

COUNCIL COMING ATTRACTIONS



Week of Jan. 24, 2022

*Proclamation Recognizing Radon Awareness Month
to be Presented by Councilmember Rice*

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

The Council will meet on Monday, Jan. 24 at 12:30 p.m. to receive an update from the Office of Intergovernmental Relations (OIR) and review pending state legislation. Next, the Council will meet on Tuesday, Jan. 24 at 9 a.m. The virtual meeting will begin with a proclamation recognizing Radon Awareness Month and will be Presented by Councilmember Rice. Next, 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.

Next, the Council will review and hold a public hearing on a proposed resolution to help prevent the spread of COVID-19 in the County. The resolution would implement a Board of Health regulation to require restaurants, bars, fitness centers and other establishments and facilities to require customers to provide proof of vaccination against COVID-19 before entering indoor areas. Then, the Council will introduce, hold a public hearing and vote on a Second Amended Board of Health Regulation to Prevent the Spread of COVID-19 and Extend Indoor Masking Guidance in Montgomery County.

The Council will then introduce two FY21-26 CIP amendments for the storm drain general and storm drain culvert replacement projects to switch the funding source for both projects. Then the Council will introduce a more than \$3.6 million supplemental appropriation for the Agricultural Land Preservation Easement and introduce a \$14.7 million supplemental appropriation for the Affordable Housing Acquisition and Preservation project. Next, the Council will introduce an amendment to the FY21-26 Capital Improvements Program to build a 450-foot communications tower near the Public Safety Radio System equipment shelter in the Dickerson area of the County.

Next, the Council will introduce a \$400,000 supplemental appropriation to fund the conversion of ten offices to four small, wet labs at the Germantown Innovation Center and introduce a \$100,000 supplemental appropriation in federal funds to explore how the acquisition and renovation of an existing building could help meet the County's Affordable housing need for individuals with very low incomes.

The Council will then vote on a \$250,000 special appropriation for Effective Law Enforcement for All, Inc. (ELE4A) and vote on a \$720,300 supplemental appropriation which would fund a contractor to develop Ride On crowd sourcing system software and a smartphone mobile application. In addition, the Council will vote on a resolution to reduce and simplify certain fees that fleet operators, passenger vehicle license holders and drivers pay to the County to operate a taxicab. Then vote on a \$193,483 supplemental appropriation for DOT to replace roadside trees.

In the afternoon, the Council will hold two public hearings. These include a public hearing on spending affordability guidelines for the FY23 Operating Budget and a \$954,266 supplemental appropriation to fund expenditures related to the Montgomery County Incubator Program. Next, the Council is expected to review and vote on the rules of procedure for conditional uses and waivers for certain new telecommunication towers and objections to applications for waivers for certain telecommunications towers before the Office of Zoning and Administrative Hearings (OZAH).

Useful Information - Week of Jan. 24, 2022

Monday's Council meeting will be held at 12:30 p.m.

State Legislative Program

Review: The Council will meet to receive an update from the Office of Intergovernmental Relations (OIR) and review pending state legislation. The legislation under consideration relates to COVID-19 relief and economic resilience, local authority, elections and the environment.

Those expected to attend and provide information include Melanie Wenger, director, OIR; Kathleen Boucher, special assistant to director, OIR; Sara Morningstar, federal relations coordinator and legislative analyst, OIR; Leslie Frey, legislative analyst, OIR; Jason Mathias, OIR; Ed Lattner, chief, Division of Government Operations, Office of the County Attorney; Alysoun McLaughlin, deputy election director, Montgomery County Board of Elections; Patrick Walsh, Montgomery County Recreation; and Patty Bubar, deputy director, Department of Environmental Protection.

Tuesday's Council meeting will be held Jan. 25 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. Raymond Crowel, director, Department of Health and Human Services (DHHS); James Bridgers, acting chief health officer, DHHS; Dr. Earl Stoddard, assistant chief administrative officer, Montgomery County Government; and Sean O'Donnell, program administrator, Public Health Emergency Preparedness and Response, DHHS. Join the conversation with [#COVID-19](#).

