

COUNCIL COMING ATTRACTIONS



Week of March 12, 2018 **County Capital Budget, Child Care, Storm Drainage, Food Security and** **Moderately Priced Housing**



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> .

The Council meeting will begin at 10:30 a.m. with two proclamation presentations.

-  Councilmember Sidney Katz will present a proclamation for “No More Trash Bags for Children Living in Foster Care Day.”
-  Council President Hans Riemer and Councilmember Roger Berliner will present a proclamation recognizing MS Awareness Week.

COUNCIL

Bill 8-18, Transient Housing – Streets and Roads – Storm Drain Right of Way – Abandonments

On March 13 at 11 a.m., the Council is scheduled to introduce Expedited Bill 8-18, Transient Housing – Streets and Roads – Storm Drain Right of Way – Abandonments, which would allow the County Executive to abandon a right-of-way that is used exclusively for storm drainage and amend County law related to streets and roads and right-of-way- abandonments. The goal of the bill is to streamline and simplify the abandonment of unnecessary storm drain easements. Council President Riemer is the lead sponsor, at the request of the County Executive. A public hearing is scheduled for March 3 at 1:30 p.m. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7645&meta_id=150580

Bill 9-18, Child Care - Ready to Learn Initiative – Established

Also at 11 a.m., the Council is scheduled to introduce Expedited Bill 9-18, Child Care - Ready to Learn Initiative – Established. Council President Riemer is the lead sponsor. The staff report will be available on March 12.

Fiscal Year 2019-2024 Capital Improvements Program

At 11:30 a.m. the Council will begin its review of the capital budget items listed below. This discussion will continue at 1:30 p.m., if necessary.

Public Arts Trust

The Council will review the FY19-24 CIP for the Public Arts Trust. The purpose of the Public Arts Trust is to incorporate art into public facilities and sponsor privately-funded temporary or permanent displays of art on public property. Suzan Jenkins, Chief Executive Officer of the Arts and Humanities Council of Montgomery County, and Deborah Lambert, Office of Management and Budget, are expected to attend. The Health and Human Services (HHS) Committee made the following recommendations:

- Increase the Public Arts Trust by \$25,000 to \$215,000 in FY19 using unspent funding in the project to enhance the conservation and maintenance of public art.
- Increase the Public Arts Trust by \$50,000 to \$190,000 in FY20-24 for ongoing administration costs that were added in FY17 and FY18.

The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7645&meta_id=150586

Health and Human Services

The Council will review the FY19-24 CIP for the Department of Health and Human Services (DHHS). For FY19-24, the Executive recommended a total of \$20.502 million for DHHS, which is a \$4.5 million or 28.4 percent increase from the Amended FY17-22 program. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7645&meta_id=150588

The HHS Committee reviewed the Avery Road Treatment Center, and the Joint HHS and Education (ED) Committee reviewed the other four projects in the CIP. The HHS Committee recommended approval of the Executive's recommendation for the Avery Road Treatment Center. The joint HHS and ED Committee recommended approval of the County Executive's recommendations for the following projects:

- Child Care in Schools (4-0, Education Chair Elrich temporarily absent)
- Child Care Renovations (5-0)
- High School Wellness Center (5-0)
- School-based Health and Linkages to Learning Centers (5-0)

Fire and Rescue

The Council will review the FY19-24 Fire and Rescue Services CIP. The County Executive recommended a total of \$113.724 million for the Fire and Rescue Services CIP. The Public Safety Committee recommended approval of the County Executive's recommendations. Chief Scott Goldstein of Montgomery County Fire and Rescue Services (MCFRS); Dominic Del Pozzo, Budget Manager of MCFRS; and Rachel Silberman of the Office of Management and Budget are expected to attend. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7645&meta_id=150591

The County Executive recommended a total of \$113.724 million for the FY19-24 Fire and Rescue Services CIP. This is a decrease from the approved CIP (FY17-21), which totaled \$141.4 million. This change reflects the completion of the Kensington Fire Station 25 and the Self-Contained Breathing Apparatus projects.

