

# COUNCIL COMING ATTRACTIONS



## **Week of Feb. 1, 2021**

*COVID-19 Vaccine and Public Health Update, Merit System Protection Board, Revenue Estimating Group, Building Positive Law Enforcement Relations Within Schools, Development Impact Taxes for Transportation and Public School Improvements, Growth and Infrastructure Policy*

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>

**The Council will hold a virtual meeting on Tuesday, Feb. 2 at 9:30 a.m.**

## **COUNCIL**

### **Novel Coronavirus (COVID-19) and County Public Health Planning**

On Feb. 2 at 9:30 a.m. the Council will sit as the Board of Health to receive an update on the County's ongoing response to the COVID-19 pandemic and its recovery and vaccination efforts. The Council will be joined by Dr. Travis Gayles, County health officer and chief of the Department of Health and Human Services' (DHHS) Public Health Services; Dr. Earl Stoddard, director, Office of Emergency management and Homeland Security; and Dr. Raymond Crowel, director, DHHS. Montgomery County is dependent on the State of Maryland for their supply of the COVID-19 vaccines. DHHS is generally notified each Saturday about the quantity of the vaccine doses it will receive for the following week. County leaders continue to advocate for additional vaccine supply as quickly as possible. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202\\_2A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202_2A.pdf)

### **Merit System Protection Board**

The Council will conduct interviews for the Merit System Protection Board (MSPB). The Council received five applications for the MSPB from residents seeking to fill the partial term of Angela Franco. The Council

is interviewing three candidates who are qualified voters in the County for appointment to fill the partial term. In addition to the vacancy of Ms. Franco (Republican), the other members of the Board are Harriet Davidson (Democrat), and Sonya Chiles (Democrat). The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202\\_3.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202_3.pdf)

### **Bill 6-21, Finance - Revenue Estimating Group – Established**

Lead sponsor Councilmember Andrew Friedson and cosponsors Councilmembers Nancy Navarro and Sidney Katz will introduce Bill 6-21, which would establish a Revenue Estimating Group to review and forecast County revenues and provide for membership and duties of the group. The group would consist of staff members from the Department of Finance, the Office of Management and Budget, Council central staff, the Office of Legislative Oversight and the Office of the Chief Administrative Officer. The group would be required to report their revenue projections to the County Executive and the Council on a quarterly basis. This legislation is based on a similar group formed to provide revenue forecasts for the State of Maryland, which is called the Consensus Revenue Monitoring and Forecasting Group. A public hearing is scheduled for Feb. 23 at 1:30 p.m. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202\\_8A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202_8A.pdf)

#ConsensusRevenues and #BetterForecasting are being used for this bill on social media.

### **Bill 7-21, Building Positive Law Enforcement Relationships Within Schools (B-PLERS)**

Lead sponsors Councilmember Craig Rice and Sidney Katz will introduce Bill 7-21, which would authorize the chief of police to assign a law enforcement officer to work as a school resource officer in a County school upon the request of the superintendent of schools; require enhanced training for a school resource officer; and require the County to enter into a memorandum of understanding with the Montgomery County Public Schools governing the assignment of a school resource officer. The goal of this legislation is to enhance school safety and build trust with law enforcement. A public hearing is scheduled for Feb. 23 at 1:30 p.m. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202\\_8B.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202_8B.pdf)

#BuildingPositiveRelationshipsSROS is being used for this bill on social media.

### **Expedited Bill 2-21, Taxation - Development Impact Taxes for Transportation and Public School Improvements - Amendments - Effective Date**

The Council is scheduled to vote on Expedited Bill 2-21, which would change the effective date of Chapter 37, Laws of Montgomery County 2020 (Bill 38-20). Bill 38-20, Taxation - Development Impact Taxes for Transportation and Public School Improvements – Amendment was enacted with an effective date of Feb. 26, 2021. The revised impact tax rates and the rates for the new Utilization Premium Payment tax were all set to take effect on February 26 as well. Due to the County Executive's veto of Bill 38-20, it did not take effect until the Council overrode the County Executive's veto on Dec. 8. The bill is now set to take effect on March 9. Under Charter Section 112, a non-expedited bill takes effect 91 days after it becomes law. The full Council is sponsoring this legislation. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202\\_9A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202_9A.pdf)

#Transportation&SchoolImprovements is being used for this bill on social media.

