

COUNCIL COMING ATTRACTIONS



Week of June 28, 2021

Proclamation Commemorating Pride Month, ZTA on Telecommunications Towers, Public Hearing on Special Appropriation to Food Security Fund, Public Hearing on Thrive Montgomery 2050, Vote on Mercury Service Regulator Replacement Bill

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

Tuesday's Council session will begin with four proclamations. The first is a proclamation commemorating Pride Month and will be presented by the full Council and the County Executive; the proclamation was initiated by Councilmember Glass. The second is a proclamation to remember John McNamara by Council President Hucker and Council Vice President Albornoz. The third is a proclamation honoring three retiring Regional Services Center Directors: Catherine Matthews, Reemberto Rodriguez, and Luisa Montero, which will be presented by Council President Hucker and Councilmembers Rice and Navarro, and the County Executive. The fourth proclamation will recognize Takoma Park city manager Suzie Ludlow and will be presented by Council President Hucker. There will be another proclamation after the Council session recess commemorating Cancer Survivorship Month by Council Vice President Gabe Albornoz.

The meeting will continue with the Council sitting as the Board of Health and Dr. Travis Gayles, Dr. Earl Stoddard and Dr. Raymond Crowel will provide a COVID-19 pulse report update to Councilmembers.

Following the update, the Council will interview the County Executive's appointees as Assistant Chief for the Montgomery County Police Department; the interviewees include Carmen Facciolo, Darren Francke, Marc Yamada, who will all be confirmed in the afternoon session.

The Council will convene as the District Council for the first part of a worksession to discuss ZTA 19-07, which would facilitate the deployment of next-generation wireless infrastructure. Staff from the Department of Permitting Services, Montgomery County Planning Board, Planning Department and more will be available to answer any questions. The second part of the worksession will resume in the later afternoon.

The Council later will take up the Consent Calendar portion of the meeting, which will include introductions and/or votes for four distinct supplemental appropriations to a variety of government departments or agencies, including the Department of Health and Human Services, Montgomery County Fire and Rescue Service, Department of General Services, and Montgomery County Public Schools. The Council will also confirm 13 appointments made by the County Executive.

The afternoon meeting consists of ten public hearings, seven of which are for special appropriations to the County Government FY21 Operating or Capital Budgets for a variety of departments or organizations, including the Montgomery County Food Security Fund, the Department of Transportation, and more. The other three public hearings are on legislation for food itinerant services, a full upgrade to the existing recycling center complex, and a proposed franchise agreement.

Following the public hearings, the Council will receive a briefing on the County's Vision Zero program. The Council will move on to a Legislative Session to introduce four bills and take a final vote on five others, including a bill that requiring the removal of mercury service regulators in the County and a project to develop a full upgrade of the existing recycling center complex

The day will end with an evening public hearing on the Thrive Montgomery 2050 Planning Board Draft.

The Council session will be held June 29 at 9 a.m.

Novel Coronavirus (COVID-19) and County Public 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.

Those expected to provide information include Dr. Travis Gayles, 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. Join the conversation with [#COVID-19](#)

Zoning Text Amendment (ZTA) 19-07, Telecommunications Towers – Limited Use

Review: The Council will review ZTA 19-07, which would facilitate the deployment of next-generation wireless infrastructure. The new wireless antennas on utility and light poles would offer faster speeds, enhanced reliability and greater capacity.

Councilmember Hans Riemer is the lead sponsor of this ZTA, which would allow certain telecommunications towers as a limited or conditional use in certain residential zones; revise the standards for telecommunications towers allowed as a limited or conditional use; revise the conditional use findings required for the replacement of a pre-existing pole; and amend use requirements to address certain telecommunications towers. Council Vice President Gabe Albornoz and Councilmember Craig Rice are cosponsors.

Resolution to consolidate previously authorized notes for sale and issuance as a single issue and Expedited Bill 25-21, Bond Authorization

Introduction: The Council is expected to introduce Bill 25-21 and a resolution to consolidate previously authorized notes for sale and issuance as a single issue.

Expedited Bill 25-21 increases the County's general obligation bond authorization by \$452,500,000 in certain public facility categories. A public hearing on the expedited bill is tentatively scheduled for July 13.