Police

The Council will review the CIP for the Montgomery County Police Department (MCPD), which includes three projects at a cost of \$33.5 million over the next six years: the new Public Safety Communications Center, the return of the 6D Police Station project in Gaithersburg/Montgomery Village (originally delayed by construction and then fiscal constraints), and the PTSA Academic Building Complex. The PTSA item is the old PTSA site. A new PTSA has been built on Snouffer School Road. The old site, on Great Seneca, has been demolished and the land may be sold. Russ Hamill, Assistant Chief of MCPD; Captain Tom Jordan, Acting Director of the Capital Projects and Facilities Division, MCPD; and Rich Harris, Office of Management and Budget (OMB) are expected to attend. The PS Committee recommended approval of the County Executive's recommendations. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7645&meta_id=150593

Correction and Rehabilitation

The Council will review the CIP for the Department of Correction and Rehabilitation (DOCR). The County Executive recommended two ongoing projects totaling \$5.5 million. The PS Committee recommended approval of the County Executive's recommendations. The CIP includes the new Criminal Justice Complex, which will provide not only the traditional booking of newly arrested individuals, but options for stabilization (of individuals who are intoxicated) or deflection (for those with mental health issues), in an effort to divert as many people as possible from arrest and instead address their underlying mental health and substance use needs that bring them in contact with the criminal justice system. It will collocate many services, including DOCR, Court Commissioners, Public Defenders, State's Attorneys, Police, and HHS staff. Robert Green, Director of the Department of Correction and Rehabilitation (DOCR), and others are expected to attend. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7645&meta_id=150595

Recreation

The Council will review the Recommended FY19-24 CIP for the Department of Recreation. The Planning, Housing and Economic Development Committee recommends approval (2-0, Councilmember Leventhal absent) of the following projects as recommended by the County Executive: Martin Luther King, J. Indoor Swim Center Renovation, Wall Park Garage and Park Improvements, Kennedy Shriver Aquatic Center Building Envelope Improvement, Recreation Facility Modernization, and North Bethesda Community Recreation Center. The Committee did not make a recommendation on the South County Regional Recreation and Aquatic Center. The Committee requested updated cost information and plans to reconvene to review this project.

The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7645&meta_id=150597

The following individuals are expected to participate in the worksession: Robin Riley, Acting Director of the Department of Recreation (MCRD); Jeffrey Bourne, Division Chief for Facilities & Capital Programs, MCRD; Deborah Lambert of the Office of Management and Budget (OMB); David Dise, Director of the Department of General Services (DGS); AND Greg Ossont, Deputy Director of DGS.

- The Executive recommended a total of eight ongoing Recreation projects totaling \$23.5 million, which is a decrease of \$44.4 million or 65.4 percent from the amended FY15-20 program. The decrease is primarily due to the substantial progress or completion of projects. One of the projects, North Bethesda Community Recreation Center, reflects no expenditures during the six-year period.

Washington Suburban Sanitary Commission

The Council also will review the FY19-24 CIP for the Washington Suburban Sanitary Commission (WSSC). The six-year CIP total for WSSC is \$2.01 billion. The Transportation, Infrastructure, Energy, and Environment (T&E) Committee approved WSSC's proposed FY19-24 CIP with revised cost assumptions for the Blue Plains Wastewater Treatment Plant projects (from the Mid-Cycle Update). The Committee will consider other FY19 CIP reductions after they are transmitted by WSSC. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7645&meta_id=150599

Unlike other County agency CIP proposals that are reviewed biennially, the County reviews the WSSC CIP every year. Also, unlike other agencies, WSSC's CIP and Operating budgets are not included in the County's Spending Affordability processes. Instead, WSSC is subject to a separate affordability process, with both Montgomery and Prince George's County Council review and approval in the fall of each year.

