

COUNCIL COMING ATTRACTIONS



Week of Mar. 15, 2021

Proclamations Recognizing Vaccine Hunters, Bethesda's 150th Birthday, COVID-19 Vaccine and Public Health Update, Supplemental Appropriations, Sidewalk Snow Removal, Solid Waste Management

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 two proclamations. The first is a proclamation from Councilmember Hans Riemer recognizing the Vaccine Hunters, a group of teachers from Montgomery County that help residents across Maryland get COVID-19 vaccinations. The second proclamation is presented by Councilmember Andrew Friedson, and celebrates Bethesda's 150th birthday.

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 their weekly COVID-19 pulse report update to Councilmembers.

Following the update, the Council will move on to 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 the County Executive's appointment of Timothy Robinson to the Community Action Board, and vote on an additional award to be made to youth sports organizations for this year.

The afternoon meeting consists of eight public hearings. The first four public hearings include discussions on renaming the County's Department of Technology Services to the Department of Technology and Enterprise Business Solutions; defining situations and exceptions for snow and ice removal from sidewalks, paths and private property; the adoption of the new Comprehensive Solid Waste Management Plan; and the transfer of the Halpine View Real Property in Rockville to a private developer for the purposes of constructing housing, including affordable housing.

The final four public hearings will be about balance transfers and supplemental appropriations to different FY21 budgets, including the Capital Budget and the County Operating Budget.

The Council will then convene as the District Council to introduce a proposed amended fee to ZTA 20-01, which allows for Solar Collection Systems as a conditional use in the Agricultural Reserve Zone, and to vote on ZTA 20-06, which would allow applicants the flexibility to renovate or redevelop certain properties with parking without having to go through multiple review processes.

The day will end with the Council's eighth legislative session of the year, where two bills will be introduced and two more will be called for final reading.

COUNCIL

The Council session will be held March 16 at 9:00 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 its 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/2021/20210316/20210316_2C.pdf

Supplemental Appropriation to the County Government's FY21 Operating Budget, Department of Health and Human Services - \$508,853 for Medication Assisted Treatment Program (Maryland Department of Health, Behavioral Health Administration Grant)

Council President Tom Hucker, at the request of the County Executive, will introduce this supplemental appropriation to the County Government's FY21 operating budget for the Medical Assisted Treatment Program. This funding will be used for screening, examination, behavioral health treatment, and medication assisted treatment for residents. The County Government departments and agencies involved with this grant include the Department of Health and Human Services, Department of Correction and Rehabilitation, and Sheriff's Office.

The appropriation will be reviewed by at a joint Public Safety and Health & Human Services Committee meeting on March 17, 2021 at 1:30 p.m. A public hearing and action are scheduled for March 23, 2021 at 1:30 p.m. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_4B.pdf

Supplemental Appropriation to the County Government's FY21 Operating Budget, Montgomery County Fire and Rescue Service - \$2,041,846 for FY21 Senator Amiss Fire, Rescue, and Ambulance Fund (State 508) Grant (Source of Funds: State Grant)

Council President Tom Hucker, at the request of the County Executive, will introduce this supplemental appropriation to the County Government's FY21 operating budget to fund the acquisition of apparatus and capital equipment as well as facility renovations. Funding will be provided by the FY21 Senator William H. Amiss Fire, Rescue, and Ambulance (State 508) Grant Funds and interest earned. A public hearing and considered action are tentatively scheduled for April 6, 2021 at 1:30 p.m. The Council staff report can be viewed

here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_4C.pdf.

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

The Council will vote on a supplemental appropriation of \$92,000 for Council Office Building 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 terms in Dec. 2022. The Council staff report can be viewed

here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_4D.pdf

Amendment to Resolution 19-590, COVID-19 Human Services and Community Assistance Non-Departmental Account (NDA); Support for COVID-19 Response - Youth Sports Initiative

The Council will introduce and vote on an Amendment to Resolution 19-590. Increasing the availability of youth sports services and supporting youth sports organizations is important to provide positive, structured activities for children who would otherwise lack access to these services that support their healthy development. In September 2020, the Council adopted Resolution 19-590 which appropriated \$550,000 in grant funding to administer the initiative to the Montgomery County Collaboration Council for Children, Youth, and Families.