Resolution to adopt a Board of Health Regulation to prevent the spread of COVID-19 in the County - Vaccination Requirements to Enter Bars, Restaurants, Recreation Centers, and Other Covered Establishments

Review and public hearing: The Council will review and hold a public hearing on a proposed resolution to help prevent the spread of COVID-19 in the County. The resolution would implement a Board of Health regulation to require restaurants, bars, fitness centers and other establishments and facilities to require customers to provide proof of vaccination against COVID-19 before entering indoor areas. The Council President is the lead sponsor of the resolution at the request of the County Executive.

The resolution also would exempt certain establishments and facilities from the requirement, including those providing essential government services and social services. In addition, certain individuals would also be exempt from the requirement, including individuals who enter the

facility for a quick and limited purpose and individuals who are entitled to medical or religious accommodations.

Under the proposed regulation, the vaccination requirement would be phased-in according to the following schedule: effective Jan. 22, 2022, proof of one dose of the vaccine would be required for patrons 12 years and older; effective Feb. 15, proof of all doses (excluding boosters) would be required for patrons 12 years and older; and effective March 1 proof of all doses (excluding boosters) would be required for patrons five years-and-one month and older.

This proposed Board of Health regulation does not impact Montgomery County's existing Board of Health guidance on face coverings under Resolution 19-1120, which was adopted on Jan. 4, 2022.

Those expected to attend and provide information include Dr. James Bridgers, acting chief health officer, Department of Health and Human Services (DHHS); Dr. Earl Stoddard, assistant chief administrative officer, Montgomery County Government; Dr. Raymond Crowel, director, DHHS; and Silvia Kinch, Office of the County Attorney.

Resolution to adopt a Second Amended Board of Health Regulation to prevent the spread of COVID-19, and indoor mask guidance in Montgomery County

Introduction, public hearing and vote: The Council will introduce, hold a public hearing and vote on a Second Amended Board of Health Regulation to Prevent the Spread of COVID-19 and Extend Indoor Masking Guidance in Montgomery County.

Montgomery County's current Board of Health regulation, which took effect on Jan. 5, 2022 at 12 a.m., continues indoor masking requirements at any location accessible to the public in Montgomery County until at least Jan. 31, 2022 at 11:59 p.m. In addition, the regulation requires the Council will meet as the Board of Health every two weeks to evaluate the public health data associated with community transmission of COVID-19 to determine if the indoor mask mandate should continue.

The COVID-19 omicron variant has pushed Montgomery County and other areas of the country into an extended period of high COVID-19 transmission.

The Second Amended Board of Health Regulation would continue the indoor masking requirements at any location accessible to the public in Montgomery County until Feb. 28, 2022 at 11:59 p.m., but the regulation would terminate before this date if the Public Health Officer notifies the Board of Health that the Centers for Disease Control and Prevention list the following three indicators as both below high levels and trending downward for seven consecutive days:

- the number of cases per 100,000 residents in the past seven days;
- the test positivity rate; and
- the COVID-related hospital bed utilization case rate.

If adopted by the Board of Health, the amended regulation would become effective on Jan. 26 at 12 a.m.

Students are still required to wear face coverings in schools based on requirements from the Maryland State Department of Education. Moreover, face coverings are still required on public transportation as required by the Transportation Security Administration.

Those expected to attend and provide information include Dr. James Bridgers, acting chief health officer, Department of Health and Human Services (DHHS); Dr. Earl Stoddard, assistant chief administrative officer, Montgomery County Government; and Dr. Raymond Crowel, director, DHHS.

Amendments to the FY21-26 Capital Improvements Program (CIP) Montgomery County Government Department of Transportation Storm Drain General and Storm Drain Culvert Replacement

Introduction: The Council will introduce two FY21-26 CIP amendments for the storm drain general and storm drain culvert replacement projects to switch the funding source for both projects from long-term financing from the Maryland Water Quality Revolving Loan Fund, (WQRLF) to Water Quality Protection Bonds. According to the County Executive, this funding switch is needed because the work done in these projects is ineligible for long-term financing via the WQRLF.

The lead sponsor is Council President Alborno at the request of County Executive Elrich. A public hearing and vote on both amendments is tentatively scheduled for Feb. 8, 2022.

