

COUNCIL COMING ATTRACTIONS



Week of Dec. 6, 2021

Proclamation Recognizing the Office of Consumer Protection's 50th Anniversary presented by Councilmember Katz and County Executive Elrich; recognizing the work of Jayne Park of Impact Silver Spring presented by Councilmember Jawando; and recognizing Rosa Parks presented by Council President Hucker

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 Monday, Dec. 6 at 12:30 p.m. to determine whether to add to the approved list of capital project priorities an additional \$865,000 for the Noyes Library for Young Children Rehabilitation and Renovation project. The Council will also review a letter to Governor Hogan advocating for enhanced funding for the Office of Immigration Affairs.

The Council will meet on Tuesday, Dec. 7 at 9 a.m. The meeting will begin with multiple proclamations. The first recognizes the Office of Consumer Protection's 50th Anniversary and will be presented by Councilmember Katz and County Executive Elrich. The second recognizes the work of Jayne Park of Impact Silver Spring and will be presented by Councilmember Jawando. The third recognizes Rosa Parks and will be presented by Council President Hucker.

The Montgomery County Council will elect new officers to one-year terms at approximately 9:40 a.m. Councilmember Tom Hucker will complete his one-year term serving as Council president, and Councilmember Gabe Albornoz will complete his one-year term serving as vice president.

Next, the Council will introduce multiple resolutions and supplemental appropriations. These will include 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 and a more than \$4.22 million special appropriation for the Epidemiology and Laboratory Capacity Enhancing Detection Expansion (ELCED) Grant. Then, the Council will vote on a resolution to approve the Office of Legislative Oversight's (OLO) FY22 Workplan Program Supplement, a resolution to approve the Optional Procedure for Condemnation of Land Advance Taking CIP Project Number 508000.

In addition, the Council is expected to hold a vote on Bill 41-21, Elections Council Districts - Boundaries, which is the enabling legislation that would revise the boundaries of the Council districts as recommended by the map proposed by the Montgomery County Commission on Redistricting and vote on Bill 43-21, Health – Advisory Board for Montgomery Cares Program – Amendments, which would extend the law establishing the Montgomery Cares Program Advisory Board by removing the sunset provision. Next, the Council will introduce 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.

In the afternoon, the Council will hold multiple public hearings. These will include public hearings on Bill 45-21, which would amend the County's public campaign finance law to permit certain limited in-kind donations, equivalent to \$10,000 or less, from state or County central committees to publicly financed candidates and Bill 44-21, which would mandate that the Council appropriate 10 percent of the fuel-energy tax revenue to the County Green Bank each year in the annual operating budget. Before the meeting adjourns, 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.

Monday's Council meeting will be held at 12:30 p.m.

State Legislative Program

Review and vote expected: The Council will meet to determine whether to add to the approved list of capital project priorities an additional \$865,000 for the Noyes Library for Young Children Rehabilitation and Renovation project. The Council will also review a letter to Governor Hogan advocating for enhanced funding for the Office of Immigration Affairs.

In addition, the Council will continue its review, and take positions on, local and bi-county bills for the upcoming 2022 General Assembly session.

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; and Sara Morningstar, federal relations coordinator and legislative analyst, OIR.

Tuesday's Council meeting will be held Dec. 7 at 9 a.m.

Election of Council Officers

The Montgomery County Council will elect new officers to one-year terms at approximately 9:40 a.m. Councilmember Tom Hucker will complete his one-year term serving as Council president, and Councilmember Gabe Alborno will complete his one-year term serving as vice president.

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

Introduction: The Council will introduce 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.

This acquisition will create the new Broad Run Conservation Park that will provide for conservation, research and interpretation of significant natural and cultural resources. In addition, it will serve as a focal point for the entire Broad Run Park by providing public access for recreation and education at this unique place in Montgomery County.

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 (ELCED) Grant

Introduction: The Council will introduce a more than \$4.22 million special appropriation for the Epidemiology and Laboratory Capacity Enhancing Detection Expansion (ELCED) Grant. This funding is needed to continue the Department of Health and Human Services' efforts to detect and respond to emerging or re-emerging infectious diseases. This grant is awarded by the Maryland Department of Health and funded by the Centers for Disease Control and Prevention.