This amendment allows for a grant award of up to \$15,000 to be made to youth sports organizations for services offered in calendar year 2021. The Council originally approved the special appropriation with the understanding that services supported by federal CARES Act funding needed to be delivered before December 31, 2020. Since the approval, the time period for using CARES Act funding was extended through 2021. This amendment also allows the Collaboration Council to more fully expend the funding targeted for youth sports services. The Council staff report can be viewed

here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_4F.pdf

Supplemental Appropriation to Montgomery County Public Schools' FY21 Capital Budget - \$5,000,000 for Relocatable Classrooms \$5,000,000 (Source of Funds: Current Revenue: General)

On March 11, 2021, the Council received a recommendation from the County Executive to approve an FY21 supplemental request from Montgomery County Public Schools (MCPS) for \$5 million for the lease, purchase, movement, and rehabilitation of relocatable classrooms needed for the 2021-22 school year. A public hearing and action are scheduled for March 23, 2021 at 1:30 p.m. The Council staff report can be viewed

here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_4G.pdf

PUBLIC HEARINGS

All Council public hearings will be held on March 16 at 1:30 p.m. unless otherwise specified

Expedited Bill 8-21, Administration - Department of Technology Services - Renamed

The Council will receive public testimony on Expedited Bill 8-21, which would change the name of the Department of Technology Services to the Department of Technology and Enterprise Business Solutions. The bill was introduced by Council President Tom Hucker, at the request of the County Executive. A GO Committee meeting is tentatively scheduled for a future date. The Council staff report can be viewed

here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_5.pdf

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

Bill 9-21, Streets and Roads - Sidewalk Snow Removal - Amendments

The Council will receive public testimony on Bill 9-21, which would define certain terms relating to sidewalks, establish an exception to the requirements for removal of snow and ice on private property and require removal of snow and ice by the County from certain sidewalks and paths. The bill is sponsored by Councilmember Evan Glass and is cosponsored by Councilmembers Hans Reimer, Sidney Katz, Council President Tom Hucker and Councilmember Nancy Navarro. A T&E Committee meeting is tentatively scheduled for a future date. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_6.pdf

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

Adoption of the Comprehensive Solid Waste Management Plan 2020-2029

The Council will receive public testimony on the Comprehensive Solid Waste Management Plan 2020 – 2029 at the request of the County Executive. Pursuant to Sections 9-503 and 9-515 of the Environment Article of the Annotated Code of Maryland, the governing body of each County is required to adopt and submit to the Maryland Department of the Environment (MDE) a ten-year plan dealing with solid waste disposal systems, solid waste acceptance facilities, and the systematic collection and disposal of solid waste. In addition, each County must review its solid waste management plan at least every three years. A T&E Committee meeting is tentatively scheduled for March 22, 2021. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_7.pdf

Declaration of No Further Need - Disposition of Halpine View Real Property

The Council will receive public testimony on a Declaration of No Further Need for the Halpine View Real Property, which is located along Twinbrook Parkway in Rockville, Maryland. The County Executive has proposed transferring the County-owned property (originally acquired in 1964) totaling 1.99 acres along Twinbrook Parkway in Rockville (known as the “Aspen Hill Extension” and also referred to as the “Halpine View Real Property”) to a private developer, Halpine Park LLC, for the purposes of constructing housing, including affordable housing. A joint GO/PHED Committee meeting is tentatively scheduled for March 25, 2021. 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/2021/20210316/20210316_8.pdf

Transfer of Unexpended Project Balance within the FY21 Capital Budget and Amendment to the FY21-26 CIP, Montgomery County Public Schools (MCPS) - \$3,182,226 to MCPS Local Unliquidated Surplus

The Council will receive public testimony and consider action on an amendment to the MCPS FY21-26 CIP Current Revitalization/Expansion project and a related transfer within the FY21 Capital Budget to the MCPS Local Unliquidated Surplus Account. The staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_9-10.pdf

Transfer of Unexpended Project Balance within the FY21 Capital Budget and Amendments to the FY21-26 CIP, MCPS - \$3,182,226 to Gaithersburg Cluster Elementary School #8

The Council will receive public testimony and consider action on an amendment to the MCPS FY21-26 CIP Gaithersburg Cluster Elementary School #8 project and a related transfer within the FY21 Capital Budget from the MCPS Local Unliquidated Surplus Account. The new school addresses overutilization at the elementary school level in the Gaithersburg Cluster. The staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_9-10.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)

The Council will receive public testimony and consider action on a 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. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_11.pdf