### **Expedited Bill 36-20, Forest Conservation and Planning Board Regulation - Proposed 2018-2020 Changes to Forest Conservation – Trees Regulation**

The Council is scheduled to vote on Expedited Bill 36-20, which, among other things, would do the following: apply the forest conservation law to two or more platted contiguous lots that collectively total at least 40,000 square feet under certain circumstances; modify provisions related to the preferred sequence for afforestation and reforestation, forest mitigation banks, and in lieu fees to conform with state law; and

exempt agricultural activities from the forest stand. Councilmember Sidney Katz, who was serving as Council president when the bill was introduced, is the lead sponsor, at the request of the Planning Board. The Transportation and Environment (T&E) Committee recommends enactment with amendments. A vote is also expected on Planning Board Regulation – Forest Conservation – Trees Regulation, which is necessary to implement Bill 36-20. Recommended amendments can be viewed on pages one and two of the Council staff report, which can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202\\_9B-9C.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202_9B-9C.pdf)

#ForestConservation is being used for this bill on social media.

### **Office of Legislative Oversight: OLO Report 2021-1, Labor Agreements with Montgomery County Police Officers**

The Council will receive a briefing on [OLO Report 2021-1](#). The Council asked OLO to prepare a report that describes the terms and conditions of the County Government’s collective bargaining agreement (CBA) with County police officers. In Montgomery County, police officers are represented for collective bargaining purposes by the Fraternal Order of Police, Montgomery County Lodge 35, Inc. (FOP). This OLO report summarizes the provisions in the County’s CBA with the FOP and discusses the degree to which the content of the collective bargaining agreement documents between Montgomery County and the FOP is accessible and understandable by a third-party reader. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202\\_10.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202_10.pdf)

## **PUBLIC HEARINGS**

All Council public hearings will be held on Feb. 2 at 1:30 p.m.

### **Supplemental Appropriation to the County Government’s FY21 Capital Budget and Amendment to the FY21-26 Capital Improvements Program, Department of Technology Services - \$1,434,000 for County Radio Replacement and Related Equipment**

The Council will receive public testimony on a supplemental appropriation of more than \$1.4 million to replace radios and related equipment for the County’s Department of Transportation and the Department of Correction and Rehabilitation, to ensure compliance with the County’s new 800 MHz radio system. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202\\_5.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202_5.pdf)

### **Expedited Bill 1-21, Growth and Infrastructure Policy - Renamed - Expedited Development Approval Excise Tax - Repealed**

The Council will receive public testimony on Expedited Bill 1-21, which would rename the Subdivision Staging Policy the Growth and Infrastructure Policy and repeal the Expedited Development Approval Excise Tax. The goal of this legislation is to change references in the code to the Subdivision Staging Policy to the Growth and Infrastructure Policy to make the document more accessible to the public and repeal the obsolete Expedited Development Approval Excise Tax. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202\\_6.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202_6.pdf)

#GrowthPolicy2020 is being used for this bill on social media.