The subject resolution consolidates the previously approved bond authorizations and increases the total authorization by the amount approved in Expedited Bill 25-21. The resolution allows the consolidated bond authorization to be issued, sold and delivered from time to time as one or more series of bond anticipation notes.

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

Authorization to file grant application to Metropolitan Washington Council of Governments for the American Rescue Plan Act of 2021 (ARP) 5310 funds, COVID-19 Vaccination Transportation Program

Introduction: The Council is expected to introduce a resolution authorizing the Chief of the Division of Transit Services for Montgomery County Department of Transportation (MCDOT)

to file a grant application to the Metropolitan Washington Council of Governments (MWCOG) requesting \$81,215.50 in American Rescue Plan Act of 2021 (ARP) 5310 funds for the purpose of implementing the COVID-19 Vaccination Transportation Program. This program was established to eliminate the transportation barrier to accessing COVID-19 vaccine healthcare services by targeting and providing free, on-demand taxi transportation to vaccine clinics/sites for older adults and adults with disabilities, who are transportation disadvantaged.

Dan Hibbert, chief, Division of Transit Services, MCDOT is expected to attend. The lead sponsor is Council President Huckler at the request of the County Executive.

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

Vote expected: The Council is expected to vote 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's Office is actively working to maximize federal support for these expenditures.

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

Housing and Metrorail Stations Act - WMATA PILOT - Executive Regulation 6-21

Vote expected: The Council is expected to vote on Executive Regulation 6-21 which would implement Bill 29-20, Taxation – Payments in Lieu of Taxes – WMATA Property – Established. The bill would require the Executive to negotiate a Payment in Lieu of Taxes for a qualifying development on property leased from WMATA at a Metrorail Station in the County. Councilmembers Riemer and Friedson were the lead sponsors of Bill 29-20, which is also known as the More Housing at Metrorail Stations Act. The goal of the law is to significantly increase the viability of building new housing on Metro station property to increase the County's housing supply and help spur economic growth.

Declaration of No Further Need - Disposition of 5830 and 5834 Riggs Road, Gaithersburg

Introduction: The Council is expected to introduce a declaration of no further need to dispose of County-owned properties located at 5830 and 5834 Riggs Road in Gaithersburg. Each parcel contains one single-family home.

The disposition is in the form of a long-term lease to the Montgomery County Coalition for the Homeless (MCCH) which has currently leased both sites since September 2019 and operates an office and homeless shelter. MCCH now seeks to continue its current operations through a long-term lease with an initial term of five years which would be renewable for an additional five years.

Expedited Bill 22-21 - Itinerant food service facilities - Operating time

Public hearing and vote: The Council is expected to hold a public hearing and vote on Expedited Bill 22-21 which would amend the Montgomery County Code to conform with Maryland law by allowing itinerant food service facilities to operate for up to 30 days.

Currently, the County Code defines an Itinerant Food Service Facility as one that operates for a temporary period at a fixed location, not exceeding 14 days. State law allows a period of not more than 30 consecutive days. The lead sponsor of Bill 22-21 is Councilmember Katz.

The staff report will be available on Monday, June 28.

Expedited Bill 23-21, Special Capital Improvements Project - Full Upgrade of Existing Recycling Center Complex

Public hearing and vote: The Council will hold a public hearing and vote on Bill 23-21, which would allow for a full upgrade of the existing recycling center complex. This project will update the existing Material Recycling Center (MRF) with state-of-the-art equipment to increase commingled processing capacity to between 200 and 240 tons per day.

This bill is sponsored by Council President Hucker, at the request of the County Executive.

Supplemental Appropriation to the County Government's FY21 Operating Budget - \$91,950,000 for American Rescue Plan Act Non-Departmental Account

Public hearing and vote: The Council is expected to hold a public hearing and vote on a supplemental appropriation of \$91,950,000 to the FY21 Operating Budget for Montgomery County Government, American Rescue 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.

Special Appropriation to Montgomery County Public Schools' (MCPS) FY21 Capital Budget and Amendment to the FY21-26 Capital Improvements Program - \$1,815,267 for the Technology Modernization Project

Public hearing and vote: The Council is expected to hold a public hearing and vote on a \$1,815,267 special appropriation for Montgomery County Public Schools' (MCPS) FY21 Capital Budget and Amendment to the FY21-26 Capital Improvements Program for the technology modernization project. This E-Rate reimbursement funding will be used to contribute to the Maintenance of Effort goal to provide connectivity

to students and families. To date, MCPS has distributed more than 10,000 internet hotspots to families. E-Rate reimbursements will be used to offset some of the costs incurred and will be used to support evolving needs as a result of the pandemic.

