

# COUNCIL COMING ATTRACTIONS



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

*COVID-19 Vaccine and Public Health Update, Ashton Village Sector Plan, Sign Ordinance for Bus Shelter Advertising, Shady Grove Sector Plan Minor Master Plan Amendment, FY21 Savings Plan*

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 meeting will begin with two proclamations. First, Councilmember Craig Rice, Chair of the Education Committee, will recognize Arjun Krishnan, a Montgomery County Public Schools (MCPS) fifth grade student who recently won a national Barnes and Noble Short Story Competition with a story of his late mother. This will be followed by a proclamation from Councilmember Nancy Navarro to celebrate Women's History Month and the women at the forefront of the COVID-19 battle.

The morning's business will kick off with the Council sitting as the Board of Health as Dr. Travis Gayles and Dr. Earl Stoddard will provide their weekly COVID-19 update to

Councilmembers. The discussion this week is expected to focus on vaccine availability and equity of the vaccine rollout.

Following the update, the Council will receive a briefing on the Ashton Village Center Sector Plan. A public hearing on this agenda item will take place at 1:30 p.m.

As part of the Consent Calendar, the Council will introduce supplemental appropriations for the Montgomery County Police Department, the Department of Correction and Rehabilitation, the Sheriff's Office and the State's Attorney's Office, as well as the Department of Transportation and MCPS. The Council will also vote on the water and sewage change requests for the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan.

During the District Council there will be an introduction of a zoning text amendment that would allow bus shelter signs under a certain licensing agreement with the County to be exempt from the required permit for advertising use. There will also be an introduction of a local map amendment to rezone land for the expansion of the Takoma Park Montessori School, which is seeking to expand the existing school by approximately 2,000 square feet for use as a child care center. The Council will also review the resolution on reserves and selected fiscal policies as recommended by the Government Operations and Fiscal Policy Committee, which is chaired by Councilmember Navarro. The Council is also scheduled to review and vote on the Fiscal Year 2021 Savings Plan. The Council will end its day with the introduction of two new bills and a final vote is scheduled on Bill 47-20, Ethics Commission – Conflicts of Interest – Financial Disclosure Amendments.

## **COUNCIL**

**The Council session will be held on March 2 at 8:45 a.m.**

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

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. County leaders continue to advocate for additional vaccine supply as quickly as possible as well as a mass vaccination location in Montgomery County. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_3A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_3A.pdf)

### **Ashton Village Center Sector Plan**

The Council will receive a briefing on the Planning Board Draft of the Ashton Village Center Sector Plan and hold a public hearing on the plan. On December 3, 2020, the Montgomery County Planning Board approved the Ashton Village Center Sector Plan, which covers about 127 acres around the MD 108/650 intersection. The Ashton Village Center Sector Plan boundary includes all of the area within the Sandy Spring/Ashton Rural Village Overlay zone that is east of the area covered by the 2015 Sandy Spring Rural Village Plan. The Planning, Housing, and Economic Development (PHED) Committee is scheduled to begin its review of the plan on Apr. 5, 2021. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_4.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_4.pdf)

**Supplemental Appropriation to the County Government’s FY21 Operating Budget, Department of Police, Department of Correction and Rehabilitation, Sheriff’s Office, and the State’s Attorney’s Office - \$264,568 for Governor’s Office of Crime Control & Prevention, (GOCCP) Bureau of Justice Assistance, (BJA) Byrne Coronavirus Emergency Supplemental Grant Funding (Source of Funds: Federal Aid)**

Council President Hucker, at the request of the County Executive, will introduce this supplemental appropriation which will fund the Montgomery County Police Department (MCPD) in the amount of \$210,000, the Department of Corrections and Rehabilitation in the amount of \$22,948, the Sheriff’s Office in the amount of \$12,260, and the State’s Attorney’s Office in the amount of \$19,360. The Executive’s memorandum notes that this appropriation is needed because the public safety agencies were awarded funding from the GOCCP Byrne Coronavirus Emergency Supplemental Grant program. This appropriation will fund upgrades to the technological capabilities of MCPD, the Department of Corrections and Rehabilitation, the Sheriff’s Office, and the State’s Attorney’s Office. The source of funds is federal aid. A public hearing is scheduled for March 16, 2021. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_5A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_5A.pdf)

#GOCCP and #COVID-19 are being used for this bill on social media.