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

The Council will receive public testimony and consider action on 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/2021/20210316/20210316_12.pdf

DISTRICT COUNCIL

Additions to the Office of Zoning and Administrative Hearings' Comprehensive Fee Schedule

Council President Tom Hucker will introduce the proposed amended fee at the request of the Hearing Examiner. The District Council adopted ZTA 20-01 which will become effective on March 15. The ZTA allows for Solar Collection Systems as a conditional use in the Agricultural Reserve (AR) Zone. The proposed amended fee schedule adds an application fee for Solar Collection Systems of \$8,200. In consultation with the Planning Department (which receives 25% of the fee), the fee proposed is modeled after the existing application fee for "Agricultural Processing". A public hearing is scheduled for April 6, 2021 at 1:30 pm. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_13A.pdf

Zoning Text Amendment 20-06, Surface Parking - Residential Zones

The Council is scheduled to vote on ZTA 20-06, which is sponsored by Council President Hucker and Councilmember Riemer and cosponsored by Councilmember Friedson. The proposed amendment to the Montgomery County Zoning Ordinance 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. The PHED Committee recommends approval with amendments. The first amendment proposed would allow site plan approval to supersede a previously-approved Special Exception. The second amendment would change the words "parking setbacks" in lines 3 28-29 to "parking layout." These amendments would still ensure that the ZTA does not change the underlying zoning. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_13B.pdf

LEGISLATIVE SESSION - Day #8

Introduction of Bills:

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

Expedited Bill 12-21 will be introduced by Council President Tom Hucker at the request of the County Executive. This bill would amend County retirement plans to conform to recent changes in the Internal Revenue Code. Expedited Bill 12-21 would increase the age for a required minimum distribution of benefits for 70.5 to 72, change the timing for distributions to certain beneficiaries, and permit the suspension of a minimum distribution for 2020 to conform to federal law. The bill would also do the following:

- change the submission timing of a beneficiary form for a GRIP, EOP or RSP participant;
- permit the suspension of required minimum distributions for 2020 from the Retirement Savings Plan and Elected Officials' Plan as permitted by recent federal law;

- clarify the process for escheatment for certain distributions to participants in the Retirement Savings Plan, GRIP, or Elected Officials' Plan when a participant or beneficiary cannot be located, or the participant or beneficiary has not accepted the distribution;
- clarify operations of the Group Trust; and
- permit unitization of the Employees' Retirement System held within the Group Trust to provide an investment option for defined contribution participants.

A public hearing is scheduled for April 6, 2021 at 1:30 pm. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_14B.pdf

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

Bill 13-21 will be introduced by Council President Tom Hucker, at the request of the County Executive. This bill would expand the authority of the Department of Permitting Services to issue permits for right-of-way occupations and clarify the exemption of franchise requirements. A public hearing is scheduled for April 6, 2021 at 1:30 p.m. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_14B.pdf

Call of Bills for Final Reading:

Bill 37-19, Economic Development Fund - Use of Fund and Remedies for Noncompliance

The Council is scheduled to vote on Bill 37-19 which would require recipients of Economic Development Fund assistance to agree to certain terms and conditions regarding the use and repayment of the assistance. Councilmember Evan Glass is the lead sponsor and Councilmember Hans Riemer is a cosponsor. Bill 37-19 also would do the following:

- alter eligibility requirements for the Small Business Innovation Research and Small Business Technology Transfer Matching Grants;
- require the repayment to the County of Small Business Innovation Research and Small Business Technology Transfer Matching Grants in certain circumstances;
- impose remedies related to the provision of false or fraudulent applications and the use of Fund assistance for unauthorized purposes; and
- generally amend the law related to the Economic Development Fund. The goal of this legislation is to increase accountability in the use of grant funds and to expand eligibility for the Small Business Innovation Research and Small Business Technology transfer Matching Grant

The goal of this legislation is to increase accountability in the use of grant funds and to expand eligibility for the Small Business Innovation Research and Small Business Technology transfer Matching Grant Program. The Committee recommends enactment with amendments. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_15A.pdf

