

# COUNCIL COMING ATTRACTIONS



## **Week of June 18, 2018**

**Stormwater Management, Zoning Changes for Affordable Housing, Carbon Monoxide Alarms, Property Tax Credit for Seniors & Retired Military Services Members, Human Trafficking & Green Jobs Apprenticeship Program**






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. on Tuesday, June 19. Council proclamation presentations will begin at 9:40 a.m.


-  Councilmember Craig Rice will present a proclamation recognizing Wizards.exe Team #9794 as Maryland State Champs.
-  Council Vice President Nancy Navarro will present a proclamation recognizing Wheaton High School College Ready/STEM Career Readiness.
-  Council President Hans Riemer will present a proclamation recognizing the 50th Anniversary of Community Action Agency.

 **Special appropriation to the County Government's FY19 Capital Budget and Amendment to the FY19-24 Capital Improvements Program (CIP), Conservation of Natural Resources: Stormwater Management Design/Build/Maintain Contract (Source: Long Term Financing)**

On June 19 at 10:05 a.m. the Council will introduce an amendment to the County's Fiscal Year 2019-2024 Capital Improvements Program (CIP) and a special appropriation to create a new stormwater management capital project (SM Design/Build/Maintain Contract) to enhance accountability for County stormwater management projects. Council President Hans Riemer is the lead sponsor. The staff report can be viewed: [http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158855](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158855)

It is expected that the \$20 million special appropriation would provide funding to cover the first phase of work for County stormwater projects. The first phase includes at least 10 to 12 stormwater management projects already under design. Overall approximately 500 acres of County stormwater management retrofit work is expected to be necessary from 2019-2024. The CIP amendment requires that the County Executive provide the Council will quarterly program status updates. In addition, work required beyond the first phase of the project, will require new Council appropriations.

All projects must be: in the Municipal Separate Storm Sewer System (MS4) Permit Program area; eligible for water quality credits; eligible for Department of Natural Resources grants and Water Quality Revolving Loan funds; and needed to address existing infrastructure problems. In addition, an advisory group that would meet regularly with the County's Department of Environmental Protection (DEP) would provide feedback on stormwater management projects. DEP would remain the lead organization for neighborhood outreach and coordination. DEP staff also would approve or disapprove projects proposed by contractors.

 **Amendments to the FY19-24 CIP - Conservation of Natural Resources: Misc. Stream Valley Improvements, Stormwater Management Retrofit: Roads, and Stormwater Management Retrofit: Countywide projects**

The Council also will introduce amendments to the FY19-24 CIP - Conservation of Natural Resources: Misc. Stream Valley Improvements, Stormwater Management Retrofit: Roads, and Stormwater Management Retrofit: Countywide projects. Council President Hans Riemer is the lead sponsor. The staff report with more details can be viewed at:


[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158857](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158857)

See information above.

 **Resolution to approve the Tax Supported Fiscal Plan Summary for FY19-24 Public Services Program**

The Council is scheduled to vote on a resolution to approve the Tax Supported Fiscal Plan Summary for the FY19-24 Public Services Program. The Government Operations and Fiscal Policy (GO) Committee unanimously recommends approval of the resolution. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158859](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158859)

 **Bill 23-18, Fire Safety – Carbon Monoxide Alarm**

At 10:10 a.m. the Council will introduce Bill 23-18, Fire Safety – Carbon Monoxide Alarm. Councilmember Craig Rice is the lead sponsor. A public hearing is scheduled for July 10 at 1:30 p.m. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158862](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158862)

Bill 23-18 would require the owners of a single-unit, two-unit and townhouse dwelling unit to install and maintain a carbon monoxide alarm.

 **Bill 24-18, Forest Conservation – Amendments**

The Council will introduce Bill 24-18, Forest Conservation – Amendments. Council President Hans Riemer is the lead sponsor, at the request of the Planning Board. A public hearing is scheduled for July 10 at 1:30 p.m. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158864](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158864)

Bill 24-18 would exempt from the requirement to submit a Forest Conservation Plan a modification to an existing non-residential developed property if the pending development application does not propose residential uses. This bill also would eliminate a Forest Conservation Plan for existing residential property that is being modified if the pending development application does not propose new buildings or parking facilities. Bill 24-18 would exempt certain demolition projects from a Forest Conservation Plan and remove the ability to pay as a factor for consideration when assessing an administrative penalty.

 **Expedited Bill 25-18, Health and Sanitation – Special Needs Housing – Renaming**

The Council will introduce Expedited Bill 25-18, Health and Sanitation – Special Needs Housing – Renaming. Council President Hans Riemer is the lead sponsor, at the request of the County Executive. A public hearing is scheduled for July 10 at 1:30 p.m. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158866](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158866)

Bill 25-18 would change the name of the Special Needs Housing Unit within the Department of Health and Human Services to more accurately reflect the services provided; modernize the County Code by updating the recently changed names of state and local programs; and clarify the boards, committees and commissions to which the Department provides staff support.

