

# **COUNCIL COMING ATTRACTIONS**



## **Week of October 25, 2021**

*Proclamation recognizing National Employment Disability Awareness Month  
by Councilmember Glass, Council Vice President Albornoz and  
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 26 at 9 a.m.** The meeting will begin with a proclamation recognizing National Employment Disability Awareness Month and will be presented by Councilmember Glass, Council Vice President Albornoz and Councilmember Rice.

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. Then, the Council will vote to appoint one applicant to fill a partial term on the Montgomery County Planning Board (MCPB) which is scheduled to end on June 14, 2022.

Next, lead sponsors Councilmembers Jawando and Albornoz will introduce a nearly \$2 million Special Appropriation to the FY22 Operating Budget for a Guaranteed Income Pilot Program. Then, the Council is expected to introduce and hold a vote on a resolution to amend Resolution 19-872, which would update the language used in the current resolution that was approved by the Council on May 27, 2021. Resolution 19-872 appropriates \$551,100 to the Department of Health and Human Services (DHHS) to provide legal representation to low-income county residents in deportation proceedings and eligibility screening for these services.

Before the morning session adjourns, the Council will vote to confirm the County Executive's appointments to the Adult Public Guardianship Review Board, the Commission on Child Care, the Domestic Violence Coordinating Council, the Commission on Health, the Board of License Commissioners, the Silver Spring Urban District Advisory Committee and the Washington Suburban Transit Commission.

In the afternoon, the Council will hold a public hearing on an amendment to the Montgomery County Schools (MCPS) FY21-26 CIP current revitalizations and expansions project and a related transfer within the FY22 capital budget to the MCPS local unliquidated surplus account. In addition, the Council will hold a public hearing on an amendment to the MCPS FY21-26 CIP DuFief Elementary School addition and facility upgrade project and a related \$33.9 million transfer within the FY22 Capital Budget to the MCPS local unliquidated surplus account.

Next, lead sponsor Councilmember Friedson will introduce 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. This is an accompanying SRA to Zoning Text Amendment (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.

*The Council meeting will be held Oct. 26 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, 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**

**Vote expected:** The Council is expected to vote to appoint one applicant 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 that were held on Oct. 12, 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.

**Special Appropriation to the County Government's FY22 Operating Budget, Guaranteed Income Non-Departmental Account (NDA) - Guaranteed Income Pilot Program - \$1,993,832**

**Introduction:** Lead sponsors Councilmembers Jawando and Alborno will introduce a nearly \$2 million Special Appropriation to the FY22 Operating Budget for a Guaranteed Income Pilot Program. Councilmember Glass, Council President Hucker and Councilmembers Rice and Riemer are cosponsors.

The purpose of this special appropriation is to provide the initial funding to implement a Montgomery County Guaranteed Income Pilot Program. The pilot program would enroll 300 households and provide a payment of \$800 per month for 24 months. The pilot will be a public-private partnership with a \$1 million grant from the [Meyer Foundation](#) to support this effort.

Guaranteed income is a direct, recurring cash payment to a specific, targeted group of people without strings attached. The purpose of guaranteed income is to alleviate poverty, provide a form of financial stability and give people the ability to make their own choices to improve their economic position. Other guaranteed pilot programs have shown positive outcomes, including the [Stockton Economic Empowerment Demonstration](#) pilot.

**[Resolution to Amend Resolution 19-872, Approval and Appropriation for the FY 2022 Operating Budget of the Montgomery County Government, Budget Provision #67, Screening and Legal Representation in Deportation Cases; and, Section G, FY 2022 Designation of Entities for NonCompetitive Contract Award Status: Ayuda, Inc., HIAS, Inc., KIND, Inc. d/b/a/ Kids in Need of Defense, and Luminus Network, Inc. \(formerly FIRN, Inc.\)](#)**

**Introduction and vote expected:** The Council is expected to introduce and hold a vote on a resolution to amend Resolution 19-872, which would update the language used in the current resolution that was approved by the Council on May 27, 2021. Resolution 19-872 appropriates \$551,100 to the Department of Health and Human Services (DHHS) to provide legal representation to low-income county residents in deportation proceedings and eligibility screening for these services.

The amendment to the resolution clarifies the Council's intent that legal representation in front of the Department of Justice, United States Customs and Immigration Services (USCIS) and as may be necessary before the Maryland Courts, may be undertaken using County funds. Services may include work required to pursue a U Visa, asylum, Special Immigrant Juvenile Status or other pathway to prevent deportation and are not limited to Department of Justice proceedings. Contracts funded by this appropriation must comply with income eligibility and restrictions on post-conviction relief and certain final criminal convictions in Section H of Resolution 18-1114.

