

COUNCIL COMING ATTRACTIONS



Week of October 11, 2021

*Proclamation Recognizing Bullying Prevention Awareness Month
by Councilmember Rice*

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>

Summary

The Council will meet virtually on **Tuesday, October 12 at 9 a.m.** The meeting will begin with a proclamation recognizing Bullying Prevention Awareness Month and will be presented by Councilmember Rice.

The Council will then receive an update on the County's ongoing response to the COVID-19 pandemic and its recovery and vaccination efforts. The update will include information from Montgomery County Public Schools about their ongoing COVID safety measures. Next the Council will interview the applicants to fill a partial term on the Montgomery County Planning Board (MCPB) which is scheduled to end on June 14, 2022 and vote on the appointments of Sonia Mora and Yaakov (Jake) Weismann, who are the County Executive's appointees for assistant chief administrative officers.

Next, the Council is expected to vote on the comprehensive Solid Waste Management Plan 2020 – 2029. The plan includes information on the legal and regulatory environment for solid waste management and background on the County's solid waste programs and facilities.

The Council will then vote to confirm the County Executive's appointments to the Adult Public Guardianship Review Board; the Commission on Children and Youth; the Friendship Heights Transportation Management District Advisory Committee; the Board of Investment Trustees and Board of Trustees for Consolidated Retiree Health Benefits Trust; the Commission on Juvenile Justice; the Library Board; the Washington Suburban Transit Commission; the White Flint Downtown Advisory Committee; and the Workforce Development Board.

In addition, the Council will vote on a resolution to approve categorical transfers of \$67.7 million for the Montgomery County Public Schools (MCPS) FY21 operating budget and \$1.7 million for FY21 grant funds, as requested by the Board of Education. Next, the Council will vote to approve the appointment of Sarah Von Der Lippe to represent Montgomery County with the County's Minority Female Disabled Owned Business Program and vote to approve the County Executive's appointment to the Bethesda Urban Partnership, Inc. Board of Directors. In addition, the Council expected to review amendments to the Comprehensive Water Supply and Sewerage Systems Plan.

In the afternoon, the Council will receive a briefing on the Semi-Annual Report from the Planning Board. Occurring in the spring and fall, the report is an opportunity for the Board to brief the Council on the accomplishments of the Parks and Planning Departments and provide an update on work program items. Before the meeting adjourns, lead sponsors Council President Hucker and Councilmember Jawando are expected to introduce Bill 35-21, Prevailing Wage Requirements - Construction Contracts – Amendments, which would amend definitions related to construction and the prevailing wage threshold.

The Council meeting will be held Oct. 12 at 9 a.m.

Updates from County Government and Montgomery County Public Schools - Novel Coronavirus (COVID-19) and Health Planning

Update: Sitting as the Board of Health, the Council will receive an update on the County's ongoing response to the COVID-19 pandemic and its recovery and vaccination efforts. The update will include information from Montgomery County Public Schools about their ongoing COVID safety measures.

Those expected to provide information include Dr. Raymond Crowel, director, Department of Health and Human Services (DHHS); James Bridgers, acting chief health officer, DHHS; Dr. Earl Stoddard, acting assistant chief administrative officer, Montgomery County Government; James D'Andrea, chief of staff, Office of the Superintendent, Montgomery County Public Schools (MCPS); and Heather Dublinske, coordinator, Student Welfare and Compliance, MCPS. Join the conversation with [#COVID-19](#)

Montgomery County Planning Board Applicants

Interview: The Council is expected to interview the applicants to fill a partial term on the Montgomery County Planning Board (MCPB) which is scheduled to end on June 14, 2022. Members serve four-year terms and are limited to two full terms. The Council received five applications from Democratic candidates to fill the partial term vacancy on the MCPB that occurred when Ms. Natali Fani-Gonzalez resigned in August 2021. Two applicants were selected for interviews, Ms. Carol Rubin and Mr. Roberto Pinero.

No more than three members of the Planning Board may be from the same political party, and each member must be a resident and registered voter of Montgomery County when appointed. Because Ms. Fani-Gonzalez was a Democrat, this partial term position must be filled by a Democrat.

The Planning Board serves as the Council's principal adviser on land use planning and community planning. Planning Board members also serve as commissioners of the Maryland-National Capital Park and Planning Commission. Current Board members are Chair Casey Anderson, Gerald Cichy, Tina Patterson and Partap Verma.

County Executive appointments for Assistant Chief Administrative Officer, Sonia Mora, Yaakov (Jake) Weismann.

Vote expected: The Council is expected to vote on the appointments of Sonia Mora and Yaakov (Jake) Weismann, who are the County Executive's appointees for assistant chief administrative officers.

