nonprofit organizations, religious institutions, community centers and in private homes. More than 45 individuals, including County residents, heads of County departments and agencies and representatives of nonprofits testified at the Oct. 29 public hearings on Bill 27-19. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191119/20191119\\_5A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191119/20191119_5A.pdf)

#EquityMattersInMoCo is being used for this bill on social media.

#### **Vision Zero Program to promote pedestrian, bicycle, and traffic safety**

The Council will discuss Vision Zero, a wide-ranging program of engineering, education, and enforcement initiatives to significantly reduce and even eliminate fatal and severe injury accidents to pedestrians, bicyclists, and motor vehicle users by 2030. The Council will hear updates from Greg Slater, administrator, Maryland State Highway Administration; Wade Holland, acting Vision Zero coordinator, CountyStat; Captain Tom Didone, director of Traffic Division, Montgomery County Police Department; and Chris Conklin, director, Montgomery County Department of Transportation (MCDOT). The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191119/20191119\\_6.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191119/20191119_6.pdf)

### **PUBLIC HEARINGS**

All public hearings will be held on Tuesday, Nov. 19.

#### **Zoning Text Amendment (ZTA) 19-07, Telecommunications Towers - Limited Use**

On Nov. 19 at 7:30 p.m. the Council will hold a public hearing on ZTA 19-07, which would amend the Montgomery County Zoning Ordinance to do the following:

- allow certain telecommunications towers as a limited or conditional use in certain residential zones;
- revise the standards for telecommunications towers allowed as a limited or conditional use;
- revise the conditional use findings required for the replacement of a pre-existing pole; and
- generally amend use requirements to address certain telecommunications towers.

This ZTA would allow poles with antennas as a limited use in residential zones where the pole for the antenna would replace a pre-existing utility pole, streetlight pole, or site plan-approved parking lot light pole. The replacement pole must be at least 60 feet from the nearest habitable building, with conditions for screening and design. The poles allowed as a limited use would be limited in height. (For streetlights, the height of the pole that is being replaced is limited to the height of the preexisting pole plus 6 feet when the

abutting right-of-way has a paved section width of 65 feet or less. When the abutting right-of-way has a paved section width greater than 65 feet, the height above pre-existing poles would be 15 feet. For utility poles and parking lot lights, the height of the antenna is limited to the height of the pre-existing utility or parking lot light pole plus 10 feet.) This ZTA also would change the standards and procedures for poles that require conditional use approval. A Planning, Housing and Economic Development (PHED) Committee meeting on ZTA 19-07 is tentatively scheduled for Jan. 23, 2020. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191119/20191119\\_7.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191119/20191119_7.pdf)

## COMMITTEES

### **OLO Report 2019-6: Common Ownership Communities**

On Nov. 18 at 10:30 a.m. the PHED Committee will review Office of Legislative Oversight (OLO) Report 2019-6, Common Ownership Communities. A common ownership community (COC) is an organization consisting of property owners within a residential development that share common property. COCs are governed by an association board of residents who adopt and enforce rules and regulations, assess dues for maintenance of common properties and operations, and hold property owners accountable for rule violations. There are currently 1,039 COCs registered within Montgomery County, including over 133,000 homes and 340,000 residents. The areas with the highest number of COC units are Germantown (18,506) and Silver Spring (13,378). In compiling its report, OLO spoke with stakeholders in County government, local utility companies and representatives from COCs. The report makes the following recommendations:

- Discuss ways to increase education for home buyers in COCs, particularly those purchasing in condominium associations with the Department of Housing and Community Affairs' (DHCA) Office of COCs and other stakeholders. The County is currently increasing its education efforts. The Council should discuss with County staff and community stakeholders what additional educational efforts are feasible.
- Request updates from the DHCA Task Force on Distressed Communities and discuss any recommendations, including an update on the current status of the Task Force.
- Request that DHCA examine the feasibility of adding more precise geographic data to the COC dataset to improve future efforts to analyze data on COCs in the County and identify distressed communities.

Those expected to attend the meeting include the following: Tim Goetzinger, chief, Division of Finance and Administration, DHCA; Frank DeMarais, deputy director of affordable housing, DHCA; and Mark Fine, chairperson of the Montgomery County Commission on Common Ownership. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118\\_P HED1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118_P HED1.pdf)

### **DHCA Common Ownership Communities Program**

The PHED Committee will receive an overview of DHCA's Common Ownership Communities Program. DHCA's Office of Common Ownership Communities provides owners, tenants, residents, boards of directors and management companies of self-governing residential communities with information, assistance and impartial dispute resolution programs which aim to do the following:

- improve the quality of life in the community;
- strengthen the self-governing community structure; and
- enhance the value of residential property in community associations.

