

COUNCIL COMING ATTRACTIONS



Week of Dec. 13, 2021

Council to vote on legislation to help increase affordable housing in Montgomery County; public hearing and vote on a grant to support businesses impacted financially because of Purple Line construction; vote on funding for Guaranteed Income Pilot Program and community behavioral health treatment services in the County; and virtual community listening session to hear from residents about Thrive Montgomery 2050

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 on **Tuesday, Dec. 14 at 9 a.m.** The virtual meeting will begin with the Council conducting interviews with the County executive's appointments for development ombudsman and chief, children, youth and families in the Department of Health and Human Services (DHHS). At **7:30 p.m.** the Council will hold a virtual community listening session to hear from residents about Thrive Montgomery 2050.

The Council is expected to hold a public hearing and vote on a more than \$4.2 million special appropriation for the Epidemiology and Laboratory Capacity Enhancing Detection Expansion (ELC ED) Grant; \$150,000 special appropriation for CASA de Maryland, Inc. to complete design work to renovate the workforce development and citizenship center; a nearly \$5 million special appropriation for Substance Abuse and Mental Health Services Administration (SAMHSA) Block Grant for Community Mental Health Services; a more than \$1.9 million special appropriation for the SAMHSA Crisis 2 Connection's Expanding the Care Continuum into the Community Grant Award; a \$231,000 special appropriation for the Purple Line Light Rail Project Business Grant Program; a \$2.7 million supplemental appropriation for the Summer School Grant; and on a more than \$1.2 million supplemental appropriation for the School Reopening Grant.

The Council will continue with public hearings and vote on a \$251,233 supplemental appropriation for the Early Childhood High-Quality Inclusion Policies and Practices Grant; a \$1 million supplemental appropriation for DHHS to increase somatic and mental health services at MCPS; 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; a \$350,000 special appropriation for EveryMind to support behavioral health and crisis prevention in the County; and on Expedited Bill 47-21, Taxicabs - Age of Vehicles, which would extend the permissible age that a taxicab may be in service in the County from eight to 10 model years.

Next, the Council is expected to receive an update from Executive staff about the County's fiscal plan. In addition, the Council will introduce Zoning Text Amendment (ZTA) 21-11, Sandy Spring/Ashton Rural Village Overlay Zone – Amendments and Executive Regulation 15-20, which adopts minimum standard requirements and conditions for work zone usage within the County's public right-of-way.

Then the Council is will introduce Bill 48-21, which would officially designate the black tupelo (*Nyssa sylvatica*) as the County tree and Bill 49-21, Police – Police Accountability Board – Administrative Charging Committee – Established, which would establish a Policy Accountability Board (PAB) and Administrative Charging Committee (ACC) for the County.

Next, the Council will vote on Expedited Bill 33-21, Personnel - Employee's Retirement System - Group E – Amendments; Bill 26-21, Taxation-Payments in Lieu of Taxes - Affordable Housing – Amendments; and on 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 council will introduce and vote on amendment to resolution 19-832, which would allow \$2.2 million of previously appropriated federal grant funding to be used to support operational expenses of childcare providers and to extend the deadline for 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 Council will vote on a resolution which would grant Cellco Partnership d/b/a Verizon Wireless a franchise to use the public right-of-way under certain conditions; a \$193,483 supplemental appropriation to the Department of Transportation to be used for the replacement of roadside trees as required by Bill 41-12 – Streets and Roads – Roadside Trees – Protection; and a special appropriation that includes \$5,125,000 for Clarksburg Cluster Elementary School (ES) #9 and more than \$16.7 million for major capital projects at Burnt Mills ES, South Lake ES, Stonegate ES and Woodlin ES.

Next, the Council will vote on a resolution to approve use of the Advance Land Acquisition Revolving Fund (ALARF) for acquisition of real property to create a conservation park in Poolesville, Md; to approve the end-of-year transfer for the FY21 County Government Operating Budget; on a nearly \$2 million Special Appropriation to the FY22 Operating Budget for a Guaranteed Income Pilot Program which was introduced by lead sponsors Councilmember Jawando and Council President Albornoz; on a \$3.6 million special appropriation to the FY22 Capital Budget and Amendment to the FY21-26 Capital Improvements Program for the Council Office Building (COB) renovations project; 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; and a resolution to approve the extension of the lease between the Maryland-National Capital Park and Planning Commission (M-NCPPC) and Meadowbrook Foundation, Inc. (Meadowbrook Stables).

