

COUNCIL COMING ATTRACTIONS



Week of September 27, 2021

Inaugural African Heritage Month hosted by Councilmember Jawando and Council President Hucker; proclamation recognizing Constitution Month by Councilmembers Rice and Katz

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, September 28 at 9 a.m.** The Council will hold its inaugural African Heritage Month hosted by Councilmember Will Jawando and Council President Tom Hucker. The theme of this year's commemoration, which includes a special video segment and proclamation presentation, is the "Resiliency of African Businesses during the COVID-19 Pandemic."

Councilmembers Craig Rice and Sidney Katz will also present a Council proclamation recognizing Constitution Month. The Council will then receive an update on the County's ongoing response to the COVID-19 pandemic and its recovery and vaccination efforts.

Next, the Council will introduce ZTA 21-06, which would establish a new residential lot exemption for properties containing a historic resource that is protected from development by a density transfer and then vote on Executive Regulation 12-20, Adoption of the 2018 International Green Construction Code. The Council also will hold votes to reappoint Caryn Hines to the Board of Appeals for a term to expire in September 2025 and to confirm Dr. Earl Stoddard, who is the County Executive's appointee for Assistant Chief Administrative Officer.

The Council will then introduce a resolution to issue additional revenue certificates and refinance certain revenue bond series related to acquisition and renovation of affordable housing in the County and next, introduce, hold a public hearing and vote on a Resolution to amend FY22 Transportation Fees, Charges and Fares, which would further extend the fare holiday on Ride On through January 1, 2021.

In the afternoon, the Council will hold a public hearing on the Fiscal Year 2023 WSSC Water Spending Control Limits. Then the Council is expected to consider a vote to override the County Executive's veto of Bill 3-21, which would establish a business improvement district (BID) in Silver Spring. Next, Councilmember Glass will introduce a resolution with cosponsors Council President Hucker, Vice President Albornoz and Councilmembers Navarro, Riemer, Rice, Katz and Friedson, stating their support for changes to state enabling legislation that would assist in the establishment of future Business Improvement Districts (BIDs) in Montgomery County that further advance the County's adopted racial equity and social justice law and economic development strategy.

Next, lead sponsors Councilmembers Riemer and Jawando are scheduled to introduce Expedited Bill 34-21, which would require County employees to be vaccinated against COVID-19 as a condition of employment. Accommodations to the requirement would be available for medical reasons. The Council is then expected to hold a closed session to discuss public security, including the deployment of fire and police services and staff.

The Council meeting will be held Sept. 28 at 9 a.m.

Novel Coronavirus (COVID-19) and County Public 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 also 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](#).

Zoning Text Amendment (ZTA) 21-06, Exemptions – Density Transfer and Historic Resources

Introduction: The Council will introduce ZTA 21-06, Exemptions – Density Transfer and Historic Resources, which would establish a new residential lot exemption for properties containing a historic resource that is protected from development by a density transfer.

The proposed exemption would permit a limited list of commercial uses on the site containing the historic resource. It would require a recommendation of approval from the Historic Preservation Commission (HPC) and site plan approval by the Planning Board. During the approval process, the HPC and the Planning Board would have three new findings to make, intended to ensure that the proposed commercial uses protect, rather than detract from, the historic resource.

The lead sponsor is Council President Hucker, at the request of the Planning Board.

Executive Regulation 12-20, Adoption of the 2018 International Green Construction Code

Vote expected: The Council is expected to vote on Executive Regulation 12-20, Adoption of the 2018 International Green Construction Code (IgCC). The IgCC includes measures that result in better indoor environments and a lower impact on natural resources. The Planning, Housing and Economic Development (PHED) Committee unanimously recommended approval.

The building sector comprises 50 percent of the County's community-wide greenhouse gas emissions. Improving the efficiency of new and existing buildings is a critical step that the County seeks to take to meet its emissions reduction goals. The 2018 IgCC applies to certain new buildings and additions to existing buildings of more than 5,000 square feet. It includes solar photovoltaic options, energy modeling options and building design improvements.

Those expected to attend and provide information include Rick Merck, division chief, Commercial Building Construction, Department of Permitting Services (DPS) and Bryan Bomer, sustainability, energy, and mechanical manager, Commercial Building Construction, DPS.

SRA 20-02, Subdivision Ordinance – Revisions, Clarifications, and Corrections

Vote expected: The Council is expected to vote on SRA 20-02 which would make revisions, clarifications and corrections to the subdivision ordinance. The goal of the SRA is to clarify language, correct mistakes and add necessary provisions that are currently missing. The Planning, Housing and Economic Development Committee unanimously recommended approval with amendments.

While most of the proposed changes are minor, several substantive changes are also proposed. The significant changes include:

- provisions for the approval of flag lots and lots without frontage;
- exemption from platting requirements for utility and telecommunications structures;
- provisions for vacating an approved subdivision plan;
- a provision for the extension of reservation of land for public use;
- a provision to specify an initiation date for the adequate public facilities validity period, similar to the existing initiation date provisions for plan validity;
- a limitation on Planning Board-approved adequate public facilities (APF) extensions to a total of 12 years;
- provisions for administrative subdivision plans for approval procedures, required findings, plan certification, amendments, validity periods, revocations, and canceled approvals; and
- a grandfathering provision to allow applications to be reviewed under the regulations that were in effect at the time of the application's filing.