[Approval of the Comprehensive Solid Waste Management Plan 2020 – 2029](#)

Vote Expected: The Council is expected to vote on the comprehensive Solid Waste Management Plan 2020 – 2029. The plan includes information on the legal and regulatory environment for solid waste management and background on the County’s solid waste programs and facilities.

Pursuant to Sections 9-503 and 9-515 of the Environment Article of the Annotated Code of Maryland, the governing body of each County is required to adopt and submit to the Maryland Department of the Environment (MDE) a ten-year plan dealing with solid waste disposal systems, solid waste acceptance facilities and the systematic collection and disposal of solid waste. In addition, each County must review its solid waste management plan at least every three years.

[Resolution to Approve Categorical Transfers for MCPS’ FY21 Operating Budget and FY21 Grant](#)

Vote expected: The Council is expected to vote on a resolution to approve categorical transfers of \$67.7 million for the Montgomery County Public Schools (MCPS) FY21 operating budget and \$1.7 million for FY21 grant funds, as requested by the Board of Education. The operating budget categorical transfers were approved by the Board of Education on Sept. 9, 2021, and the grant fund categorical transfers were approved on June 29, 2021.

Each year, MCPS is required to request transfers among state categories, if necessary, to align the budgeted appropriation with actual expenditures. For Fiscal Year 2021 there are categorical transfers among five state categories. These transfers are needed because of increased expenditures in the new continuity of learning approach, extensive summer instruction, additional student instruction and enrichment in non-traditional school hours, and professional development and technology initiatives for remote learning.

[Amendments to the Comprehensive Water Supply and Sewerage Systems Plan: Water and Sewer Category Change requests](#)

Review: The Council is expected to review amendments to the Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category change requests. On July 6, the County Executive transmitted a package of three water and sewer category change requests including two sites at the intersection of Travilah Road and Glen Road—one for the proposed Old White House Country Inn at the location of an existing single-family home and the other for redevelopment of the existing Potomac Oak Center shopping center. The third is for property located at 13417 Valley Drive in Rockville for a single-family home and accessory dwelling unit.

The Transportation and Environment (T&E) Committee recommends deferring action on two requests (WSSCCR 20TRV-14A, Transquest LLC’s request for new country inn and restaurant and WSSCCR 20-TRV-15A, Travilah Oak LLC’s request for an existing shopping center). The T&E Committee recommends concurring with the County Executive’s denial of the third request

(WSCCR 21-TRV-02A, TDR Properties LLC's request for a proposed single-family home and accessory dwelling unit).

Those expected to attend the meeting include Patrick Butler, Chief, Upcounty, Montgomery County Planning Department; Donnell Zeigler, supervisor, Upcounty, Montgomery County Planning Department; Katherine Nelson, environmental planner coordinator, Montgomery County Planning Department; Steve Shofar, chief, Intergovernmental Affairs Division (IGAD), Department of Environmental Protection (DEP); and Alan Soukup, senior planner, IGAD, DEP.

Semi-Annual Report of the Montgomery County Planning Board

Briefing: The Council will receive a briefing on the Semi-Annual Report from the Planning Board. Occurring in the spring and fall, the report is an opportunity for the Board to brief the Council on the accomplishments of the Parks and Planning Departments and provide an update on work program items. The Council staff report includes an outline of the presentation and the proposed Fiscal Year 2022 Master Plan Schedule.

Those expected to attend and provide information include Casey Anderson, chair, Montgomery County Planning Board, Gwen Wright, director, Planning Department, Mike Riley, director, Parks Department and additional Planning Board members and department staff.

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

Introduction: Lead sponsors Council President Hucker and Councilmember Jawando are expected to introduce Bill 35-21, Prevailing Wage Requirements - Construction Contracts – Amendments, which would amend definitions related to construction and the prevailing wage threshold.

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. 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.

Monday, Oct. 11

The Montgomery County Council's Health and Human Services (HHS) Committee will meet on **Monday, Oct. 11 at 9:30 a.m.** to discuss a supplemental appropriation to the FY22 Operating Budget of the Department of Health and Human Services (DHHS) in the amount of \$300,000 for a grant from the University of Maryland's Office of Research Administration for short-term housing assistance for human trafficking survivors.

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 Planning, Housing and Economic Development (PHED) Committee will meet at **1:30 p.m.** The Committee will continue its review of the Planning Board's Thrive Montgomery 2050 Draft Plan which is a framework to guide planning for land use, housing, the economy, equity, transportation, parks and open space, the environment, historic resources, urban design and arts and culture over the next three decades.

