

COUNCIL COMING ATTRACTIONS



Week of Sept. 16, 2019

Racial Equity and Social Justice, E-Cigarettes, Vape Shops, Local Business Preference Program, Rental Housing Licensing, Bond Authorization, Land Use and Racial Equity, Cybersecurity Investment Incentive, Accessory Apartments, Crime Prevention Initiatives, Affordable Housing, Radio Systems

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, Sept. 17 at 9:30 a.m.
-  The Council meeting will begin with an invocation from Mr. John F. Mahoney of Bethesda Friends Meeting.

COUNCIL

Expedited Bill 25-19, Contracts and Procurement - Local Business Preference Program – Established

The Council will introduce Expedited Bill 25-19, which would increase the number of local businesses awarded County contracts and establish a Local Business Preference Program for certain County contracts. Council President Nancy Navarro is the lead sponsor, at the request of the County Executive. The goal of this legislation is to support local businesses. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190917/20190917_5A.pdf

#LocalBusiness and #MoCo4Growth are being used for this bill on social media.

Expedited Bill 26-19, Bond Authorization

The Council will introduce Expedited Bill 26-19, which would increase the County's authorization to borrow funds related to school construction by \$245,000,000; to public roads by \$88,600,000; and to County Government facilities by \$5,600,000. Council President Nancy Navarro is the lead sponsor, at the request of the County Executive. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190917/20190917_5B.pdf

Bill 27-19, Administration - Human Rights - Office of Racial Equity and Social Justice - Racial Equity and Social Justice Advisory Committee – Established

Council President Nancy Navarro will introduce Bill 27-19, which 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. 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 would be required to develop a racial equity and social justice action plan.

Bill 27-19 also 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.

Work on the Racial Equity and Social Justice Act officially began in April 2018 when the Council passed a [resolution](#) spearheaded by Council President Navarro, to create the framework to develop a racial equity policy. Since that time Council President Navarro has met with community members throughout the county on racial equity and social justice issues.

Formal community conversations on racial equity and social justice, which were co-hosted by Council President Navarro and County Executive 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. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190917/20190917_5C.pdf

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

Expedited Bill 28-19, Technical Corrections

The Council will introduce Expedited Bill 28-19, which would correct technical, typographical, grammatical, reference and codification errors in, and make stylistic, clarifying and conforming amendments to, various provisions of County law. The Montgomery County Council is the lead sponsor. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190917/20190917_5D.pdf

Bill 29-19, Health and Sanitation - Electronic Cigarettes – Distribution

The Council will introduce Bill 29-19, which would prohibit manufacturers of e-cigarettes from distributing them to retail stores within a half mile of a middle or high school through a Board of Health Regulation. Councilmembers Gabe Albornoz and Craig Rice are the lead sponsors. All other Councilmembers are cosponsors. The goal of this legislation is to protect the health of young people and limit their ability to purchase nicotine vaping products. It is illegal for retailers to sell such products to Montgomery County

residents under the age of 21, with the exemption of active duty service members over the age of 18. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190917/20190917_5E-7-8.pdf

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

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

The Council is scheduled to vote on Bill 20-19, which would 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 help increase accessory apartment units for individuals with disabilities. The PHED Committee recommends enactment with amendments which would exempt from the annual fee (currently \$111) an accessory apartment for which no rent is charged. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190917/20190917_6A.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.

