

# **COUNCIL COMING ATTRACTIONS**



## **Week of June 21, 2021**

Proclamations recognizing the 30th Anniversary of the Montgomery County Commission on Common Ownership Communities by Councilmember Katz and Councilmember Riemer, remembering those lost due to COVID-19 by Council President Hucker, recognizing Mr. Goldman's service to WMATA by Council President Hucker, celebrating Dr. Carol Garvey by Council Vice President Albornoz

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

Multiple proclamations will be presented during Tuesday's Council session. The first recognizes the 30th Anniversary of the Montgomery County Commission on Common Ownership Communities and will be presented by Councilmember Katz and Councilmember Riemer. The second remembers those lost due to COVID-19 and will be presented by Council President Hucker. The third recognizes Mr. Goldman's service to WMATA and will be presented by Council President Hucker. The fourth celebrates Dr. Carol Garvey by Council Vice President Albornoz

The Council is then expected to vote to confirm Margaret Giblin, who is the County Executive's appointment to the Agricultural Preservation Advisory Board and Tonya Gilchrist, the County Executive's appointment to the Commission on People with Disabilities. The Council will also vote on a resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) loan and vote on a resolution to approve the Tax Supported Fiscal Plan Summary for the FY22-27 Public Services Program.

Next, the Council will introduce a supplemental appropriation to allow the County to offset a portion of its pandemic-related revenue losses as allowed by the American Rescue Plan Act (ARPA) and introduce a special appropriation for Salud y Bienestar to provide a strategic, culturally competent and community focused approach to public health to contain the spread of COVID-19 in areas of the County hardest hit by the virus.

Next the Council will introduce a special appropriation to the Montgomery County Food Security Fund's Fiscal Year 2021 Operating Budget for direct food security efforts led by the Food Security Task Force (FSTF) and a supplemental appropriation to fund the reacquisition of the Larchmont Elementary School property in the Kensington-Wheaton area.

In the afternoon, the Council will also hold public hearings on Bill 17-21, which would create partnerships between the Montgomery County Police Department (MCPD) and local educational institutions to recruit and train police officers in a manner that promotes community informed policing; Bill 18-21 which would improve police accountability through the random review of body-worn camera footage and through the prompt reporting of serious Internal Affairs Division (IAD) investigations; and Bill 19-21 which would increase public transparency regarding settlement agreements entered into by the County.

The Council is then expected to hold public hearings and vote on five supplemental appropriations to the Operating Budget for costs incurred for emergency COVID-19 response and services that were not included in the originally approved FY21 Operating Budget. The Council session will conclude with a public hearing and vote on a special appropriation to the FY21 Operating Budget that will provide additional funds for Montgomery College to utilize three new grants to address issues related to the COVID-19 pandemic.

*The Council session will be held June 22 at 9 a.m.*

**FY22 Annual Transportation Plan Grant Application Request for Operating and Capital Funding Assistance**

**Vote expected:** The Council is expected to vote on a resolution authorizing filing an application for the FY22 Annual Transportation Grant. On an annual basis, the Montgomery County Department of Transportation (MCDOT) submits the Annual Transportation Plan grant application to the Maryland Transit Administration (MTA) to fund Section 5307 Capital and Operating Assistance, Section 5309 (Federal) Capital Assistance, Section 5311 Operating Assistance (rural routes 76 and 90), Statewide Special Transportation Assistance Program (Call-n-Ride Program) and Large Urban Operating Assistance Program.

**Resolution to endorse a Maryland Economic Development Assistance Authority and Fund Loan to conduct a feasibility study for a Pandemic Prevention Center**

**Vote expected:** The Council is expected to vote on a resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) loan. The MEDAAF grant will fund part of the feasibility study that Connected DMV is conducting to launch a global Pandemic Prevention Center. Councilmember Riemer spearheaded this effort at the Council with the support of all Councilmembers.

The Pandemic Prevention Center will identify and launch strategic projects needed to advance pandemic avoidance and preparedness, while providing the necessary collaboration and coordination for updated public health policy, research and discovery, applied technology, trials, manufacturing and distribution for strategic solutions.