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 Fiscal Year 2022 Operating Budget, Montgomery County Government, Payments to Municipalities Non-Departmental Account, \$5,000,000

Introduction: The Council will introduce a \$5 million special appropriation for payments to the Municipalities Non-Departmental Account. Chapter 30A of the County Code creates a program that allows reimbursements to municipalities for those public services provided by municipalities that would otherwise be provided by the County. This reimbursement program addresses the issue of property tax duplication since both the County and the municipality levy a property tax, but only the municipality provides that service within its jurisdiction.

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

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

Introduction: The Council will introduce 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 most important partners in supporting immigrant and Latino residents. They have operated Welcome Centers in Silver Spring, Wheaton and Rockville that have matched laborers with employers and prevented low wage workers from wage theft and abuse. CASA provides job training, assistance with citizenship and legal education and representation.

[End-of-Year Report of the Council's Audit Committee](#)

Receipt: The Council will receive the 2021 Audit Committee End-of-Year Report. The Audit Committee is chaired by Councilmember Nancy Navarro. In Jan. 2009, the Council established an Audit Committee in response to a review of County oversight practices conducted by the Office of the Inspector General. The Committee's charge is to enhance oversight of the County Government's financial reporting, management control and audit activities.

[Resolution to approve the Office of Legislative Oversight's FY22 Workplan Program Supplement](#)

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

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

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

[Special Appropriation 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](#)

Introduction: The Council will introduce 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 or jail.

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.

Introduction: The Council will introduce 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 services, especially for children and adolescents as they return to school and referrals for services increase. In addition, it will support creation of an interim stabilization center as an alternative to emergency rooms and incarceration.

ZTA 21-08, Landscape Contractor Use Standards

Motion to withdraw: The Council is expected to vote to withdraw Zoning Text Amendment (ZTA) 21-08, Landscape Contractor – Use Standards, which would expand the definition for landscape contractor and allow it as a limited use in certain zones. The purpose of this ZTA was to create a less cost prohibitive process for landscaping companies, while placing certain limits on the sites where this use is located. Lead sponsor Council President Hucker is requesting the withdraw of ZTA 21-08 based on feedback from various stakeholders in the Agricultural Reserve.

Expedited Bill 41-21, Elections Council Districts - Boundaries

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

On Nov. 30, the Council met to review the Commission's proposed map and several proposed changes to the map were discussed. Page two of the Council staff report contains a revised Commission map that incorporates several of the proposed changes discussed by the Council on Nov. 30. The map before the Council for consideration does the following: places the Kemp Mill community in District 6; places the Northwest Park/Oakview neighborhood in District 5 with the rest of the Hillandale community; combines the Willows of Potomac/Traville Gardens neighborhood with the rest of this community; places the Aurora Hills community in District 2; and places the precincts in the Potomac/North Bethesda community just west of I-270 in District 1.

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

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

[Expedited Bill 43-21, Health - Advisory Board for Montgomery Cares Program – Amendments](#)

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

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

[Expedited Bill 47-21, Taxicabs - Age of Vehicles](#)

Introduction: The Council will introduce 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 time-sensitive because a substantial number of 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 Council President Hucker at the request of the County Executive.

Proposed Closed Session

Review: To consult with staff, consultants, or other individuals about pending or potential litigation, pursuant to Maryland Code, General Provisions Article §3-305 (b)(8), and to consult with counsel to obtain legal advice, pursuant to Maryland Code, General Provisions Article §3-305 (b)(7). Topic is National Opioid Settlements.

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

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

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

Public hearing: The Council will hold a public hearing 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 Foundation's current lease began in Sept. 2010 and is scheduled to end on Aug. 31, 2025 with the option of one renewal term through Aug. 31, 2030. M-NCPPC and the Foundation seek to further extend the lease through Aug. 31, 2041 to align the lease with the terms of the PPLA. The Planning Board approved the lease extension by consent at its Sept. 15, 2021 meeting.

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

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

Public hearing: The Council will hold a public hearing 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 Council President Hucker 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.

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

Public hearing: The Council will hold a public hearing on a \$3.6 million special appropriation to the FY22 Capital Budget and Amendment to the FY21-26 Capital Improvements Program 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 to relocate the Legislative Information Services office as well as associated furniture, equipment and technology infrastructure. In addition, this appropriation funds several key subprojects related to the transition from nine to 11 Councilmembers.