Before the meeting adjourns, the Council will introduce and vote on an amendment to Resolution 19-498 which would authorize the use of Federal Coronavirus Relief Fund dollars for two previously approved appropriations that we funded with General Fund resources—the winterization of streeteries (\$1.25 million) and Conference Center assistance (\$2.5 million). In the evening at 7:30 p.m., the Council will hold a community listening session to hear from residents about Thrive Montgomery 2050.

The Council meeting will be held Tuesday, Dec. 14 at 9 a.m.

County Executive's appointment for Development Ombudsman: Thomas Lewis

Interview and vote: The Council is expected to interview and vote on the confirmation of Thomas Lewis, who is the County Executive's appointment for development ombudsman.

County Executive's appointment for Chief, Children, Youth, and Families: Dira Treadvance

Interview and vote: The Council is expected to interview and vote on the confirmation of Dira Treadvance, who is the County Executive's appointment for chief of Children, Youth and Families in DHHS.

Supplemental Appropriation to the County Government's FY22 Operating Budget, Department of Health and Human Services - \$4,222,924 for Epidemiology and Laboratory Capacity Enhancing Detection Expansion (ELC ED) Grant

Public hearing and vote: The Council is expected to hold a public hearing and vote on a more than \$4.2 million special appropriation for the Epidemiology and Laboratory Capacity Enhancing Detection Expansion (ELC ED) Grant. This funding is needed to continue DHHS' efforts to detect and respond to emerging or reemerging infectious diseases. This grant is awarded by the Maryland Department of Health and funded by the Centers for Disease Control and Prevention.

These funds will be used to strengthen laboratory testing and laboratory data to enhance investigation, response and prevention for COVID-19. In addition, funds will support outreach, tracing, testing and surveillance that are a part of Por Nuestra Salud y Bienestar, the African American Health Program COVID Response and the Asian American Health Initiative.

Special Appropriation to the County Government's FY22 Operating Budget, Department of General Services -\$150,000 for CASA Workforce Development and Citizenship Center (Source of Funds: General Fund Reserves); and Amendment to the FY22 Operating Budget for the Montgomery County Government, Resolution 19-872, Section G, Designation of Entities for Non-Competitive Award Status: CASA de Maryland, Inc.

Public hearing and vote: The Council is expected to hold a public hearing and vote on a \$150,000 special appropriation for CASA de Maryland, Inc. to complete design work to renovate the workforce development and citizenship center. CASA has been one of the County's partners in supporting immigrant and Latino residents. They have operated Welcome Centers in Silver Spring, Wheaton and Rockville that have matched workers with employers and prevented low-wage workers from experiencing wage theft and abuse. CASA provides job training, assistance with the citizenship process and legal education and representation.

Special Appropriation to the County Government's FY22 Operating Budget, Department of Health and Human Services - SAMHSA Block Grants for Community Mental Health

Services Restore to Strength: Strengthening People and Community Mental Health Centers - \$4,999,994

Public hearing and vote: The Council is expected to hold a public hearing and vote on a nearly \$5 million special appropriation for Substance Abuse and Mental Health Services Administration (SAMHSA) Block Grant for Community Mental Health Services. SAMHSA and the U.S. Department of Health and Human Services provided this block grant funding to the state of Maryland which is then awarded to localities including Montgomery County.

The appropriation is needed to provide service to those facing mental health challenges or illness and substance use disorders. The need has grown during the COVID-19 pandemic. These funds will be used to strengthen the crisis continuum of care for people in distress. It will support expansion of crisis intervention services and provide effective crisis care that will help divert people from emergency rooms and the Department of Correction and Rehabilitation.

Special Appropriation to the County Government's FY22 Operating Budget, Department of Health and Human Services - SAMHSA Crisis 2 Connection: Expanding the Care Continuum into the Community Grant Award - \$1,915,270

Public hearing and vote: The Council is expected to hold a public hearing and vote on a more than \$1.9 million special appropriation for the SAMHSA Crisis 2 Connection's Expanding the Care Continuum into the Community Grant Award. The funding will support the increased need to strengthen the quality of community behavioral health treatment services in the County. These funds will be used to support intervention and referral services, especially for children and adolescents as they return to school. In addition, it will support the creation of an interim stabilization center as an alternative to emergency rooms and incarceration.