**Resolution to approve the Tax Supported Fiscal Plan Summary for the FY22-27 Public Services Program**

**Vote expected:** The Council is expected to vote on a resolution to approve the Tax Supported Fiscal Plan Summary for the FY22-27 Public Services Program. This summary reflects current information on projected revenues and non-agency expenditures for the six-year period, which must be updated as conditions change.

The summary also reflects the policy on County reserves as described in Resolution No. 19-753, which was adopted on March 2, 2021, and the amendments to the Revenue Stabilization Fund law in Bill 36-10, which was approved by the Council on June 29, 2010.

The FY22-FY27 Tax Supported Fiscal Plan Summary, like all version of the fiscal plan, reflects current fiscal projections and policy assumptions when the Council adopted the FY22 Operating Budget and the Amended FY21-26 Capital Improvements Program (CIP). Future versions of the Fiscal Plan Summary will change as economic and fiscal conditions are better understood. The Dec. 2021 update will reflect changes to the FY22-FY27 revenue estimates.

The Council's Government Operations and Fiscal Policy (GO) Committee, which is led by GO Chair Navarro and includes Councilmembers Friedson and Katz, collaborates with the Office of Management and Budget (OMB) and the Department of Finance to develop and refine County fiscal projections to adopt a fiscal plan that is structurally balanced and that limits expenditures and other uses of resources to annually available revenues.

**Supplemental Appropriation to the Fiscal Year 2021 Operating Budget, Montgomery County Government, American Rescue Plan Act Non-Departmental Account, \$91,950,000**

**Introduction:** The Council will introduce a supplemental appropriation of \$91,950,000 to the FY21 Operating Budget for Montgomery County Government, American Reuse Plan Act (ARPA) Non-Departmental Account. This appropriation does not increase spending in the County but allows the County to offset a portion of its pandemic-related revenue losses as allowed by ARPA.

Montgomery County is eligible to receive \$204 million in ARPA funds, split into two equal tranches. The County received the first tranche of \$102 million on June 1, 2021. ARPA allows the funds to be used for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenue collected in the most recent full fiscal year prior to the emergency. The County's Revenue Loss Factor for calendar year 2020 is approximately \$189 million.

The lead sponsor is Council President Hucker, at the request of the County Executive. The Council is tentatively scheduled to hold a public hearing and vote on this special appropriation on June 29.

**Special Appropriation to the Fiscal Year 2021 Operating Budget, Montgomery County Government, COVID-19 Human Services and Community Assistance Non-Departmental Account, \$1,473,388, Por Nuestra Salud y Bienestar**

**Introduction:** The Council is expected to introduce a \$1,473,388 Special Appropriation to the Fiscal Year 2021 Operating Budget, Montgomery County Government, COVID-19 Human Services and Community Assistance Non-Departmental Account (NDA) for Salud y Bienestar.

The Latino/Hispanic community continues to be disproportionately impacted by COVID-19 both in terms disease and the ongoing economic impacts. This seminal program was spearheaded by Councilmember Navarro and Vice President Alborno to provide a strategic, culturally competent and community focused approach to public health to contain the spread of COVID-19 in areas of the County hardest hit by the virus.

Salud y Bienestar is working to increase vaccinations and offer education about the vaccine to address misconceptions and answer questions. From May 19 to June 1, 2021, Salud y Bienestar administered 1,341 first doses of vaccine and 1,709 second doses. A total of 1,025 COVID-19 tests were administered at 36 events during this same period. During the same reporting period, the information/help line responded to 443 calls from County residents with 90 percent of callers

being primarily Spanish-speakers. A high number of the residents the organization supports are unemployed, need rent assistance and are being helped to apply.

The Executive branch will seek reimbursement from the Federal Emergency Management Agency (FEMA) for all pandemic-related expenses including, but not limited to, testing, tracing and vaccinations.

