

COUNCIL COMING ATTRACTIONS



Week of Nov. 29, 2021

*Presentation recognizing Remembrance and Reconciliation Month by
Councilmembers Riemer and Jawando*

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 virtually on **Tuesday, November 30 at 9:30 a.m.** At approximately 12:30 p.m. Councilmembers Riemer and Jawando will recognize Remembrance and Reconciliation Month with a special presentation.

The Council will hold a community listening session to hear from residents about Thrive Montgomery 2050. It will be hosted virtually via Zoom at **7 p.m.** Thrive Montgomery 2050 is a framework to guide land use planning for housing, economic development, equity, transportation, environmental sustainability and more for the next three decades in Montgomery County. A comprehensive description of the draft plan is available at the Montgomery Planning Department's Thrive Montgomery 2050 website

The broader purpose of Thrive Montgomery 2050 is to guide the development of our communities in the face of change—it will help the County respond to the economic, social and environmental opportunities and challenges that we face today and issues that are expected to emerge during the coming decades.

The Council will host a virtual Climate Change Town Hall from **Thursday, Dec. 2 from 7 to 9 p.m.** Councilmembers have scheduled this time to answer questions and listen to concerns from community members regarding climate change and the environment.

The Council meeting will be held Nov. 30 at 9:30 a.m.

Economic Development Panels

Review: The Council will hold two separate panel discussions on economic development efforts in the County. The first panel will focus on the perspective of business owners and trade leaders about operating a business in the County. The second panel will focus on the broader economic themes and trends to inform the Council's discussion on how best to assist and grow businesses in the County. Both panels will provide additional context as the Council prepares to receive the updated Comprehensive Economic Strategy later this year from the Montgomery County Economic Development Corporation (MCEDC).

Those expected to attend and provide information at the first panel discussion include Cherri Branson, third vice president, NAACP; Valerie Davis, business advocate; Natalia Luis, co-CEO and owner, MLuis Construction; Javier Solis, COO, Toros Taxes; and Herman Taylor, president, Minority Business Economic Council.

Those expected to attend and provide information at the second panel discussion include Casey Anderson, chair, Montgomery County Planning Board; Gigi Godwin, president and CEO, Montgomery County Chamber of Commerce; Daniel Koroma, business liaison officer, Montgomery County Government; Jacob Sesker, Harpswell Strategies; and Ben Wu, president and CEO, Montgomery County Economic Development Corporation (MCEDC).

Supplemental Appropriation to the Montgomery County FY22 Operating Budget, Merit System Protection Board Grievances, Montgomery County Fire and Rescue Service, \$602,159, Montgomery County Sheriff's Office, \$223,757, Montgomery County Police Department, \$626,039

Introduction: The Council will introduce a \$602,159 supplemental appropriation for the Montgomery County Fire and Rescue Service, \$223,757 for the Montgomery County Sheriff's Office and \$626,039 for the Montgomery County Police Department. The lead sponsor is Council President Huckler at the request of the County Executive. A public hearing is scheduled for Dec. 7, 2021.

Special Appropriation to the FY22 Operating Budget, Montgomery County Government, Office of the County Executive - Purple Line Light Rail Project Business Grant Program, \$231,000

Introduction: Lead sponsor Councilmember Glass will introduce a \$231,000 special appropriation for the Purple Line Light Rail Project Business Grant Program. The grant will support businesses impacted due to the Purple Line construction. The Latino Economic Development Center (LEDC) will administer the grant program for the County. Council President Huckler and Councilmembers Katz, Albornoz, Navarro, Rice and Friedson are cosponsors of the special appropriation. A public hearing is scheduled for Dec. 14, 2021.

Special Appropriation to the County Government's FY22 Operating Budget, Department of Health and Human Services (DHHS) - \$34,486,514 for United States Department of Treasury Emergency Rental Assistance Program 2

Introduction: The Council will introduce a \$34.4 million special appropriation for the Department of Health and Human Services (DHHS) for the Emergency Rental Assistance Program (EARP) 2. This funding will be used to provide financial support for County residents facing hardships resulting from the COVID-19 crisis. The source of funds is a U.S. Department of Treasury grant. As of Nov. 14, DHHS has expended or encumbered \$22.8 million of the \$31 million (73 percent) awarded directly by the U.S. Treasury under the ERAP1 program and \$21 million of the \$28 million (75 percent) of the Maryland ERAP1 funds provided to the County. The Council also approved \$2 million in general fund support and \$20 million in Coronavirus Relief Funds for rent assistance. The lead sponsor of the special appropriation is Council President Hucker at the request of the County Executive. A public hearing is scheduled for Dec. 7, 2021.

Special Appropriation to the County Government's FY22 Operating Budget, COVID-19 Human Services and Community Assistance Non-Departmental Account (NDA) - \$3,163,910 for African American Health Program COVID Response

Introduction: The Council will introduce a \$3.1 million special appropriation for the African American Health Program's COVID-19 response efforts. COVID-19 has disproportionately impacted communities of color nationally and locally. The African American and Black population has experienced higher death rates than other demographic groups. The African American Health Program has undertaken a culturally appropriate, comprehensive strategy to address these disparities. This funding will continue providing this targeted response. A public hearing is scheduled for Dec. 7, 2021.