Special Appropriation to the County Government's FY22 Operating Budget, Office of the County Executive - \$231,000 for Purple Line Light Rail Project Business Grant Program and Amendment to the FY22 Operating Budget Resolution 19-872, Section G, Fiscal Year 2022 Designation for Entities for Non-Competitive Contract Award Status: Latino Economic Development Corporation for Purple Line Light Rail Project Business Grant Program, \$231,000

Public hearing and vote: The Council is expected to hold a public hearing and vote on a \$231,000 special appropriation for the Purple Line Light Rail Project Business Grant Program. The grant will support businesses impacted financially because of Purple Line construction. The Latino Economic Development Center (LEDC) will administer the grant program for the County. The lead sponsor is Council Vice President Glass. All other Councilmembers are cosponsors.

Supplemental Appropriation to Montgomery County Public Schools' FY22 Operating Budget-\$2,721,577 for the Summer School Grant

Public hearing and vote: The Council is expected to hold a public hearing and vote on 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.

Supplemental Appropriation to Montgomery County Public Schools' FY22 Operating Budget - \$1,205,690 for the School Reopening Grant

Public hearing and vote: The Council is expected to hold a public hearing and vote on 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.

Supplemental Appropriation to Montgomery County Public Schools' FY22 Operating Budget - \$251,233 for the Early Childhood High-Quality Inclusion Policies and Practices Grant

Public hearing and vote: The Council is expected to hold a public hearing and vote on 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.

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

Public hearing and vote: The Council is expected to hold a public hearing and vote on 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.

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

Public hearing and vote: The Council is expected to hold a public hearing and vote on 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.

Special Appropriation to the County Government's FY22 Operating Budget, 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

Public hearing and vote: The Council is expected to hold a public hearing and vote on 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.

Expedited Bill 47-21, Taxicabs - Age of Vehicles

Public hearing and vote: The Council is expected to hold a public hearing and vote on Expedited Bill 47-21, Taxicabs - Age of Vehicles, which would extend the permissible age that a taxicab may be in service in the County from eight to 10 model years. The taxicabs would continue to undergo annual safety inspections. The bill is time-sensitive because many taxicabs are scheduled to be placed out of service on Jan. 1, 2022, due to Montgomery County's current age limit on taxicabs providing service.

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

Fiscal Plan and Federal Funding

Briefing: The Council is expected to receive an update from Executive staff about the County's fiscal plan. The fiscal plan provides a high-level overview of the County's fiscal condition and position based on current revenue and expenditure assumptions. The December 2021 update includes revisions to the County's revenues based on actual collections to-date and estimated annual expenditures based on spending for the County Government.

The County's fiscal position weathered the pandemic better than expected due to significant one-time Federal funding and actual FY21 tax revenue collections exceeding the budget projections from March 2020. Total tax revenues in FY21 were \$131.4 million greater than budgeted. This allowed the County to end with general fund reserve levels greater than the ten percent policy level. Fiscal pressures remain as the U.S. recovers from the pandemic. These pressures could change the outlook in FY22 and FY23 as fiscal details become clearer.

Those expected to attend and provide information include Mike Coveyou, director, Department of Finance (Finance); Jennifer Bryant, director, Office of Management and Budget (OMB); Nancy Feldman, Finance; Josh Watters, OMB; David Platt, chief economist, Finance; and Chris Mullin, budget manager, OMB.

Sectional Map Amendment (SMA) H-144, filed by the Maryland-National Capital Park and Planning Commission, is a comprehensive rezoning application to implement the zoning recommendations contained in the Approved and Adopted Ashton Village Center Sector Plan

Introduction: The Council is will introduce Sectional Map Amendment (SMA) H-144, which was filed on Nov. 10, 2021, by the Montgomery County Planning Board to implement the specific zoning recommendations of the Ashton Village Center Sector Plan.

The SMA application covers a plan area of approximately 127 acres in the eastern part of the County at the intersection of state routes MD 108 and MD 650 (New Hampshire Avenue).