Council President Tom Hucker is the lead sponsor, at the request of the Planning Board.

Appointment to the Board of Appeals

Vote expected: The Council is expected to vote to reappoint Caryn Hines to the Board of Appeals (BOA) for a term to expire in September 2025. Hines was appointed on February 23, 2021, to fill the term of Katherine Freeman. Ms. Hines will complete a partial term in September 2021.

Resolution to authorize the issuance of taxable limited obligation certificates to finance the Affordable Housing Acquisition and Preservation Project

Introduction: The Council is expected to introduce a resolution to issue additional revenue certificates and refinance certain revenue bond series related to acquisition and renovation of affordable housing in the County. The resolution also allows the County to refinance previous issued bonds for savings on existing debt. This project will provide funding for the acquisition or renovation of properties for the purpose of preserving or increasing the County's affordable housing inventory.

[Resolution to amend FY22 Transportation Fees, Charges, and Fares](#)

Introduction, public hearing and vote: The Council is scheduled to introduce, hold a public hearing and vote on a Resolution to amend FY22 Transportation Fees, Charges and Fares, which would further extend the fare holiday on Ride On through January 1, 2021. In May, the Council extended the fare holiday through September 30, 2021. It also approved the County Executive's funding request to allow the Department of Transportation (DOT) to conduct a Fare Equity Study for Ride On, which was transmitted to the Council this afternoon.

The Council will review the Fare Equity Study for Ride On and will schedule and hold another public hearing on a proposed fare schedule that would be implemented after the fare holiday ends on Jan. 2, 2022.

[County Executive's appointee for Assistant Chief Administrative Officer: Earl Stoddard](#)

Vote expected: The Council is expected to vote to confirm Dr. Earl Stoddard, who is the County Executive's appointee for Assistant Chief Administrative Officer (CAO). Dr. Stoddard is currently serving as acting CAO and was the County's former director of the Office of Homeland Security and Emergency Management.

[WSSC Water's FY23 Spending Control Limits](#)

Public hearing: The Council is scheduled hold a public hearing 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. The Transportation and Environment (T&E) Committee is scheduled to review WSSC Water's FY23 Spending Control Limits on October 14.

[Consideration of County Executive's veto of Bill 3-21, Special Taxing Area Laws - Silver Spring Business Improvement District - Established](#)

Review and vote expected: The Council is expected to consider a vote to override the County Executive's veto of Bill 3-21, Special Taxing Area Laws – Silver Spring Business Improvement District – Established, which would establish a business improvement district (BID) in Silver Spring. The Council enacted the bill on July 27 by a 7-1 vote. Councilmember Jawando voted against the bill. The County Executive vetoed the bill on August 9. Under Charter §208, the Council may override the Executive's disapproval if six Councilmembers vote to re-enact the bill.

The bill would establish guidelines for the district, authorize a district corporation and authorize a tax on nonexempt property located in the district to finance the operations of the district

corporation. The goal of this bill is to improve public services and facilities in the Silver Spring Urban District.

The lead sponsors are Councilmember Riemer and County President Hucker. Councilmembers Friedson, Katz, Navarro and Rice are cosponsors.

Resolution to Support Changes to State Legislation Enabling the Creation of Business Improvement Districts (BIDs) in Montgomery County

Introduction: Lead sponsor Councilmember Glass will introduce a resolution with cosponsors Council President Hucker, Vice President Alborno and Councilmembers Navarro, Riemer, Rice, Katz and Frideson, stating their support for changes to state enabling legislation, MD Economic Development Code Sections 12-601 through 12-612, that would assist in the establishment of future Business Improvement Districts (BIDs) in Montgomery County that further advance the County's adopted racial equity and social justice law and economic development strategy. A public hearing and vote are scheduled for Oct. 5 at 1:30 p.m.

Expedited Bill 34-21, Personnel and Human Resources – COVID-19 Vaccination Required

Introduction: Lead sponsors Councilmembers Riemer and Jawando are scheduled to introduce Expedited Bill 34-21, Personnel and Human Resources – COVID-19 Vaccination Required, which would require County employees to be vaccinated against COVID-19 as a condition of employment. Accommodations to the requirement would be available for medical reasons.

If passed, an employee who fails to provide proof of vaccination or apply for a medical accommodation within seven days of notification from the County would be placed on unpaid leave. An employee who fails to fulfill the vaccination requirement or to secure a medical accommodation, after having been placed on leave would be subject to dismissal from County employment. The requirements and implementation of Expedited Bill 34-21 would be expressly exempt from collective bargaining and provisions of the Montgomery County Code related to collective bargaining.

A public hearing is tentatively scheduled for October 19, 2021 at 1:30 p.m.

