

# COUNCIL COMING ATTRACTIONS



## **Week of April 2, 2018**

**County Capital Budget for Montgomery County Public Schools and Montgomery College, Transportation Services Fund, Water Quality Protection Charge Appeals, and Briefing on Workplace Harassment Training and Policies**



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 9:30 a.m. with three proclamation presentations.

-  Councilmembers Rice, Katz and Berliner will present a joint proclamation with County Executive Leggett recognizing Autism After 21.
-  Council President Riemer will present a joint proclamation with County Executive Leggett recognizing National Service Recognition Day.
-  Councilmember Katz will present a proclamation recognizing the Yom Hashoah Holocaust Commemoration.

## COUNCIL

### **Resolution in Opposition to a Citizenship Question on the 2020 Decennial Census**

At 10:15 a.m. the Council will introduce a resolution opposing the addition of a question about citizenship status on the 2020 Census, and urging Maryland Attorney General Brian Frosh to take legal action on behalf of County residents to prevent a citizenship question from being added. The lead sponsor of the resolution is Council Vice President Nancy Navarro. Councilmembers Marc Elrich, Sidney Katz, Roger Berliner, Hans Riemer, George Leventhal and Nancy Floreen are cosponsors. The staff report can be viewed at: [http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151460](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151460)

### **Expedited Bill 13-18, Taxicabs – Transportation Services Improvement Fund – Use of Fund**

At 10:20 a.m. the Council will introduce Bill 13-18, Taxicabs – Transportation Services Improvement Fund – Use of Fund. Council President Hans Riemer is the lead sponsor, at the request of the County Executive. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151462](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151462)

Bill 13-18 would expand the purpose and use of the Transportation Services Improvement Fund to allow its use “for transportation purposes in the County.” In 2015 the Council enacted Bill 33-15 to impose a charge authorized by the State of Maryland regulating “transportation network companies” (TNCs), which include ride-hailing services such as Uber and Lyft. In addition to imposing the charge, Bill 33-15 created the Transportation Services Improvement Fund to receive and distribute the revenue generated by the charge. Money from the fund is to be used to offset higher costs of operating accessible taxicabs in the County, and to provide incentives for improving or expanding transportation options for eligible senior citizens and persons of limited income. The bill requires the County Executive to establish the procedure for making disbursements from the fund by regulation. Bill 13-18 would remove these specific use requirements for the fund, and would instead allow use of the fund for any transportation purpose in the County.

### **Bill 14-18, Economic Development - Strategic Plan to Promote Prosperity and Increase Opportunity**

The Council also will introduce Bill 14-18, Economic Development - Strategic Plan to Promote Prosperity and Increase Opportunity. Councilmember Roger Berliner is the lead sponsor. Councilmember Tom Hucker is a cosponsor. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151464](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151464)

Bill 14-18 would require the Department of Health and Human Services (DHHS) to develop a Strategic Plan to Promote Prosperity and Increase Opportunity in Montgomery County which must include certain area-specific plans. It also would require DHHS to submit the first area-specific plan by a certain date. Also scheduled to be introduced is a special appropriation that will provide the funding required for DHHS to develop the strategic plan.

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

The Council is scheduled to vote on Expedited Bill 40-17, Personnel - Merit System - Salary and Wage Plans - Police Leadership Service. Government Operations and Fiscal Policy (GO) Committee recommends enactment. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151466](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151466)

Council President Hans Riemer is the lead sponsor, at the request of the County Executive. As introduced Expedited 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 1-18, Water Quality Protection Charge – Appeals**

The Council is scheduled to vote on Bill 1-18, Water Quality Protection Charge – Appeals. Council President Hans Riemer is the lead sponsor, at the request of the Executive. The GO Committee recommends enactment. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151468](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151468)

Bill 1-18 would allow a property owner to obtain review by the Director of Finance of certain decisions by the Director of Environmental Protection involving review the Water Quality Protection Charge (WQPC). The Bill also would allow a final WQPC decision by the Director of Finance to be appealed to the Maryland Tax Court.

