

COUNCIL COMING ATTRACTIONS



Week of Jan. 11, 2021

Coronavirus Relief Fund, COVID-19 Public Health Planning, Housing Justice Act, Growth and Infrastructure Policy, Transportation and School Improvements, Silver Spring Urban District, Shady Grove Minor Master Plan, Window Guards, Ethics Commission

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, Jan. 12 at 9:30 a.m.

COUNCIL

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

On Jan. 12 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 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. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_3A.pdf

Coronavirus Relief Fund

As requested by Councilmember Nancy Navarro and supported by the full Council, the Council receives a weekly status report on appropriations and expenditures from the Coronavirus Relief Fund by executive branch staff. It is important to track the County's use of the funds and whether any reallocations or additional appropriations are necessary. Rich Madaleno, chief administrative officer, and Dr. Earl Stoddard,

director, Office of Emergency Management and Homeland Security, will brief the Council. The Council staff report will be available here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_3B.pdf

Spending Affordability Guidelines for Fiscal Year 2022 (FY22) Operating Budget

The Council must adopt guidelines for the next operating budget by the second Tuesday in February. The spending affordability guidelines that must be adopted are the following: a ceiling on the funding from ad valorem real property tax revenues; a ceiling on the aggregate operating budget; and separate budget allocations for all agencies and certain non-agency uses. The Government Operations and Fiscal Policy Committee will review the proposed options, including public testimony, on Feb. 1, 2021 and make its recommendations to the Council. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_4A.pdf

Maryland - National Capital Park and Planning Commission (M-NCPPC) Streets & Parks Renaming Effort

The Council sent a letter to the Montgomery County Planning Board on June 15, 2020 requesting research into County public streets and facilities currently named after known Confederates. On Dec. 7, the Planning, Housing, and Economic Development (PHED) Committee received a briefing on the project. The PHED Committee supports the research methodology undertaken by Planning and Parks staff. The Committee has encouraged the Board to move forward as expeditiously as possible with Phase 1 renaming of streets and facilities, based on nationally known Confederates. For Phase 2, the PHED Committee supports efforts to proceed with evaluation of place name matches. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_12.pdf

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

The Council will introduce 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, in order to make its objectives more accessible to the public, and to repeal the obsolete Expedited Development Approval Excise Tax. The full Council is sponsoring this legislation. A public hearing is scheduled for Feb. 2 at 1:30 p.m. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_13A.pdf

#GrowthPolicy2020 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 will introduce 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 91 days after Dec. 8, or 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. A public hearing is scheduled for Jan. 19 at 1:30 p.m. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_13B.pdf

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

Bill 3-21, Special Taxing Area Laws - Silver Spring Business Improvement District - Established

The Council will introduce Bill 3-21, which would establish a business improvement district in Silver Spring; establish guidelines for the District and authorize a district corporation to manage the District; and authorize a tax on nonexempt property located in the District to finance the operations of the district corporation. The goal of this legislation is to improve public services and facilities within the Silver Spring Urban District. Councilmember Hans Riemer and Council Vice President Tom Hucker are the lead sponsors of this bill. A Council public hearing is scheduled for Feb. 2 at 1:30 p.m. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_13C.pdf

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

Shady Grove Minor Master Plan

The Council is scheduled to introduce the Shady Grove Minor Master Plan, which makes recommendations for land use and zoning within the Shady Grove Minor Master Plan Amendment plan area, as well as recommendations intended to improve overall circulation, pedestrian connections and the network of bikeways for approximately 2,000 acres. A public hearing is scheduled for Feb. 23. The plan focuses on land use and zoning recommendations primarily surrounding the Shady Grove Metro Station, as well as mobility options, urban design, and public facilities. The plan area is adjacent to the municipalities of Rockville, Gaithersburg and the Town of Washington Grove. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_14A.pdf

PUBLIC HEARINGS

All Council public hearings will be held on Tuesday, Jan. 12 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 Housing and Community Affairs - \$8,000,000 for Affordable Housing Opportunity Fund

The Council will receive public testimony on a supplemental appropriation of \$8 million for the Affordable Housing Opportunity Fund. Montgomery County has a shortage of housing that is affordable to moderate and low-income households, particularly households earning less than 50% area median income. Additional financing strategies to help preserve affordable housing are needed. The Executive recommends the creation of an Affordable Housing Opportunity Fund. The Department of Housing and Community Affairs is planning to enter into a partnership with an entity, such as a Community Development Financial Institution (CDFI), to identify appropriate projects and assist in creating financing packages that leverage non-county funding. Funds from the Affordable Housing Opportunity Fund will fill the financing gap so that the project can move forward. It is expected that these funds will primarily be used for initial short-term financing of up to 36 months but may also be used for intermediate term agreements. Eight million dollars is requested for FY21 and \$6 million for FY22. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_5.pdf