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

**Special Appropriation #21-531 to the Fiscal Year 2021 Operating Budget Montgomery County Government, COVID-19 Human Services and Community Assistance Non-Departmental Account COVID-19 Response: Montgomery County Food Security Fund, \$1,783,000**

**Introduction:** The Council is expected to introduce a \$1,783,000 Special Appropriation to the Montgomery County Food Security Fund's Fiscal Year 2021 Operating Budget for the COVID-19 Human Services and Community Assistance Non-Departmental Account for COVID-19 Response. The Council has appropriated approximately \$23.0 million since June 2020 for direct food security efforts led by the Food Security Task Force (FSTF).

The Executive branch and the FSTF are developing a post-pandemic transition plan to identify service levels and resource needs for FY22 and beyond. The Executive branch also intends to seek reimbursement from the Federal Emergency Management Agency (FEMA) for all pandemic-related food assistance purchases.

The lead sponsor is Council President Hucker, at the request of the County Executive. A public hearing and vote are tentatively scheduled for June 29, 2021.

**Amendment to the FY21-26 Capital Improvements Program (CIP) and Supplemental Appropriation #26-S21-CMCG-13 to the FY21 Capital Budget Montgomery County Government (\$7,600,000)**

**Vote expected:** The Council will introduce a \$7.6 million Supplemental Appropriation to the County Government's FY21-26 CIP and FY21 Capital Budget to fund the reacquisition of the Larchmont Elementary School property in the Kensington-Wheaton area.

The property is currently a closed school site and the home of the Grace Episcopal Day School (GEDS). The County intends to lease the property back to GEDS for an initial 10-year term. The Council's approval of this reacquisition includes approval of the lease of the property to GEDS.

The lead sponsor is Council President Hucker at the request of the County Executive. Greg Ossont, deputy director, Department of General Services is expected to attend.

**Supplemental Appropriation to the Fiscal Year 2021 Operating Budget, Montgomery County Government, Montgomery County Fire and Rescue Service, Montgomery County Volunteer Fire and Rescue Association, \$1,746,190**

**Public hearing:** The Council will hold a public hearing on a supplemental appropriation of \$1,746,190 to the FY21 Operating Budget for Montgomery County Government to fund expenditures associated with FY21 bargaining agreements reached between the County Executive and the Montgomery County Volunteer Fire and Rescue Association (MCVFRA).

The County Executive requested this supplemental appropriation on May 17, replacing an initial transmittal dated April 28. The Council introduced this supplemental appropriation on June 15 and is tentatively scheduled to vote on June 29. The County Executive's Office is actively working to maximize federal support for these expenditures.

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

### **Bill 17-21, Police – Community Informed Police Training**

**Public hearing:** The Council will hold a public hearing on Bill 17-21, Police – Community Informed Police Training, introduced by lead sponsor Councilmember Jawando. Councilmember Riemer is a cosponsor of the legislation.

The purpose of the bill is to create partnerships between the Montgomery County Police Department (MCPD) and local educational institutions to recruit and train police officers in a manner that promotes community informed policing.

Bill 17-21 would create new requirements related to the recruitment, training and continuing education of police officers. In addition, the bill would require MCPD to collaborate and partner with local educational institutions to expand the recruitment of police cadets who reflect the diversity of the County, sponsor communication sessions with prospective cadets and community members and develop internship programs for prospective cadets.

### **Bill 18-21, Police – Internal Affairs Procedures and Reporting Requirements**

**Public hearing:** The Council will hold a public hearing on Bill 18-21, which was introduced by lead sponsor Council President Hucker to improve police accountability through the random review of body-worn camera footage and through the prompt reporting of serious Internal Affairs Division (IAD) investigations. Councilmembers Jawando, Riemer, Glass, Navarro and Rice are cosponsors of the legislation.

The bill requires the Montgomery County Police Department to issue a body-worn camera for the use of an on-duty employee of the department whenever the officer is wearing a uniform or prominently displaying a badge or insignia.

The bill would also mandate internal random reviews of body-worn camera recordings to evaluate officer performance and compliance with police rules. In addition, the bill would require that certain types of potential administrative misconduct discovered on body-camera recordings be investigated by the IAD.