Amendment to the FY21-26 Capital Improvements Program and Supplemental Appropriation to the FY22 Capital Budget, Montgomery County Government, Office of Agriculture, Agricultural Land Preservation Easements \$3,675,816

Introduction: The Council will introduce a more than \$3.6 million supplemental appropriation to the FY22 Capital Budget and amendment to the FY21-26 Capital Improvements Program for the Agricultural Land Preservation Easement. This appropriation is needed because a non-budgeted transaction occurred between M-NCPPC and the County wherein the County received \$953,055 in contributions and a Rural Legacy Program state grant of more than \$2.7 million was awarded in FY22. In addition, the Office of Agriculture has several significant opportunities to acquire additional easements in the Agricultural Reserve which may be lost if not acted upon at this time and the supplemental leverages significant non-County sources of funds.

The lead sponsor is Council President Alborno at the request of County Executive Elrich. A public hearing is tentatively scheduled for Feb. 8, 2022.

Supplemental Appropriation to the County Government's FY22 Capital Budget and amendment to the FY21-26 CIP, Department of Housing and Community Affairs - \$14,749,992 for Affordable Housing Acquisition and Preservation

Introduction: The Council will introduce a \$14.7 million supplemental appropriation to the FY22 Capital Budget and amendment to the FY21-26 Capital Improvements Program for the Affordable Housing Acquisition and Preservation project. The appropriation for this project will support affordable housing developments throughout the County.

The appropriation is needed to provide loan repayment funds for the acquisition and renovation of properties for the purpose of preserving or increasing the County's affordable housing inventory. Properties may be acquired by the County, non-profit developers, the Housing Opportunities Commission or other entities that agree to develop or redevelop property for affordable housing.

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

Amendment to the FY21-26 CIP, County Offices and other Improvements, Dickerson Radio Tower

Introduction: The Council will introduce an amendment to the FY21-26 Capital Improvements Program to build a 450-foot communications tower near the Public Safety Radio System equipment shelter in the Dickerson area of the County. This amendment is needed because the Public Safety Radio System communication equipment is located on the GenOn power plant's smokestack, which is in the process of being shut down and is tentatively scheduled to be removed.

The County has four antennas and two microwave dishes located at the 420-foot mark that provide the coverage needed in this portion of the County including the Potomac River. The recommended amendment is consistent with the criteria for amending the CIP to address the public safety concern that would arise without a new tower. This amendment will create an unfunded new project. A subsequent executive transfer of \$1.9 million in General Obligation bonds and \$100,000 in current revenue will provide the needed project funding.

The lead sponsor is Council President Alborno at the request of County Executive Elrich. A public hearing is tentatively scheduled for Feb. 8, 2022.

Supplemental Appropriation to the County Government's FY22 Capital Budget and Amendment to the FY21-26 CIP, Office of the County Executive - \$400,000 for Business Advancement Team Life Sciences and Technology Centers

Introduction: The Council will introduce a \$400,000 supplemental appropriation and amendment to the FY21-26 CIP to fund the conversion of ten offices to four small, wet labs at the Germantown Innovation Center. The recommended funding will supplement the existing funding needed to complete this project.

The lead sponsor is Council President Alborno at the request of County Executive Elrich. A public hearing is tentatively scheduled for Feb. 8, 2022.

Supplemental Appropriation to the County Government's FY22 Capital Budget and Amendment to the FY21-26 CIP, Department of Health and Human Services - \$100,000 for Affordable Living Quarters

Introduction: The Council will introduce a \$100,000 supplemental appropriation in federal funds for the Department of Health and Human Services, Department of General Services and Department of Housing and Community Affairs to explore how the acquisition and renovation of an existing building could help meet the County's Affordable housing need for individuals with very low incomes.

The Montgomery County Housing Needs Assessment estimated that in 2018, there was a shortage of 23,030 units affordable to households earning up to 30 percent area median income. These residents are at risk of entering the homeless system and may have difficulty exiting homelessness because of the lack of affordable housing.

The lead sponsor is Council President Alborno at the request of County Executive Elrich. A public hearing is tentatively scheduled for Feb. 8, 2022.

Special Appropriation to the County Government's FY22 Operating Budget, Office of the County Executive - \$250,000; and Amendment to the FY22 Operating Budget Resolution 19-872, Section G, FY22 Designation of Entities for Non-Competitive Contract Award Status: Effective Law Enforcement for All, Inc.

