

# COUNCIL COMING ATTRACTIONS



## **Week of Jan. 18, 2021**

*COVID-19 Vaccine and Public Health Update, Restaurant and Hotel Relief Grant Programs, Ghost Guns and Undetectable Guns, Agricultural Land Preservation Fund, County Fiscal Update, Development Impact Taxes*

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. 19 at 9:30 a.m.**

## **COUNCIL**

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

On Jan. 19 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. As of Jan. 15, the County has administered all of its vaccine supply through the Department of Health and Human Services (DHHS). Maryland provides vaccines on a rolling basis each week. DHHS is 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/2021/20210119/20210119\\_3A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_3A.pdf)

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

The Council is scheduled to vote on a special appropriation of \$2.5 million for the Conference Center NDA. The County Executive requested 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/2021/20210119/20210119\\_5.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_5.pdf)

**Special Appropriation to the County Government’s FY21 Operating Budget, Montgomery County Economic Development Corporation Non-Departmental Account, Support for COVID-19 Response - \$4,938,298 for Restaurant Relief Grant Program; and Amendment to FY21 Operating Budget Resolution 19-472, Section G, Designation of Entities for Non-Competitive Contract Award Status: Montgomery County Economic Development Corporation**

The Council will introduce a special appropriation of more than \$4.9 million for the Restaurant Relief Grant Program. The County Executive requests approval of the subject resolution to implement a second round of funding for the program, which is fully funded through a state grant. The Montgomery County Economic Development Corporation (MCEDC) will implement the program for the County, as it did during the first grant period. The Council is scheduled to hold a public hearing and vote on this special appropriation on Jan. 26 at 1:30 p.m. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119\\_6A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_6A.pdf)

**Special Appropriation to the FY21 Operating Budget, Office of the County Executive, Support for COVID-19 Response - \$6,232,666 for Hotel Relief Grant Program**

The Council will introduce a special appropriation of more than \$6.2 million for the Hotel Relief Grant Program. The County Executive requests approval of the subject resolution to implement the Hotel Relief Grant Program. This program is fully funded through a state grant and is part of the Governor’s additional \$50 million in economic relief. The County will administer the program in coordination with the Conference and Visitors Bureau. The Council is scheduled to hold a public hearing and vote on this special appropriation on Jan. 26 at 1:30 p.m. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119\\_6B.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_6B.pdf)

**Supplemental Appropriation to the County Government’s FY21 Capital Budget and Amendment to the FY21-26 Capital Improvements Program, Department of Environmental Protection - \$93,773 for Stormwater Management Retrofit: Countywide Management**

The Council will introduce a supplemental appropriation of \$93,773 for Countywide stormwater management retrofits. Council President Tom Hucker is the lead sponsor, at the request of the County Executive. The Council is scheduled to hold a public hearing and vote on this special appropriation on Feb. 9 at 1:30 p.m. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119\\_6C-6E.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_6C-6E.pdf)

**Supplemental Appropriation to the County Government’s FY21 Capital Budget and amendment to the FY21-26 Capital Improvements Program, Department of Environmental Protection - \$67,509 for Facility Planning: Stormwater Management**

The Council will introduce a supplemental appropriation of \$67,509 for stormwater management facility planning. Council President Tom Hucker is the lead sponsor, at the request of the County Executive. The Council is scheduled to hold a public hearing and vote on this special appropriation on Feb. 9 at 1:30 p.m. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119\\_6C-6E.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_6C-6E.pdf)

**Supplemental Appropriation to the County Government’s FY21 Capital Budget and Amendment to the FY21-26 Capital Improvements Program, Department of Environmental Protection - \$600,000 for Stormwater Management Facility Major Structural Repair**

The Council will introduce a supplemental appropriation of \$600,000 for major structural repair to stormwater management facilities. Council President Tom Hucker is the lead sponsor, at the request of the County Executive. The Council is scheduled to hold a public hearing and vote on this special appropriation on Feb. 9 at 1:30 p.m. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119\\_6C-6E.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_6C-6E.pdf)

