

COUNCIL COMING ATTRACTIONS



Week of March 30, 2020

Coronavirus COVID-19 Update, Public Health Emergency Grant Program, Vape-Free Montgomery, Bicycle Registration, Forest Glen/Montgomery Hills Sector Plan

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, March 31 at 9:30 a.m.

COUNCIL

On the guidance of Health Officer and Chief of Public Health Services Dr. Travis Gayles, there is currently no public access to the Council Office Building. Exceptions will be made for members of the media and members of county government and outside agencies. Similar policies were implemented by the Maryland General Assembly and the U.S. Congress, as all levels of government are dealing with the response to COVID-19. The meeting will be streamed live [here](#) and on Facebook Live and can be watched on television: Xfinity/RCN 6 HD 996/1056 and Fios

30.

Local Zoning Map Amendment H-131

On March 31 at 10 a.m. the Council will approve, disapprove or remand the hearing examiner's recommendation to approve Local Zoning Map Amendment H-131. The Council must find that the proposal will meet the standards required by the zoning ordinance and that it will be consistent with the coordinated and systematic development of the regional district. In particular, the application must 1) substantially conform with the recommendations of the applicable master plan and further the master plan's goals; 2) further the public interest; and 3) satisfy the intent and standards of the proposed zone. The Planning Board, planning staff and hearing examiner recommend approval. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200331/20200331_3.pdf

Bill 2-20, Bicycles - Registration - Amendments

The Council is scheduled to vote on 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. All other Councilmembers are cosponsors. 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. The Public Safety (PS) Committee recommends enactment as introduced. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200331/20200331_4B.pdf

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

Bill 29-19, Health and Sanitation - Electronic Cigarettes - Distribution, and Resolution to Adopt Bill 29-19 as a Board of Health Regulation

The Council is scheduled to vote on Bill 29-19 and a resolution to adopt Bill 29-19 as a Board of Health Regulation. Bill 29-19 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 Health and Human Services (HHS) Committee recommends enacting Bill 29-19 with an amendment to clarify the definition of "electronic cigarette" and adopting the Board of Health regulation as introduced.. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200331/20200331_4C-5A.pdf

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

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

The Council is scheduled to vote on Bill 31-19 and 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. Council President Sidney Katz and Councilmembers Craig Rice, Hans Riemer, Evan Glass, Will Jawando and 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 for young people using and possessing tobacco products and electronic cigarettes. The HHS Committee recommends enacting Bill 31-19 with an amendment to specify that the monetary penalty for violating the provisions of Section 24-13 would be \$0 and adopting the Board of Health regulation as introduced.. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200331/20200331_4D-5B.pdf

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

Bill 32-19, Health and Sanitation - Flavored Electronic Cigarettes, and Resolution to Adopt Bill 32-19 as a Board of Health Regulation

The Council is scheduled to vote on Bill 32-19 and a resolution to adopt Bill 32-19 as a Board of Health Regulation. Bill 32-19 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. Council President Sidney Katz, Council Vice President Tom Hucker and Councilmembers Nancy Navarro, Will Jawando and Evan Glass are cosponsors. The goal of this legislation is to protect the health of young people and limit their ability to purchase nicotine vaping products. The HHS Committee recommends enacting Bill 32-19 with an amendment to reduce from one mile to 0.5 miles the buffer around certain retail stores and to remove “parks” and “playgrounds” from the required buffer areas. The HHS Committee further recommends adopting the Board of Health regulation as introduced. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200331/20200331_4E-5C.pdf

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

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

The Council is scheduled to vote on ZTA 19-06, 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 is to protect the health of young people and limit their ability to purchase nicotine vaping products. The

Planning, Housing and Economic Development (PHED) Committee recommends approval with amendments. The clarifying amendments can be found on pages two and three of the Council staff report, which can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200331/20200331_6.pdf

Forest Glen/Montgomery Hills Sector Plan

The Council is scheduled to vote on the Forest Glen/Montgomery Hills Sector Plan, which reevaluates land use and transportation strategies as part of the 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. Casey Anderson, chair, Montgomery County Planning Board; and Gwen Wright, director, Montgomery Planning Department, are among those expected to attend the meeting. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200331/20200331_6-5.pdf

Novel Coronavirus (COVID-19) and County Public Health Planning

On March 31 at 11:30 a.m. the Council will receive an update on the County's efforts to protect public health and safety during the global COVID-19 pandemic. Those expected to attend the meeting include the following: Dr. Travis Gayles, county health officer and chief of the Department of Health and Human Services' (DHHS) Public Health Services; Dr. Earl Stoddard, director of the Office of Emergency Management and Homeland Security; and Dr. Raymond Crowel, director, DHHS. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200331/20200331_7.pdf

PUBLIC HEARINGS

All public hearings will be held on March 31 at 1:30 p.m.

