

COUNCIL COMING ATTRACTIONS



Week of January 13, 2020

Bodyworks Establishments, Tenant Relocation Expenses, Prohibited Roof Signs, Office of Grants Management, Economic Development Assistance, Public Right-of-Way, Local Small Business Reserve Program and Purchase Enhancement Act, Inspector General Staff, Forest Glen/Montgomery Hills Sector Plan, Housing Impact Fairness Act, Duty of Fair Representation

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, Jan. 14 at 9:30 a.m.

- 🌐 Councilmember Craig Rice and County Executive Marc Elrich will present a proclamation recognizing National Radon Action Month.
- 🌐 Council President Sidney Katz will present a proclamation honoring heroic first responders.
- 🌐 Council President Sidney Katz will present a proclamation recognizing Korean American Day.

COUNCIL

Bill 1-20, Health and Sanitation – Bodyworks Establishments – Licensing; and Resolution to Adopt Bill 1-20 as a Board of Health Regulation

The Council will introduce Bill 1-20 and a resolution to adopt Bill 1-20 as a Board of Health Regulation. This legislation would repeal code provisions concerning massage establishments and expand the scope of bodyworks establishments to include massage establishments. Councilmember Craig Rice and Council Vice President Tom Hucker are the lead sponsors. Bill 1-20 also would do the following:

- require every individual performing bodyworks services to be a certified massage therapist or registered massage practitioner;

- require compliance with all County licensing requirements as a condition of building permits;
- allow the revocation of use and occupancy permits for zoning and licensing violations; and
- generally amend the provisions for bodyworks establishments.

The goal of this legislation is to prevent owners of bodyworks establishments from using unqualified employees and to ensure compliance with the County’s licensing requirements. A public hearing on Bill 1-20 is scheduled for Feb. 4 at 1:30 p.m. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200114/20200114_3A&5A.pdf

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

Bill 18-19, Landlord Tenant Relations – Relocation Expenses

The Council is scheduled to vote on Bill 18-19, which would require a landlord to make a tenant relocation payment if the tenant’s housing is condemned as unfit for human habitation and require a landlord to provide a tenant with a right of first refusal to re-occupy rental housing. Councilmember Will Jawando is the lead sponsor. Council President Sidney Katz, Council Vice President Tom Huckler and Councilmembers Nancy Navarro and Craig Rice are cosponsors. The goal of this bill is to help improve the health and safety of tenants and to provide financial assistance when a tenant is displaced because of unfit living conditions not caused by the tenant. The relocation payment would be the greater of three months fair market value rent for a unit of comparable size, as established by the most current federal Department of Housing and Urban Development schedule of fair market rents for the Washington-Arlington-Alexandria area, or three months of the tenant’s rent at the time of relocation. The landlord must pay the relocation payment directly to the displaced tenant within 72 hours of posting the condemnation. The Planning, Housing and Economic Development (PHED) Committee recommends enactment with amendments. The recommended amendments can be viewed on page one of the Council staff report, which can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200114/20200114_4.pdf

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

PUBLIC HEARINGS

All public hearings will be held on Tuesday, Jan. 14 at 1:30 p.m. unless otherwise indicated.

Zoning Text Amendment 19-09, Prohibited Roof Signs - Exceptions

The Council will hold a public hearing on ZTA 19-09, which would allow roof signs in Red Policy Areas as identified in the most recent Subdivision Staging Policy. Each area in the Subdivision Staging Policy Map has been given a category which is used to assess impact fees. These categories are green, yellow, orange and red. The map can be viewed here: <https://montgomeryplanning.org/resources/subdivision-staging-policy-area-map/>. Some buildings in high density areas are constructed with glass walls and signs that block windows are impractical. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200114/20200114_7.pdf

Takoma Park Master Plan Corrective Map Amendment H-130

The Council will hold a public hearing on Corrective Map Amendment H-130 for Takoma Park Master Plan. This amendment would correct technical errors that occurred inadvertently and resulted in three split-zoned parcels along Carroll Avenue in Takoma Park. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200114/20200114_8.pdf