Bill 6-21, Finance - Revenue Estimating Group - Established

The Council is scheduled to vote on Bill 6-21 which would establish a Revenue Estimating Group to review and forecast County revenues and provide for membership and duties of the group. The group would consist of staff members from the Department of Finance, the Office of Management and Budget, Council central staff, the Office of Legislative Oversight and the Office of the Chief Administrative Officer. The group would be required to report its revenue projections to the County Executive and the Council on a quarterly basis. This legislation is based on a similar group formed to provide revenue forecasts for the State of Maryland, which is called the Consensus Revenue Monitoring and Forecasting Group. The lead sponsor of this bill is Councilmember Andrew Friedson and it is cosponsored Councilmembers Nancy Navarro and Sidney Katz. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210316/20210316_15B.pdf

COMMITTEES

The following Committee meetings will take place on Monday, Mar. 15, 2021

The Planning, Housing, and Economic Development (PHED) Committee will hold a virtual meeting on **Monday, March 15 at 9:30 a.m.** to review Bill 51-20, the Window Safety Act. The committee will also review the Shady Grove Sector Plan Minor Master Plan Amendment. A joint meeting at **1:30 p.m.** between the PHED and the Education & Culture (E&C) Committees will discuss employment and continued education opportunities for career and technical education for students during the Covid-19 pandemic.

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

Spearheaded by Council President Tom Hucker, Bill 51-20, also known as the Window Safety Act, comes in response to several incidents of young children enduring serious injuries from window falls in Montgomery County. The bill was introduced in December, two months after a two-year-old boy died after falling from an apartment window in Takoma Park. Council Vice President Gabe Albornoz and Councilmembers Nancy Navarro, Craig Rice, Hans Riemer, Sidney Katz and Will Jawando are cosponsors.

The bill would increase landlord responsibilities and rental property safety standards in the County, requiring the installation and maintenance of window guards in certain rental housing; requiring certain notifications to tenants; add lease requirements in certain circumstances; provide for the enforcement of window guard requirements; and amend laws regarding landlord-tenant relations.

The Council staff report can be viewed [here](#).

Shady Grove Minor Master Plan Amendment

The PHED Committee will also review the Shady Grove Sector Plan Minor Master Plan Amendment, which makes recommendations for land use and zoning within the Shady Grove Minor Master Plan area, as well as recommendations intended to improve overall circulation, pedestrian connections and the network of bikeways for approximately 2,000 acres. This is the committee's second meeting on the amendment.

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.

Since the Plan's approval twelve years ago, there have been several changes to the County's land use planning policies and practices, including the adoption of a new Zoning Ordinance in 2014, an update to the County's Subdivision Staging Policy in 2016 and new data-driven approaches to transportation planning.

The vision of this Sector Plan Amendment is to create a future Shady Grove Metro Station area that is home to a mixed-use, pedestrian-oriented environment with attractive streetscapes, distinctive architecture and a sense of place that is complemented with public art, facilities and amenities and new mobility options.

The Council staff report can be viewed [here](#).

Employment and Continued Education Opportunities for Career Pathway Students During and After the COVID-19 Pandemic

A joint PHED and E&C Committee will receive a briefing on the continued education and employment opportunities for career pathway students during and after the COVID-19 health pandemic. The participating agencies have been asked to discuss the points below under a racial equity lens. Specifically, the goals of today's discussion are:

- Review the roles of each agency in supporting career pathway students;
- Receive an update of the impacts of the COVID-19 health pandemic on agency efforts to educate and secure employment for these students/graduates;
- Discuss the collaboration (ecosystem/pipeline) between agencies including successful efforts and identified gaps in the system; and
- Discuss future considerations and support to strengthen the career pathways pipeline, especially post COVID-19.

This Council staff report, which can be viewed [here](#), provides a short summary of career pathway programs offered at the educational agencies and the role of the employment/economic development agencies.

The following committee meeting will take place on Tuesday, March 16, 2021

The Government Operations & Fiscal Policy Committee (GO) and the Transportation & Environment (T&E) Committee will hold a joint meeting at 3 p.m. to discuss a resolution to repeal and replace Resolution No. 16-1570 with respect to the White Flint Sector Plan Implementation Strategy and Infrastructure Improvement List and related amendments to the FY21-26 Capital Improvements Program.

Resolution to repeal and replace Resolution No. 16-1570

The County Executive recommends that the Council amend the current resolution governing the White Flint Special Taxing District and related Capital Improvement Program (CIP) projects. The proposed amendments would specify the repayment plan for previously approved funding from the General Fund, allow for the County Executive to propose a tax rate that is commensurate to the rate required to repay any bonds issued, and generally amends the process for funding CIP projects in White Flint.

The Council staff report can be viewed [here](#).