Resolution to Grant a Franchise to New Cingular Wireless PCS, LLC to Use Public Right-of-Way

Public hearing and vote: The Council is expected to hold a public hearing and vote on a resolution to grant a franchise agreement to New Cingular Wireless PSC, LLC (Cingular), whose manager is AT&T Mobility Corporation, to construct and maintain telecommunications facilities in the public right-of-way.

The proposed franchise agreement is for a 15-year term and the franchise requires New Cingular Wireless to pay the safe harbor annual right-of-way fee permitted by the FCC of \$270 per facility. It also reserves the County's authority to adjust the fee at any time based on a study of the County's actual costs, or if applicable law permit, to charge a fee that is not cost-based.

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

Introduction - Supplemental Appropriation to the County Government's FY21 Operating Budget, Department of Finance, Economic Development Fund - \$500,000 for the Fox Television Stations, LLC

Public hearing and vote: The Council is expected to hold a public hearing and vote on a supplemental appropriation to the FY21 Operating Budget of the Department of Finance in the amount of \$500,000 for the Economic Development Fund.

This appropriation would provide a financial incentive in the form of a conditional grant to Fox Television Stations, LLC, to facilitate its relocation from the District of Columbia to 7272 Wisconsin Avenue, Bethesda. The relocation will bring 178 jobs to Montgomery County and a capital investment of \$32.5 million.

Supplemental Appropriation to the County Government's FY21 Capital Budget and Amendment to the FY21-26 Capital Improvements Program - \$81,622 for Facility Planning: Storm Drains

Public hearing and vote: The Council is expected to hold a public hearing and vote on a \$81,622 FY21 supplemental and FY21-26 CIP amendment for the facility planning storm drains project at the River Falls neighborhood storm drain system. The study will be funded with federal aid via a grant received from the Maryland Department of Natural Resources.

The study will identify potential solutions to address current flood hazards as well as future hazards exacerbated by the impacts of climate change. Potential solutions will include green infrastructure practices that would promote infiltration, reduce runoff and provide water quality benefits. This work may potentially be used as a model for the County of how to address flood hazards while also achieving water quality and climate resilience benefits.

Those expected to attend and provide information include Brady Goldsmith, chief of management services, Department of Transportation and Veronica Jaua, fiscal and policy analyst, Office of Management and Budget.

Special Appropriation to the County Government's FY21 Operating Budget - \$1,473,388 for COVID-19 Human Services and Community Assistance Non-Departmental Account, Por Nuestra Salud y Bienestar

Public hearing and vote: The Council is expected to hold a public hearing and vote on 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 Por Nuestra 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.

Por Nuestra 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, Por Nuestra 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.

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 to the County Government's FY21 Operating Budget, COVID-19 Human Services and Community Assistance Non-Departmental Account (NDA) - \$1,783,000 for COVID-19 Response: Montgomery County Food Security Fund

Public hearing and vote: The Council is expected to hold a public hearing and vote on 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.

Supplemental Appropriation to the County Government's FY21 Operating Budget, Department of Transportation - \$554,821 (Source of Funds: Federal: Enhanced Mobility of Seniors and Individuals with Disabilities Program Grant) and \$138,705

Public hearing and vote: The Council is expected to hold a public hearing and vote a \$693,526 Supplemental Appropriation to the FY21 Operating Budget of MCDOT. The Montgomery County Division of Transit Services has been awarded, through the Metropolitan Washington Council of Governments, a \$554,821 Federal Transit Administration Enhanced Mobility of Seniors and Individuals with Disabilities Program Grant. The grant will be matched with \$138,705 from the Transportation Services Improvement Fund.

The Enhanced Mobility grant provides funds to expand the Division of Transit Services' travel training program. This increase is needed to expand transit travel training for seniors and individuals with disabilities. The grant will fund the purchase of a travel training bus and targeted outreach to seniors and individuals with disabilities to encourage participation in travel training activities.