Special Appropriation to the County Government's FY22 Operating Budget, COVID-19 Human Services and Community Assistance Non-Departmental Account (NDA); \$4,437,390 for Por Nuestra Salud y Bienestar

Introduction: The Council will introduce a \$4.4 million special appropriation for Por Nuestra Salud y Bienestar, which is a partnership of the Latino Health Initiative, Latino Health Steering Committee and community groups to deliver COVID-19 prevention, education, testing, vaccination and mitigation services designed to reach high-risk and high-need Hispanic/Latino communities in Montgomery County. There are many social determinates of health underlying the disparate impacts of COVID-19 on the Latino community. They include a lack of access to health care, the high percent of people working front-facing, essential service jobs, crowded housing and chronic health conditions, such as hypertension, diabetes and obesity. Through the efforts of Por Nuestra Salud y Bienestar, an initiative spearheaded by Councilmember Navarro and Vice President Albornoz, the vaccination rate for Hispanic/Latino residents 12 and older went from being significantly below white residents to exceeding the rate for white residents. Similar efforts are now needed and underway for vaccinating children ages five to 11. A public hearing and vote on this special appropriation is scheduled for Dec. 7, 2021.

[Amendment to the FY22 Operating Budget Resolution 19-872, Section G, and the FY22 Designation of Entities for Non-Competitive Contract Award Status: The Primary Care Coalition of Montgomery County, Maryland, Inc. and Non-Profit Montgomery, Inc.](#)

Introduction and vote expected: The Council will introduce and vote on an amendment to the FY22 Operating Budget Resolution 19-872 for the Primary Care Coalition of Montgomery County, Maryland, Inc. and Non-Profit Montgomery, Inc. Funding for the addition to the contract with the Primary Care Coalition was approved as a part of the special appropriation for the Newcomers Enhancement Assistance Initiative for three additional staff. The new contract with Non-Profit Montgomery will provide training and assistance to childcare providers.

[Supplemental Appropriation to Montgomery County Public School's FY22 Operating Budget-\\$2,721,577 for the Summer School Grant](#)

Introduction: The Council will introduce a \$2.7 million supplemental appropriation for the Summer School Grant. Montgomery County Public Schools (MCPS) will utilize these funds to implement a summer school program designed to engage students in mathematics, language arts, and elective courses. A public hearing and vote are scheduled for Dec. 14, 2021.

[Supplemental Appropriation to Montgomery County Public School's FY22 Operating Budget-\\$1,205,690 for the School Reopening Grant](#)

Introduction: The Council will introduce a more than \$1.2 million supplemental appropriation for the School Reopening Grant. MCPS received notice from the Maryland State Department of Education of this supplemental aid grant under the American Rescue Act of 2021 and will utilize these funds to implement a districtwide cleaning and disinfecting program. A public hearing and vote are scheduled for Dec. 14, 2021.

[Supplemental Appropriation to Montgomery County Public School's FY22 Operating Budget-\\$251,233 for the Early Childhood High-Quality Inclusion Policies and Practices Grant](#)

Introduction: The Council will introduce a \$251,233 supplemental appropriation for the Early Childhood High-Quality Inclusion Policies and Practices Grant. MCPS will utilize these funds to increase the inclusion and engagement of prekindergarten-age students with disabilities in general education classes. These students will have the opportunity to learn kindergarten readiness skills and social and emotional learning experiences within general education using evidence-based practices and instruction. A public hearing and vote are scheduled for Dec. 14, 2021.

[Supplemental Appropriation to Montgomery County's FY22 Operating Budget Department of Health and Human Services - Increase Somatic and Mental Health Services at Montgomery County Public Schools, \\$1,016,026](#)

Introduction: The Council will introduce a \$1 million supplemental appropriation for DHHS to increase somatic and mental health services at MCPS. This funding will support services at

Arcola, Georgian Forest, Jackson Road, Kemp Mill, Watkins Mill, Oak View, Whetstone, Daly, South Lake Highland Harmony Hills and New Hampshire Estates Elementary Schools. A public hearing and vote are scheduled for Dec. 14, 2021.

[Special Appropriation to Montgomery College's FY22 Operating Budget-\\$22,320,815 for the Federal, State, and Private Grants and Contract Fund](#)

Introduction: The Council will introduce a \$22.3 million special appropriation for Montgomery College pandemic related expenses including HVAC enhancements, student

reengagement activities, employee technology and HyFlex student learning spaces. Federal funds will be used for this special appropriation. Montgomery College's Board of Trustees requested this appropriation amendment on Nov. 19. A public hearing and vote are scheduled for Dec. 14, 2021.