## **Bill 19-21, Finance - Reports on Settlement Agreements**

**Public Hearing:** The Council will hold a public hearing on Bill 19-21, which was introduced by lead sponsor Councilmember Jawando to increase public transparency regarding settlement agreements entered into by the County. Council President Hucker is a cosponsor of the legislation.

Bill 19-21 would require the County Attorney to periodically report to the County Executive and Council regarding settlement agreements entered into by the County and require the County Attorney to publish each report on the County website. The goal of the bill is to improve public transparency of settlement agreements entered into by the County.

The staff report will be available by Monday June 21.

## **Supplemental Appropriations to the County Government's FY21 Operating Budget for COVID-19 Response**

**Public hearing and vote expected:** The Council will hold a public hearing and is expected to vote on five supplemental appropriations to the County Government's FY21 Operating Budget for costs incurred for emergency COVID-19 response and services that were not included in the originally approved FY21 Operating Budget.

The recommended FY21 supplemental appropriations include funding for the Department of General Services (DGS), Department of Health and Human Services (DHHS), Office of Public Information (PIO), Office of Emergency Management and Homeland Security (OEMHS) and Montgomery County Fire and Rescue Service (MCFRS). It is expected that much of these costs will be reimbursed by the Federal Emergency Management Agency (FEMA); however, each department requires additional appropriation authority to align with actual expenditures in FY21.

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

- **[Supplemental Appropriation to the County Government's FY21 Operating Budget, Department of General Services - \\$48,478,989 for COVID-19 Response](#)**

This supplemental appropriation to the FY21 Operating Budget provides additional funds to DGS. Since the start of the pandemic, DGS has been tasked with procuring personal protective equipment (PPE) for the County government. This PPE has included cloth masks, respirator masks, N95 and KN95 masks, face shields, gowns, gloves and disinfecting supplies.

As a result of these efforts, the County has been able to fill the PPE needs of departments as well as some of the County's community partners. This has significantly aided the County in being able to offer testing and vaccination services to the public.

- **Supplemental Appropriation to the County Government's FY21 Operating Budget, Department of Health and Human Services (DHHS), \$75,441,056 for COVID-19 Emergency Expenses**

This supplemental appropriation is needed by the Department of Health and Human Services (DHHS) to deliver the emergency services that Montgomery County residents need to combat the COVID-19 virus. Services provided include testing, food security, vaccination efforts and other vital public health services.

- **Supplemental Appropriation to the County Government's FY21 Operating Budget, Office of Emergency Management and Homeland Security (OEMHS) - \$250,299 for COVID-19 Response**

This supplemental appropriation to the FY21 Operating Budget provides additional funds to the Office of Emergency Management and Homeland Security (OEMHS). This office has been leading the County's efforts in responding to the public health emergency. As a result, they have experienced some cost overages related to both response and recovery coordination, as well as preparing and submitted reimbursement requests to FEMA.

This additional appropriation is needed to cover the cost of a contractor to coordinate pandemic recovery efforts and overtime costs for COVID-19 response and data collection for FEMA.

- **Supplemental Appropriation to the County Government's FY21 Operating Budget, Public Information Office - \$455,911 for COVID-19 Response**

This supplemental appropriation to the FY21 Operating Budget provides additional funds to the Public Information Office (PIO). The office has been key to the County's efforts in disseminating information related to the COVID-19 pandemic and the services that the County provides.

This was primarily done through advertising campaigns, signage, press briefings, community meetings and by answering resident questions through MC311. Because of the surge in calls, additional temporary staff needed to be brought on to handle the call volume related to COVID-19.

- **Supplemental Appropriation to the County Government's FY21 Operating Budget, Montgomery County Fire and Rescue Service - \$12,356,000 for General Personnel and Operating Costs**

This supplemental appropriation to the FY21 Operating Budget provides additional funds to the Montgomery County Fire and Rescue Service (MCFRS). Personnel costs are projected to exceed the appropriation due to actual overtime costs being greater than budgeted and the impact of COVID-19 related administrative leave.