Zoning Text Amendment (ZTA) 19-06, Vape Shops

The Council will introduce ZTA 19-06, which would which would prohibit vape shops that sell e-cigarettes and similar products from opening within half a mile of a middle or high school. It also would prohibit vape shops from allowing access to people under 21 years of age. Councilmembers Gabe Albornoz and Craig Rice are the lead sponsors. All other Councilmembers are cosponsors. The goal of this ZTA, which is a companion zoning change to Bill 29-19 (see above), is to protect the health of young people and limit their ability to purchase nicotine vaping products. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190917/20190917_5E-7-8.pdf

PUBLIC HEARINGS

Resolution regarding Spending Affordability Guidelines for Fiscal Year 2021 (FY21) Capital Budget and FY21-26 Capital Improvements Program (CIP)

On Sept. 17 at 1:30 p.m. the Council will hold a public hearing on a resolution regarding Spending Affordability Guidelines for the County's FY21 Capital Budget and FY21-26 CIP. At the start of each new CIP cycle the Council sets spending guidelines for projects funded with General Obligation (G.O.) bonds and Park and Planning bonds. The guidelines are for FY21, FY22, and for FY21-26. The guidelines must be adopted by the first Tuesday in October (October 1, 2019). The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190917/20190917_9.pdf

COMMITTEES

Land Use and Racial Equity

On Sept. 16 at 9:30 a.m. the Planning, Housing and Economic Development (PHED) will discuss land use and racial equity. Staff from the Montgomery County Planning Department will brief the PHED Committee on their efforts to recognize and address equity in planning. For the past 18 months, the Planning Department has been developing an Equity Agenda for Planning that reaches across many of its programs and policies including enhanced outreach to under-represented communities, increased focus on transportation and housing policies, and expanded efforts to commemorate, educate and celebrate historic African American communities and sites within the County. This work is an outgrowth of Council President

Nancy Navarro's work on the Racial Equity and Social Justice Act (see page one). The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190916/20190916_PHED1.pdf

Bill 23-19, Cybersecurity Investment Incentive Tax Credit Supplement – Amendment

The PHED Committee also will review Bill 23-19, which would allow a qualified investor to receive the cybersecurity investment incentive tax credit supplement. Councilmembers Hans Riemer, Andrew Friedson and Will Jawando are the lead sponsors. The Cybersecurity Tax Credit Supplement Program is Montgomery County's local incentive program aimed at spurring job and business growth in the cybersecurity sector. The County offers a local supplement to the Maryland Cybersecurity Investment Incentive Tax Credit to qualified Maryland cybersecurity companies that receive a final Maryland tax credit certificate and have their headquarters and base of operations in the County. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190916/20190916_PHED2.pdf

Key search terms for this legislation on the Council's website include the following: cybersecurity investment, Maryland Cybersecurity Investment Tax Credit Program, qualified investor, cybersecurity company, tax credit and cybersecurity incentive. #CybersecurityTaxCredit is being used for this bill on social media.

Bill 22-19, Accessory Dwelling Units - Licensing - Requirements – Amendments

The PHED Committee will close out its meeting with a review of Bill 22-19, which would replace the phrase "accessory apartment" with "accessory dwelling unit." Councilmembers Hans Riemer, Andrew Friedson, Will Jawando and Council President Nancy Navarro are the lead sponsors. Bill 22-19 also would do the following: amend the standards for minimum ceiling heights for basements or cellars used for an accessory dwelling; amend the accessory dwelling unit licensing procedures concerning ownership and common ownership associations; require information and notice concerning common ownership communities in the application and review of an accessory dwelling unit license; and require reporting by the County Executive on accessory dwelling unit problems and planned solutions. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190916/20190916_PHED3.pdf

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

State's Attorney's Office Crime Prevention Initiatives

On Sept. 16 at 9:30 a.m. the Public Safety (PS) Committee will receive a briefing on crime prevention initiatives in the Montgomery County State's Attorney's Office (SAO). The office runs or participates in a variety of programs focused on diversion. These programs focus on alternatives to prosecution, school-based programs and community outreach. In addition, certain office policies such as the de-criminalization of marijuana assist in diverting individuals from the criminal justice system, and instead focuses on providing support and educational services that help individuals avoid crime. Montgomery County State's Attorney John McCarthy and Phil Andrews, director of crime prevention initiatives, SAO, are expected to attend. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190916/20190916_PS1.pdf