[Special appropriation Amendment to the FY21-26 Capital Improvements Program and Special Appropriation to the FY22 Capital Budget Montgomery County Government Department of Technology and Enterprise Business Solutions \(TEBS\) FiberNet \(No. 509651\), \\$7,200,000](#)

Introduction: The Council will introduce a \$7.2 million special appropriation for the Department of Technology and Enterprise Business Solutions' (TEBS) FiberNet. The special appropriation is needed to update the County's data center. Improvements will include a refresh of old network, routing and firewall equipment in the data center; support for cybersecurity data recovery; and improvements to the County's ability to access backup data to strengthen the County's business continuity capabilities. A public hearing and vote are scheduled for Dec. 7, 2021.

[Special Appropriation to the County Government's FY22 Operating Budget, Office of the County Executive - \\$250,000; and Amendment to the FY22 Operating Budget Resolution 19-872, Section G, FY22 Designation of Entities for Non-Competitive Contract Award Status: Effective Law Enforcement for All, Inc.](#)

Introduction: The Council will introduce a \$250,000 special appropriation for Effective Law Enforcement for All, Inc. (ELE4A). The special appropriation will fund the ongoing work of ELE4A related to the audit of the Montgomery County Police Department (MCPD) and the Task Force to Reimagine Public Safety. A public hearing is scheduled for Dec. 7, 2021.

[Resolution to approve Optional Procedure for Condemnation of Land Advance Taking CIP Project No. 508000](#)

Introduction: The Council will introduce a resolution to approve the Optional Procedure for Condemnation of Land Advance Taking CIP Project Number 508000. The resolution will authorize the condemnation of portions of land necessary to construct improvements included in the Subdivision Roads Participation CIP project at or near the intersections of MD 355 at Clarksburg Road and Clarksburg Road at Snowden Farm Parkway.

Special Appropriation #22-27 to the FY22 Operating Budget Montgomery County Government COVID19 Human Services and Community Assistance Non-Departmental Account (NDA) COVID-19 Response-Montgomery County Food Security Fund \$6,919,000

Introduction: The Council will introduce a \$6.9 million special appropriation for the Montgomery County Food Security Fund. The appropriation will provide bridge funding to the Montgomery County Food Security Task Force (FSTF) through June of 2022. This funding will be used to provide food to local food access providers as they continue to face unprecedented demand; provide a roadmap for creating a new Office of Food System Resilience in the County; and maintain staffing to sustain operations. A public hearing and vote are scheduled for Dec. 7, 2021.

Special Appropriation to the County Government's FY22 Operating Budget, Department of Health and Human Services (DHHS), Behavioral Health and Crisis Prevention - \$350,000 for Crisis Prevention and Intervention Services - Montgomery County Hotline; and Amendment to the FY22 Operating Budget Resolution 19-872, Section G, FY22 Designation of Entities for Non-Competitive Contract Award Status: EveryMind

Introduction: The Council will introduce a \$350,000 special appropriation for EveryMind to support behavioral health and crisis prevention in the County. The funding is needed to maintain current hotline staffing levels and service and prepare for the transition of the National Suicide Prevention Line to 9-8-8.

Resolution to approve the Office of Legislative Oversight's FY22 Workplan Program Supplement

Vote expected: The Council will vote on a resolution to approve the Office of Legislative Oversight's (OLO) FY22 Workplan Program Supplement. This resolution will add one additional project to OLO's FY22 work program to examine prosecutorial decisions in the State's Attorney's Office.

Council nominees to the Bethesda Urban Partnership Board of Directors

Vote expected: The Council is expected to vote to nominate individuals for the Bethesda Urban Partnership (BUP) Board of the Directors. The individual would fill the seat held by Deborah Michael's, whose second term expired in Oct. 2021 and is not eligible to apply for reappointment. The vacancy needs to be filled by a representative from a neighborhood adjacent to the BUP.

The BUP is responsible for the maintenance of streetscape and streetscape amenities, the promotion and implementation of special events and marketing initiatives and other similar activities. The board directs all aspects of the urban district program including management of the contract for the County to run the Transportation Management District and serves the community in the provision of urban district services.

The Council's Planning, Housing and Economic Development (PHED) Committee recommends the following nominees for one position on the BUP Board of Directors: Dan Schlaff, Lauren Lefkowitz and Sean Oberle (in this order of preference). The Council must submit three nominations to the County Executive for one position on the board of directors.

Executive Regulation 11-21, Landlord Tenant Relations - Obligations of - Window Guards

Vote expected: The Council will vote on Executive Regulation 11-21; Landlord Tenant Relations – Obligations of Landlord – Window Guards, which provides technical specifications for all window guards required under Bill 51-20, Landlord-Tenant Relations – Window Guards.

Bill 51-20, Landlord-Tenant Relations – Window Guards, also known as Ezechieel's Law, which was led by Council President Hucker, was enacted on April 6, 2021, with an effective date of Jan. 1, 2022. The legislation requires the installation and maintenance of window guards in certain rental housing and allows the County Executive to develop executive regulations to implement the law.