COMMITTEE

Food Security Plan

On March 12 at 9:30 a.m. the Health and Human Services (HHS) Committee will receive an update on the Food Security Plan. Uma Ahluwalia, Director of the Department of Health and Human Services (DHHS), Heather Bruskin, Executive Director of the Montgomery County Food Council, and others are expected to attend. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7641&meta_id=150482

The Food Security Plan is a five-year plan that aims to make Montgomery County a place where all have access to safe, sufficient, nutritious food. Lack of access to healthy, nourishing food undermines the health and well-being of children and families. In Montgomery County, 7 percent of the County's population is estimated to be food insecure (77,780 residents). Children are especially vulnerable. Nearly 13.9 percent, or 33,000, of the County's children are estimated to be food insecure. The Council passed Bill 19-16 which required the County Executive to develop a plan to address food security and update it annually. Then-Council Vice President Berliner was the lead sponsor of Bill 19-16. Councilmembers Elrich, Floreen, Hucker, Katz, Leventhal, Navarro, Rice, and Riemer were cosponsors.

Animal Services Division

On March 12 at 9:30 a.m. the Public Safety (PS) Committee will receive an update on the Animal Services Division of the Montgomery County Police Department (MCPD). Thomas J. Koenig, Director of the Animal Services and Adoption Center (ASAC); Alexandra Lepiarz, Deputy Director of ASAC; and Rich Harris, Office of Management and Budget (OMB) are expected to attend. The staff report can be viewed at: http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7642&meta_id=150484

In 2017, ASAC had 5,313 animal intakes, which is slightly fewer than 2016. The average daily population totals 344 animals with adoptions increasing to 2,266 in 2017.

SRA 18-01, Minor Subdivisions – Ownership Units

On March 12 at 2 p.m. the Planning, Housing, Economic and Development (PHED) Committee will meet to review SRA 18-01, Minor Subdivisions – Ownership Units. Pam Dunn, Chief of Functional Planning and Policy at the Planning Department; Greg Russ, Planner Coordinator at the Planning Department; and Ehsan Motazed, Division Chief of the Department of Permitting Services (DPS) are expected to attend. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7643&meta_id=150486

The subdivision code only allows the creation of an ownership unit on a record plat covered by an approved site plan. An ownership unit is an area of land shown on an ownership plat, created for the convenience of the owner, that shows a deed, mortgage, or lease line but does not subdivide the lot. SRA 18-01 also would allow the creation of these units when the property described in a plat was subject to conditional use or special exception approval. An ownership unit is not a change to any condition of approval for the subdivision that created the lot in the original subdivision or the site plan. Similarly, the approval of an ownership unit plat would not be a change to the conditional use or subdivision approval under SRA 18-01.

Bill 34-17, Moderately Priced Dwelling Units (MPDUs) - Amendments

The PHED Committee also will review Bill 34-17, Moderately Priced Dwelling Units (MPDUs) – Amendments. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7643&meta_id=150488

Councilmember Floreen is the lead sponsor. Council President Riemer is a cosponsor. Bill 34-17 would: clarify certain provisions of law related to moderately priced dwelling units (MPDUs); amend certain provisions of law related to the satisfaction of MPDU requirements; and amend certain provisions of law related to the sale and rental of MPDUs. Key components of Bill 34-17 include:

- clarifying of existing provisions of the law and requiring developments of less than 20 homes to make a payment to the Housing Initiative Fund;
- broadening the authority of the director of the Department of Housing and Community Affairs to accept payments into the Housing Initiative Fund in lieu of including MPDUs in a development, when it serves the goal of increasing the availability of affordable housing; and
- increasing the flexibility of the director in determining MPDU obligations to better meet the demands for affordable units.

A table showing the specific changes to existing law included in the Bill is at ©49-50 in the staff report. Councilmember Floreen believes that these changes will help set the stage for new housing opportunities to support a growing workforce and robust economy in the County.

Bill 38-17, MPDU Requirement to Build

The PHED Committee will close out its meeting with a review of Bill 38-17, MPDU Requirement to Build. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7643&meta_id=150490

Council President Riemer is the lead sponsor. Bill 38-17 would provide that the minimum MPDU requirement Countywide is 12.5 percent, with 15 percent required in any development in an MCPS High School Service Area with an eligibility rate for free and reduced meals of 15 percent or less at the time the applicant submits a preliminary plan of subdivision.