The travel training program aligns with the County's goal of becoming an age-friendly community that is accessible to all and will directly benefit seniors and individuals with disabilities and lead to the increased use of public transportation.

Vision Zero Briefing

Briefing: The Council will receive a briefing on Vision Zero which is an effort to reduce the number of traffic-related fatalities in Montgomery County to zero. Vision Zero activities include targeted enforcement of aggressive and distracted driving, educational campaigns to increase driver awareness of pedestrians and bicyclists and working on roadway design to enhance safety.

This comprehensive update, the first since January 28, 2020, was requested by Councilmember Glass. The presentation is expected to include Vision Zero statistics, an overview of recent activities, a review of the [Draft 2030 Vision Zero Action Plan](#) and FY22-23 Work Program, an exploration into the Safe Routes to Schools (SRS) Program and a discussion of MCDOT's work to address concerns raised by the Commission on People with Disabilities about bus stop access when crossing a bike lane.

Those expected to attend and provide information include Wade Holland, Vision Zero coordinator; Erica Rigby, District 3 engineer, State Highway Administration (SHA); Derek Gunn, acting deputy District 3 engineer, SHA; Matt Baker, SHA District 3; Joe Moges, SHA District 3; Hannah Henn, deputy director, Department of Transportation (DOT); Michael Paylor, chief, Division of Traffic Engineering and Operations (DTEO)/DOT; John Hoobler, DTEO/DOT; Duwan Morris, DTEO/DOT; Capt. Jim Brown, director, Traffic Division, Department of Police; Lt. Michael Ruane, traffic division, Department of Police; Todd Watkins, Montgomery County Public Schools; Casey Anderson, chair, Planning Board; Jesse Cohn McGowan, Planning Department; Kristy Daphnis, chair, Pedestrian, Bicycle, and Traffic Safety Advisory Committee.

Expedited Bill 24-21, Bond Authorization – Stormwater management

Introduction: The Council is expected to introduce Expedited Bill 24-21 which would implement the appropriations included in the FY22 Capital Improvements Program for certain stormwater management projects secured by the Water Quality Protection Charge. Expedited Bill 24-21 authorizes the County to

issue up to \$34.0 million in special limited obligation bonds. A public hearing on the expedited bill is tentatively scheduled for July 13.

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

Expedited Bill 12-21, Personnel - Employees' Retirement System - Retirement Savings Plan-Group Trust – Amendments

Vote expected: The Council is expected to vote on Expedited Bill 12-21 which would amend the County retirement plans to conform to recent changes in the Internal Revenue Code.

The bill would increase the age for a required minimum distribution of benefits to 72, change the timing for distributions to certain beneficiaries and permit the suspension of a required minimum distribution for 2020 to conform to federal law.

The bill would also clarify the process for sending unclaimed distributions to the State of Maryland and authorize the Board of Investment Trustees to provide for a new investment option for defined benefit contributions that would be based on the investment returns for the defined benefit trust fund returns.

Linda Herman, executive director, County Retirement Plans is expected to attend. This bill was introduced by Council President Hucker at the request of the County Executive.

Expedited Bill 27-21, Wheaton Regional Headquarters – Leases - Approval

Introduction: Council President Hucker, at the request of the Maryland-National Capital Park and Planning Commission (M-NCPPC) will introduce Expedited Bill 27-21 which would approve a lease between M-NCPPC and the County for space totaling 177,032 square feet in the recently-construction Wheaton Regional Headquarters at 2425 Reddie Drive in Wheaton. The leased premises at the Wheaton Regional Headquarters will be used by various County departments. The Montgomery County Planning Board approved the lease by consent at its Feb. 25 meeting. The initial term of the lease is 40 years, with renewal terms of 10 years up to a total of 99 years. The rent is one dollar per year and a pro rata share of certain operating expenses.

Expedited Bill 13-21 - Streets and Roads - Permit to Obstruct Public Rights-of-Way and Franchising – Amendments

Vote expected: The Council is expected to vote on Expedited Bill 13-21 which would expand the authority of DPS to approve permits for private property owners who need to install non-commercial structures that are accessory to a residential use, such as an electric vehicle charging device, private storm drain pipes with access to the public sewer system, roof drains and other non-standard facilities in the County's rights-of-way.