MCFRS' operating expenses are projected to exceed the appropriation mainly due to vehicle maintenance and repair, snow removal, facilities maintenance and medical supplies and equipment.

**Special Appropriation to Montgomery College's FY21 Operating Budget - \$2,325,789 for the Federal, State, and Private Contract fund**

**Public hearing and vote expected:** The Council will hold a public hearing and is expected to vote on a \$2,325,789 special appropriation to the FY21 Operating Budget that will provide additional funds to Montgomery College. This special appropriation is needed for the College to utilize three new grants to address issues related to the COVID-19 pandemic.

The funds will be used for institutional adaptations related to the pandemic, expansion of existing and developing new in-demand workforce development training and education programs and to market the new programs to students, industry and recently unemployed Maryland residents.

*Monday, June 21*

The Planning, Housing and Economic Development (PHED) Committee will meet on **Monday, June 21 at 9:30 a.m.** to discuss replacing mercury service regulators to improve fire safety in buildings, broadcasting Montgomery County Economic Development Corporation (MCEDC) meetings, and Montgomery County's minority business engagement strategies.

The Education and Culture (E&C) Committee will meet at **1:30 p.m.** to discuss COVID-19 relief funding for both Montgomery College and MCPS' two-and-a-half-year plan as well as operations for the summer and fall.

**Expedited Bill 50-20, Landlord-Tenant Relations – Fire Safety - Removal of Mercury Service Regulators**

**Review:** The PHED Committee will review Expedited Bill 50-20, which would require landlords to schedule the immediate replacement of indoor mercury service regulators and provide certain notices to tenants.

The purpose of the legislation is to facilitate the replacement of indoor mercury service regulators with safer, more modern regulators. Indoor mercury service regulators have contributed to fatal building fires. Replacement these regulators would improve fire safety and reduce mercury in the environment.

The lead sponsor of the bill is Council President Hucker. Councilmember Riemer, Council Vice President Alborno, Councilmembers Navarro, Katz, Rice and Jawando are cosponsors.

Those expected to attend and provide information include Aseem Nigam, director, Department of Housing and Community Affairs (DHCA); Dan McHugh, manager III, DHCA; Christopher

Anderson, division chief, DHCA and Lisa Brennan, associate county attorney, Office of the County Attorney.

### **Bill 11-21, Montgomery County Economic Development Corporation – Bylaws – Live Video Streaming of Open Meetings**

**Review:** The PHED Committee will also review Bill 11-21, which would require MCEDC to adopt bylaws requiring the live streaming of certain meetings and archiving certain videos.

The purpose of the bill is to increase the public transparency and accessibility of MCEDC meetings. Under this bill, MCEDC would remain subject to the State's Open Meetings Act (OMA). However, in addition to following the OMA, MCEDC generally would be required to broadcast its meetings through live streaming and archive the meeting videos in a manner that is accessible to the public.

The lead sponsor of the bill is Councilmember Glass. Council President Hucker, Vice President Albornoz, Councilmembers Jawando, Katz, Navarro and Rice are cosponsors.

### **Montgomery County Economic Development Corporation (MCEDC) – Minority Business Engagement Strategy**

**Discussion:** The PHED Committee will also discuss Montgomery County's minority business engagement strategy with MCEDC representatives and other partners. Given the County's focus on racial equity and social justice, the committee requested this briefing to better understand how MCEDC is engaging with the County's minority business community.

MCEDC supports Montgomery County industry growth and diversification, fosters entrepreneurial activity and new business formation and responds to the needs of targeted and emerging County industries.

Those expected to attend and provide information include Jerome Fletcher, assistant chief administrative officer, Office of the County Executive; Ben Wu, CEO, MCEDC; Bill Tompkins, executive vice president and COO, MCEDC; Brad Steward, senior vice president of business development, MCEDC; Daniel Parra, director of business diversity and inclusion, MCEDC; Cherri Branson, vice president, Montgomery County NAACP; and Eric Bailey, chair, Coalition for Equitable Representation in Government 2.0 (CERG 2.0).