Vote expected: The Council will vote on a \$250,000 special appropriation for Effective Law Enforcement for All, Inc. (ELE4A). The special appropriation will fund the ongoing work of ELE4A related to the audit of the Montgomery County Police Department (MCPD) and the Task Force to Reimagine Public Safety.

Supplemental appropriation to develop a crowd-sourcing system for Ride On, \$720,300

Vote expected: The Council is expected to vote on a \$720,300 supplemental appropriation which would fund a contractor to develop Ride On crowd sourcing system software and a smartphone mobile application. The crowd sourcing software would be deployed to a subset of transit routes and would receive passenger loading information from automatic passenger counters. The Transportation and Environment (T&E) Committee recommends enactment with amendments.

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

Those expected to attend and provide information include Christopher Conklin, director, Department of Transportation (DOT); Dan Hibbert, chief, Division of Transit Services, DOT; Brady Goldsmith, chief, Management Services, DOT; and Gary Nalven, Office of Management and Budget (OMB).

Taxicab fees resolution

Vote expected: The Council is expected to vote on a resolution to reduce and simplify certain fees that fleet operators, passenger vehicle license holders and drivers pay to the County to operate a taxicab. The purpose of the resolution is to renew interest in the taxicab industry as a profession, increase driver retention and eliminate substantial barriers to entry. Due to the pandemic and increased competition from transportation network companies such as Lyft and Uber, DOT estimates that there are approximately 15 percent fewer drivers in the taxicab industry now than before the start of the pandemic.

Changes recommended by the County Executive for inclusion in the resolution include eliminating the \$20 application fee for the taxi operator identification card; reducing the two-year taxicab operator identification fee renewal from \$150 to \$100; eliminating the \$20 test fee; reducing the individual application fee for a new passenger vehicle license (PVL) from \$500 to \$100; lowering the annual renewal fee of a PVL from \$495 to \$250; and implementing a flat \$50 inspection fee.

The Transportation and Environment (T&E) Committee recommends enactment with amendments to the proposed fee schedule. These amendments include setting the Passenger Vehicle License (PVL) renewal fee at \$50 and the fee for an individual placing a new taxicab PVL in service at \$0.

Those expected to attend and provide information include Christopher Conklin, director, DOT; Dan Hibbert, chief, Division of Transit Services, DOT; Walton Harris, policy analyst, Taxicab Office, Division of Transit Services, DOT; Brady Goldsmith, chief, Management Services, DOT; and Gary Nalven, OMB.

Supplemental Appropriation to the County Government's FY22 Operating Budget, Department of Transportation - \$193,483 for Streets and Roads - Roadside Trees - Protection

Vote expected: The Council is expected to vote on a \$193,483 supplemental appropriation for DOT to replace roadside trees, as required by Bill 41-12 – Streets and Roads – Roadside Trees – Protection. The Tree Planting Fund collected \$268,483 in fiscal year 2021, which is \$193,483 more than had been estimated. The appropriation is needed to authorize the expenditure of the excess funds received and can be used only for this purpose. The Transportation and Environment (T&E) Committee recommends enactment.

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

Those expected to attend and provide information include Christopher Conklin, director, DOT; Richard Dorsey, chief, Division of Highway Services, DOT; Brett Linkletter, policy analyst, Taxicab Office, Division of Transit Services, DOT; Brady Goldsmith, chief, Management Services, DOT; and Felicia Hyatt, OMB.

Spending Affordability Guidelines for the FY23 Operating Budget

Public hearing: The Council will hold a public hearing on spending affordability guidelines for the FY23 Operating Budget. The spending affordability guidelines that will be adopted are a ceiling on the funding from ad valorem real property tax revenues, a ceiling on the aggregate operating budget and separate budget allocations for all agencies and certain non-agency uses. The Council must adopt guidelines for the next operating budget by the second Tuesday in February.

The Government Operations and Fiscal Policy Committee will review the proposed options and any public comments on Feb. 3.