The members of the PHED Committee include Chair Hans Riemer and Councilmembers Andrew Friedson (Lead for Parks) and Will Jawando.

The Public Safety (PS) Committee will meet at **1:30 p.m.** to receive an update on key programs and initiatives at Montgomery County's Alcohol Beverage Services (ABS).

The members of the PS Committee include Chair Sidney Katz, Council Vice President Gabe Albornoz and Council President Tom Hucker.

More detail on each agenda item is provided below.

[Supplemental Appropriation to the FY22 Operating Budget, Montgomery County Government, Department of Health and Human Services; University of Maryland's Office of Research Administration, Short-Term Housing Assistance for Human Trafficking Survivors: A Path to Permanent Housing; \\$300,000](#)

Review: The HHS Committee will review a supplemental appropriation to the FY22 Operating Budget of the Department of Health and Human Services (DHHS) in the amount of \$300,000 for a grant from the University of Maryland Office of Research Administration for short-term housing assistance for human trafficking survivors.

This funding will be used to support residents of Montgomery County by providing resources directly to victims of human trafficking and will bolster DHHS' efforts in administering assistance to victims of human trafficking. It will also support the collection of data that will be critical to developing strategies for ending human trafficking in Montgomery County. The program will be administered by DHHS.

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

Those expected to attend and provide information include Amanda Harris, chief, Services to End and Prevent Homelessness (SEPH), Department of Health and Human Services (DHHS); Elizabeth Driggers, permanent housing administrator, SEPH, DHHS; Kim Ball, homeless services administrator, SEPH, DHHS; Deborah Lambert, senior fiscal and policy analyst, OMB; Heidi Alvarez, University of Maryland SAFE Center; and Ashley Greene, University of Maryland SAFE Center.

Thrive 2050 - Affordable and Attainable Housing

Review: The PHED Committee will continue its review of the Planning Board's Thrive Montgomery 2050 Draft Plan which is a framework to guide planning for land use, housing, the economy, equity, transportation, parks and open space, the environment, historic resources, urban design and arts and culture over the next three decades.

The recommendations will provide guidance for future master plans, county and state capital improvement processes and other public and private initiatives that influence land use and planning in Montgomery County.

At previous meetings, the Committee reviewed the introductory section of the plan, received a briefing from the Planning Department on the plan's vision, reviewed the first two chapters about compact growth and complete communities, reviewed the fiscal impact statement prepared by the Office of Management and Budget and reviewed the plan's impact on design, arts and culture and transportation and communication networks.

This Committee meeting will focus on affordable and attainable housing. The chapter on parks and recreation will be covered on Oct. 13. The Committee is scheduled to hold a final meeting to review the plan's conclusion and introduction on Oct. 18.

For additional background information on Thrive Montgomery 2050 visit [Montgomery Planning](#).

Alcohol and Beverage Services (ABS)

Review: The PS Committee will receive an update on key programs and initiatives at Montgomery County's Alcohol Beverage Services (ABS). The Committee will also review relevant spending and performance data.

Those expected to attend and provide information include Kathie Durbin, director, Alcohol Beverage Services (ABS); John Utermohle, Chief of Administrative Services, ABS; Kent Massie, chief of retail operations, ABS; John Zeltner, chief of warehouse, ABS; Melissa Davis, chief of communications, ABS; Courtney Orsini, management and budget specialist, ABS; and Chris Mullin, Manager, OMB.

Wednesday, Oct. 13

The Planning, Housing and Economic Development (PHED) Committee will meet on **Wednesday, October 13 at 1:30 p.m.** The Committee will continue its review of the Planning Board's Thrive Montgomery 2050 Draft Plan which is a framework to guide planning for land use, housing, the economy, equity, transportation, parks and open space, the environment, historic resources, urban design and arts and culture over the next three decades.

The members of the PHED Committee include Chair Hans Riemer and Councilmembers Andrew Friedson (Lead for Parks) and Will Jawando.

Thrive 2050 – Parks and Recreation

Review: The PHED Committee will continue its review of the Planning Board’s Thrive Montgomery 2050 Draft Plan which is a framework to guide planning for land use, housing, the economy, equity, transportation, parks and open space, the environment, historic resources, urban design and arts and culture over the next three decades.

The recommendations will provide guidance for future master plans, county and state capital improvement processes and other public and private initiatives that influence land use and planning in Montgomery County.

At previous meetings, the Committee reviewed the introductory section of the plan, received a briefing from the Planning Department on the plan’s vision, reviewed the first two chapters about compact growth and complete communities, reviewed the fiscal impact statement prepared by the Office of Management and Budget, reviewed the plan’s impact on design, arts and culture and transportation and communication networks and the plan’s impact on affordable and attainable housing.