 **Expedited Bill 17-18, Property Tax Credit – Elderly Individuals and Retired Military Service Members - Application**

The Council is scheduled to vote on Expedited Bill 17-18, Property Tax Credit – Elderly Individuals and Retired Military Service Members – Application. Councilmember George Leventhal is the lead sponsor. Councilmembers Craig Rice, Sidney Katz and Nancy Floreen, Council Vice President Nancy Navarro and Councilmember Tom Hucker are cosponsors. The GO Committee recommends enactment with amendments. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158868](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158868)


Bill 17-18 would change the application process for individuals to receive the property tax credit for elderly individuals and retired military services members. Specifically, it would remove the requirement for an individual to apply every year that the individual is eligible to receive the credit. Instead, an individual would apply for the credit the first year and would automatically receive the credit for four additional years if the individual remains eligible for the credit.

 **Expedited Bill 18-18, Human Rights and Civil Liberties – Human Trafficking Prevention Committee – Amendments**

The Council is scheduled to vote on Expedited Bill 18-18, Human Rights and Civil Liberties – Human Trafficking Prevention Committee – Amendments. Councilmember Tom Hucker is the lead sponsor. Councilmembers Craig Rice and Sidney Katz, Council Vice President Nancy Navarro, Councilmembers Roger Berliner and Marc Elrich, and Council President Hans Riemer are cosponsors. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158870](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158870)






Expedited Bill 18-18 would modify the membership of the Human Trafficking Prevention Committee by removing the requirement that each voting member be a resident of the County and adding two voting members from the community.

 **Expedited Bill 19-18, Technical Corrections**

The Council is scheduled to vote on Expedited Bill 19-18, Technical Corrections. The full Council is the lead sponsor. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158872](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158872)





Bill 19-18 would correct technical, typographical, grammatical, reference and codification errors in, and make stylistic, clarifying and conforming amendments to, various provisions of County law.

-  **Expedited Bill 20-18, Special Capital Improvements Project – Bus Rapid Transit**  
 The Council is scheduled to vote on Expedited Bill 20-18, Special Capital Improvements Project – Bus Rapid Transit. The staff report can be viewed at:  
[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158874](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158874)  
 Expedited Bill 20-18 would authorize the planning, design, site improvement and utilities and construction costs of the Bus Rapid Transit: US 29, Project No. 501912, along US 29 from Burtonsville to Silver Spring.
-  **Expedited Bill 21-18, Special Capital Improvements Project – Rockville Core**  
 The Council is scheduled to vote on Expedited Bill 21-18, Special Capital Improvements Project – Rockville Core. The staff report can be viewed at:  
[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158876](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158876)  
 Expedited Bill 21-18 would authorize the planning, design and renovation of the Grey Courthouse, Project No. 361702, in Rockville.
-  **Expedited Bill 22-18, Special Capital Improvements Project – Clarksburg Fire Station**  
 The Council is scheduled to vote on Expedited Bill 22-18, Special Capital Improvements Project – Clarksburg Fire Station. The staff report can be viewed at:  
[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158878](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158878)  
 Expedited Bill 22-18 would provide for a new Fire and Rescue Station and the purchase of associated apparatus, Project No. 450300, in Clarksburg.
-  **Bill 15-18, Economic Development – Workforce Development – Green Jobs Apprenticeship Program**  
 The Council is scheduled to vote on Bill 15-18, Economic Development – Workforce Development – Green Jobs Apprenticeship Program. Councilmember Tom Hucker is the lead sponsor. Councilmembers George Leventhal, Marc Elrich, Craig Rice and Roger Berliner, Council Vice President Nancy Navarro and Councilmember Sidney Katz are cosponsors. The Planning, Housing and Economic Development (PHED) Committee recommends enactment as amended. The staff report can be viewed at:  
[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158880](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158880)  
 Bill 15-18 would provide that the County's Workforce Development Corporation must administer a clean energy industry pre-apprenticeship job training program and establish certain criteria for the operation of the pre-apprenticeship job training program.
-  **Zoning Text Amendment 18-06, MPDU – Bonus Density**  
 The Council will introduce Zoning Text Amendment (ZTA) 18-06, MPDU – Bonus Density. Councilmember Nancy Floreen is the lead sponsor of ZTA 18-06. The staff report can be viewed at:  
[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158883](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158883)  
 ZTA 18-06 would revise or establish Moderately Priced Dwelling Unit (MPDU) bonus density standards for certain Residential, Commercial/Residential, Employment and Overlay zones and would generally amend provisions concerning MPDUs in the Zoning Ordinance. ZTA 18-06 uses the standards for bonus density currently in Chapter 25A and amends the Zoning Ordinance accordingly. The first 15 percent of MPDUs in a project would allow bonus density for the project up to a maximum bonus density of 22 percent. ZTA 18-06 would also apply a bonus density provision to optional method development in the following residential zones: R-200, R-90, R-60, R-40, and the Townhouse Low Density zone. Under ZTA 18-06, bonus density would not be limited to the “usable area” of the site.