**[FY22 Capital Budget and Amendments to the MCPS FY21-26 Capital Improvements Program - Transfer of Funds for the Charles W. Woodward High School Reopening Project](#)**

**Public hearing:** The Council will hold a public hearing on an amendment to the Montgomery County Schools (MCPS) FY21-26 CIP current revitalizations and expansions project and a related transfer within the FY22 capital budget to the MCPS local unliquidated surplus account. The Council will also introduce a transfer of \$4 million within the FY22 capital budget from the MCPS local unliquidated surplus account and a related amendment to the MCPS FY21-26 CIP Charles W. Woodward High School reopening project.

The transfer is needed for the current revitalizations and expansions project which includes three completed subprojects with surplus balances due to cost savings. These projects are at Seneca

Valley High School, Tilden Middle School and Wheaton High School. Conversely, the Woodward High School reopening project is facing cost increases because the construction industry has experienced an unprecedented increase in material costs, disruption in supply chain and labor shortages. The unforeseen additional funding needed to complete the Woodward reopening project is \$4 million, which includes value engineering and a redesign of areas of the building.

The Council is tentatively scheduled to vote on these transfer requests and CIP amendments on Nov. 2, 2021.

### **FY22 Supplemental Appropriations and Amendments to the FY 21-26 CIP Transfer of Funds - Capital Projects**

**Public hearing:** The Council will hold a public hearing on an amendment to the MCPS FY21-26 CIP DuFief Elementary School addition and facility upgrade project and a related \$33.9 million transfer within the FY22 Capital Budget to the MCPS local unliquidated surplus account.

The Council will also introduce a transfer within the FY22 Capital Budget from the MCPS local unliquidated surplus account and related amendments to the MCPS FY21-26 CIP Burnt Mills Elementary School, Clarksburg Cluster Elementary School, South Lake Elementary School, Stone Gate Elementary School, Woodlin Elementary School and Poolesville High School projects.

The transfer is needed because MCPS identified unexpended funds from the DuFief Elementary School addition and facility upgrade project where improvements were to be made to address aging infrastructure and more specifically, overutilization at Rachel Carson Elementary School. However, projections indicate student enrollment will not grow at the previously projected rate, resulting in the reduction of the overutilization at Rachel Carson Elementary School.

The Council is tentatively scheduled to vote on these transfer requests and CIP amendments on Nov. 2, 2021.

### **Subdivision Regulation Amendment (SRA) 21-02, Administrative Subdivision – Biohealth Priority Campus**

**Introduction:** Lead sponsor Councilmember Friedson will introduce 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.

This is an accompanying SRA to Zoning Text Amendment (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.

Council President Hucker is a cosponsor of the legislation. A public hearing is tentatively scheduled to be held on Nov. 30, 2021.

### *Monday, Oct. 25*

The joint Public Safety (PS) and Health and Human Services (HHS) Committee will meet on **Monday, Oct. 25 at 9:30 a.m.** to review Bill 45-20, Police - Community Policing – Data.

The members of the PS Committee include Chair Sidney Katz, Council Vice President Gabe Albornoz and Council President Tom Hucker. 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 Council will meet at **12:30 p.m.** to review and vote on state legislative priorities for the upcoming Maryland General Assembly session.

The Planning, Housing and Economic Development (PHED) Committee will meet at **1:30 p.m.** to 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 PS Committee will meet at **1:30 p.m.** to receive updates from the Department of Correction and Rehabilitation (DOCR), the circuit court and the State's Attorney's Office (SAO).

More detail on each agenda item is provided below.

#### **[Bill 45-20, Police - Community Policing - Data](#)**

**Review:** The joint PS and HHS Committee will review Bill 45-20, which aims to ensure greater transparency in policing and create publicly available data related to the race, ethnicity, gender and other voluntarily provided information about residents involved in policing actions.

Bill 45-20 would require MCPD to report demographic information about residents stopped (including a stop and frisk that does not result in an arrest) to the Council by Feb. 1 of each year. It would further require MCPD to maintain data sets on race and ethnicity, use of force incidents, criminal citations and juvenile citations, among others, and to post this data on its web portal.

Councilmember Jawando spearheaded this bill and is a lead sponsor along with Council President Hucker, Council Vice President Albornoz and Councilmember Katz. All other Councilmembers are cosponsors.