Bill 44-21, Montgomery County Green Bank - Funding - Fuel-energy tax revenue

Public hearing: The Council will hold a public hearing on Bill 44-21, Montgomery County Green Bank – Funding – Fuel Tax Revenue, which would mandate that the Council appropriate 10 percent of the fuel-energy tax revenue to the County Green Bank each year in the annual operating budget. The Montgomery County Green Bank was established by Bill 18-15, enacted by the Council on June 30, 2015 and signed into law by the County Executive on July 7, 2015.

The Green Bank promotes the investment in clean energy technologies in the County by offering financing structures to lower the cost of financing these technologies for County residential and commercial properties. The fuel-energy tax is levied and imposed on every person transmitting, distributing, manufacturing, producing, or supplying electricity, gas, steam, coal, fuel oil or liquefied petroleum gas in the County.

The bill is being spearheaded by Council President Hucker and Councilmember Friedson. Council Vice President Albornoz and Councilmembers Riemer, Navarro, Katz, Rice and Jawando are cosponsors.

Expedited Bill 45-21, Elections - Public Campaign Financing - Restrictions

Public hearing: The Council will hold a public hearing on Bill 45-21, Elections – Public Campaign Financing – Restrictions, which would amend the County’s public campaign finance law to permit certain limited in-kind donations, equivalent to \$10,000 or less, from state or County central committees to publicly financed candidates.

The purpose of the bill is to permit the central committees to display or distribute the literature of publicly financed candidates under certain conditions. Currently, the central committees are precluded from displaying or distributing literature for publicly financed candidates.

The lead sponsors are Councilmembers Glass, Katz and Riemer and Council Vice President Albornoz. Councilmembers Navarro and Rice and Council President Hucker are cosponsors.

Resolution to Approve Correct Copy of Montgomery County Planning Board Regulation No. 3-21 on Forest Conservation - Trees

Public hearing and vote expected: The Council will hold a public hearing and vote on a resolution which would approve a corrected copy of Montgomery County Planning Board Regulation No. 3-21 on forest conservation. The resolution is needed because a copy of Planning Board Regulation No. 3-21 that was attached to Resolution No. 19-893 inadvertently contained non-substantive technical errors. In order to properly codify Regulation No. 3-21 in the Code of Montgomery County Regulations, it is necessary to rescind Resolution No. 19-893, and to adopt the enclosed accurate copy of Regulation No. 3-21.

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

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

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

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

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

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

Public hearing and vote expected: The Council will hold a public hearing and vote on a \$34.4 million special appropriation for the Department of Health and Human Services (DHHS) for the Emergency Rental Assistance Program (EARP) 2. This funding will be used to provide financial support for County residents facing hardships resulting from the COVID-19 crisis. The source of funds is a U.S. Department of Treasury grant. As of Nov. 14, DHHS has expended or encumbered \$22.8 million of the \$31 million (73 percent) awarded directly by the U.S. Treasury under the ERAP1 program and \$21 million of the \$28 million (75 percent) of the Maryland ERAP1 funds provided to the County. The Council also approved \$2 million in general fund

support and \$20 million in Coronavirus Relief Funds for rent assistance. The lead sponsor of the special appropriation is Council President Hucker at the request of the County Executive.

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

Public hearing and vote expected: The Council will hold a public hearing and vote on a \$4.4 million special appropriation for Por Nuestra Salud y Bienestar, which is a partnership of the Latino Health Initiative, Latino Health Steering Committee and community groups to deliver COVID-19 prevention, education, testing, vaccination and mitigation services designed to reach high-risk and high-need Hispanic/Latino communities in Montgomery County.

There are many social determinates of health underlying the disparate impacts of COVID-19 on the Latino community. They include a lack of access to health care, the high percent of people working front-facing, essential service jobs, crowded housing and chronic health conditions, such as hypertension, diabetes and obesity.

Through the efforts of Por Nuestra Salud y Bienestar, an initiative spearheaded by Councilmember Navarro and Vice President Albornoz, the vaccination rate for Hispanic/Latino residents 12 and older went from being significantly below white residents to exceeding the rate for white residents. Similar efforts are now needed and underway for vaccinating children ages five to 11.

Special Appropriation to the FY22 Capital Budget and Amendment to the FY21-26 CIP, Department of Technology and Enterprise Business Solutions (TEBS) - \$7,200,000 for FiberNet

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

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](#).