This executive regulation provides technical specifications for all window guards with additional specification for single and double hung windows, sliding windows and vertical pivoting windows. If the building includes windows not specified, the landlord must seek a variance. In addition, the regulation states that landlords must strictly follow the instructions to ensure proper and safe installation and the openings must prevent the passage of a solid sphere that is four inches in diameter.

ZTA 21-08, Landscape Contractor Use Standards

Public hearing: The Council will hold a public hearing on Zoning Text Amendment (ZTA) 21-08, Landscape Contractor – Use Standards, which would expand the definition for landscape contractor and allow it as a limited use in certain zones. The purpose of this ZTA is to create a less cost prohibitive process for landscaping companies, while placing certain limits on the sites where this use is located. The lead sponsor is Council President Hucker.

Landscape contractor activities are currently characterized as a conditional use in the agricultural, rural residential, residential estate and R-200 zones. ZTA 21-08 will add the growing of plant materials for the contracting business to the definition of landscape contractor. The ZTA will also allow landscape contractor activities as a limited use in those zones if certain conditions are met, including a minimum lot area of two acres, building and parking setbacks of 50 feet and a limitation on commercial and motor vehicles.

ZTA 21-09, Office and Professional - Biohealth Priority Campus

Public hearing: The Council will hold a public hearing on ZTA 21-09, which would create a streamlined regulatory process for biohealth facilities. The ZTA creates a new definition for a Biohealth Priority Campus that includes life sciences, research and development or medical, scientific manufacturing and production. The lead sponsor is Councilmember Friedson. All other Councilmembers are cosponsors.

In addition, the ZTA would allow a speedier regulatory process for biohealth facilities of 150,000 square feet or more and for existing biohealth facilities already located in the County that are expanding by 50,000 square feet or more. If approved, this new use will be allowed in the commercial/residential and employment office zones and for developments within or adjacent to a red policy area, within an opportunity zone or within one-half mile of a planned or existing Bus Rapid Transit route.

Subdivision Regulation Amendment 21-02, Administrative Subdivision - Biohealth Priority Campus

Public hearing: The Council will hold a public hearing on Subdivision Regulation Amendment (SRA) 21-02, which would allow the Planning Director to approve an administrative subdivision plan for biohealth facilities under an expedited process. The lead sponsor is Councilmember Friedson. Council President Hucker is a cosponsor of the legislation.

This is an accompanying SRA to ZTA 21-09, Office and Professional – Biohealth Priority Campus, which was introduced by Councilmember Friedson on Oct. 19, 2021 and would create a streamlined regulatory process for biohealth facilities. Without an accompanying SRA, a biohealth priority campus would be subject to the preliminary plan of subdivision, which takes additional time and may conflict with the expedited process created for this use by ZTA 21-09.

Bill 40-21, Individual Water Supply and Sewage Disposal Systems - Amendments

Public hearing: The Council will hold a public hearing on Bill 40-21, Individual Water Supply and Sewage Disposal Systems – Amendments, which would clarify definitions related to individual water supply and sewage disposal, require the owners of individual sewage disposal systems to periodically pump out the sewage treatment unit of the systems, and authorize use of Water Quality Protection Charge funds to partially reimburse septic system owners that pump out sewage treatment units.

The lead sponsor is Council President Hucker at the request of the County Executive.

Bill 42-21, Child Care - Early Care and Education Coordinating Entity Established

Public hearing: The Council will hold a public hearing on Bill 42-21, Child Care – Early Care and Education Coordinating Entity – Established, which would designate a nonprofit corporation focused on access, equity and inclusion in early care and education programs while helping the sector recover from challenges caused by the pandemic. The County’s early care and education coordinating entity will also improve the availability of affordable quality early care and education in the County. High quality and affordable early child care and education is an essential service for the well-being and future of children and families, as well as employers.

The lead sponsors are Council Vice President Alborno and Councilmembers Navarro and Rice. All other Councilmembers are cosponsors.

Expedited Bill 43-21, Health - Advisory Board for Montgomery Cares Program – Amendments

Public hearing: The Council will hold a public hearing on Bill 43-21, Health – Advisory Board for Montgomery Cares Program – Amendments, which would extend the law establishing the Montgomery Cares Program Advisory Board by removing the sunset provision. The bill would also modify the board’s mission to include underinsured County residents, define low-income, modify the composition of the Board’s members and require the board to elect a vice chair. The Health and Human Services Committee is sponsoring this bill.

The advisory board for the Montgomery Cares Program recommends policies to ensure access to high-quality, efficient health care and related services for low-income and uninsured County residents. The law establishing the Board is set to sunset on December 31, 2021.

Resolution to Reduce and Simplify Certain Taxicab Fees

Public hearing: The Council will hold a public hearing on a resolution to reduce and simplify certain fees that fleet operators, passenger vehicle license holders and drivers pay to the County to operate a taxicab. The purpose of the resolution is to renew interest in the taxicab industry as a profession, increase driver retention and eliminate substantial barriers to entry. Due to the pandemic and increased competition from transportation network companies such as Lyft and Uber, the Montgomery County Department of Transportation estimates that there are approximately 15 percent fewer drivers in the taxicab industry now than before the start of the pandemic.