### **Montgomery College COVID-19 Relief Funding Update**

**Discussion:** The E&C Committee will receive a briefing on the utilization of COVID-19 relief funding for Montgomery College. At this time, Montgomery College is expected to distribute a total of \$44,796,371 in direct student aid and utilize \$33,858,680 in institutional costs needed to adapt to the pandemic.

Those expected to attend and provide information include Montgomery College representatives Susan Madden, chief government relations officer; Dr. Sanjay Rai, senior vice president for

academic affairs; Liz Greaney, chief of the business and financial strategy office; David Sears, senior vice president for advancement and community engagement; and Rose Garvin Aquilino, associate senior vice president for advancement and community engagement.

### Montgomery County Public Schools' 2.5-Year Plan and Summer/Fall Operations Update

**Discussion:** The E&C Committee will also receive a briefing on MCPS' new two-and-a-half-year plan. The plan and discussion will focus on mitigating learning disruptions across schools, poverty impacted schools, digital learning and well-being support. The plan serves as the foundation for the FY22 budget and MCPS' goals for the upcoming and future school years and programming. MCPS will also discuss their summer programming and fall operations status.

Those expected to attend and provide information from MCPS include Dr. Monifa B. McKnight, acting superintendent of schools; Linda E. Ferrell, acting chief of staff; Derek E. Turner, chief of engagement, innovation, and technology; James N. D'Andrea, incoming chief of staff; Dr. Helen A. Nixon, associate superintendent of human resources and development; Niki Hazel, associate superintendent of curriculum and instructional programs; Ruschelle Reuben, associate superintendent of student and family support and engagement; Thomas P. Klausing, executive director, Office of Finance; and Ivon Alfonso-Windsor, supervisor, Budget Unit, Office of Finance.

### *Wednesday, June 23*

The Planning, Housing and Economic Development (PHED) Committee will meet on **Wednesday, June 23 at 9:30 a.m.** to discuss Zoning Text Amendment (ZTA) 21-01 which would exempt bus shelter advertising that is licensed by the County from the sign ordinance.

The Committee will also review Subdivision Regulation Amendment (SRA) 21-01 which would exempt agricultural land used for farm alcohol production or agritourism from the requirement to record a plat before a building permit is issued.

### Zoning Text Amendment (ZTA) 21-01 Sign Ordinance - Bus Shelter Advertising

**Review:** The PHED Committee will review ZTA 21-01, which would exempt bus shelter advertising that is licensed by the County from the sign ordinance.

Until 2019, the County was a party to a franchise agreement with a private firm that provided bus shelter advertising as well as bus shelter maintenance in exchange for a share of the advertising revenue. The previous franchise agreement lapsed, and the County Executive now recommends entering a licensing agreement for advertising and separately contracting out maintenance.

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

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

### **Subdivision Regulation Amendment (SRA) 21-01, Exemptions - Alcohol Production and Agritourism**

**Review:** The Committee will also review SRA 21-01, which would exempt agricultural land used for farm alcohol production or agritourism from the requirement to record a plat before a building permit is issued.

Under current regulations, when property owners add an agritourism accessory use they may need to obtain a commercial building permit for the building that will house that use. The building must be on a lot shown on a record plat or be on property that is exempt from the subdivision process before the Department of Permitting Services (DPS) can issue the commercial building permit.

According to the Office of Agriculture, the subdivision process is cost prohibitive for most agritourism businesses that are looking to diversify their operations. The exemption to platting allowed by SRA 21-01 would further support agritourism uses by removing these prohibitive costs. Efforts to support agriculture and agritourism promote the County's economy and provide opportunities for venues designed to encourage residents of Montgomery County to experience the Agricultural Reserve and connect with the County's agricultural community.

The lead sponsor of SRA 21-01 is Council President Hucker, at the request of the County Executive. Those expected to attend and provide information include Casey Anderson, chair, Montgomery County Planning Board; Jason Sartori, chief, Countywide Planning and Policy, Planning Department; and Benjamin Berbert, planner coordinator, Countywide Planning and Policy, Planning Department.