Special Appropriation to MCPS' FY20 Capital Budget and Amendment to the FY19-24 CIP - \$6,000,000 for Relocatable Classrooms

The Council will hold a public hearing on a special appropriation to Montgomery County Public Schools' (MCPS) Fiscal Year 2020 (FY20) Capital Budget of \$6,000,000 for relocatable classrooms. These funds will be used for the leasing, purchase, movement and rehabilitation of relocatable classrooms needed for the 2020-21 school year. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200331/20200331_8.pdf

Bill 10-20, Property Tax Credit - Energy and Environmental Design - Eligibility Criteria and Amounts of Credit

The Council will hold a public hearing on Bill 10-20, which would alter the eligibility criteria for the property tax credit for energy and environmental design, is scheduled for introduction. Councilmembers Andrew Friedson and Hans Riemer are the lead sponsors. Council President Sidney Katz is a cosponsor. Bill 10-20 also would alter the amounts and duration of the property tax credit for energy and environmental design by type of building; and alter annual limits on the total amounts of property tax credits granted by the County for energy and environmental design. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200331/20200331_9.pdf

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

Special Appropriation to County Government's FY20 Operating Budget, Department of Health and Human Services, Support for COVID-19 Response - Feeding Our Families - \$260,000 for Manna Food Center; and Amendment to Resolution 19-128, Section G, Non-Competitive Contract Award: Manna Food Center

The Council will hold a public hearing and vote on a special appropriation to the Department of Health and Human Services' (DHHS) FY20 Operating Budget of \$260,000 for Manna Food Center. Councilmember Craig Rice is the lead sponsor. Council President Sidney Katz and Councilmembers Hans Riemer, Gabe Albornoz, Gabe Albornoz, Will Jawando, Evan Glass and Nancy Navarro are cosponsors. Manna Food Center is a partner with MCPS in providing food to food-insecure students. Manna Food Center estimates that it needs \$260,000 to increase capacity in its Food for Families and Smart Snacks/Stay Put Sacks while schools are closed in response to the COVID-19 public health emergency. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200331/20200331_10.pdf

Special Appropriation to County Government's FY20 Operating Budget, Conference and Visitors Bureau Non-Departmental Account, Support for COVID-19 Response - \$250,000 for Hotel or Motel Rooms for Medical and Front-Line Staff; and Amendment to Resolution 19-128, Section G, Non-Competitive Contract Award: Conference and Visitors' Bureau of Montgomery County, Maryland, Inc.

The Council will hold a public hearing and vote on a special appropriation to the County government's FY20 Operating Budget of \$250,000 for hotel or motel rooms for medical and front-line staff. Councilmember Hans Riemer is the lead sponsor. Council President Sidney Katz and Councilmembers Gabe Albornoz, Nancy Navarro, Andrew Friedson, Evan Glass, Will Jawando and Craig Rice are cosponsors. The Conference and Visitors' Bureau will work with hotel and motel operators to provide lodging at greatly reduced costs to critical front-line personnel in the fight against the spread of the novel coronavirus COVID-19. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200331/20200331_11.pdf

Special Appropriation to County Government's FY20 Operating Budget, Department of Finance, Economic Development Fund - \$20,000,000 for Public Health Emergency Grant Program

The Council will hold a public hearing and vote on a special appropriation to the Department of Finance's FY20 Operating Budget of \$20,000,000 for the Public Health Emergency Grant Program. This special appropriation is needed to provide funding for the Public Health Emergency Grant Program (see Expedited Bill 16-20 on page one of this document for more information). The County will seek reimbursement from the federal and state government for any eligible costs. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200331/20200331_12.pdf

Special Appropriation to County Government’s FY20 Operating Budget, Department of Health and Human Services - \$5,000,000 for Support for COVID-19 Response

The Council will hold a public hearing and vote on a special appropriation to DHHS’ FY20 Operating Budget of \$5 million to support the department’s response to the COVID-19 public health emergency. This special appropriation will provide the Department of Health and Human Services an additional \$5 million in resources. The County will seek reimbursement from the federal and state governments for any eligible costs. The Council staff report will be available on March 30.

Expedited Bill 16-20, Economic Development Fund - Public Health Emergency Grant Program - Established

The Council will hold a public hearing and is scheduled to vote on Bill 16-20, which would establish a Public Health Emergency Grant Program. This program would authorize grants to local for-profit or non-profit businesses that have their principal place of business in Montgomery County and employ 100 or fewer full-time equivalent employees. The maximum grant for financial losses due to a public health emergency, such as the COVID-19 pandemic, would be \$75,000. This bill also would authorize the director of the Department of Finance to award mini-grants to an eligible for-profit or non-profit business up to \$2500 to reimburse the business for costs incurred to purchase technology equipment and software to facilitate employee teleworking during the public health emergency. 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/2020/20200331/20200331_14-4A.pdf

#COVID19EconomicRelief is being used for this bill on social media.