### **Special Appropriation to the County Government’s FY21 Operating Budget, Children’s Opportunity Fund Non-Departmental Account (NDA) - \$3,600,000 for COVID-19 Educational Enrichment and Equity Hubs and Amendment to FY21 Operating Budget Resolution 19-472, Section G, FY21 Designation of Entities for Non-Competitive Contract Award Status: Greater Washington Community Foundation**

The Council will receive public testimony on a special appropriation of \$3.6 million for the continued operation of Educational Equity and Enrichment (EEE) Hubs through March 2021, while Montgomery

County Public Schools (MCPS) remains in a distance learning mode. The EEE Hubs offer before, during and after school child care services to students from low income families while MCPS is meeting virtually. The EEE Hub services provide supervision and support for children as they navigate online learning. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202\\_7.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210202/20210202_7.pdf)

## COMMITTEES

### **Spending Affordability Guidelines**

On Feb. 1 at 9:30 a.m. the Government Operations and Fiscal Policy (GO) Committee will meet to review the spending guidelines for the County's Fiscal Year 2022 (FY22) Operating Budget. The Council introduced the proposed resolution setting the spending affordability guidelines for the FY22 Operating Budget on Jan. 12. The Council held a public hearing on the proposed guidelines on Jan. 26, during which no testimony was received. The deadline for the Council to adopt these guidelines is the second Tuesday of February each year; the deadline this year is Feb. 9. Chris Mullin, Office of Management and Budget and David Platt, Department of Finance, are expected to participate in this meeting. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210201/20210201\\_GO1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210201/20210201_GO1.pdf)

### **Role of Private Industry and Nonprofit Community in Providing Internet Access to County Residents**

The GO Committee also will meet to review the role of private industry and the nonprofit community in providing internet access to County residents. The Committee requested a review of internet access at the home or family level during the time of the COVID-19 pandemic, which will include the perspectives of providers and the nonprofit community. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210201/20210201\\_GO2.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210201/20210201_GO2.pdf)

### **Proposed Amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: Six Category Change Requests**

On Feb. 1 at 2:30 p.m. the Transportation and Environment (T&E) Committee will review proposed amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan. On Dec. 4, 2020, the Council received a package of six water and sewer category change requests from the County Executive. The requests and recommendations are summarized on page one of the Council staff report and on circle pages 15 and 16. The Planning Board's review of these category changes occurred on Jan. 7, 2021. The Council held a public hearing on Jan. 12. Public hearing testimony and correspondence was received from several of the applicants as well as from the West Montgomery County Citizens Association and can be found on circle pages 62-93 of the Council staff report.. Steve Shofar and Alan Soukup of the Department of Environmental Protection and Katherine Nelson of the Planning Department are expected to participate in the meeting. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210201/20210201\\_TE1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210201/20210201_TE1.pdf)

### **Special Appropriation - MCPS - \$750,000 for Restorative Justice Training for School Staff**

On Feb. 4 at 9:30 a.m. the Education and Culture (E&C) Committee will review a special appropriation of \$750,000 for restorative justice training for school staff. Councilmembers Will Jawando and Hans Riemer are proposing a package of appropriations and legislation to invest in mental health professionals and restorative justice initiatives while prohibiting the Montgomery County Police Department from placing school resource officers in school buildings. This special appropriation would provide restorative justice training for MCPS educators and staff. The Council staff report will be available on Feb. 2.

**Bill 49-20 - Human Rights and Civil Liberties - Discrimination in Rental Housing - Fair Criminal History and Credit Screenings (“Housing Justice Act”)**

On Feb. 4 at 1:30 p.m. the Public Safety (PS) and Planning, Housing and Economic Development (PHED) Committees will meet jointly to review Bill 49-20, the Housing Justice Act, which would do the following: prohibit a landlord from raising a stated rent in certain circumstances; require a rental application to contain certain information about record checks conducted by a housing provider; prohibit certain inquiries regarding criminal histories in rental housing applications; and prohibit consideration of certain arrests and convictions in rental housing decisions. Councilmembers Evan Glass and Sidney Katz are the lead sponsors. Councilmembers Will Jawando, Craig Rice, Nancy Navarro and Hans Riemer are cosponsors. The goal of this legislation is to establish “ban the box” requirements related to criminal histories of rental applicants. The Council staff report will be available on Feb. 2.

#Housing Justice is being used for this bill on social media.