This Committee meeting will focus on parks and recreation. The Committee is scheduled to hold a final meeting to review the plan’s conclusion and introduction on Oct. 18.

For additional background information on Thrive Montgomery 2050 visit [Montgomery Planning](#).

Thursday, Oct. 14

The Government Operation and Fiscal Policy (GO) Committee will meet on **Thursday, Oct. 14 at 9:30 a.m.** to review Bill 32-21, Personnel - Employee Settlement Agreements with No-Rehire Clause -Prohibited.

The members of the GO Committee include Chair Nancy Navarro and Councilmembers Andrew Friedson and Sidney Katz.

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.

When an employee files an employment dispute or claim against the County, and a settlement agreement is proffered, it currently contains a no-rehire clause that prevents the employee from seeking future employment opportunities with the County. This automatic bar places an undue burden on County employees who may have gained several years of knowledge, skills and

abilities with no viable option to return 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 by the Chief Administrative Officer or agency head 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.

The lead sponsor is Council President Hucker.

The joint GO and Public Safety (PS) Committee will meet at **10:15 a.m.** to receive an update on the public safety radio system.

The members of the PS Committee include Chair Sidney Katz, Council Vice President Gabe Albornoz and Council President Tom Hucker.

Public Safety Radio System

Briefing: The joint GO and PS Committee will receive an update on the public safety radio system, which provides communication among the 911 call center (Public Safety Communication Center), police, fire, ambulances and other users. Last March, the County switched over to an upgraded public safety radio system that uses newer technology with added redundancy to avoid service disruptions

Those expected to attend and provide information include Gerry Adcock, radio system manager, Department of Technology Enterprise and Business Solutions (TEBS); Mike Baltrosky, assistant chief, technology section chief, Montgomery County Fire and Rescue Service (MCFRS); Darren Francke, assistant chief, Management Services Bureau, Montgomery County Police Department (MCPD); and Cassandra Onley, director, Emergency Communications Center, MCPD.

The joint Transportation and Environment (T&E) and PS Committee will meet at **1:30 p.m.** to review OLO Report 2021-10, which is a study on reassigning traffic enforcement from the Montgomery County Police Department (MCPD) to the Montgomery County Department of Transportation (MCDOT).

The members of the T&E Committee include Chair and Council President Tom Hucker and Councilmembers Evan Glass and Hans Riemer.

OLO Report 2021-10: A Study on Reassigning Traffic Enforcement from the Police Department to the Department of Transportation

Briefing: The joint T&E and PS Committee will discuss OLO Report 2021-10, which responds to the Council’s request to examine traffic enforcement in the County and to report on the feasibility and the implications of reassigning routine traffic enforcement from the

Montgomery County Police Department (MCPD) to the Montgomery County Department of Transportation (MCDOT).

Those expected to attend and provide information include Marcus Jones, chief, Montgomery County Police Department (MCPD); Marc Yamada, assistant chief, MCPD; Christopher Conklin, director, Montgomery County Department of Transportation (MCDOT); Michael Paylor, chief of traffic, MCDOT; Emil Wolanin, deputy director for operations, MCDOT; Wade Holland, coordinator, Vision Zero; and Haley Roberts, assistant county attorney, Office of the County Attorney.

The T&E Committee will meet at **2:30 p.m.** to review WSSC Water's FY23 spending control limits.

FY23 WSSC Water Spending Control Limits

Review: The T&E Committee will review and make recommendations to the full Council on the Fiscal Year 2023 (FY23) WSSC Water Spending Control Limits. WSSC's spending control limits process was established in April 1994 via resolution by both Montgomery and Prince George's County Councils, with the goal of both Councils agreeing on certain budgetary limits by November 1 of each year.

WSSC is the bi-county governmental agency charged with providing water and sanitary sewer service within the Washington Suburban Sanitary District, which includes most of Montgomery County and Prince George's County.

Those expected to attend and provide information representing WSSC Water include Joe Beach, deputy general manager for administration; James Price, Deputy General Manager for Operations; Monica Johnson, deputy general manager for strategy and partnerships; Patti Colihan, chief financial officer; Letitia Carolina-Powell, budget division manager; Julie Pohutsky, budget section manager; Fariha Babar, incoming budget section manager; and Brian Halloran, capital budget section manager. Those expected to attend and provide information representing the County Government include Steve Shofar, division chief, Intergovernmental Affairs, Department of Environmental Protection and Rafael Murphy, fiscal and policy analyst, Office of Management and Budget.