The District Council approved the Ashton Village Center Sector Plan in June 2021. A public hearing on this SMA is tentatively scheduled for Jan. 18, 2022.

Zoning Text Amendment (ZTA) 21-11 - Sandy Spring- Ashton Rural Village Overlay Zone

Introduction: The Council is will introduce Zoning Text Amendment (ZTA) 21-11, Sandy Spring/Ashton Rural Village Overlay Zone – Amendments, which amends the existing Sandy Spring Ashton Rural Village Overlay Zone (SSARVO) to make it consistent with the recommendations from the Ashton Village Center Sector Plan. ZTA 21-11 will be reviewed in conjunction with SMA H-144.

The SSARVO was established in 1998 and the Zoning Ordinance was updated in 2014. The Sandy Spring Rural Village Plan was updated in 2015 and the Ashton Rural Village Sector Plan was updated in 2021. The new Zoning Ordinance and the updated Master Plans rezoned the C zones to the CRN and CRT Zones, which offered many of the land use controls the overlay zone provided. The proposed amendments to the SSARVO would reduce those redundancies. The amended overlay zone will retain site plan requirements for all non-residential developments and allow certain existing non-conforming commercial uses to remain.

The lead sponsor is Council President Albornoz, at the request of the Planning Board. A public hearing is tentatively scheduled for Jan. 18, 2022.

Resolution to approve Executive Regulation 15-20, Public Space Usage in Work Zones

Introduction: The Council will introduce Executive Regulation 15-20, which adopts minimum standard requirements and conditions for work zone usage within the County’s public right-of-way. The proposed regulation provides standards by which the Department of Permitting Services (DPS) may issue a permit to temporarily close a public sidewalk, walkway, bicycle facility or road lane related to repair or construction activity. The intent of the proposed regulation is to minimize public inconvenience, maximize consistency with use of the right of way and promote public safety.

The lead sponsor is Council President Albornoz, at the request of the County Executive. A vote is tentatively scheduled for Jan. 18, 2022.

Resolution to approve extension until February 2, 2022 – Hearing Examiner’s report and recommendation on Local Map Amendment (LMA) Application No. H-141 for amendment to the zoning ordinance map. Soo Lee-Cho, Attorney for Applicant, White Oak Apartments LLC, requests rezoning from the CR-0.75, C-0.75, R-0.25, H-75 Zone to the

CRF-1.25, C-0.25, R-1.25, H-85 Zone of the property located at 2220 Broadbirch Drive, White Oak, Maryland, in the 5th Election District

Vote expected: The Council is expected to vote on a resolution to approve extension until Feb. 2, 2022 of Local Map Amendment (LMA) Application No. H-141, which would rezone 7.83 acres of property from the Commercial Residential (CR) zone to the Commercial Residential Floating (CRF) zone. The property address is 2220 Broadbirch Drive in White Oak. The Floating Zone Plan includes three binding elements limiting the type and density of the proposed use and committing to restrict 15 percent of the units constructed as moderately priced dwelling units (MPDUs).

Hearing Examiner Lynn Robeson Hannan is expected to attend and provide information.

Bill 48-21, General Provision - County Symbols - County Tree – Established

Introduction: The Council is will introduce Bill 48-21, which would officially designate the black tupelo (*Nyssa sylvatica*) as the County tree. *Nyssa sylvatica* is also known as blackgum, sourgum, pepperidge, tupelo and tupelo-gum.

The lead sponsor is Council President Alborno at the request of the County Executive. A public hearing is scheduled for Jan. 18, 2022.

Expedited Bill 49-21, Police Accountability Board - Administrative Charging Committee - Established

Introduction: The Council is scheduled to introduce Bill 49-21, Police – Police Accountability Board – Administrative Charging Committee – Established, which would establish a Policy Accountability Board (PAB) and Administrative Charging Committee (ACC) for the County.

The Maryland General Assembly enacted a series of laws establishing uniform standards for police department operations throughout the State. One of these laws, House Bill (HB) 670, created a new uniform procedure for police accountability and discipline. This new law requires the governing body of each county to establish a PAB and an ACC to handle complaints of police misconduct from a member of the public in the County. HB 670 also gives the County PAB and the County ACC jurisdiction over police misconduct complaints against municipal police departments located in the County.