Bill 36-19, Contracts and Procurement - Office of Grants Management - Established

The Council will hold a public hearing on Bill 36-19, which would establish an Office of Grants Management as a principal office of the County’s executive branch. Councilmember Nancy Navarro is the

lead sponsor. Council Vice President Tom Hucker, Councilmembers Craig Rice and Gabe Albornoz, Council President Sidney Katz and Councilmember Hans Riemer are cosponsors. Bill 36-19 also would alter the circumstances in which a contract may be awarded without competition; prescribe the authorities and responsibilities of the Office of Grants Management; and generally amend the law regarding grants and related functions. The Office of Grants Management would have the following responsibilities:

- provide a central point of contact regarding grants that the County receives or awards;
- provide departments with information about federal and state grant opportunities;
- maintain a central database of grants that the County receives or awards;
- provide training and technical assistance for grants management to departments and principal offices;
- develop countywide policies and procedures regarding grants management, in coordination with the Office of Procurement;
- develop practices to ensure that grants management in the County is consistent with racial equity and social justice goals, in coordination with the Office of Procurement;
- perform public outreach regarding grants offered by the County; and
- perform any other grants function assigned by the chief administrative officer. The goal of this legislation is to increase efficiency and transparency in the County's grants awarding process and in managing grants received by the County.

The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200114/20200114_9.pdf

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

Bill 37-19, Economic Development Fund - Use of Fund and Remedies for Noncompliance

The Council will hold a public hearing on Bill 37-19, which would require recipients of Economic Development Fund assistance to agree to certain terms and conditions regarding the use and repayment of the assistance. Councilmember Evan Glass is the lead sponsor. Councilmembers Hans Riemer and Will Jawando are cosponsors. Bill 37-19 also would do the following:

- alter eligibility requirements for the Small Business Innovation Research and Small Business Technology Transfer Matching Grants;
- require the repayment to the County of Small Business Innovation Research and Small Business Technology Transfer Matching Grants in certain circumstances;
- impose remedies related to the provision of false or fraudulent applications and the use of Fund assistance for unauthorized purposes; and
- generally amend the law related to the Economic Development Fund. The goal of this legislation is to increase accountability in the use of grant funds and to expand eligibility for the Small Business Innovation Research and Small Business Technology Transfer Matching Grant Program.

The goal of this legislation is to increase accountability in the use of grant funds and expand eligibility for the Small Business Innovation Research and Small Business Technology Transfer Matching Grant Program. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200114/20200114_10.pdf

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

Bill 38-19, Streets and Roads - Permit to Obstruct Public Rights-of-Way - Amendments

The Council will hold a public hearing on Bill 38-19, which would require the County Executive to adopt certain regulations regarding permits to close curb lanes, sidewalks or shared use paths in the public rights-of-way. Councilmember Andrew Friedson is the lead sponsor. Councilmembers Evan Glass, Will Jawando, Hans Riemer and Gabe Albornoz, Council Vice President Tom Hucker, Councilmember Craig Rice and Council President Sidney Katz are cosponsors. Bill 38-19 also would do the following:

- limit the circumstances in which the Department of Permitting Services may grant or extend a permit to close a curb lane, sidewalk or shared use path; and
- require the director of Permitting Services to publish certain information regarding permits to close curb lanes, sidewalks or shared use paths.

The goal of this legislation is to assure pedestrian safety, minimize inconvenience to the public related to sidewalk closures and increase transparency about permits to close sidewalks. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200114/20200114_11.pdf

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

Bill 39-19, Contracts and Procurement - Local Small Business Reserve Program - Amendments

The Council will hold a public hearing on Bill 39-19, the Local Small Business Reserve Program and Direct Purchase Enhancement Act. Councilmember Will Jawando is the lead sponsor. Councilmembers Craig Rice, Nancy Navarro, Hans Riemer, Gabe Albornoz and Evan Glass, Council Vice President Tom Hucker and Council President Sidney Katz are cosponsors. Bill 39-19 would amend the Local Small Business Reserve Program to do the following:

- permit the participation of non-profit organizations in the program;
- increase the minimum percentage of contracts that must be awarded to small businesses;
- establish a goal to award certain direct purchases to local small businesses; and
- alter reporting requirements.