The permittee would be required to execute a maintenance and liability agreement to hold the County harmless for any risk, danger, injury or damages to private property or of another party.

A permittee would be exempt from the current requirement to obtain a franchise approval through the Council.

This bill was introduced by Council President Tom Hucker, at the request of the County Executive.

[Expedited Bill 50-20, Landlord-Tenant Relations - Fire Safety - Removal of Mercury Service Regulators](#)

Vote expected: The Council is expected to vote on 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 Albornoz, Councilmembers Navarro, Katz, Rice and Jawando are cosponsors.

[Thrive Montgomery 2050 Planning Board Draft](#)

Public hearing at 7 p.m.: The Council will hold its second public hearing on the Planning Board's Thrive Montgomery 2050 Draft Plan, which is a framework to guide planning for land use, housing, the economy, equity, transportation, parks and open space, the environment, historic resources, urban design and arts and culture over the next three decades.

The recommendations will provide guidance for future master plans, county and state capital improvement processes and other public and private initiatives that influence land use and planning in the county.

Monday, June 28

The joint Government Operations and Fiscal Policy (GO) and Health and Human Services (HHS) Committee will meet on **Monday, June 28 at 9:30 a.m.** to discuss the coordination of call centers.

The Transportation and Environment (T&E) Committee will meet at **2:30 p.m.** to review the proposed abandonment of a portion of Reed Street and a public alley in block five of West Chevy Chase Heights near Wisconsin Avenue.

[Coordination of Call Centers and Governance](#)

Briefing: The GO Committee will receive a briefing from the Executive branch about strategies to coordinate the various call centers that serve the public and describe the emerging structures to ensure coordination and efficient operations.

During the pandemic, residents contacted Montgomery County Government in record numbers with many in need of urgent assistance for complex issues. There is a need to create a new long-term vision for how the County listens and responds to requests from its residents.

The discussion is expected to include the Executive's 2022 vision for call centers, whether the County maintains a single point of contact or multiple telephone numbers in the future and expectations for services in a post-COVID environment.

Those expected to attend and provide information include Fariba Kassiri, deputy chief administrative officer, Office of the County Executive; Ken Hartman, director of strategic partnerships, Office of the County Executive; and Diane Vu, director, Office of Community Partnerships. In addition, Dr. Raymond Crowel, director, Department of Health and Human Services (DHHS); Dourakine Rosarion, special assistant to the director, DHHS; Barry Hudson, director, Public Information Office; Brian Roberts, director of MC311, Office of Public Information; Gail Roper, director, Department of Technology and Enterprise Business Solutions (TEBS); Shayna Taqi, change management, TEBS; and Corey Orlosky, fiscal and policy analyst, Office of Management and Budget (OMB) are expected to attend.

Abandonment of Portion of Reed Street in Bethesda

Review: The T&E Committee will review the petition and accompanying proposed resolution from the County Executive recommending conditional approval to abandon an 18-foot wide, 3,303 square-foot portion of the Reed Street right-of-way (ROW) in the Miller's Second Addition to Bethesda Subdivision in Bethesda.

The County Executive's proposed resolution finds that the portion of the Reed Street ROW is no longer necessary for public use now or in the foreseeable future.

Eric Willis, chief, Property Acquisition Section, Montgomery County Department of Transportation (MCDOT) is expected to attend.

Abandonment of a Public Alley in Block 5 of the West Chevy Chase Heights near Wisconsin Avenue in Bethesda

Review: The T&E Committee will also review the petition and proposed resolution from the County Executive recommending conditional approval to abandon a public alley in Block 5 of the West Chevy Chase Heights Subdivision in Bethesda consisting of approximately 2,475 square feet.

The County Executive's proposed resolution finds the public alley is no longer necessary for public use now or in the foreseeable future.

Those expected to attend and provide information from MCDOT include Eric Willis, chief, Property Acquisition Section and Michael Paylor, chief, Division of Traffic Engineering and Operations.

Thursday, July 1

The joint Education and Culture (E&C) and Planning, Housing and Development (PHED) Committee will meet on **Thursday, July 1 at 1:30 p.m.** to receive a briefing of County grant-funded programs to support workforce development through English literacy.

The Council staff report will be available on June 29.