

COUNCIL COMING ATTRACTIONS



Week of January 20, 2020

Bicycle Registration, Air Conditioning in Rental Housing, Inspector General, Community Policing, Boards, Committees and Commissions, Tree Canopy Fees, Solar Collection Systems, Gang Prevention Services, Telecommunication Towers

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. 21 at 10:30 a.m.

- Council Vice President Tom Hucker and Councilmember Craig Rice will present a proclamation recognizing January as National Slavery and Human Trafficking Prevention Month.

COUNCIL

Bill 2-20, Bicycles – Registration – Amendments

On Jan. 21 at 10:45 a.m. the Council will introduce Bill 2-20, which would permit voluntary registration of a bicycle owned by a County resident for personal use. Council Vice President Tom Hucker and Councilmembers Will Jawando, Evan Glass and Hans Riemer are the lead sponsors. Council President Sidney Katz is a cosponsor. Bill 2-20 also would do the following:

- require the registration of a bicycle provided for rent in the County;
- repeal the authority to impound an unregistered bicycle owned by a County resident for personal use;
- repeal the authority to deposit the proceeds from the sale of an impounded or abandoned bicycle in the Police Relief and Retirement Fund; and
- generally amend the laws governing the use of a bicycle in the County.

The goal of this legislation is to eliminate a regulatory burden on residents who own bicycles. A public hearing on Bill 2-20 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/2020/20200121/20200121_4A.pdf

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

Bill 3-20, Boards, Committees, and Commissions - Compensation, Reimbursement, and Stipends

The Council will introduce Bill 3-20, which would permit a public member of a board, committee or commission to apply for an annual stipend in lieu of reimbursement. Councilmember Craig Rice is the lead sponsor. Bill 3-20 also would do the following:

- define terms related to boards, committees and commissions;
- alter provisions related to the compensation and reimbursement of members of certain boards, committees and commissions; and
- generally amend the law related to boards, committees and commissions.

The goal of this legislation is to specify the circumstances in which board, committee and commission members may receive a stipend in lieu of reimbursement. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200121/20200121_4B.pdf

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

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

The Council is scheduled to vote on Bill 24-19, which would require a landlord to provide and maintain air conditioning service for rental housing located in the County between June 1 and September 30 and establish standards for air conditioning service provided by a landlord. Council Vice President Tom Hucker is the lead sponsor. Councilmembers Will Jawando, Gabe Albornoz and Nancy Navarro are cosponsors.

The goal of this bill is to ensure that tenants in rental housing have access to working air conditioning to improve public health and living conditions. The Planning, Housing and Economic Development (PHED) Committee recommends enactment with amendments. Recommended amendments can be found on pages 2 and 3 of the Council staff report, which can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200121/20200121_5A.pdf

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

Bill 40-19, Inspector General – Staff – Amendments

The Council is scheduled to vote 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/2020/20200121/20200121_5B.pdf

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

Zoning Text Amendment (ZTA) 20-01, Solar Collection System – AR Zone Standards

The Council will introduce ZTA 20-01, which would revise the solar collection system use standards to allow larger facilities in the Agricultural Resource (AR) zone. Councilmember Hans Riemer and Council Vice President Tom Hucker are the lead sponsors. The total amount of collection systems on all parcels would be limited to 1,800 acres. Any collector system constructed under the proposed amendment must be

designated pollinator-friendly under the Maryland Pollinator-Friendly Designation Program. A public hearing on ZTA 20-01 is scheduled for Feb. 25 at 1:30 p.m. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200121/20200121_6A.pdf

PUBLIC HEARINGS

Bill 41-19, Tree Canopy Fees – Exemptions

On Jan. 21 at 1:30 p.m. the Council will hold a public hearing on Bill 41-19, which would amend tree canopy fees exemptions to include land disturbances by any public use airport, and generally amend the provisions for tree canopy fee exemptions. Councilmember Craig Rice is the lead sponsor. The goal of this legislation is to assist airport operations by eliminating future tree canopy fees for public airports and refund any fees paid since Jan. 1, 2017. A Transportation and Environment (T&E) Committee meeting is tentatively scheduled for Feb. 6. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200121/20200121_7.pdf

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

Bill 33-19, Police – Community Policing

On Jan. 21 at 7:30 p.m. the Council will hold a public hearing on Bill 33-19. Councilmembers Nancy Navarro and Craig Rice are the lead sponsors. Council Vice President Tom Hucker and Councilmembers Gabe Albornoz, Will Jawando, Andrew Friedson, Evan Glass, Council President Sidney Katz and Hans Riemer are cosponsors. As introduced, Bill 33-19 would create the following community policing guidelines and reporting requirements for the Montgomery County Police Department:

- **Community policing guidelines:**
 - Officers must strive to regularly initiate/engage in positive nonenforcement activities with communities.
 - MCPD must ensure cultural competency throughout the department.
 - MCPD must emphasize the recruitment of candidates with ties to the County.
 - MCPD must increase community outreach initiatives and officers should attend community events on behalf of the department.
 - MCPD must provide adequate training in de-escalation tactics.
 - MCPD must maintain and improve SRO program in recognition of its value to the community.
- **Reporting requirements:**
 - MCPD would provide the following information to the Executive and Council for the prior calendar year by Feb. 1 of each year:
 - number of officers in general, and within that, the number of “racial minority officers” female officers, and officers who reside within the County;
 - number of recruiting events MCPD either sponsored or participated in within the County;
 - number of instances of the use of force that resulted in the transport of a civilian to a hospital by an emergency vehicle, when the injury occurred as a direct result of an officer’s actions;
 - number of civilian complaints about use of force by an officer;
 - number of officers suspended with pay;
 - number of officers suspended without pay;
 - percentage of patrol officers assigned to neighborhood patrols; and
 - number of youths under age 18 referred to intervention programs by officers;
 - description of MCPD’s community policing efforts, including:
 - community policing programs;
 - participation in town hall meetings; and

- efforts to engage with schools, recreation centers, community centers and senior centers.

The goal of this legislation is to encourage greater transparency and accountability in law enforcement. A Public Safety (PS) Committee meeting is tentatively scheduled for Feb. 13. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200121/20200121_8.pdf

#TransparentAndAccountablePolicing is being used for this item on social media.

COMMITTEES

Gang Activity and Gang Prevention Services

On Jan. 23 at 9:30 a.m. the Health and Human Services (HHS) and PS Committees will meet jointly to receive an update on gang activities and gang prevention services in the County. The Council staff report will be available on Jan. 21.

ZTA 19-07, Telecommunications Towers – Limited Use

On Jan. 23 at 9:30 a.m. the PHED Committee will meet to review 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 will be available on Jan. 21.

ZTA 19-09, Prohibited Roof Signs

The PHED Committee also will review 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/subdivisionstaging-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 will be available on Jan. 21.

School Bus Stop Safety

On Jan. 23 at 11:15 a.m. the Education and Culture (E&C) and PS Committees will meet jointly to receive an update on school bus stop safety. The Council staff report will be available on Jan. 21.

Kids Ride Free Program

On Jan. 23 at 2 p.m. the T&E and E&C Committees will meet jointly to review RideOn's Kids Ride Free Program. As of July 2019, all Montgomery County residents ages 18 and under can ride RideOn buses and RideOn Flex for free at all times. The Council staff report will be available on Jan. 21.