Special Appropriation to the County Government's FY21 Operating Budget - \$2,500,000 for Conference Center Non-Departmental Account (NDA)

The Council will receive public testimony on a supplemental appropriation of \$2.5 million to the Conference Center NDA. The County Executive requests this special appropriation to support operating expenses of the Montgomery County Conference Center. The Council previously approved a \$1.5 million appropriation to address any revenue shortfalls in July 2020. Due to the pandemic, another appropriation is required. The County owns the property jointly with the state, and the management agreement with Marriott requires that the County cover operating losses in an event the property does not generate a profit. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_6.pdf

Bill 47-20, Ethics, Ethics Commission - Conflicts of Interest – Financial Disclosure – Amendments

The Council will receive public testimony on Bill 47-20, which would do the following: require employees to attend a public ethics training course; amend the law governing appeals of a decision by the Ethics Commission; amend the law governing the Ethics Commission’s resolution of complaints; modify the restrictions on a public employee’s participation in certain matters; repeal an exception to the restrictions on outside employment for an elected official; clarify an exception to soliciting or accepting certain small gifts; and modify the procedures for administering the financial disclosure process. The goal of this legislation is to increase transparency and ethical behavior among County employees. Councilmember Sidney Katz, who was serving as Council president during the time of the bill’s introduction, is the lead sponsor, at the request of the County Ethics Commission. A Government Operations and Fiscal Policy (GO) Committee meeting is tentatively scheduled for Jan. 27. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_7.pdf

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

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

The Council will receive public testimony on 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. A joint Public Safety and PHED Committee meeting is scheduled for Feb. 4. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_8.pdf

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

Bill 51-20, Landlord-Tenant Relations - Window Guards

The Council will receive public testimony on Bill 51-20, which would require the installation and maintenance of window guards in certain rental housing; require certain notifications to tenants; add lease requirements in certain circumstances; and provide for the enforcement of window guard requirements. Council President Tom Hucker is the lead sponsor. Council Vice President Gabe Albornoz and Councilmembers Nancy Navarro, Craig Rice, Hans Riemer, Sidney Katz and Will Jawando are cosponsors. The goal of this legislation is to require the installation of window guards to protect children from the risk of falling. A PHED Committee meeting is tentatively scheduled for March 1. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_9.pdf

#WindowSafety and #ASaferView4Kids are being used for this bill on social media.

Amendments to FY21-26 Capital Improvements Program (CIP): Parking - Bethesda and Wheaton Facility Renovations, Facility Planning: Bethesda and Wheaton Parking Lot Districts

The Council is scheduled to receive public testimony on four amendments to the FY21-26 CIP: two amendments to delay costs associated with Facility Planning Parking Demand studies in the Bethesda and Wheaton Parking Lot Districts (PLDs) and two amendments to delay expenditures related to various parking facility renovations in Bethesda and Wheaton. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_10.pdf

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

The Council is scheduled to receive public testimony on 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 in a table on page one of the Council staff report. A Transportation and Environment (T&E) Committee meeting is tentatively scheduled for Feb. 1. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210112/20210112_11.pdf

COMMITTEES

Expedited Bill 36-20, Forest Conservation - Amendments

On Jan. 13 at 1:30 p.m. the Transportation and Environment (T&E) Committee will review Expedited Bill 36-20, which 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 Council staff report will be available on Jan. 11.

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

Asian American Health Initiatives

On Jan. 14 at 9:30 a.m. the Health and Human Services (HHS) Committee will review priorities and impacts of COVID-19 within the County's Asian American Health Initiatives. The Council staff report will be available on Jan. 12.

Vaccination Plan and Distribution

The HHS Committee also will review the County's COVID-19 vaccination plan and the distribution of vaccines. The Council staff report will be available on Jan. 12.

ZTA 20-01, Solar Collection System - AR Zone Standards

On Jan. 14 at 1:30 p.m. the PHED and T&E Committees will meet jointly to review ZTA 20-01, which would revise the solar collection system use standards to allow larger facilities in the Agricultural Resource (AR) zone. The goal of this proposal is to increase the ability to produce solar energy in the County. Councilmember Hans Riemer and Council President Tom Hucker are the lead sponsors. The total amount of collection systems on all parcels would be limited to 1,800 acres. Any collector system constructed under the proposed amendment must be designated pollinator-friendly under the Maryland Pollinator-Friendly Designation Program. The Council staff report will be available on Jan. 12.