Changes recommended by the County Executive for inclusion in the resolution include eliminating the \$20 application fee for the taxi operator identification card; reducing the two-year taxicab operator identification fee renewal from \$150 to \$100; eliminating the \$20 test fee; reducing the individual application fee for a new passenger vehicle license (PVL) from \$500 to \$100; lowering the annual renewal fee of a PVL from \$495 to \$250; and implementing a flat \$50 inspection fee

Special Appropriation to the County Government’s FY22 Capital Budget and Amendment to the FY21-26 CIP, Department of General Services (DGS) - \$3,600,000 for Acquisition of 260 East Jefferson Street

Public hearing: The Council will hold a public hearing on a \$3.6 million special appropriation to the FY22 Capital Budget and Amendment to the FY21-26 Capital Improvements Program (CIP) to acquire approximately half an acre of land located at 260 East Jefferson Street in Rockville, Maryland.

The County intends to use the building for the Department of Transportation’s lost and found, taxi services, commuter services, Ride On pass, customer service and other outward-facing transit operations, eliminating the need for visitors to pay for parking and to navigate services currently housed in multiple facilities and locations.

Declaration of No Further Need - Disposition of a portion of Warner Circle Special

Public hearing: The Council will hold a public hearing on a declaration of no further need to dispose of a portion of the County property at Warner Circle Special Park, totaling 4.5 acres, located at 10231 Carroll Place in Kensington, Maryland. The Maryland-National Capital Park and Planning Commission (M-NCPPC) has managed and maintained the property since 1979 under an agreement with the County. The property is protected under a historical preservation easement within the Kensington Historic District and is listed on both the Montgomery County Master Plan for Historic Preservation and the National Register of Historic Places.

The disposition is in the form of the sale and renovation to the buyer, Karl Voglmayr, of two historic structures on the site Warner Circle Manor and Carriage House into fifteen market-rate for-sale condominium residences and a public use space. The park grounds will remain owned by the County and managed by M-NCPPC. The buyer will establish a Maryland-registered limited liability company to undertake the renovation and development of the site.

Declaration of No Further Need - Disposition of the Brookeville Communications Tower at 4301 Brookeville Road

Public hearing and vote expected: The Council will hold a public hearing and vote on a declaration of no further need to dispose of a County owned communications tower located at 4301 Brookeville Road in Brookeville, Maryland. The disposition is in the form of a long-term lease to the Washington Metropolitan Area Transit Authority (WMATA) that will permit WMATA to use the communications tower for the placement of equipment.

The initial term of the lease is five years and will be renewable for up to four five-year terms or a total of 25 years. WMATA is currently under a two-year license agreement for use of the tower that is due to expire in May 2023.

Declaration of No Further Need - Disposition of 14900 Broschart Road

Public hearing and vote expected: The Council will hold a public hearing and vote on a declaration of no further need to dispose of County-owned property located at 14900 Broschart Road in Gaithersburg, Maryland. The disposition is in the form of a sale of the two-acre property that contains a power plant that serves the power needs of three buildings developed in the Shady Grove Life Sciences Center, along with several surface parking spaces.

The County constructed the facility and entered a long-term lease with Shady Grove Adventist Hospital, Inc. in 1979. Since then, Adventist HealthCare, the current leaseholder, has made a series of improvements and continues to operate and maintain the facility.

Amendment to the FY21-26 Capital Improvements Program and Special Appropriation to the FY22 Capital Budget; Montgomery County Government; Department of Health and Human Services; Emergency Homeless Shelter; \$2,455,000

Public hearing and vote expected: The Council will hold a public hearing and vote on a \$2.4 million amendment to the FY21-26 Capital Improvements Program and Special Appropriation to the FY22 Capital Budget for the renovation of a new shelter located at 11600 Nebel Street shelter in North Bethesda. The funding is needed to accelerate completion of the project because the current shelter facility located on Taft Court in Rockville will no longer be available starting in Jan. 2022. In addition, due to COVID-19 the maximum occupancy at each County shelter has decreased to accommodate social distancing requirements. The new facility will provide space for congregation, meal service, medical services and case management.

[Special Appropriation to Montgomery County Public School's \(MCPS\) FY22 Operating Budget- \\$252,242,245 for the Elementary and Secondary School Emergency Relief Fund III](#)

Public hearing and vote expected: The Council will hold a public hearing and vote on a \$252 million special appropriation to the FY22 Operating Budget for Montgomery County Public Schools' (MCPS) Elementary and Secondary School Emergency Relief (ESSER) III Fund. This special appropriation is needed because MCPS received additional funding from the U.S. Department of Education through the Maryland State Department of Education. The ESSER III Fund was included in the American Rescue Plan Act of 2021 (ARP) that was signed into law on March 11, 2021.