Public Safety Department Contingency Plans for Radio System Disruptions

The PS Committee also will receive a briefing on the Public Safety Department's contingency plans for radio system disruptions. The current public safety radio tower system that provides communication among the 911 call center (Public Safety Communication Center, or PSCC), police, fire, ambulances and other users, is past its end-of-life date (2009) and has recently experienced significant system disruptions. These disruptions are being handled as they occur, but system uptime cannot be guaranteed in a reliable manner. A replacement system was approved by the Council and funds appropriated for its construction as part of

the CIP project called “Public Safety System Modernization.” Its full deployment has been delayed several times. The Council has been briefed on project delays over the past several months.

The County Executive is on track to meet the December 2020 cutover date to a new system that will provide 95 percent coverage with 95 percent reliability, as required by contractual plan specifications. Those expected to attend the meeting include the following: Angela Talley, Director, Department of Correction and Rehabilitation (DOCR); Acting Assistant Chief Dinesh Patil, Management Services Bureau, Montgomery County Police Department (MCPD); Assistant Chief Ed Radcliffe, Communications, Montgomery County Fire and Rescue Service (MCFRS); Mike Knuppel, Public Safety System Modernization Director, Department of Technology Services (DTS). The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190916/20190916_PS2.pdf

Declaration of No Further Need: Disposition of County Property; 17.47 acres on Hawkins Creamery Road, Gaithersburg (Davis Airport/Laytonsville Airport, LLC)

The GO and PHED Committees will review a declaration of no further need regarding 17.47 acres on Hawkins Creamery Road in Gaithersburg (Davis Airport/Laytonsville Airport, LLC). Greg Ossont, Deputy Director, Department of General Services; and Keith Miller, Chief Executive Officer, Montgomery County Revenue Authority, are expected to attend. The Council staff report can be viewed at: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190916/20190916_GOPHED1.pdf

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

On Sept. 16 at 2 p.m. the Government Operations and Fiscal Policy (GO) and PHED Committees will meet jointly to review Bill 5-19. Councilmember Hans Riemer is the lead sponsor. The goal of this bill is to limit the exemption of market rate dwelling units to situations where at least 25 percent of the units in a development are MPDUs with a long price restriction. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190916/20190916_GOPHED2.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.

Expedited Bill 15-19, Contracts and Procurement – Minority Owned Businesses – Sunset Date – Amendments

On Sept. 16 at the GO Committees will review Expedited Bill 15-19, which would extend the sunset date for the County’s minority-owned business purchasing program. The lead sponsor is Council President Nancy Navarro, at the request of the County Executive. The goal of Bill 15-19 is to extend the minority-owned business purchasing program while the County Executive evaluates the need to continue it further. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20190916/20190916_GO1.pdf

Key search terms for this legislation on the Council’s website include the following: minority-owned purchases, minority-owned businesses and County purchases. #MoCoMinorityOwnedBizPurchases is being used for this bill on social media.

Behavioral and Mental Health Services in Juvenile Justice System

On Sept. 19 at 9:30 a.m. the Health and Human Services (HHS) and PS Committees will meet jointly to receive a briefing on behavioral and mental health services in Montgomery County’s juvenile justice system. The Council staff report will be available on Sept. 16.

Purple Line

On Sept. 19 at 2 p.m. the Transportation and Environment (T&E) will receive a briefing on the progress of the Purple Line. Peter van der Waart, director of Purple Line Transit Partners (PLTP), and Charles Lattuca, Maryland Transit Administration, are expected to attend. The Purple Line is a 16-mile light rail line that will extend from Bethesda to New Carrollton. It will provide a direct connection to the Metrorail Red, Green and Orange Lines at Bethesda, Silver Spring, College Park and New Carrollton. Twenty-one Purple Line stations are planned. The Purple Line also will connect to MARC, Amtrak and local bus services. The Council staff report will be available on Sept. 16.