### **Subdivision Regulation Amendment (SRA) 18-01, Minor Subdivision – Ownership Units**

The Council also will vote on SRA 18-01, Minor Subdivisions – Ownership Units. Councilmember Nancy Floreen is the lead sponsor. The Transportation, Infrastructure, Energy and Environment (T&E) Committee recommends enactment. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151470](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151470)

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 would also 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.

### **FY19 Capital Improvements Program: Montgomery College**

At 10:40 a.m. the Council will continue its review of the FY19 Capital Improvements Program for Montgomery College. The College's six-year CIP request totals \$324.4 million. The County Executive recommends \$281.2 million. Dr. DeRionne Pollard, President of Montgomery College, and others are expected to attend. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151472](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151472)

The Committee unanimously made the following recommendations:

- Approve the Executive's assumption to split additional funding for the Germantown Science and Applied Studies Renovation project between G.O. Bonds and State Aid, and split construction costs for the Germantown Student Services Center project over FY24 and FY25.
- Approve reductions to the Rockville Student Services Center, Takoma Park/Silver Spring Math and Science Center, Germantown Student Services Center, and Elevator Modernization projects.
- Approve project balance transfers totaling \$4,151,560 in G.O. Bonds from the Rockville Science West, Computer Science Alternations, and Germantown Bioscience Education Center projects. Since these previously appropriated funds had been counted against prior year spending affordability guidelines, they can be used as a "slippage credit" and will not count towards the current affordability limits.
- Approve the requested schedule and/or funding source changes for the following projects associated with the G.O. Bond transfers: Elevator Modernization; Roof Replacement; Planning, Design, and Construction; Planned Lifecycle Asset Replacement; and Collegewide Library Renovations.
- Approve the non-recommended reductions submitted by the College, and endorse the priority list for restoration if funding allows during final CIP reconciliation. Proposed amendments to the College's non-recommended reduction list based on updated information are discussed on page 5.
- Approve all other projects as submitted by the College.

### **County Employee Training and Policies Related to Workplace Harassment**

At 11 a.m. the Council will hold a discussion on County employee training and policies related to workplace harassment. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151498](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151498)

As part of its oversight responsibilities on this kind of cross-agency issue, the Council has requested a review of workplace harassment policies across County government departments, County agencies, and bi-county agencies. In preparation for the meeting, the Council requested that each agency provide a written description of the policies and procedures currently in place to provide a harassment-free workplace.

### **FY19 Capital Improvements Program: Montgomery County Public Schools (MCPS)**

At 2:15 p.m. the Council also will review the FY19 CIP for MCPS. The County Executive recommended a \$1.75 billion budget for the six-year CIP. Michael A. Durso, President of the Board of Education, Dr. Jack R. Smith, Superintendent of Schools, and others are expected to attend. The staff report can be viewed at: [http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151490](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151490)

The Education (ED) Committee made the following recommendations:

- Include three new “Solution” projects in the MCPS CIP: Bethesda Elementary School Solution, Somerset Elementary School Solution, and Judith A. Resnik Elementary School Solution
- Assume MCPS’ Non-Recommended Reductions pending initial reconciliation in mid-April.

## **PUBLIC HEARINGS**

All public hearings will be held on April 3 at 1:30 p.m. unless otherwise indicated.

### **Expedited Bill 4-18, Transient Housing - Carbon Monoxide Detector**

The Council will hold a public hearing on Expedited Bill 4-18, Transient Housing – Carbon Monoxide Detector. Councilmember Nancy Floreen is the lead sponsor. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151475](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151475)

### **Zoning Text Amendment 18-01, Solar Collection System - Standards**

The Council will hold a public hearing on Zoning Text Amendment 18-01, Solar Collection System – Standards. Councilmembers Tom Hucker and George Leventhal are the lead sponsors. Council Vice President Nancy Navarro and Councilmembers Roger Berliner, Marc Elrich, and Sidney Katz are cosponsors. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151477](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151477)