## PUBLIC HEARINGS

**All public hearings will take place on June 19 at 9:30 a.m.**

-  **Expedited Bill 19-18, Technical Corrections.**  
 The Council will hold a public hearing on Expedited Bill 19-18, Technical Corrections. See page 2 for more information.

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**Expedited Bill 20-18, Special Capital Improvements Project – Bus Rapid Transit**  
 The Council will hold a public hearing on Expedited Bill 20-18, Special Capital Improvements Project – Bus Rapid Transit. See page 2 for more information.
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**Expedited Bill 21-18, Special Capital Improvements Project – Rockville Core**  
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**Expedited Bill 22-18, Special Capital Improvements Project – Clarksburg Fire Station**  
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**Special Appropriation to the FY18 Capital Budget and Amendment to the FY17-22 Capital Improvements Program (CIP), Montgomery County Public Schools - \$1,705,821 for Technology Modernization Project (Source: Federal E-rate Reimbursement)**  
 The Council will hold a public hearing and vote on a special appropriation of \$1,705,821 to the FY18 Capital Budget and Amendment to the FY17-22 Capital Improvements Program (CIP), Montgomery County Public Schools for Technology Modernization Project. The staff report can be viewed at: [http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7994&meta\\_id=158843](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7994&meta_id=158843)

## COMMITTEE

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**Executive Regulation 1-18, Speed Humps for Residential Streets**  
 On Monday, June 18 at 9:30 a.m. the Transportation, Infrastructure, Energy and Environment (T&E) Committee will review Executive Regulation 1-18, Speed Humps for Residential Streets. The staff report can be viewed at: [http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7996&meta\\_id=158787](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7996&meta_id=158787)  
 Executive Regulation 1-18 sets criteria for the consideration of speed humps and also sets forth the procedure for County residents to request the installation of speed humps on eligible County roads. The full Executive Regulation can be found at: <http://montgomerycountymd.gov/exec/Resources/Files/1-18.pdf>
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**Implementing Microtransit in Montgomery County**  
 The T&E Committee also will review the implementation of microtransit in Montgomery County. The staff report can be viewed at: [http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7996&meta\\_id=158789](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7996&meta_id=158789)  
 Microtransit encourages transportation network companies like Uber and Lyft to transport riders to and from existing transit lines; or, alternatively, to transform certain bus lines from dedicated bus routes to lines that can divert from the scheduled route to pick up or drop off passengers that are off the route. A panel of professional planners and engineers working in these fields have been invited to present to the Committee about enhancing transit opportunities in suburban communities by encouraging microtransit solutions. The panel will include:
  - Steve Yaffe, proprietor of Yaffe Mobility Consulting LLC;
  - Dan Hibbert, chief of the Montgomery County Department of Transportation (MCDOT)'s Department of Transit Services;
  - Kimberly Lucas, who manages Bikeshare and Bicycle Parking programs for the DC Department of Transportation; and
  - Christopher Conklin, deputy director for transportation policy at MCDOT.



### **Bill 34-17, Housing – Moderately Priced Dwelling Units (MPDUs) – Amendments**

On June 18 at 2 p.m. the Planning, Housing and Economic Development (PHED) Committee will review Bill 34-17, Housing – Moderately Priced Dwelling Units (MPDUs) – Amendments. Councilmember Nancy Floreen is the lead sponsor. Councilmember Craig Rice is a cosponsor. The staff report can be viewed at: [http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7997&meta\\_id=158791](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7997&meta_id=158791)

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 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.



### **Bill 38-17, MPDUs – Requirement to Build**

The PHED Committee also will review Bill 38-17, MPDUs – Requirement to Build. Council President Hans Riemer is the lead sponsor. Councilmember Sidney Katz is a cosponsor. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=7997&meta\\_id=158793](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7997&meta_id=158793)

As introduced Bill 38-17 would increase the minimum percentage of moderately priced housing units (MPDUs) that are required to be built in new residential developments from 12.5 to 15 percent in a MCPS High School Service Area with an eligibility rate for free and reduced meals (FARMS) of 15 percent or less. The Planning Board would make the determination about the number of affordable homes required at the time an applicant submits a preliminary plan of subdivision.