**Supplemental Appropriation to the County Government’s FY21 Capital Budget and amendment to the FY21-26 Capital Improvements Program, Department of Transportation (DOT) - \$472,000 for Intelligent Transit System**

Council President Hucker, at the request of the County Executive, will introduce this supplemental appropriation to the County’s FY21 Capital Budget and an amendment to the Capital Improvements Program. These funds would acquire software that would process data collected from automatic passenger counters to analyze ridership trends, evaluate routes and implement service decisions to optimize service and reduce expenses. The funds would also acquire software that would enable Ride On drivers to use their County ID to sign in and out of work. Bus operators will be able to view their work assignment, vehicle assignment, dispatch messages and relevant traffic detour information. The source of these funds are state aid. The Council’s public hearing and action are scheduled for March 16, 2021. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_5B.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_5B.pdf)

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

**Special Appropriation to Montgomery County Public Schools’ (MCPS) FY21 Capital Budget and Amendment to the FY21-26 Capital Improvements Program - \$216,204 for Planned Life Cycle Asset Replacement: MCPS (Source of Funds: State Aid; Qualified Zone Academy Bond program)**

The Council will introduce a special appropriation and FY21-26 CIP amendment to the Planned Lifecycle Asset Replacement: MCPS project. The Board of Education requested the supplemental appropriation and amendment on February 9. A special appropriation and amendment are needed because MCPS received state aid funding from the Qualified Zone Academy Bond program. This appropriation will forward fund the Interagency Commission on School Construction approved projects. MCPS will be reimbursed for the projects when completed. The source of funds is State Aid and the Qualified Zone Academy Bond program. A public hearing and action is scheduled for

Mar. 23, 2021 at 1:30 p.m. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_5c.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_5c.pdf)

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

**Resolution to Amend Resolution 19-472, Section G, FY21 Designation of Entities for Non-Competitive Contract Award Status: GNV Design, LLC, for public awareness campaign to support to DHHS’ clients and crime victims**

The Chief Administrative Officer (CAO) is recommending an amendment to allow the Department of Health and Human Services to enter into a new contract with GNV Design, LLC for media design services and a public awareness campaign to support DHHS clients and crime victims. The contract is funded with \$12,000 from the State of Maryland’s “Montgomery County Department of Health and Human Services COVID-19 Grant Project” and with \$23,445 from the “Victim Assistance Service” project. The grant from the State of Maryland designated GNV Design, LLC; no other vendor could compete for this work. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_5D.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_5D.pdf)

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

The Council is scheduled to vote on the Comprehensive Water Supply and Sewerage Systems Plan: Water and Sewer Category Change Requests amendments for six category change requests submitted by the County Executive. The Council’s straw votes support the Transportation and Environment (T&E) Committee’s recommendations. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_5E.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_5E.pdf)

**PUBLIC HEARINGS**

**All Council public hearings will be held on Mar. 2 at 1:30 p.m. unless otherwise specified**

**Ashton Village Center Sector Plan**

The Council will receive public testimony on the Ashton Village Center Sector Plan. A briefing is scheduled for earlier in the day. The Sector Plan covers about 127 acres around the MD 108/650 intersection. The Ashton Village Center Sector Plan boundary includes all of the area within the Sandy Spring/Ashton Rural Village Overlay zone that is east of the area covered by the 2015 Sandy Spring Rural Village Plan. The Planning, Housing, and Economic Development (PHED) Committee is scheduled to begin its review of the Plan on Apr. 5, 2021 in its worksession, followed by a tentative second worksession on Apr. 19, 2021. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_4.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_4.pdf)

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

The Council will receive public testimony on SRA 21-01, which would add an exemption from the requirements to subdivide agricultural land and record a plat before the Department of Permitting Services can issue a building permit to construct a building used for alcohol production and agritourism. Under current law, before the Department of Permitting Services can issue a commercial building permit, the building must be on a lot shown on a record plat or be on property that is exempt from the subdivision of

land process. It is the experience of the Office of Agriculture that the subdivision process is cost-prohibitive for most agritourism businesses looking to diversify operations. Council President Hucker, at the request of the County Executive, is the lead sponsor. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_6.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_6.pdf)