### **Amendment to 2016-2020 Subdivision Staging Policy - Technical Revisions**

The Council will hold a public hearing on an amendment to the 2016-2020 Subdivision Staging Policy - Technical Revisions. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151479](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151479)

### **Expedited Bill 5-18, White Flint Special Taxing District - Technical Revisions**

The Council will hold a public hearing on Expedited Bill 5-18, White Flint Special Taxing District – Technical Revisions. Council President Hans Riemer is the lead sponsor. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151481](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151481)

### **Bill 6-18, Contracts - Labor Peace Agreements - Displaced Service Workers - Amendments**

The Council will hold a public hearing on Bill 6-18, Labor Peace Agreements – Displaced Service Workers – Amendments. Councilmembers Marc Elrich and Tom Hucker are the lead sponsors. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151483](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151483)

 **Expedited Bill 8-18, Streets and Roads - Storm Drainage Right-of-Way**

The Council will hold a public hearing on Expedited Bill 8-18, Streets and Roads – Storm Drainage Right-of-Way. Council President Hans Riemer is the lead sponsor, at the request of the County Executive. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151485](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151485)

 **Supplemental appropriation - MCPS - \$5,000,000 for Relocatable Classrooms**

The Council will hold a public hearing on a \$5,000,000 supplemental appropriation for Montgomery County Public Schools for relocatable classrooms. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151487](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151487)

 **Zoning Text Amendment 18-02, Telecommunications Towers - Limited Use (7:30 p.m.)**

The Council will hold a public hearing on Zoning Text Amendment 18-02, Telecommunications Towers - Limited Use. Council President Hans Riemer is the lead sponsor, at the request of the County Executive. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7676&meta\\_id=151492](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7676&meta_id=151492)

## COMMITTEE

 **Interagency Technology Policy and Coordination Committee (ITPCC) Work Plan**

On April 5 at 9:30 a.m. the Government Operations and Fiscal Policy (GO) Committee will meet to review the ITPCC Work Plan. ITPCC brings together all six agencies of County government, both at the highest policy level through their executives, and at the technology level through their chief information officers, to jointly consider strategies that optimize the deployment and use of information technology for County residents, visitors and businesses. The six participating agencies are the Maryland-National Capital Park and Planning Commission (M-NCPPC), the Washington Suburban Sanitary Commission (WSSC), Montgomery County Public Schools (MCPS), Montgomery College (MC), the Montgomery County Government (MCG) and the Housing Opportunities Commission (HOC). The staff report will be available on April 3.

 **Agencies' FY19 information technology programs and budgets**

The Committee also will receive a comprehensive report of the FY19 information technology programs and budgets of all six participating agencies (see above). The staff report will be available on April 3.

 **OLO Report 2018-6, Best Practices for Infants and Toddlers Childcare Programs**

On April 5 at 2 p.m. the Education (ED) and Health and Human Services (HHS) Committees will meet jointly to review Office of Legislative Oversight (OLO) Report 2018-6. The full OLO report can be viewed at: <https://www.montgomerycountymd.gov/OLO/Resources/Files/2018%20Reports/OLOReport2018-6.pdf>

The Council asked OLO to develop this report as a follow up to last year's pre-kindergarten report by OLO. The staff report will be available on April 3.

This report synthesizes the research describing best practices among high-quality infant and toddler childcare programs and the prevalence of these practices. Four key findings emerge from OLO's review:

- High-quality programs employ best practices and local licensing requirements for staff ratios and group sizes as well as accreditation requirements overall align with best practices.
- Few local childcare programs, however, are accredited or rate at the highest levels in Maryland EXCELS (quality rating and improvement system) that reflect the use of best practices.
- The cost of high-quality childcare often exceeds what low- and moderate-income families can afford to pay for childcare, even with the support of government subsidies.
- Expanding publicly supported pre-k without significant investments in infant and toddler care could undermine the quality and quantity of current infant and toddler programs.