The grant funds will address the impact that COVID-19 has had, and continues to have, on elementary and secondary schools. The funding will support the addition of 113 teachers, 32 paraeducators, 50 social workers, 40 counselors and a range of other positions within MCPS. Additional information on the positions and other elements of the requested grant funds can be found in the Board of Education's Nov. 9, 2021 approval memorandum.

[Special Appropriation to Montgomery County Public School's FY22 Operating Budget- \\$1,205,690 for the Trauma and Behavioral Health Grant](#)

Public hearing and vote expected: The Council will hold a public hearing and vote on a \$1.2 million supplemental appropriation to the FY22 Operating Budget of Montgomery County Public Schools (MCPS).

MCPS will utilize these funds to implement a program to address trauma and behavioral health issues exacerbated by the COVID-19 pandemic on students and their families. Specifically, this funding will focus on direct and indirect services to students, including counseling, social skills, crisis response and intervention and staff development.

[County Executive's appointment for Labor Relations Administrator: Sara Espinosa](#)

Interview: The Council will interview Sara Espinosa, who is the County Executive's appointment for Labor Relations Administrator.

[Resolution to amend FY22 Transportation Fees, Charges, and Fares based on Fare Equity Study](#)

Vote expected: The Council will vote on a resolution to amend FY22 transportation fees, charges and fares based on a fare equity study conducted by the Department of Transportation for Ride On. Based on information from the study, the County Executive is recommending reducing the basic Ride On fare from \$2 to \$1. Express routes that charged \$4.25 before the fare holiday would also have their fares reduced to \$1. The monthly pass cost would be reduced from \$45 to \$22.50.

The proposed fare structure could not go into effect until Jan. 2, 2022, when the fare holiday that was unanimously passed by the Council is set to expire. The Transportation and Environment Committee recommends extending the fare holiday for Ride On until July 2, 2022.

Rules of Procedure for Conditional Uses and Waivers for New Certain Telecommunication Towers and Objections to Applications for Waivers for Certain Telecommunications Towers before the Office of Zoning and Administrative Hearings

Introduction: The Council will introduce rules of procedure for conditional uses and waivers for certain new telecommunication towers and objections to applications for waivers for certain telecommunications towers before the Office of Zoning and Administrative Hearings (OZAH). In July of 2021, the Council enacted ZTA 19-07, which established new procedures for conditional use and waiver applications and objections to waiver applications for telecommunications towers before OZAH. The procedures established were not in OZAH's current Land Use Rules of Procedure and these new rules are necessary to process applications efficiently, timely and fairly. A public hearing is tentatively scheduled for January 11, 2022.

Additions to the Office of Zoning and Administrative Hearings' Fee Schedule

Introduction: The Council will introduce additions to OZAH's fee schedule. In July of 2021, the Council enacted ZTA 19-07, which established new procedures for conditional use and waiver applications and objections to waiver applications for telecommunications towers before OZAH. The procedures established were not part of OZAH's Local Map Amendment, Development Plan Amendment, Schematic Development Plan Amendment and Floating Zone Plan Amendment Fee Schedule. The established fees are necessary to process applications efficiently, timely and fairly. A public hearing is tentatively scheduled for January 18, 2022.

Expedited Bill 41-21, Elections Council Districts - Boundaries

Review: The Council will review Bill 41-21, Elections Council Districts - Boundaries, which is the enabling legislation that would revise the boundaries of the Council districts as recommended by the map proposed by the Montgomery County Commission on Redistricting. The Council received a briefing from the commission on Nov. 9, 2021 about their recommended redistricting map that creates seven new Council districts and the Council held public hearings on Nov. 16 and Nov. 18.

Residents can view the commission's proposed map [here](#). The commission's report to the Council can be viewed [here](#). There are federal, state and county laws governing the approval of voting districts, and these legal requirements are included in the commission's report.

Before 2020, the Charter required the County to be divided into five Council districts. The new requirement for seven districts applies to the 2022 elections, and the Council will consist of eleven members in total in Dec. 2022. Seven district Councilmembers will be selected by registered voters who live in each district and four at-large members will be selected by all voters across the County.

The Montgomery County Charter, as amended by the voters in the 2020 general election, states that the County shall be divided into seven Council districts. Each district must be compact in form and composed of adjoining, contiguous territory. Moreover, the populations of each district must be substantially equal.

[Bill 46-21 - Environmental Sustainability - Commercial Property Assessed Clean Energy Program - Revisions](#)

Introduction: The Council will introduce Bill 46-21 - Environmental Sustainability - Commercial Property Assessed Clean Energy Program – Revisions, which would amend the County’s Commercial Property Assessed Clean Energy Program (C-PACE) financing program to allow climate related improvements for eligible projects; establish 12-month retroactive financing for eligible C-PACE measures; create a five-year pilot for increased loan-to-value amounts for qualified properties; clarify new construction participation requirements; and remove the County designated lender from the County’s C-PACE program.

The lead sponsor is Council President Hucker at the request of the County Executive. A public hearing is scheduled Jan. 11, 2021.