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

The Council will receive and release Office of Legislative Oversight (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/2021/20210119/20210119\\_6F.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_6F.pdf)

**Special Appropriation to the County Government’s FY21 Operating Budget, Office of the County Executive - \$500,000 for Connected DMV Contract, Global Pandemic Prevention Center**

The Council will introduce a special appropriation of \$500,000 for Connected DMV, Global Pandemic Prevention Center. The appropriation would support a contract with Connected DMV, a regional nonprofit, to develop a scope of work and future operations of a global Pandemic Prevention Center in the region. Councilmember Hans Riemer is the lead sponsor. The Council will hold a public hearing on this special appropriation on Jan. 26 at 1:30 p.m. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119\\_6I.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_6I.pdf)

**Bill 4-21, Weapons - Protection of Minors and Public Places - Restrictions Against Ghost Guns and Undetectable Guns**

Council Vice President Alborno will introduce and is the lead sponsor of Bill 4-21, which would do the following: define terms related to firearm laws; restrict the manufacture, possession, use, sale and transfer of ghost guns, undetectable guns and certain other firearms with respect to minors; restrict the manufacture, possession, use, sale and transfer of ghost guns, undetectable guns, and certain other firearms within 100 yards of places of public assembly; and generally amend the law regarding firearms and other weapons. The goal of this legislation is to prohibit the use and sale of ghost guns, which pose a significant threat to public safety, to the greatest extent possible consistent with state law. All Councilmembers have cosponsored Council Vice President Alborno’s bill. A public hearing on Bill 4-21 is scheduled for Feb. 9 at 1:30 p.m. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119\\_11A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_11A.pdf)

#NoGhostGunsMoCo and #SafetyMattersInMoCo are being used for this bill on social media.

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

Councilmember Andrew Friedson will introduce and is the lead sponsor of Bill 5-21, which would dedicate business personal property tax revenue received for a solar collection system constructed in the Agricultural Reserve Zone for the Agricultural Land Preservation Fund. The fund is an existing special, non-lapsing

revolving fund used to purchase property interests, such as an agricultural easement, to preserve agricultural land in the County. The goal of this legislation is to increase overall funding for the Agricultural Land Preservation Fund. Councilmember A public hearing on Bill 5-21 is scheduled for Feb. 9 at 1:30 p.m. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119\\_11B.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_11B.pdf)

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

### **County Fiscal Update**

The Council will receive a fiscal update from Executive branch staff. On Dec. 8, the Council received an update that provided a high-level overview of estimated fiscal year 2021 (FY21) revenue and expenditures to-date as well as updated projections for FY22 and beyond. At that meeting, the Council requested a follow-up session in Jan. to review and discuss the fiscal update in more detail. The individuals expected to participate in the update include the following: Rich Madaleno, chief administrative officer; Mike Coveyou, director, Department of Finance; Jennifer Bryant, acting director, Office of Management and Budget (OMB); David Platt, chief economist, Department of Finance; and Chris Mullin, budget manager, OMB. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119\\_12.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_12.pdf)

## **PUBLIC HEARINGS**

**All Council public hearings will be held on Tuesday, Jan. 19 at 1:30 p.m.**

### **Zoning Text Amendment (ZTA) 20-05, Commercial/Residential Zones - Additional Heights**

The Council will receive public testimony on ZTA 20-05, which would allow a maximum building height of 200 feet for certain properties in the commercial-residential (CR) zone under certain circumstances. The maximum building height in a CR zone is generally determined when the zone is placed on the official zoning map. There are properties near Metrorail stations in the central business districts that are mapped with a maximum height of 145 feet but have abutting and confronting properties that are mapped with a building height of 200 feet. Under certain circumstances, ZTA 20-05 would allow an increase in building height up to 200 feet for those properties, without going through a local map amendment process. The ZTA includes a sunset provision. Council President Tom Hucker is the lead sponsor. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119\\_7.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_7.pdf)

### **Zoning Text Amendment 20-06, Surface Parking – Residential Zones**

The Council will receive public testimony on ZTA 20-06, which would allow the Planning Board approval of a site plan to supersede a special exception for surface parking in a residential zone, at the option of the site plan applicant. Council President Tom Hucker is the lead sponsor. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119\\_8.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_8.pdf)