The goal of the bill is to help improve police accountability. The lead sponsor is Council President Alborno, at the request of the County Executive. A public hearing is tentatively scheduled for Jan. 11, 2022.

Expedited Bill 33-21, Personnel - Employee's Retirement System - Group E - Amendments

Vote expected: The Council is expected to vote on Expedited Bill 33-21, Personnel - Employee's Retirement System - Group E - Amendments, which would move resident supervisors in the Department of Correction and Rehabilitation from Group J to Group E. The

bill would also permit resident supervisors to participate in the Deferred Retirement Option Plan for sworn deputy sheriffs and uniformed correctional officers, clarify the application of credited service for employees who move from the GRIP to Group E and generally amend the retirement laws. The Government Operation and Fiscal Policy (GO) Committee recommends enactment.

Bill 26-21, Taxation - Payments in Lieu of Taxes - Affordable Housing - Amendments

Vote expected: The Council is expected to vote on Bill 26-21, Taxation-Payments in Lieu of Taxes - Affordable Housing - Amendments, to help increase affordable housing in Montgomery County. The legislation would establish a minimum payment in lieu of taxes for a housing development owned or operated by the Housing Opportunities Commission (HOC) and for any other housing development with at least 25 percent of the dwelling units built under a government regulation or binding agreement limiting the rent charged for at least 15 years. Bill 26-21 also would repeal the annual maximum aggregate amount of all payments in lieu of taxes approved under this law.

Councilmembers Riemer and Friedson are the lead sponsors of Bill 26-21. The joint Government Operations and Fiscal Policy (GO) and Planning, Housing and Economic Development (PHED) Committee recommends enactment with amendments.

Revised 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

Vote expected: The Council is expected to vote on 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 the Council President at the request of the County Executive. These funds would be used for proposed settlement agreements with 83 employees related to COVID-19 hazard pay.

Those expected to attend and provide information include Rich Madaleno, chief administrative officer; John Markovs, Office of the County Attorney; and Justin Nunley, Office of the County Attorney.

Resolution to Approve franchise to Cellco d/b/d Verizon Wireless, to use the public right-of-way

Introduction: The Council is scheduled to introduce a resolution which would grant Cellco Partnership d/b/a Verizon Wireless a franchise to use the public right-of-way under certain conditions. The proposed franchise is for a fifteen-and requires Cellco Partnership to pay the safe harbor annual right-of-way fee of \$270 permitted by the Federal Communications Commission (FCC).

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

Amendment the FY22 Operating Budget for the Montgomery County Government, Resolution 19-872, Section G, Designation of Entities for Non-Competitive Contract Award Status: Asylum works, Ayuda, HIAS, and University of Maryland SAFE Center

Introduction and vote: The Council is expected to introduce and vote on an amendment to the FY22 Operating Budget for the Montgomery County Government, Resolution 19-872, Section G, Designation of Entities for Non-Competitive Contract Award Status: Asylum works, Ayuda, HIAS and University of Maryland SAFE Center.

The resolution authorizes contract awards for legal services that were funded in Resolution 19-968, Newcomers Enhancements and Assistance. The newcomer's initiative provides comprehensive legal screenings, services and representation for unaccompanied children, families and sponsors through support to legal immigration service providers. The contracts include \$80,000 with HIAS, \$70,000 with Ayuda, \$50,000 with Asylum Works and \$50,000 with University of Maryland, Baltimore.

The joint Health and Human Services (HHS) and Education and Culture (E&C) Committee received an update on the newcomer's initiative on Nov. 29. A link to the Committee staff report is available [here](#).

Amendment to Resolution 19-832, Early Care and Education Non-Departmental Account - COVID 19 - School-Age Child Care During Distance Learning

Introduction and vote: The Council is expected to introduce and vote on an amendment to resolution 19-832, which would allow \$2.2 million of previously appropriated federal grant funding to be used to support operational expenses of childcare providers. The funding may be used for expenses including rent, cleaning and personal protective equipment for childcare services delivered in the County.

The original appropriation of more than \$7.6 million was approved in Sept. of 2020 to support the reopening of licensed childcare programs in public school buildings and tuition for childcare for low-income children. This amendment is needed to allow the County to spend the full amount of federal funding originally appropriated to support childcare delivery in the County.