[Bill 5-21 - Agricultural Land Preservation - Solar Collection System - Dedication of Business Personal Property Tax Revenue](#)

Vote expected: The Council will vote on Bill 5-21, which would dedicate business personal property tax revenue received for a solar collection system constructed in the Agricultural Reserve Zone. The revenue would be dedicated to the Agricultural Land Preservation Fund which is an existing special, non-lapsing revolving fund that is used to purchase property interests, such as an agricultural easement, to preserve agricultural land in the County. The goal of this legislation is to increase overall funding for the Agricultural Land Preservation Fund.

Councilmember Friedson is the lead sponsor of the bill. Councilmembers Rice and Katz are cosponsors. The joint Government Operations and Fiscal Policy and Planning, Housing and Economic Development Committee recommends the enactment of Bill 5-21 as introduced with Councilmember Riemer opposed.

[Withdrawal of Bill 11-21, Montgomery County Economic Development Corporation - Bylaws - Live Video Streaming of Open Meetings](#)

Vote expected: The lead sponsor of Bill 11-21, Councilmember Glass, requests the withdrawal of the bill following his work with MCEDC on the substance of the legislation. Bill 11-21, which

would have required MCEDC to adopt bylaws requiring the live streaming of certain meetings and archiving certain videos.

Thrive Montgomery 2050

Listening session: The Council will hold a community listening session to hear from residents about Thrive Montgomery 2050. It will be hosted virtually via Zoom at 7 p.m. The Council has also added another community listening session on Dec. 15 at 7 p.m. to accommodate the sizable number of residents who pre-registered to testify. Residents who have already signed up do not need to pre-register again for the listening session on Dec. 15. Council staff will provide the Zoom information for Dec. 15 to those who have pre-registered closer to the date of the next listening session.

Thrive Montgomery 2050 is a framework to guide land use planning for housing, economic development, equity, transportation, environmental sustainability and more for the next three decades in Montgomery County. A comprehensive description of the draft plan is available at the Montgomery Planning Department's Thrive Montgomery 2050 website.

The broader purpose of Thrive Montgomery 2050 is to guide the development of our communities in the face of change—it will help the County respond to the economic, social and environmental opportunities and challenges that we face today and issues that are expected to emerge during the coming decades.

Monday, Nov. 29

The joint Health and Human Services (HHS) and Education and Culture (E&C) Committee will meet on **Monday, Nov. 29 at 9:30 a.m.** to receive an update on migrant and asylum-seeking children and families.

The members of the HHS Committee include Chair and Council Vice President Gabe Albornoz and Councilmembers Evan Glass (Lead for Homelessness & Vulnerable Communities) and Craig Rice.

The members of the E&C Committee include Chair Craig Rice and Councilmembers Will Jawando (Lead for Libraries) and Nancy Navarro.

The Council will meet at **12:30 p.m.** to review and approve a list of capital project priorities to send to the Montgomery County State Delegation.

The Audit Committee will meet at **1:30 p.m.** to interview candidates to fill a public seat on the WSSC Water Commission Inspector General Appointment Committee.

The members of the Audit Committee include Government Operations and Fiscal Policy Committee Chair Nancy Navarro, Council President Tom Hucker, Vice President Gabe Albornoz, Councilmember Andrew Friedson and Councilmember Sidney Katz.

More detail on each agenda item is provided below.

[Migrant and Asylum-Seeking Children and Families](#)

Briefing: The joint HHS and E&C Committee will receive an update on national, regional and local issues regarding the arrival of migrant children who have come to live with approved sponsors through the Office of Refugee Resettlement (ORR) and newly arriving migrant and asylum-seeking children and families who are now residents of Montgomery County. The joint Committee's most [recent update](#) on the topic was provided on July 22, 2021.

The Department of Health and Human Services (DHHS) convened a steering committee with Montgomery County Public Schools (MCPS) to plan and coordinate a response so that the county is well prepared to address the needs of newly arriving migrant and asylum-seeking children and families. The response model will strengthen interagency coordination and partnerships with community-based organizations. The implementation plan includes the following action areas: communication and outreach, navigation and case management (including access to health and mental health), legal services, positive youth development and recreation, anti-discrimination, public safety and trafficking prevention, and education and school-based services.

According to the ORR, 1,230 unaccompanied children have been placed with sponsors in Montgomery County between January and September. The District of Columbia Metropolitan Region has been the destination for 4,575 children with 1,678 living with sponsors in Prince George's County, 1,360 in Fairfax County and 307 in the District of Columbia. Children and families may also arrive through other avenues without going through the ORR process.

Those expected to attend and provide information include Dr. Raymond Crowel, director, DHHS; JoAnn Barnes, consultant, DHHS; Diane Vu, director, Office of Community Partnerships; Luis Cardona, administrator, Positive Youth Development, DHHS; Monica Martin, administrator, Child/Adolescent School and Community-Based Services, DHHS; Damon Monteleone, assistant chief, Office of Teaching, Learning, and Schools, MCPS; Everett Davis, acting associate superintendent, Student, Family, Support, and Engagement, MCPS; Margarita I. Bohorquez, acting director, Student, Family, and School Services – International Admissions & Enrollment, MCPS; Dr. Jennifer Norton, director, Department of English Learners and Multilingual Education, Curriculum and Instructional Programs; and Diego Uriburu, executive director, Identity, Inc.