Monday, Dec. 6

The Government Operations and Fiscal Policy (GO) Committee will meet virtually on **Monday, Dec. 6 at 9:30 a.m.** to review special appropriations to acquire property at 260 East Jefferson Street and to complete renovation to the Council Office Building that will accommodate the transition from nine to 11 Councilmembers.

The Health and Human Services (HHS) Committee will meet virtually at **10 a.m.** to review a special appropriation for a Guaranteed Income Pilot Program.

The Council will meet virtually at **12:30 p.m.** to review state legislative priorities and determine whether to add to the approved list of capital project priorities. The Council will also review and take positions on local and bi-county bills.

The Planning, Housing and Economic Development (PHED) Committee will meet virtually at **1:30 p.m.** to receive updates on the Housing Opportunities Commission (HOC) Housing Production Fund, Affordable Housing Opportunity Fund, use of the Housing Initiative Fund (HIF) and approval of projects. The Committee will also review multi-family code enforcement and troubled properties.

The Public Safety (PS) Committee will meet virtually at **2 p.m.** to receive an update on crime statistics and crime trends.

More detail on each agenda item is provided below.

[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](#)

Review: The GO Committee will review 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.

Those expected to attend and provide information include David Dise, director, Department of General Services (DGS); Greg Ossont, deputy director, DGS; and Mary Beck, capital budget manager, Office of Management and Budget (OMB).

Special Appropriation to the County Government's FY22 Capital Budget and Amendment to the FY21-26 CIP- DGS - \$3,600,000 for Council Office Building Renovations

Review: The GO Committee will review 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.

Those expected to attend and provide information include David Dise, director, Department of General Services (DGS); Greg Ossont, deputy director, DGS; Mary Beck, capital budget manager, Office of Management and Budget (OMB); and Aryeetey, fiscal and policy analyst, OMB.

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

Review: The HHS Committee will review 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 Vice President Albornoz. Councilmember Glass, Council President Hucker and Councilmembers 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.

Those expected to attend and provide information include Dr. Raymond Crowel, director, Department of Health and Human Services (DHHS); Dr. Oscar Mensah, acting chief of children, youth, and family services, DHHS; Amanda Harris, chief, Services to End and Prevent

Homelessness; Julian Haynes, director, Maryland Partnerships and Strategy, Meyer Foundation; Elijah Wheeler, executive director, Collaboration Council for Children, Youth, and Families; and Meredith Bowers, director of administration, Collaboration Council.

State Legislative Program

Review and vote expected: The Council will meet to determine whether to add to the approved list of capital project priorities an additional \$865,000 for the Noyes Library for Young Children Rehabilitation and Renovation project. The Council will also review a letter to Governor Hogan advocating for enhanced funding for the Office of Immigration Affairs.

In addition, the Council will continue its review, and take positions on, local and bi-county bills for the upcoming 2022 General Assembly session.

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; and Sara Morningstar, federal relations coordinator and legislative analyst, OIR.

Housing Opportunities Commission (HOC) Housing Production Fund

Briefing: The PHED Committee will receive an update on the Housing Opportunities Commission (HOC) Housing Production Fund (HPF). The Council adopted a special appropriation to provide the initial funding and authorization for the creation of the HPF in March 2021. The HPF is an innovative way to provide HOC with a source of short-term construction funding that would allow HOC to accelerate projects in their pipeline and in turn help the County in meeting its goals for both increasing housing and affordable housing.

At least 20 percent of units in a development financed using the HPF must be affordable to households earning 50 percent or less of area median income with at least another 10 percent of units affordable to households earning incomes eligible for the Moderately Priced Dwelling Unit (MPDU) program.

Those expected to attend and provide information include Roy Priest, chair, HOC Board of Commissioners; Kayrine Brown, acting executive director, HOC; Zachary Marks, director of development, Real Estate, HOC; and Tim Goetzinger, chief development funds officer, HOC.

Affordable Housing Opportunity Fund

Briefing: The PHED Committee will receive an update on the Affordable Housing Opportunity Fund and progress being made to operationalize the fund. The \$14 million fund was created to address the urgent challenge of preservation and development of affordable housing in areas at risk of rent escalation to higher market rents, including the Purple Line Corridor and other County transit corridors. The funds will be used to provide seed money to establish a public-private preservation commitment of funds which will proactively leverage public and private

capital to support affordable housing developers in preserving and producing targeted affordable housing.