Proposed Closed Session

The Council is expected to hold a closed session to discuss public security, including the deployment of fire and police services and staff; and the development and implementation of emergency plans pursuant to Maryland Code, General Provisions Article §3-305(b)(10). The topic is ongoing investigation of criminal activity and police deployment and tactics.

Monday, Sept. 27

The Health and Human Services (HHS) Committee will meet on **Monday, Sept. 27 at 9:30 a.m.** to review the extension of the Montgomery Cares Advisory Board. 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.** to begin its fifth meeting on the Thrive Montgomery 2050 Draft Plan. The committee will focus on the plan's fiscal impact statement. The PHED Committee will then discuss ZTA 21-04, which supports the implementation of new zoning recommended by the Germantown Plan for the Town Sector Zone by offering protections to the existing development character of Churchill Village.

The PHED Committee will then review Bill 5-21, which would dedicate business personal property tax revenue received for a solar collection system constructed in the Agricultural Reserve Zone for the Agricultural Land Preservation Fund. 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 review Bill 45-20, which aims to ensure greater transparency in the Montgomery County Police Department (MCPD) by creating publicly available data on policing actions. At **3 p.m.** the PS Committee is expected to vote on a proposed closed session. 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.

Extension of Montgomery Cares Advisory Board

Review: The HHS Committee will meet to review the extension of the Montgomery Cares Advisory Board, which meets monthly to guide the development of the Montgomery Cares Program to ensure steady and measurable growth in the number of uninsured County residents accessing high quality and efficient health care services including primary, specialty, dental and behavioral health care services.

Thrive 2050 Fiscal Impact Statement

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 and reviewed the first two chapters of the plan about compact growth and complete communities. The committee meeting will focus on reviewing the plan's fiscal impact statement prepared by the Office of Management and Budget.

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

Zoning Text Amendment (ZTA) 21-04, Overlay Zone – Germantown-Churchill Village

Review: The PHED Committee will review ZTA 21-04, which supports the implementation of new zoning recommended by the Germantown Plan for the Town Sector Zone by offering protections to the existing development character of Churchill Village. The Council approved and adopted the Germantown Plan for the Town Sector Zone in July 2020.

ZTA 21-04 addresses irregularities between existing development and new zoning standards as a result of the rezoning, grandfathers existing by-right uses from the old Town Sector (T-S) Zone and protects quasi-public open spaces from future development.

The lead sponsor is Council President Hucker, at the request of the Planning Board.

Bill 5-21, Agricultural Land Preservation – Solar Collection System – Dedication of Business Personal Property Tax Revenue

Review: The PHED Committee will review 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.

The lead sponsor of is Councilmember Friedson. Councilmembers Rice and Katz are cosponsors.

Bill 45-20, Police - Community Policing – Data

Review: The PS 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.

Proposed Closed Session

At 3 p.m. the PS Committee is expected to vote on a proposed closed session to discuss public security, including the deployment of fire and police services and staff; and the development and implementation of emergency plans pursuant to Maryland Code, General Provisions Article §3-305(b)(10). The topic is ongoing investigation of criminal activity and police deployment and tactics.

Thursday, Sept. 30

The Government Operation and Fiscal Policy (GO) Committee will meet on **Thursday, Sept. 30 at 9:30 a.m.** to review Expedited Bill 29-21, Contracts and Procurement - Minority Owned Businesses – Sunset Date - Amendments and spending affordability guidelines for the FY23 Capital Budget and the FY23-28 Capita Improvements Program. The members of the GO Committee include Chair Nancy Navarro and Councilmembers Andrew Friedson and Sidney Katz.

The Transpiration and Environment (T&E) Committee will meet at **1:30 p.m.** to review amendments to the Comprehensive Water Supply and Sewerage Systems Plan: Water and Sewer Category Change requests. The members of the T&E Committee include Chair and Council President Tom Hucker and Councilmembers Evan Glass and Hans Riemer.

[Expedited Bill 29-21, Contracts and Procurement - Minority Owned Businesses - Sunset Date - Amendments](#)

Review: The GO Committee will review Expedited Bill 29-21, which is companion legislation to a \$700,000 special appropriation to the County's FY22 Operating Budget, for a disparity study for the County's Minority, Female and Disabled-Owned Business Program. The bill would extend the sunset date of the program until Dec. 31, 2023.

Expedited Bill 29-21 was introduced by the full Council to assist minority-owned businesses in contracting with Montgomery County Government.

Spending Affordability Guidelines for the FY23 Capital Budget and the FY23-28 Capital Improvements Program

Review: The GO Committee will review spending affordability guidelines for the aggregate capital budget. These guidelines limit certain types of debt that may be programmed for expenditures in the capital improvements program (CIP). These guidelines also set the Council's voting thresholds for the Capital Budget each year. By evaluating and setting appropriate debt levels every two years, the Council preserves the County's fiscal health and manages the amount of general funds required for debt service.

Amendments to the Comprehensive Water Supply and Sewerage Systems

Plan: Water and Sewer Category Change requests

The T&E Committee will 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.