[State Legislative Program](#)

Review and vote expected: The Council will meet to review and approve a list of capital project priorities to send to the State Delegation, as a supplement to the priorities presented on Nov. 15, 2021. In addition, the Council will review and approve a letter to Governor Hogan regarding the Office of Immigration Affairs and review and take positions on local and bi-county bills.

The list of priority capital projects includes \$18 million for the Restoration Center to provide a continuum of care for those in crisis in an appropriate community-based setting, \$20 million to

support Bethesda Metro Station south entrance improvements, \$18 million for the Zero Emissions Bus Program, \$20 million for Veirs Mill Road Flash Bus Rapid Transit, \$13.5 million for Great Seneca Science Corridor transit vehicles which would provide transit service to and from Shady Grove Metro Station, \$25 million for personal living quarters, and \$74 million for the new Criminal Justice Center to replace the existing Montgomery County detention Center (MCDC).

Those expected to attend and provide information include Melanie Wenger, director, Office of Intergovernmental Relations (OIR); Kathleen Boucher, special assistant to director, OIR; Leslie Frey, legislative analyst, OIR; Sara Morningstar, federal relations coordinator and legislative analyst, OIR; and Amy Samman, legislative analyst, OIR.

WSSC Inspector General Appointment Committee Candidates

Interview: The Audit Committee will conduct interviews with candidates to fill a public seat on the WSSC Water Commission Inspector General Appointment Committee. The Committee will recommend an Inspector General to WSSC Water. The Committee will consist of one WSSC Water Commissioner from Montgomery County, one WSSC Water Commissioner from Prince George's County, one member of the public selected by the Montgomery County Council and one member of the public selected by the Prince George's County Council.

The WSSC Water Office of the Inspector General (IG) was established by Maryland General Assembly House Bill Number 419, Chapter 130. The IG is responsible for investigating claims of mismanagement, misconduct, fraud, waste and abuse and conducting an annual audit of WSSC Water operations.

The Appointment Committee will review and recommend potential candidates to the Commission for appointment as IG. The IG will be appointed by the Commission from the list of recommended candidates. The Committee will recommend a list of three to six candidates. Upon appointment of the IG, the Appointment Committee will be terminated.

Thursday, Dec. 2

The Government Operations and Fiscal Policy (GO) Committee will meet virtually on **Thursday, Dec. 2 at 9:30 a.m.** to review Bill 32-21, Personnel - Employee Settlement Agreements with No-Rehire Clause - Prohibited and Bill 35-21, Prevailing Wage Requirements - Construction Contracts - Amendments.

The Council will host a virtual Climate Change Town Hall from **7 to 9 p.m.** Councilmembers have scheduled this time to answer questions and listen to concerns from community members regarding climate change and the environment.

Residents are encouraged to sign up and submit their questions for the Climate Change Town Hall beforehand. Register in advance for this webinar [here](#). After registering, participants will

receive a confirmation email directly from Zoom containing information about how to join the webinar.

Bill 32-21, Personnel – Employee Settlement Agreements with No-Rehire Clause – Prohibited

Review: The GO Committee will review Bill 32-21, Personnel – Employee Settlement Agreements with No-Rehire Clause – Prohibited. The purpose of the bill is to prohibit no-rehire clauses from County employee settlement agreements. Council President Hucker is the lead sponsor of the legislation.

When an employee files an employment dispute or claim against the County, and a settlement agreement is offered, it currently contains a no-rehire clause that prevents the employee from seeking future employment opportunities with the County. This automatic bar prohibits County employees who may have gained several years of knowledge, skills and abilities from returning to County employment, even after the dispute has been settled.

The bill also provides an exemption to include a no-rehire clause, if the County and the employee mutually agree or if the employee was terminated for cause. In addition, the bill provides the option for an aggrieved employee to file an appeal with the County's Merit System Protection Board, if a decision was made to include the no-rehire clause in the settlement agreement.

Bill 35-21, Prevailing Wage Requirements - Construction Contracts - Amendments

Review: The GO Committee will review Bill 35-21, Prevailing Wage Requirements - Construction Contracts – Amendments, which would amend definitions related to construction and the prevailing wage threshold. The lead sponsors are Council President Hucker and Councilmember Jawando. Councilmembers Glass, Rice, Katz and Riemer and Council Vice President Albornoz are cosponsors.

Prevailing wage laws require that wages for County funded construction projects be calculated to reflect local wages for similar jobs. The purpose of Bill 35-21 is to expand the applicability of the County's prevailing wage law to include a County-financed construction contract with a value of \$250,000 or more. This change would align the County with recently passed state prevailing wage law regarding the contract threshold limit. In addition, the bill would apply prevailing wage requirements to certain public-private partnerships, require construction contracts to include a local hiring requirement and specify violations of the local hiring mandate.