Resolution to Extend the Deadline for the Disposition of a Portion of Warner Circle Special Park, 10231 Carroll Place, Kensington, Maryland 20895

Introduction and vote: The Council is expected to introduce and vote on resolution to extend the deadline for 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.

Supplemental Appropriation to the County Government's FY22 Operating Budget, Department of Transportation - \$193,483 for Streets and Roads - Roadside Trees - Protection

Introduction: The Council is scheduled to introduce a \$193,483 supplemental appropriation to the Department of Transportation to be used for the replacement of roadside trees as required by Bill 41-12 – Streets and Roads – Roadside Trees – Protection. The Tree Planting Fund collected \$268,483 in fiscal year 2021, which is \$193,483 more than had been estimated. The appropriation is needed to authorize the expenditure of the excess funds received and can be used only for this purpose.

The lead sponsor is Council President Albornoz, at the request of the County Executive A public hearing and vote is tentatively scheduled for Jan. 11, 2022.

Special Appropriations to Montgomery County Public Schools' FY22 Capital Budget and Amendments to the FY21-26 Capital Improvements Program - Clarksburg Cluster ES #9 (New) (No. 651901), \$5,125,000 Major Capital Projects - Elementary (No. 652101), \$16,725,000 for Burnt Mills ES, South Lake ES, Stonegate ES, and Woodlin ES

Introduction: The Council is scheduled to introduce a special appropriations to Montgomery County Public Schools' FY22 Capital Budget and Amendments to the FY21-26 Capital Improvements Program. The special appropriations include \$5,125,000 for Clarksburg Cluster Elementary School (ES) #9 and more than \$16.7 million for major capital projects at Burnt Mills ES, South Lake ES, Stonegate ES and Woodlin ES.

The projects listed above are scheduled to begin construction during FY22. They were approved by the Council in May 2021 as part of the FY21-26 CIP amendment reconciliation process. In Sept. of 2021, the Board of Education requested and the Council later approved amendments to these projects to increase project costs to address construction cost increases based on market conditions.

A public hearing is scheduled for Jan. 11, 2021.

Resolution to approve use of Advance Land Acquisition Revolving Fund (ALARF) for acquisition of real property to create a conservation park in Poolesville

Vote expected: The Council is expected to vote on a resolution to approve use of the Advance Land Acquisition Revolving Fund (ALARF) for acquisition of real property to create a conservation park in Poolesville, Md.

On Dec. 2, the Montgomery County Planning Board approved the Montgomery Parks Department proposal to acquire the property at 21820 Club Hollow Road in Poolesville. The Maryland-National Capital Park and Planning Commission has negotiated a Land Purchase Agreement to acquire this property from Broad Run Creek Farm II, LLC, for more than \$3.1 million. The property consists of 472.78 acres of the entire 535.36-acre Broad Run Creek Farm.

Resolution to approve end-of-year transfer for FY21 County Government Operating Budget

Vote expected: The Council is expected to vote on a resolution to approve the end-of-year transfer for the FY21 County Government Operating Budget. The Executive has the authority to transfer unencumbered appropriations within a division or between divisions of the same department.

The Executive is recommending \$9.4 million in transfers for FY20. For context, the Council approved \$28.5 million for the FY19 year-end transfers and \$43.6 million for the FY20 year-end transfers. The decrease in transfers for FY21 is due to the Council's action to appropriate funding for overspent departments during the fiscal year and not use the year-end transfer to balance the overspending.

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

Vote expected: The Council is expected to vote on a nearly \$2 million Special Appropriation to the FY22 Operating Budget for a Guaranteed Income Pilot Program which was introduced by lead sponsors Councilmember Jawando and Council President Albornoz. Council Vice President Glass and Councilmembers Hucker, Rice, Riemer and Navarro 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.

The Health and Human Services (HHS) Committee recommends approval.

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 Council Office Building Renovations

Vote expected: The Council is expected to vote on a \$3.6 million special appropriation to the FY22 Capital Budget and Amendment to the FY21-26 Capital Improvements Program for the Council Office Building (COB) renovations project.