The goal of this legislation is to support the backbone of Montgomery County's economy, locally owned small businesses, by expanding opportunities and access to over one billion dollars in government contracts and purchases. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200114/20200114_12.pdf

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

Bill 40-19, Inspector General - Staff - Amendments

The Council will hold a public hearing on Bill 40-19, which would authorize the inspector general to hire one or more deputies as a term merit employee and other staff as a merit employee. Councilmembers Nancy Navarro and Andrew Friedson and Council President Sidney Katz are the lead sponsors. Under current law the inspector general must hire each staff member as a term merit employee with a maximum term that ends at the same time as the four-year term of the inspector general. This requires a new inspector general to begin a new term with no existing staff members or institutional experience. It also makes it more difficult to recruit staff when an inspector general is appointed to either a new term or to complete the term of an inspector general who leaves early. The goal of this legislation is to improve the operation of the Office of the Inspector General. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200114/20200114_13.pdf

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

Supplemental appropriation and Capital Improvements Program (CIP) Amendment – Montgomery County Public Schools (MCPS) - \$1,462,000 for School Security Systems

The Council will hold a public hearing and vote on a supplemental appropriation and CIP amendment for MCPS of \$1,462,000 for school security systems. The supplemental appropriation is needed to fund enhanced security infrastructure for MCPS. State Aid from the School Safety Grant Program will allow MCPS to fund three security vestibule projects at two middle schools and one high school. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200114/20200114_14.pdf

Special Appropriation – Department of Health and Human Services (DHHS) - \$164,279 for School Community Health Nurse Positions

The Council will hold a public hearing on a special appropriation of \$164,279 to DHHS to increase the number of school community health nurse positions. The source of this appropriation is General Fund reserves. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200114/20200114_15.pdf

COMMITTEES

Forest Glen/Montgomery Hills Sector Plan

On Jan. 16 at 9:30 a.m. the PHED Committee will continue its review of the Forest Glen/Montgomery Hills Sector Plan. This updated plan reevaluates land use and transportation strategies as part of long-term visioning process for the area, including an analysis of existing traffic conditions, which will help inform the community and Planning Department staff as they make recommendations to improve transportation conditions. Specific topics to be discussed include the following:

- traffic congestion standards;
- intersection improvements at Forest Glen Road and George Avenue, Seminary Road/Columbia Boulevard and Georgia Avenue and 16th Street and George Avenue;
- extending Woodland Drive;
- a kiss-and-ride lot at the Forest Glen Medical Center property;
- access to the Metro Station and the Forest Glen Passageway;
- public school adequacy; and
- the fiscal impact statement for the plan.

The Council staff report will be available on Jan. 13.

Bill 34-19, Taxation – Development Impact Taxes – Affordable Housing – Housing Impact Fairness Act

On Jan. 16 at 2 p.m. the Government Operations and Fiscal Policy (GO) Committee will review Bill 34-19, the Housing Impact Fairness Act. Councilmember Evan Glass is the lead sponsor. Councilmember Will Jawando is a cosponsor. Bill 34-19 would do the following:

- alter the applicability of the development impact tax for transportation improvements;
- alter the applicability of the development impact tax for public school improvements;
- establish an excise tax on certain demolitions and renovations of single-family homes;
- specify the use of certain tax revenues for affordable housing initiatives; and
- generally amend the law concerning taxation.

The goal of this legislation is to close a loophole so that all new residential construction in Montgomery County fairly contributes to the jurisdiction's infrastructure needs. Councilmember Glass estimates that this tax will raise \$100 million over four years. The Council staff report will be available on Jan. 13.

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

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

The GO Committee also will review 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 will be available on Jan. 13.

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