Executive Regulation 10-17, Parliamentary and Maryland Open Meetings Act Training for Members of Boards, Commissions, and Committees

On March 15 at 9:30 a.m. the Government Operations and Fiscal Policy (GO) Committee will meet to review Executive Regulation 10-17, Parliamentary and Maryland Open Meetings Act Training for Members of Boards, Commissions, and Committees. The staff report will be available on March 13.

Executive Regulation 10-17 establishes standards for training members of County boards, Commissions, and Committees. The County Code requires that the County Executive establish such standards.

 **Bill 40-17, Personnel – Merit System – Salary and Wage Plans – Police Leadership Service**

The GO Committee also will review Bill 40-17, Personnel - Merit System - Salary and Wage Plans - Police Leadership Service. The staff report will be available on March 13. Council President Riemer is the lead sponsor, at the request of the County Executive. Bill 40-17 would modify the uniform salary plan for police sworn managers to include a salary schedule for a Police Leadership Service; authorize the Chief Administrative Officer to establish a Police Leadership Service under the merit system for lieutenants and captains in the Police Department; establish guidelines for the Police Leadership Service; and amend the law governing salary schedules for County employees under the merit system.

 **Bill 2-18, Ethics, Conflicts of Interest – Financial Disclosure – Lobbying – Amendments**

The GO Committee will close out its meeting with a review of Bill 2-18, Ethics, Conflicts of Interest - Financial Disclosure - Lobbying – Amendments. The staff report will be available on March 13. Council President Riemer is the lead sponsor, at the request of the Ethics Commission. Bill 2-18 would do the following:

- limit the participation of a public employee in any matter affecting a party who the employee was hired to lobby for in the prior year;
- prohibit a person serving as County Executive or Councilmember from certain lobbying for one year after leaving office;
- require the Ethics Commission to redact the home address of a public employee from a financial disclosure statement made available for inspection or copying;
- require a public employee to disclose income from certain lobbying on a financial disclosure statement;
- repeal the requirement for a regulated lobbyist to submit an authorization to lobby from the individual or organization hiring the lobbyist; and
- modify the financial disclosure requirements for officers and employees of the Arts and Humanities Council and a community media organization.

 **Capital Improvements Program: Transportation**

At 9:30 a.m. Transportation, Infrastructure, Energy and Environment (T&E) Committee will continue its discussion of the recommended FY19-24 CIP for transportation. The staff report will be available on March 13.

 **Road Salt Usage**

The T&E Committee also will receive a briefing on the impacts of road salt usage to prevent ice accumulation. The staff report will be available on March 13.

 **Research on Auditing Functions in Other Jurisdictions and Auditors in County Agencies**

At 2 p.m. the Audit Committee, which consists of the GO Committee along with the Council President and Council Vice President as ex-officio voting members, will meet to hold a follow-up discussion on auditing functions in other jurisdictions. Sean Walker, Principal of CliftonLarsonAllen LLP; Aires Coleman, Engagement Director of CliftonLarsonAllen LLP; Alexandre A. Espinosa, Director of the Department of Finance; and Linda Herman, Executive Director of Montgomery County Employee Retirement Plans, are expected to attend. The staff report will be available on March 13.

 **Review of Results of FY17 External Audit**

The Audit Committee also will review the results from an FY17 External Audit. The County’s external auditor, CliftonLarsonAllen, will present and discuss the FY17 audit of the financial statements of the County Government, Montgomery County Employee Retirement Plans, and the Montgomery County Union Employees Deferred Compensation Plan. They will also present the Single Audit, Agree-Upon

Procedures related to the County Government's certification of information required by the Federal Environmental Protection Agency related to local solid waste landfill facilities, and the audit of the Maryland 9-1-1 Emergency Number Systems Program of Montgomery County. The staff report will be available on March 13.



Review of CliftonLarsonAllen LLP Contract Renewal

The Audit Committee will close out its meeting with a review of a contract amendment that would extend CliftonLarsonAllen for a year in order to complete FY18 audit work. The staff report will be available on March 13.