### **Resolution to approve amendments to Bethesda Urban Partnership (BUP) Bylaws**

The Council will receive public testimony and vote on a resolution proposing the approval of amendments to Bethesda Urban Partnership's (BUP) bylaws. The amendments to the bylaws cover a range of issues including BUP's adherence to the State Open Meetings Act, processes and procedures of board meetings, the procedures for the removal of board members, as well as BUP's ethics and procurement practices. All of the amendments are in conformance with the County Code. The PHED Committee reviewed and voted 2-0 (with one committee member not in attendance) to approve the amendments to BUP's bylaws. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_7.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_7.pdf)

#BUP and #UrbanDistricts are being used for this on social media

### **Supplemental Appropriation to the County Government's Capital Budget and Amendment to the FY21-26 CIP, Department of General Services (DGS) - \$92,000 for Council Office Building Renovations (Source of Funds: General Obligation Bonds)**

The Council will receive testimony on a supplemental appropriation and CIP amendment for the Council Office Building Renovations project as transmitted by the County Executive. The Council introduced the supplemental appropriation on Jan. 26, 2021. The supplemental appropriation is needed for Council Office Building (COB) renovations to accommodate two additional Councilmembers following the recent amendment of the County Charter as approved by County voters in the 2020 general election. The two additional Councilmembers will begin their term in December 2022. Construction cost estimates may increase once further design is completed. The project cost increases are \$500,000, but prior excess appropriation of \$408,000 will cover the remaining costs. The source of funds is the General Obligation Bonds. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_8.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_8.pdf)

## **DISTRICT COUNCIL**

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

Council President Hucker, at the request of the County Executive, will introduce ZTA 21-01, which would allow a bus shelter sign under a licensing agreement with the County to be exempt from the required permit for advertising use. Currently, a bus shelter sign under an approved franchise agreement does not require a permit. 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. This franchise agreement has since lapsed and the County Executive finds it would be in the best interest of the County to enter into a licensing arrangement with a vendor for the advertising space while the County contracts out the maintenance under a separate agreement. A public hearing is scheduled for Mar. 6 at 1:30 p.m. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_9A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_9A.pdf)

#BusShelter, #SignOrdinance, #Advertising are being used for this bill on social media

### **Hearing Examiner's report and recommendation on Local Map Amendment H-138 for property located at 7206 and 7212 Carroll Avenue, Takoma Park, Maryland, more particularly described as**

**Parcels N923 and N968 of Section 1, S.S. Carroll's Addition to Takoma Park and Part of Lot P2, Section 3, S.S. Carroll's Addition to Takoma Park**

The Council will review and is scheduled to vote on Local Map Amendment (LMA) H-138. This LMA is an amendment to the Zoning Map to rezone 4,435 square feet of land that has been combined by administrative subdivision, which is part of an expansion of the Takoma Park Montessori School. The applicant is seeking to expand the existing school by approximately 2,000 square feet for use as a child care center. No opposition was expressed at the public hearing. The City Council of Takoma Park elected not to vote on the FZP until site plan review. The District Council must review the hearing examiner's report and find that the proposal meets the standards required by the Zoning Ordinance and that the local rezoning will be consistent with the coordinated and systematic development of the regional district. The Planning Board, Planning Staff and Hearing Examiner recommend approval. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_9B.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_9B.pdf)

**Resolution to amend and restate Resolution No. 17-312 – Reserve and Selected Fiscal Policies**

A vote is scheduled on Resolution 17-312 covering County reserves and selected fiscal policies. The Government Operations and Fiscal Policy Committee, which is chaired by Councilmember Navarro and includes Councilmembers Friedson and Katz, is recommending amendments to the County's current fiscal policy resolution to meet best practices for reserves and to generally update policies to be more comprehensive. Updating this resolution will strengthen the County's fiscal policies, aid in retention of its AAA bond rating, and aid in the County's response to the current and future emergencies. Montgomery County is one of the very few counties that holds a AAA bond rating from all three rating agencies. The County has held this honor since 1973 through rigorous standards and strong financial management.