Supplemental appropriation to the County Government's FY22 Operating Budget, \$954,266 for Incubator Programs Non-Departmental Account

Public hearing: The Council will hold a public hearing on a \$954,266 supplemental appropriation to the FY22 Operating Budget Montgomery County Government Office of the County Executive. The supplemental appropriation would fund certain expenditures related to the Montgomery County Incubator Program. These funds will provide tenant security deposits, essential operating expenses for the Silver Spring Innovation Center, facility repairs for the National Cybersecurity Center of Excellence, repairs for all innovation centers and operating expenses for the entrepreneurship ecosystem.

Interviews to fill vacancy on Charter Review Commission

Interviews: The Council will interview four applicants for a partial term on the Charter Review Commission (CRC) due to the unexpected passing of Ruth Kirinda. The applicants selected for an interview include Sam Arthur, Mina Attaran, Anita M. Cox and Brackett Smith. The term of the current Commission will expire on December 4, 2022.

No more than six members of the CRC can be from the same political party and this appointee may be a Republican, someone who declines to affiliate with a party or a member of another party officially recognized by the Board of Elections. The appointee cannot be a Democrat.

Rules of Procedure for Conditional Uses and Waivers for Certain Telecommunications Towers and Objections to Applications for Waivers for Certain Telecommunications Towers before the Office of Zoning and Administrative Hearings (OZAH)

Review and vote expected: The Council is expected to review and vote on the rules of procedure for conditional uses and waivers for certain new telecommunication towers and objections to applications for waivers for certain telecommunications towers before the Office of Zoning and Administrative Hearings (OZAH).

In July of 2021, the Council enacted ZTA 19-07, which established new procedures for conditional use and waiver applications and objections to waiver applications for telecommunications towers before OZAH. The procedures established were not in OZAH's current Land Use Rules of Procedure and these new rules are necessary to process applications efficiently, timely and fairly.

Lynn Robeson Hannan, director and hearing examiner, OZAHA is scheduled to attend and provide information.

Additions to OZAH's Fee Schedule

Review and vote expected: The Council is expected to review and vote on additions to OZAH's fee schedule. In July of 2021, the Council enacted ZTA 19-07, which established new procedures for conditional use and waiver applications and objections to waiver applications for telecommunications towers before OZAH. The procedures established were not part of OZAH's Local Map Amendment, Development Plan Amendment, Schematic Development Plan Amendment and Floating Zone Plan Amendment Fee Schedule. The established fees are necessary to process applications efficiently, timely and fairly.

Lynn Robeson Hannan, director and hearing examiner, OZAHA is scheduled to attend and provide information.

Proposed Closed Session

Review: The Council is expected to hold a proposed closed session pursuant to Maryland Code, General Provisions Article §3-305(b)(7) to consult with counsel to obtain legal advice; and §3-305(b)(8) to consult with staff, consultants, or other individuals about pending or potential litigation. Topic is all pending litigation involving the County.

Monday, Jan. 24

The Public Safety (PS) Committee will meet virtually on **Monday, Jan. 24 at 9:30 a.m.** to discuss Expedited Bill 49-21, Police - Police Accountability Board – Administrative Charging Committee – Established, which would establish a Police Accountability Board (PAB) and Administrative Charging Committee (ACC) for the County. Bill 49-21 was introduced by the Council President at the request of the County Executive.

The members of the PS Committee include Chair Sidney Katz, Council President Gabe Albornoz and Councilmember Tom Hucker.

The joint Education and Culture (E&C) and Planning, Housing and Economic Development (PHED) Committee will meet at **9:30 a.m.** to discuss Bill 38-21, Economic Development Fund - Local Business Child Care Grant Program – Established, which would require the Director of the Department of Finance to create and administer a Local Business Child Care Grant Program within the County's Economic Development Fund. The Committee will also continue its

discussion of out of school time (OST) programming and the expansion of programming to address community needs.

The members of the E&C Committee include Chair Craig Rice and Councilmembers Will Jawando (Lead for Libraries) and Nancy Navarro.

The members of the PHED Committee include Chair Hans Riemer and Councilmembers Andrew Friedson (Lead for Parks) and Will Jawando.

The full Council will meet virtually at **12:30 p.m.** receive an update from the Office of Intergovernmental Relations (OIR) and review pending state legislation.