This special appropriation is needed to provide funding for the remaining construction cost associated with the addition of two new Councilmember offices and the relocated Legislative

Information Services office as well as associated furniture, equipment and technology infrastructure needs. In addition, this appropriation funds several key subprojects related to the transition from nine to 11 Councilmembers. The Government Operations and Fiscal Policy (GO) Committee recommends approval.

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

Vote expected: The Council is expected to vote 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. The Government Operations and Fiscal Policy (GO) Committee recommends approval.

Resolution to approve the lease (term) extension between the Maryland- National Capital Park and Planning Commission (M-NCPPC) and Meadowbrook Foundation, Inc. (Meadowbrook Stables)

Vote expected: The Council is expected to vote on a resolution to approve the extension of the lease between the Maryland-National Capital Park and Planning Commission (M-NCPPC) and Meadowbrook Foundation, Inc. (Meadowbrook Stables).

Meadowbrook Stables provides equestrian education to Montgomery County residents through a Public-Private Partnership with M-NCPPC. In November 2001, the Planning Board approved a development plan for Meadowbrook Stables that consisted of renovations and new construction in two phases. That development plan included the concept of a covered riding arena as part of the second phase of development to improve the functionality of Meadowbrook Stables.

The lead sponsor is the Council President, at the request of the M-NCPPC.

Amendment to Resolution 19-498, Special Appropriation to the FY 2020 Operating Budget, Montgomery County Government, Federal Coronavirus Relief Fund (NDA)

Introduction and vote: The Council is expected to introduce and vote on an amendment to Resolution 19-498 which would authorize the use of Federal Coronavirus Relief Fund dollars for two previously approved appropriations that we funded with General Fund resources—the winterization of streeteries (\$1.25 million) and Conference Center assistance (\$2.5 million).

OLO Report 2021-12, State School Construction Aid Eligibility and Funding of MCPS Capital Projects

Receipt and Release: The Council directed the Office of Legislative Oversight to convene an interagency working group to assess which state aid criteria have the greatest effect on capital project funding received by MCPS. The OLO report presents background information on, and analysis of, the state's contributions to MCPS capital construction projects. The report also identifies key challenges facing the county and MCPS and possible action items to help increase the state's share of MCPS capital construction expenditures. The report will be available on OLO's web page, once the Council votes to release the report on Tuesday.

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 7:30 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. Visit the Council's Thrive Montgomery 2050 web page to learn more about the proposed plan and the recommendations made by the Council's Planning, Housing and Economic Development Committee.

Monday, Dec. 13

The Planning, Housing and Economic Development (PHED) Committee will meet virtually on **Monday, Dec. 13 at 10:30 a.m.** to review ZTA 21-06, Exemptions - Density Transfer and Historic Resources and ZTA 21-07, Density and Height Allocation - Development with Moderately Priced Dwelling Units.

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

More detail on each agenda item is provided below.

ZTA 21-06, Exemptions - Density Transfer and Historic Resources

Review: The PHED Committee will review 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 the Council President, at the request of the Planning Board.

Those expected to attend and provide information include Casey Anderson, chair, Planning Board; Benjamin Berbert, planner coordinator, Countywide Planning and Policy, Planning Department; and Jason Sartori, chief, Countywide Planning and Policy, Planning Department.

ZTA 21-07, Density and Height Allocation - Development with Moderately Priced Dwelling Units

Review: The Committee will review Zoning Text Amendment (ZTA) 21-07, Density and Height Allocation - Development with Moderately Priced Dwelling Units. ZTA 21-07 would allow a greater residential density in certain housing development projects by permitting a floor area ratio (FAR) of up to 2.5 if 100 percent of the units are income-restricted for at least 30 years.

Councilmembers Huckler and Riemer are lead sponsors of the ZTA. Councilmember Rice is a cosponsor.

Those expected to attend and provide information include Casey Anderson, chair, Planning Board; Lisa Govoni, planner coordinator, Countywide Planning and Policy, Planning Department; Jason Sartori, chief, Countywide Planning and Policy, Planning Department; Somer Cross, program manager, Affordable Housing, Department of Housing and Community Affairs (DHCA); Frank Demarais, deputy director, Affordable Housing, DHCA; Jeremy Criss, director, Office of Agriculture; Linda McMillan, senior legislative analyst, Montgomery County Government.