The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_10.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_10.pdf)

**Resolution to approve FY21 Savings Plan**

The Council is scheduled to vote on the FY21 Savings Plan. The Council's recommendations total \$12.5 million in operating budget savings for the County Government. The Council supported most of the reductions identified by the Executive but did not support \$2.98 million of the \$15.46 million in reductions. The Council did not support any of the Executive recommended reductions for the Department of Health and Human Services and asked that potential savings (other than for the Residential Rehabilitation Services) be reallocated to critical needs in response to the pandemic, with at least \$600,000 reallocated to support school-age children. More details of the Savings Plan can be found in the Council staff report: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_11.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_11.pdf)

**LEGISLATIVE SESSION**

**The session will begin on Mar. 2 at 3:50 p.m. unless otherwise specified**

**Bill 10-21, Economic Development - Economic Development Strategic Plan - Economic Development Corporation - Duties**

Lead sponsor Councilmember Friedson will introduce Bill 10-21, which would transfer the drafting of the County's Economic Development Strategic Plan from the Executive to the County's Economic Development Corporation; require the Executive to provide comments to the Council on each draft Plan by a date certain; and require the Council to adopt the Plan by a certain date. The bill is cosponsored by Councilmembers Riemer and Navarro. Bill 25-15 eliminated the Department of Economic Development as a principal department of the Executive Branch and transferred most of the duties to a non-profit corporation. The Council subsequently designated the

Montgomery County Economic Development Corporation (MCEDC) to serve as the non-profit corporation responsible for implementing the County's Economic Development Strategic Plan prepared by the Executive. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_11-5A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_11-5A.pdf)

#economicstrategy is being used for this bill on social media

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

Lead sponsor Councilmember Glass will introduce Bill 11-21, which would require the Montgomery County Economic Development Corporation (MCEDC) to adopt bylaws requiring the live streaming of certain meetings and require the archiving of certain videos. Council President Hucker is a cosponsor. 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 video stream, and to archive those videos in a manner accessible to the public. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_11-5B.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_11-5B.pdf)

#BroadcastMCEDC is being used for this bill on social media

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

The Council is scheduled to vote on Bill 47-20, which would 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 GO Committee recommends the enactment of the bill with amendments, and approved an amendment to remove the requested exceptions to participation in a matter contained in Section 19A-11 due to the objection of the State Ethics Commission. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302\\_12A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210302/20210302_12A.pdf)

#MoCoEthicsCommission is being used for this bill on social media

## **COMMITTEES**

### **The following committee meetings will take place on Mar. 1, 2021**

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

On March 1 at 9:30 a.m., the Planning, Housing & Economic Development (PHED) Committee, led by Chair Riemer, will review 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. The

Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210301/20210301\\_PHED1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210301/20210301_PHED1.pdf)

### **Shady Grove Sector Plan Minor Master Plan Amendment**

The PHED Committee will also review 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. 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/cm/2021/20210301/20210301\\_PHED2.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210301/20210301_PHED2.pdf)

### **Montgomery College FY21-26 CIP Amendments Request**

On March 1 at 2:00 p.m., the Education & Culture (EC) Committee, led by Chair Rice will review and make recommendations on the amendment requests for Council Consideration. The College's amended six-year CIP request totals \$295.6 million, and the FY22 appropriation totals \$59.7 million. The Executive's recommended amended six-year total is \$287.68 million, a \$6.949 million decrease from the current approved CIP and a \$7.964 million reduction from the College's request. Per the request of the Committee Chair, the College submitted a list of non-recommended reductions to align with the Executive's affordability constraints. The College's non-recommended reductions impact: FY22 current revenue funding in the information technology project; and FY24-26 G.O. bond funding in level of effort projects and the Germantown Student Services Center project. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210301/20210301\\_EC1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210301/20210301_EC1.pdf)

### **Amendment to the FY21-16 CIP - Department of Recreation: Cost Sharing MCG**

The E&C Committee will discuss the FY21 arts capital projects cost sharing to amend funding mechanisms for arts capital projects to arts and humanities organizations. On Sept. 15, 2021, the Council adopted an increase in overall funding for arts capital projects and deferring funding over three fiscal years to arts and humanities organizations.

The Council staff report will be available by March 1, 2021.