The Transportation and Environment (T&E) Committee will meet at **1:30 p.m.** to receive a briefing on OLO Report 2021-5, Measuring Climate Resilience - A Review of Select Critical Infrastructure Sectors in Montgomery County, and discuss Bill 9-21 which would require the removal of snow and ice by the County from certain sidewalks and paths. The Committee will also consider an amendment to extend the time to satisfy the conditions specified in Council Resolution No. 18-711 related to the conditional approval of the abandonment of a portion of Rugby Avenue and a 20-foot-wide alley off Glenbrook Road in the Samuel T. Robertson's Addition to Bethesda Subdivision of Bethesda.

The members of the T&E Committee include Chair Tom Hucker, Council Vice President Evan Glass and Councilmember Hans Riemer.

More detail on each agenda item is provided below.

Expedited Bill 49-21, Police - Police Accountability Board – Administrative Charging Committee – Established

Review: The PS Committee will meet to review on Bill 49-21, Police – Police Accountability Board – Administrative Charging Committee – Established, which would establish a Police Accountability Board (PAB) and Administrative Charging Committee (ACC) for the County.

The Maryland General Assembly enacted a series of laws establishing uniform standards for police department operations throughout the state. One of these laws, House Bill (HB) 670, created a new uniform procedure for police accountability and discipline. This new law requires the governing body of each county to establish a PAB and an ACC to handle complaints of police misconduct from residents. HB 670 also gives the County PAB and the County ACC jurisdiction over police misconduct complaints against municipal police departments located in the County.

The goal of the bill is to help improve police accountability. The lead sponsor is the Council President at the request of the County Executive.

Those expected to attend and provide information include Marcus Jones, chief, Montgomery County Policy Department (MCPD); Darren Francke, assistant chief, MCPD; Dr. Earl Stoddard,

assistant chief administrative office, Montgomery County; Lee Holland, president, Fraternal Order of Police; Elaine Bonner-Tompkins, senior legislative analyst, Office of Legislative Oversight; John Fitzgerald, chief of police, Chevy Chase Villagel; Andy Powell, deputy chief of police, Takoma Park; Mark Sroka, chief of police, Gaithersburg; Ray Campbell, lieutenant, Gaithersburg; Shawn Eastman, police lieutenant, Gaithersburg; Chris Vance, police lieutenant, Gaithersburg; Laura Lanham, deputy chief of police, Rockville; Max Uy, chief deputy, Montgomery County Sheriff's Office.

Bill 38-21, Economic Development Fund – Local Business Child Care Grant Program – Established

Review: The joint E&C and PHED Committee will review Bill 38-21, Economic Development Fund – Local Business Child Care Grant Program – Established, which would require the Director of the Department of Finance to create and administer a Local Business Child Care Grant Program within the County's Economic Development Fund. The purpose of the bill is to support businesses' efforts to subsidize childcare for their employees.

If approved, the new Child Care Grant Program created by the bill would allow local for-profit or non-profit businesses with 50 or fewer employees to apply for a grant from the County to match up to 50 percent of the employer's contributions to its employees' Flexible Spending Accounts (FSAs) for eligible childcare and dependent care. The match would be available only for employer contributions to FSAs for employees earning gross incomes of less than \$125,000.

The lead sponsors are Council President Albornoz and Councilmember Navarro. All other Councilmembers are cosponsors.

Those expected to attend and provide information include Michael Coveyou, director, Department of Finance; Dennis Hetman, Department of Finance; Peter McGinnity, Department of Finance; and Laurie Boyer, Department of Finance.

Out of School Time Programming

Review: The joint E&C and PHED Committee will continue to review OST programming and the expansion of programs to address community needs. The Committee met on Nov. 1, 2021 to discuss recent efforts to expand access to OST programming to County youth, assess the unmet need for services and identify barriers to service delivery and opportunities for coordination among public and private service providers. During this meeting, the Committee will discuss funding needed to take current programming through the end of the fiscal year or expand programming to priority populations.