### **Zoning Text Amendment 20-08, Residential Care Facility: Continuing Care Retirement Community**

The Council will receive public testimony on ZTA 20-08, which would add a definition for a Continuing Care Retirement Community to the Zoning Ordinance to allow for flexibility in senior living unit types while also requiring assisted living services. Council President Tom Hucker is the lead sponsor, at the request of the County Executive. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119\\_9.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_9.pdf)

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

The Council will receive public testimony 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 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. The Council is tentatively scheduled to vote on Expedited Bill 2-21 on Feb. 2. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119\\_10.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_10.pdf)

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

## **COMMITTEES**

### **Diversity and Mental Health**

On Jan. 20 at 1:30 p.m. the Health and Human Services (HHS) and Education and Culture (E&C) Committees will meet jointly to receive a briefing on diversity and mental health. The Council staff report will be available on Jan. 19.

### **Bill 45-20, Police - Community Policing – Data**

On Jan. 21 at 9:30 a.m. the Public Safety (PS) Committee will review Bill 45-20, which aims to ensure greater transparency in the Montgomery County Police Department (MCPD) and to create publicly available data related to the race, ethnicity, gender and other voluntarily provided information about residents involved in policing actions. Councilmembers Will Jawando and Nancy Navarro and Vice President Gabe Albornoz, Council President Tom Hucker and Councilmember Sidney Katz are the lead sponsors. Councilmember Hans Riemer is a cosponsor.

Bill 45-20 would require MCPD to report to the Council by Feb. 1 of each year on a variety of data points including the demographic makeup of the department; the number of instances of use of force that resulted in an injury when the injury occurred as a direct result of an officer’s actions; the number of civilian complaints about the use of force by an officer; the number of civilian complaints regarding discrimination and harassment; and demographic information about residents stopped (including a stop and frisk that does not result in an arrest), among others. It would further require MCPD to collect and report race and ethnicity data for every dataset it maintains internally and posts on its web portal; to maintain data sets, including race and ethnicity data, about use of force incidents, criminal citations and juvenile citations, among others; and to provide the above information to the Policing Advisory Commission. The Council staff report will be available on Jan. 19.

#OpenPoliceData and #OpenPoliceDataMoCo are being used for this bill on social media.

### **OLO Memorandum Report 2020-12, Youth Workforce and the Impact of COVID-19**

On Jan. 21 at 1:30 p.m. the Planning, Housing and Economic Development (PHED) and E&C Committees will meet jointly to review OLO Memorandum Report 2020-12, which examines employment of youth ages 16-24 in Montgomery County in the context of the COVID-19 pandemic. The report makes the following principal findings:

- Despite overall national job recovery in the last decade, the youth workforce has not recovered to pre-Great Recession levels. As a result, the unemployment gap between youth workers and adult workers grew between 2009 to 2019.

- Black teens in Montgomery County have the highest unemployment rate among their peers (40.6 percent) – eight times higher than White teens and four times higher than Asian and Latinx teens.
- Half of teens in the County, and just over 40 percent of young adults, work in the food service and entertainment industry, which was highly impacted by the COVID-19 pandemic and stay-at-home orders. Nationally, summer youth employment in the leisure and hospitality industries (including food service and entertainment sectors) was down 1.1 million (20.9 percent) compared to July 2019 and retail industry employment was down 89,000 (2.4 percent) due to the COVID-19 pandemic.
- Nationally, in July 2020, White youth had the highest labor force participation in summer employment and the largest decline in unemployment rates, falling 9.1 percentage points from April to July 2020. During the same time, Black, Asian and Latinx youth in the labor force experienced smaller decreases in unemployment rates, meaning those youth in the workforce were less likely to find employment.
- The response to Montgomery County Department of Recreation’s COVID Corp Program was overwhelming, with the program receiving over 1,300 applications in the first week to fill 132 slots. The program received dedicated funding of \$500,000 from the County.

The Council staff report will be available on Jan. 19.