The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118\\_P\\_HED2.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118_P_HED2.pdf)

### **Supplemental appropriation – DHCA – \$4,000,000 for HOME Investment Partnerships Program**

The PHED Committee will review a supplemental appropriation to DHCA of four million dollars for its HOME Investment Partnerships Program. The HOME Investment Partnership Program is a federal program that provides funds to build, buy and rehabilitate affordable housing for low-income households. Most often, this is accomplished in partnership with non-profit organizations and the Housing Opportunities Commission. Loan repayments from investments made with the HOME Program funds are higher than the one million dollars expected in the originally approved FY20 budget. This appropriation is needed to allow DHCA to spend these funds in the current fiscal year. Those expected to attend the meeting include the following: Frank DeMarais, deputy director of affordable housing, DHCA; Stephanie Killian, chief, Housing Division, DHCA; Tim Goetzinger, chief, Division of Finance and Administration, DHCA; and Pofen Salem, Office of Management and Budget. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118\\_P\\_HED3.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118_P_HED3.pdf)

### **Bill 24-19, Landlord-Tenant Relations – Obligations of Landlord – Air Conditioning**

The PHED Committee will continue its review of Bill 24-19, which would require a landlord to provide and maintain air conditioning service for rental housing located in the County between May 1 and September 30 and establish standards for air conditioning service provided by a landlord. Councilmember Tom Hucker is the lead sponsor. Councilmembers Will Jawando and Gabe Albornoz, Council President Nancy Navarro and Councilmember Hans Riemer are cosponsors. The goal of this bill is to ensure tenants in rental housing have access to a working air conditioning unit to improve public health and living conditions. The following representatives of DHCA are expected to attend: Aseem Nigam, director; Rosie McCray-Moody, Christopher Anderson and Dan McHugh. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118\\_P\\_HED4.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118_P_HED4.pdf)

### **Universities at Shady Grove**

On Nov. 18 at 1 p.m. the Education and Culture (E&C) Committee will receive a presentation on the Universities at Shady Grove (USG), focusing on the following topics:

- USG's mission, its connection to the community and its current status (i.e., number of programs offered, number of students, demographics of students served and success rate of these students).
- USG's future ability (challenges and opportunities) to meet the needs of the County.

USG is partnership of nine University System of Maryland (USM) universities on one campus in Montgomery County. The nine USM universities are Bowie State University; Salisbury University; Towson University; University of Baltimore; University of Maryland, Baltimore; University of Maryland, Baltimore County; University of Maryland, College Park; University of Maryland, Eastern Shore; and University of Maryland Global Campus (formerly UMUC). Overall, USG offers 80 undergraduate degree, graduate degree, and certificate programs (see circle page three of the Council staff report). USG has approximately 3,000 students enrolled (2,000 undergraduate and 1,000 graduate students). The demographic breakdown of USG students by age, gender, and race/ethnicity is included on circle page 2 of the Council staff report. Those expected to attend the meeting include the following: Mike Knapp, chair of the USG Board of Advisors, and Dr. Stewart Edelstein, executive director of USG. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118\\_E\\_C1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118_E_C1.pdf)

### **Inspector General's School Bus Camera Report**

On Nov. 18 at 2 p.m. the E&C and Public Safety (PS) Committees will meet jointly to review the Inspector General's report on school bus cameras. On July 29, 2019, the joint Committee received an update from MCPS and MCPD staff on the school bus camera safety program. That update focused the status of program elements such as the number of buses outfitted and citations issued, MCPD's citation review process, public education efforts, video examples of violations and the areas with the most violations. During that meeting, the recently-released Office of the Inspector General report was briefly discussed, and the Committee chairs requested a follow-up meeting focusing directly on that report. In this meeting, the joint Committee will receive a summary of the School Bus Safety Camera report and its recommendations from the inspector general; and an update on the bus camera contract from MCPD and MCPS staff. Those expected to attend the meeting include the following: Megan Limarzi, inspector general; Assistant Chief David Anderson, Field Services Bureau, Montgomery County Police Department (MCPD); Captain Tom Didone, director, Traffic Division, MCPD; Richard Hetherington, manager, Automated Traffic Enforcement Unit, MCPD; Neil Shorb, director, Management and Budget Division, MCPD; Andy Zuckerman, chief operating officer, Montgomery County Public Schools (MCPS); and Todd Watkins, transportation director, MCPS. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118\\_P SEC1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118_P SEC1.pdf)

### **Public Safety Feeder Programs in MCPS and Montgomery College**

The E&C and PS Committees will review public safety feeder programs in Montgomery County Public Schools (MCPS) and Montgomery College. Many public schools around the country are now offering career pathways for fire, police and emergency medical positions. In MCPS several pathways provide training in preparation for these careers in public safety. Montgomery College also offers specialized training for emergency communications position. The pathways provide focused education opportunities for student and establish a pipeline for eventual recruitment and hiring in the County's various public safety departments.

Those expected to attend the meeting include the following: Chief Scott Goldstein, Montgomery County Fire and Rescue Service (MCFRS); Chief Marcus Jones, Montgomery County Police Department (MCPD); Division Chief Charles Bailey, Human Resources, MCFRS; Assistant Chief Paul Liquorie, Patrol Services Bureau, MCPD; Captain Nicholas Augustine, director, Police Personnel Division, MCPD; Scott W. Murphy, director, Department of Secondary Curriculum and Districtwide Programs, MCPS; and Captain Sonia Pruitt, director, Community Engagement Division, MCPD. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118\\_P SEC2.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191118/20191118_P SEC2.pdf)

### **County's workforce development delivery structure**

On Nov. 19 at 3 p.m. the PHED and E&C Committees will meet jointly to review the County's workforce development delivery structure. The Committees requested a worksession to review and discuss the County's workforce development delivery structure and expectations for the County's Workforce Development Organization (WDO) following its discussion of Expedited Bill 19-19, Economic Development - Workforce Development - Amendments on September 12, 2019. This worksession is an opportunity for the committees to discuss with Executive staff the direction for the County's workforce development implementation as the fiscal year 2021 (FY21) budget is assembled.

Those expected to attend the meeting include the following: Jerome Fletcher, assistant chief administrative officer, County Executive's Office. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191119/20191119\\_P HEDEC1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191119/20191119_P HEDEC1.pdf)