Those expected to attend and provide information include Marcus C. Jones, chief, Montgomery County Police Department (MCPD); Jordan Satinsky, lieutenant, MCPD; and Dr. Elaine Bonner-Tompkins, senior legislative analyst, Office of Legislative Oversight.

### State Legislative Priorities – 2022 Maryland General Assembly

**Discussion:** The Council will meet with representatives from the Office of Intergovernmental Relations (OIR) and the Office of the County Executive to review and vote on state legislative priorities for the upcoming Maryland General Assembly session.

The Office of Intergovernmental Relations (OIR), working with Executive Branch agencies, has developed a proposed list of the County's state legislative priorities for the upcoming 2022 General Assembly session. The deadline to provide the 2022 list to the state delegation is November 15, 2021.

The general categories of proposed State priorities for 2022 include COVID-19 relief and resiliency, fiscal health and economic development, transportation, education, elections, the environment, health and human services, public safety, broadband accessibility and affordability, cybersecurity and local authority.

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.

### Thrive 2050 – Conclusion and Follow Up

**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, the plan's impact on affordable and attainable housing and parks and recreation.

This is the Committee's ninth and possibly final meeting to review the plan's conclusion and introduction.

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

### Department of Correction and Rehabilitation

**Briefing:** The PS Committee will receive an update from the Department of Correction and Rehabilitation (DOCR). Representatives from DOCR will provide the Committee with updates on key programs and initiatives and review any relevant spending or performance data. The discussion will include an overview of operations during COVID-19, remote court hearings, the status of pre-release and reentry services programs (PRRS), Medication Assisted Treatment (MAT) programs and staffing and recruitment efforts.

Those expected to attend and provide information include Angela Talley, director, DOCR and Rachel Silberman, Office of Management and Budget (OMB).

### Circuit Court

**Briefing:** The PS Committee will receive an update on the Circuit Court. Representatives from the court will provide the Committee with updates on key programs and initiatives and review any relevant spending or performance data. The discussion will include an overview of operations and protocols associated with COVID-19, the court's case backlog due to restricted operations, the jury prioritization process, the transition to the Maryland Electronic Courts Case Management System (MDEC), staffing and open judicial appointments, audio and video hardware maintenance and support, ransomware data protection and courtroom renovations.

Those expected to attend and provide information include Judge James Bonifant, administrative judge, Circuit Court; Judy Rupp, circuit court administrator; and Derrick Harrigan, Office of Management and Budget (OMB).

### State's Attorney's Office

**Briefing:** The PS Committee will receive an update from the State's Attorney's Office (SAO). Representatives from SAO will provide the Committee with updates on key programs and initiatives and review any relevant spending or performance data. The discussion will include an overview of operations during COVID-19 and the implementation of the Maryland Electronic Courts (MDEC) case management system.

The SAO is a constitutionally created independent agency that prosecutes criminal violations in Montgomery County, educates the public about criminal justice issues, provides training to lawyers for future service, addresses inequality and promote fairness in the criminal justice system, ensures access to the criminal justice system, promote professional relations with judges and attorneys and furthers the efficient use of criminal justice resources.



Those expected to attend and provide information include the State's Attorney John McCarthy; Lisa Russo, State's Attorney's Office (SAO); and Lindsay Lucas, Office of Management and Budget (OMB).

### *Thursday, Oct. 28*

The Government Operations and Fiscal Policy (GO) Committee will meet on **Thursday, Oct. 28 at 9:30 a.m.** to receive an update from the Merit System Protection Board, the Ethics Commission and the Office of Procurement. Representatives from each of these offices will provide the Committee with updates on key programs and initiatives and review any relevant spending or performance data.

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

The Transportation and Environment (T&E) Committee will meet at **9:30 a.m.** to review Bill 16-21, Environmental - Building Energy Use Benchmarking and Performance Standards – Amendments, a resolution to amend FY22 Transportation Fees, Charges, and Fares based on a fare equity study, a supplemental appropriation to develop a crowd-sourcing system for Ride On and receive a briefing from WMATA on the blue, orange and silver lines capacity study.

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

The Audit Committee will meet at **1:30 p.m.** to receive an updates from the Office of the Inspector General and the Office of Internal Audit.

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.

The joint GO and Planning, Housing and Economic Development (PHED) Committee will meet at **2:00 p.m.** to review Bill 5-21, Agricultural Land Preservation - Solar Collection System – Dedication of Business Personal Property Tax Revenue.

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