Those expected to attend and provide information include Aseem Nigam, director, Department of Housing and Community Affairs (DHCA) and Frank Demarais, deputy director, DHCA.

[Use of HIF funding/approval of projects in FY22 and Right of First Refusal](#)

Briefing: The PHED Committee will receive an update on DHCA exercising options under the Right of First Refusal. In addition, DHCA will update the Committee on its upgraded MPDU portal, the Rental Market Place and the Housing and Building Code Enforcement Guide.

Those expected to attend and provide information include Aseem Nigam, director, Department of Housing and Community Affairs (DHCA) and Frank Demarais, deputy director, DHCA.

[Multifamily Code Enforcement and Troubled Properties](#)

Review: The PHED Committee will discuss the resumption of the full program for inspections for multifamily rental properties and monitoring of those found to be troubled properties. DHCA resumed all inspection of interior multifamily rental units on July 1, 2021 after stopping them to protect residents and employees from community spread of COVID-19.

Those expected to attend and provide information include Aseem Nigam, director, DHCA and Frank Demarais, deputy director, DHCA; Christopher Anderson, chief, DHCA; and Dan McHugh, Manager, Housing Code Enforcement, DHCA.

[Crime Statistics and Violent Crime Trends](#)

Briefing: The Montgomery County Police Department (MCPD) will update the PS Committee on crime statistics including violent crime trends. The briefing will include information on the increase in violent crime, crimes with firearms including homicides, contact shootings, firearm discharges and firearm recoveries, carjacking, domestic violence, drug arrests and overdoses, traffic-related injuries including pedestrian injuries, calls for service to schools and non-violent crime trends. MCPD will also provide updates on the various efforts the department has undertaken to address violent crime.

Those expected to attend and provide information include Marcus Jones, chief, MCPD; Darren Francke, assistant chief, Management Services Bureau, MCPD; Dinesh Patil, assistant Chief, Investigative Services Bureau, MCPD; and Taman Morris, Office of Management and Budget (OMB).

Thursday, Dec. 9

The Government Operations and Fiscal Policy (GO Committee will meet on **Thursday, Dec. 9 at 1 p.m.** to review Bill 32-21, Personnel - Employee Settlement Agreements with No-Rehire Clause – Prohibited.

The joint GO and Transportation and Environment (T&E) Committee will meet at **1:30 p.m.** to review Bill 44-21, Montgomery County Green Bank - Funding - Fuel-energy tax Revenue

The Transportation and Environment (T&E) will meet at **2:15 p.m.** to review Bill 16-21, Environmental Sustainability - Building Energy Use Benchmarking and Performance Standards – Amendments.

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

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

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

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

Bill 44-21, Montgomery County Green Bank - Funding - Fuel-energy Tax Revenue

Review: The joint GO and T&E Committee will review Bill 44-21, Montgomery County Green Bank - Funding - Fuel-energy Tax Revenue, which would mandate that the Council appropriate 10 percent of the fuel-energy tax revenue to the County Green Bank each year in the annual operating budget. The Montgomery County Green Bank was established by Bill 18-15, enacted by the Council on June 30, 2015 and signed into law by the County Executive on July 7, 2015.

The Green Bank promotes the investment in clean energy technologies in the County by offering financing structures to lower the cost of financing these technologies for County residential and commercial properties. The fuel-energy tax is levied and imposed on every person transmitting,

distributing, manufacturing, producing, or supplying electricity, gas, steam, coal, fuel oil or liquefied petroleum gas in the County.

The bill is being spearheaded by Council President Hucker and Councilmember Friedson. Councilmember Riemer is a cosponsor.

Bill 16-21, Environmental Sustainability - Building Energy Use Benchmarking and Performance Standards – Amendments

Review: The T&E Committee will review Bill 16-21 Environmental Sustainability - Building Energy Use Benchmarking and Performance Standards – Amendments, which would modify the County’s current environmental benchmarking law to include additional County-owned, commercial and multifamily buildings to meet the long-term energy performance standards.

The legislation would create a 15-voting member Building Performance Improvement Board that will advise the Department of Environmental Protection on the implementation of building energy performance standards and establish a Building Performance Improvement Plan (BPIP) process for properties that cannot reasonably meet performance standards. The bill also requires reports to the County Executive and Council on building energy performance for covered buildings.