Those expected to attend and provide information include Ramona Bell-Pearson, director, Community Use of Public Facilities (CUPF); Robin Riley, director, Department of Recreation; Adriane Clutter, division chief, Programs, Department of Recreation; Barbara Andrews, administrator, Early Childhood Services, Department of Health and Human Services (DHHS); Shane Tate, director of programs, Montgomery County Collaboration Council for Children, Youth and Families (Collaboration Council); Kimberly Rusnak, project director, Children's

Opportunity Fund (COF); Byron Johns, co-founder, Black and Brown Coalition for Educational Equity and Excellence; Dana Edwards, chief, Office of Districtwide Services and Supports, Montgomery County Public Schools (MCPS); and Nicole Allain, executive director, Office of Districtwide Services and Supports, MCPS.

State Legislative Program

Review: The Council will meet to receive an update from OIR and review pending state legislation. The legislation under consideration relates to COVID-19 relief and economic resilience, local authority, elections and the environment.

Those expected to attend and provide information include Melanie Wenger, director, OIR; Kathleen Boucher, special assistant to director, OIR; Sara Morningstar, federal relations coordinator and legislative analyst, OIR; Leslie Frey, legislative analyst, OIR; Jason Mathias, OIR; Ed Lattner, chief, Division of Government Operations, Office of the County Attorney; Alysoun McLaughlin, deputy election director, Montgomery County Board of Elections; Patrick Walsh, Montgomery County Recreation; and Patty Bubar, deputy director, Department of Environmental Protection.

OLO Report 2021-5, Measuring Climate Resilience - A Review of Select Critical Infrastructure Sectors in Montgomery County

Briefing: The T&E Committee will receive a briefing on OLO Report 2021-5, which responds to Council's request to better understand how well Montgomery County's critical infrastructure is designed to handle extreme weather conditions. Critical infrastructure describes systems and assets which are so vital that their incapacity or destruction would have a debilitating impact on physical and economic security, public health or safety.

Those expected to attend and provide information include Adriana Hochberg, acting director, Department of Environmental Protection (DEP); Mark Etheridge, Department of Permitting Services; Bill Musico, permitting services specialist, Department of Permitting Services (DPS); Tim Cupples, Department of Transportation; Marche Taylor-Templeton, external affairs manager, Baltimore Gas and Electric (BGE); Tami Watkins, external affairs manager, Pepco; and Robert Taylor, energy manager, WSSC Water.

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

Review: The T&E Committee will review 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 purpose of this bill is to increase safe access and passage for pedestrians. After major winter storms, certain sidewalks in the County become impassable because state and County snowplows deposit large amounts of snow on the sidewalks. Sidewalks blocked by accumulated snow presents a public safety hazard and impede access to bus stops, metro stations, health-facilities, retail stores and places of employment.

The lead sponsor of the bill is Council Vice President Evan Glass. Councilmembers Riemer, Katz, Hucker and Navarro are cosponsors.

Those expected to attend and provide information include Emil Wolanin, director, Department of Transportation (DOT) and Hannah Henn, deputy director, DOT.

Amendment to Abandonment Resolution 18-711: Portion of Rugby Avenue and Alley in the Samuel T. Robertson's Addition to Bethesda Subdivision, Bethesda

Review: The T&E Committee will review a request to extend the time to satisfy the conditions specified in Council Resolution 18-711 related to the conditional approval of the abandonment of a portion of Rugby Avenue and a 20-foot-wide alley off Glenbrook Road in the Samuel T. Robertson's Addition to Bethesda Subdivision of Bethesda.

Resolution 18-711 adopted by the Council on Feb. of 2017, approves the conditional abandonment of 4,043 square feet portion of right-of-way (ROW) at the terminus of Rugby Avenue and a 1,970 square foot alley off of Glenbrook Road. The original applicant, Christ Evangelical Lutheran Church of Bethesda Chevy Chase, which has since sold the property abutting the areas in question to JLB, was required to satisfy certain conditions prior to the abandonment becoming effective.

In Nov. 2021, Miles & Stockbridge P.C., on behalf of their client, JLB Georgetown Road LLC (JLB), sent a letter to the Council requesting a 30-month extension of the validity period for JLB to satisfy all of the conditions of the approved abandonment specified in Resolution No. 18-711.

The resolution does not provide a specified time frame for which the applicant must satisfy each condition. As such, pursuant to Section 49-65(d)1 of the County Code, the abandonment is automatically revoked within five years of approval if all of the conditions are not satisfied. Five years from when the abandonment was approved is February 7, 2022.

