

COUNCIL COMING ATTRACTIONS



Week of Sept. 30, 2019

Workforce Development, Flavored E-Cigarettes, Vape-Free Montgomery, Cybersecurity Investment Tax Credit, Minority-Owned Businesses, Telecommunications Towers, 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> .

-  The Council will meet on Tuesday, Oct. 1 at 1 p.m.
-  The Council meeting will begin with an invocation from Reverend Kenneth Nelson of Seneca Community Church in Germantown.

COUNCIL

Expedited Bill 19-19, Economic Development - Workforce Development -Amendments

The Council is scheduled to vote on Expedited Bill 19-19, which would allow the Council to designate a nonprofit corporation, a public educational institution, or both, as the County's workforce development organization. Council President Navarro is the lead sponsor. Councilmembers Will Jawando, Hans Riemer, Gabe Albornoz, Craig Rice and Council Vice President Sidney Katz are cosponsors. Existing law mandates that the Council must designate a single nonprofit corporation to perform this function. The goal of this bill is to better align County resources to ensure that the County's workforce development efforts meet the talent attraction, development and retention needs of strategic industries and the needs of the underemployed and unemployed, and develop efficient and effective career pathways that lead to sustainable wage jobs that support a thriving economy. The Planning, Housing and Economic Development (PHED) and Education and Culture (E&C) Committees recommend enactment. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191001/20191001_1.pdf

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

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

The Council is scheduled to vote on the Spending Affordability Guidelines for the 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. The purpose of the guidelines is to limit spending in the CIP for debt-funded projects so that the annual operating budget does not have an excessive debt burden. Once set, the Council may exceed the guidelines, but only with an affirmative vote of at least seven Councilmembers. The guidelines are to be set based on what is affordable, not on need. The Government Operations and Fiscal Policy (GO) Committee's recommendations can be found on page 1 of the Council staff report, which can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191001/20191001_5.pdf

 **Bill 32-19, Health and Sanitation - Flavored Electronic Cigarettes**

The Council will introduce Bill 32-19, which would prohibit electronic smoking device manufacturers from distributing flavored electronic cigarettes to retail stores within half a mile of any middle or high school, library, park, playground or recreational facility in the County. Councilmembers Hans Riemer and Gabe Albornoz are the lead sponsors. Councilmember Tom Hucker is a cosponsor. The goal of this legislation 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/2019/20191001/20191001_9.pdf

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

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

The Council is scheduled to vote on Expedited Bill 15-19, which would extend the sunset date for the County's minority-owned business purchasing program. Council President Nancy Navarro is the lead sponsor, 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 GO Committee recommends enactment. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191001/20191001_10.pdf

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

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

The Council is scheduled to vote on 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 PHED Committee recommends enactment. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191001/20191001_11.pdf

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

 **Resolution to adopt Bill 31-19, Health and Sanitation - Electronic Cigarettes - Distribution, Use, and Possession as a Board of Health Regulation**

The Council will introduce a resolution to adopt Bill 31-19 as a Board of Health Regulation. Bill 31-19 would prohibit the distribution of any tobacco product, coupon redeemable for a tobacco product, cigarette rolling paper, or electronic cigarette to any individual under 21 except under certain circumstances. Councilmembers Tom Hucker and Gabe Albornoz are the lead sponsors. Councilmember Craig Rice, Council Vice President Sidney Katz, Councilmembers Hans Riemer, Evan Glass and Will Jawando, and Council President Nancy Navarro are cosponsors. Bill 31-19 also would prohibit an individual under 21 from using or possessing a tobacco product or electronic cigarette except under certain circumstances. The goal of this legislation is to update County law to reflect state law changes and provide an enforcement mechanism. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191001/20191001_16.pdf

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

 **Resolution to adopt Resolution to adopt Bill 32-19, Health and Sanitation – Flavored Electronic Cigarettes - Distribution as a Board of Health Regulation**

The Council will introduce a resolution to adopt Bill 32-19 as a Board of Health Regulation. See page 1 of this document for more information.

 **Resolution to Consolidate Previously Authorized Notes for Sale and Issuance as a Single Issue**

The Council is scheduled to vote on a resolution to consolidate previously authorized notes for sale and issuance as a single issue. The County Executive requested that the Council introduce this resolution in conjunction with Expedited Bill 26-19 (see page 2 of this document) to implement the FY20 Capital Improvements Program (CIP). The subject resolution allows the County Executive to consolidate previous bond authorizations and increases the total bond authorization to include Expedited Bill 26-19; these consolidated bond authorizations may be issued, sold and delivered from time to time as one or more series of bond anticipation notes. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191001/20191001_12.pdf

 **Historic Preservation Amendment (HPA) 19-1 - Historic Resources Preservation Commission - Technical Corrections**

The Council will introduce HPA 19-1, which would correct technical, typographical, grammatical, reference and codification errors in, and make stylistic, clarifying and conforming amendments to, provisions related to the Historic Resources Preservation Commission. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191001/20191001_14.pdf

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

The Council will introduce 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. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191001/20191001_15.pdf

PUBLIC HEARINGS

All public hearings will be held on Oct. 1 at 1:30 p.m.



Declaration of No Further Need - Disposition of Land on Hawkins Creamery Road, Gaithersburg (Davis Airport/Laytonsville Airport, LLC)

The Council will hold a public hearing on a Declaration of No Further Need (DNFN) - Disposition of Land on Hawkins Creamery Road in Gaithersburg (Davis Airport/Laytonsville Airport, LLC). On August 26 the Council received the County Executive's recommended DNFN for 17.47 acres of County-owned property on Hawkins Creamery Road. Laytonsville Airport, LLC (also known as Davis Airport) needs this property to extend its runway and comply with required safety zones. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20191001/20191001_2.pdf



Expedited Bill 28-19, Technical Corrections

The Council will hold a public hearing and vote on 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/2019/20191001/20191001_3.pdf



Expedited Bill 26-19, Bond Authorization

The Council will hold a public hearing and vote on Expedited Bill 26-19, which would increase the County's authorization to borrow funds related to school construction by \$245 million; to public roads by \$88.6 million; and to County Government facilities by \$5.6 million. 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/2019/20191001/20191001_4.pdf