Those expected to attend and provide information include Eric Willis, chief, Property Acquisition Section, Department of Transportation (DOT); Elza Hisel-McCoy, chief, DownCounty Planning, Montgomery County Planning Department; Stephanie Dickel, supervisor, DownCounty Planning, Montgomery County Planning Department; and Katie Mencarini, planner coordinator, Montgomery County Planning Department.

Thursday, Jan. 27

The Government Operations and Fiscal Policy (GO) Committee will meet on **Thursday, Jan. 27 at 9:30 a.m.** to review spending affordability guidelines for the FY23 Capital Budget and other general CIP assumptions.

The members of the GO Committee include Chair Nancy Navarro and Councilmembers Andrew Friedson and Sidney Katz.

The joint GO and Health and Human Services (HHS) Committee will meet at **10:30 a.m.** to review Expedited Bill 34-21, Personnel and Human Resources - COVID-19 Vaccination Required.

The members of the HHS Committee include Chair and Council President Gabe Albornoz, Council Vice President Evan Glass (Lead for Homelessness & Vulnerable Communities) and Councilmember Craig Rice.

The Public Safety (PS) Committee will meet at **1 p.m.** to review Bill 17-21, Police - Community Informed Police Training.

The members of the PS Committee include Chair Sidney Katz, Council President Gabe Albornoz and Councilmember Tom Hucker.

The joint PS and Transportation and Environment Committee (T&E) will meet at **2 p.m.** to review Bill 36-21, Motor Vehicles and Traffic - E-Scooters - Operating Requirements and Registration.

The members of the T&E Committee include Chair Tom Hucker, Council Vice President Evan Glass and Councilmember Hans Riemer.

More detail on each agenda item is provided below.

Spending Affordability Guidelines for the FY23 Operating Budget

Review: The GO Committee will review spending affordability guidelines for the FY23 Operating Budget and other general CIP assumptions. The spending affordability guidelines that will be adopted are a ceiling on the funding from ad valorem real property tax revenues, a ceiling on the aggregate operating budget and separate budget allocations for all agencies and certain non-agency uses. The Council must adopt guidelines for the next operating budget by the second Tuesday in February.

Expedited Bill 34-21, Personnel and Human Resources – COVID-19 Vaccination Required

Review: The joint GO and HHS Committee will review Expedited Bill 34-21, Personnel and Human Resources – COVID-19 Vaccination Required, which would require County employees to be vaccinated against COVID-19 as a condition of employment. Accommodations to the requirement would be available for medical reasons. Councilmembers Riemer and Jawando are lead sponsors of the bill. Council President Albornoz is a cosponsor.

If enacted, an employee who fails to provide proof of vaccination or apply for a medical accommodation within seven days of notification from the County would be placed on unpaid leave. An employee who fails to fulfill the vaccination requirement or to secure a medical accommodation, after having been placed on leave would be subject to dismissal from County employment. The requirements and implementation of Expedited Bill 34-21 would be expressly

exempt from collective bargaining and provisions of the Montgomery County Code related to collective bargaining.

Bill 17-21, Police – Community Informed Police Training

Review: The PS committee will review 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 36-21, Motor Vehicles and Traffic – E-Scooters – Operation Requirements and Registration

Review: The joint PS and T&E Committee will review Bill 36-21, Motor Vehicles and Traffic – E-Scooters – Operation Requirements, which would permit County residents to register an electric low speed scooter for personal use. The bill would also require the owner of two or more e-scooters to register and pay a fee for an e-scooter fleet offered for rent in the County. In addition, the bill would also establish operating and parking requirements for e-scooter use in the County.

Bill 36-21 is similar to Bill 8-20, Bicycles and E-Scooters – Operating Requirements and Registration, which was introduced on Mar. 3, 2020, and recommended for approval with amendment by the joint Public Safety (PS) and Transportation and Environment (T&E) Committee on June 25, 2020. However, Bill 8-20 was never considered by the full Council before expiring due to the global COVID-19 pandemic. Bill 36-21 includes amendments approved by the joint PS and T&E Committee in June 2021.

Councilmember Katz is the lead sponsor of the bill. Council President Albornoz is a cosponsor.