



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Tuesday, December 1, 2020

The County Council for Montgomery County, Maryland convened via video conference at 9:33 A.M. on Tuesday, December 1, 2020.

### PRESENT

Councilmember Tom Hucker, President  
Councilmember Andrew Friedson  
Councilmember Will Jawando  
Councilmember Nancy Navarro

Councilmember Gabe Albornoz, Vice President  
Councilmember Evan Glass  
Councilmember Sidney Katz  
Councilmember Craig Rice

Councilmember Hans Riemer

The President in the Chair.

### PRESENTATIONS

- A. Proclamation was presented by Mr. Albornoz, Mr. Glass and Mr. Rice recognizing World AIDS Day.
- B. Proclamation was presented by Mr. Friedson, Mr. Rice and Ms. Navarro Celebrating the 40th year anniversary of the Ag Reserve.
- C. Proclamation was presented by Mr. Katz and County Executive Elrich recognizing Rosa Parks.

### COMMENTS by Council President Sidney Katz

Mr. Katz said his tenure this year has been everything nobody expected, expressing thanks to Councilmembers and the County Executive for working together to do so much for residents during the unprecedented challenges associated with the COVID-19 pandemic. Programs and funding were created to provide rental assistance and aid to common ownership communities to help prevent homelessness, grants to small businesses were provided to help them stay afloat during the pandemic, to reopen, and to assist with costs associated with

telework; funding was provided for the manufacturing of personal protective equipment (PPEs) and funding was provided to medical and dental practices to help them be able to remain open. Mr. Katz pointed out that these grants were provided while the Council was able to adopt a same-services budget and avoid layoffs and furloughs of employees. A task force was created to determine how to best help businesses, a local small business preference program was established, and focus continued on efforts to improve racial equity and social justice within the County.

## **ELECTION OF COUNCIL OFFICERS**

Mr. Katz called for nominations for Council President. Ms. Navarro nominated Mr. Hucker for Council President. There were no other nominations.

Unanimously elected Mr. Hucker as the third Council President of the nineteenth Council.

Mr. Hucker called for nominations for Council Vice President. Ms. Navarro nominated Mr. Albornoz for Council Vice President. There were no other nominations.

Unanimously elected Mr. Albornoz as the third Vice President of the nineteenth Council.

Adopted **Resolution 19-661**, naming Mr. Hucker to serve as the third President of the nineteenth Council, and Mr. Albornoz to serve as the third Vice President of the nineteenth Council.

On behalf of the Council, Mr. Hucker presented a commemorative gavel to Mr. Katz in recognition of his service as President of the Council.

## **COMMENTS** by new Council President Tom Hucker

Mr. Hucker expressed thanks to his colleagues, family, and staff for their support. Noting the unprecedented time of pandemic and deep recession in the County, he gave special thanks to the essential workers and front-line responders, residents who stepped up by working overtime to improve our community, volunteering, and wearing masks. He said the Council would work tirelessly to address the simultaneous public health and economic crises facing the County while keeping the “Montgomery County Promise: no matter where you come from, we’re glad you’re here.” The pandemic has forced the Council to face inequities and challenge old assumptions, and has given the County the opportunity to recover and rebuild a more prosperous, more equitable, healthier, and more sustainable future.

## GENERAL BUSINESS

### A. **Announcements** - Agenda and Calendar Changes

Ms. Singleton, Clerk of the Council, announced an addendum to the agenda, noting a proclamation recognizing World AIDS Day; deleting introduction of a special appropriation to the County Government's FY21 Operating Budget - \$8,962,097 for Federal Coronavirus Relief Fund Nondepartmental Account (NDA) and amendment to Resolution 19-498, special appropriation to the County Government's FY20 Operating Budget, Coronavirus Relief Fund NDA; and adding introduction of a special appropriation to the County Government's FY21 Operating Budget, Department of Health and Human Services (DHHS) - \$225,095 for COVID Response to Organizations Serving People with Intellectual and Developmental Disabilities.

- (1) B. There were no petitions received.

### (2) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.

Mr. Riemer made the motion, which carried without objection.

- A. **Introduced** a resolution to approve the Office of Legislative Oversight's (OLO) FY21 Workplan Program Supplement.
- B. **Introduced** a resolution to approve end-of-year transfer for FY20 County Government Operating Budget.
- C. **Introduced** amendments to FY21–26 Capital Improvements Program (CIP):
- Parking Bethesda Facility Renovations
  - Facility Planning Parking: Bethesda Parking Lot District
  - Parking Wheaton Facility Renovations
  - Facility Planning Parking: Wheaton Parking Lot District

A public hearing and action are tentatively scheduled for January 12, 2021, at 1:30 P.M.

- D. **Adopted Resolution 19-662**, designating Montgomery County Economic Development Corporation as the County's Economic Development Corporation.

- E. Adopted **Resolution 19-663**, reappointment to Merit System Protection Board: Harriet Davidson.
- F. Adopted **Resolution 19-664**, confirming the County Executive's appointment to the Criminal Justice Coordinating Commission: Kathleen Dumais.
- G. Adopted **Resolution 19-665**, confirming the County Executive's appointment to the Early Childhood Coordinating Council: Lynette Weaver.
- H. Adopted **Resolution 19-666**, confirming the County Executive's appointments to the Mid-County Citizens Advisory Board: Ayhanna Booker, Robert Hardie, Susanna Parker, Arquilla Ridgell, Serge Thomas.
- I. Adopted **Resolution 19-667**, confirming the County Executive's appointment to the Victim Services Advisory Board: Dolores Briceno.
- K. **Introduced/Adopted Resolution 19-668**, amendment to Resolution 19-644, Special Appropriation to the County Government's FY21 Operating Budget, Children's Opportunity Fund NDA - \$1,800,000 for COVID-19 Educational Enrichment and Equity Hubs and Amendment to FY21 Operating Budget Resolution 19-472 Section G, FY21 Designation of Entities for Non-Competitive Contract Award Status: Greater Washington Community Foundation.
- L. **Introduced** a special appropriation to the County Government's FY21 Operating Budget, Community Engagement Cluster, Support for COVID-19 Response - \$1,250,000 for Winterization for Streeteries. A public hearing and action are scheduled for December 8 at 1:30 P.M.
- M. **Introduction** - Special Appropriation to the County Government's FY21 Operating Budget Montgomery - \$8,962,097 for Federal Coronavirus Relief Fund NDA (Source of Funds: Federal Grant Funds) and Amendment to Resolution 19-498 Special Appropriation #20-464 to the Fiscal Year 2020 Operating Budget Montgomery County Government Federal Coronavirus Relief Fund NDA.

This item was deleted from the agenda.
- N. **Introduced/Adopted Resolution 19-669**, amendment to Resolution 19-646; Office of the County Executive; COVID-19 Response: Tourism Stabilization Grant Program.
- O. **Introduced** a special appropriation to the County Government's FY21 Operating Budget, DHHS - \$225,095 for COVID Response to Organizations Serving People with Intellectual and Developmental Disabilities.

(3) **COUNCIL SITTING AS BOARD OF HEALTH**

A. [Annual Meeting with Commission on Health](#)

Ms. de la Torre, Chair, Commission on Health, participated in the discussion.

Noted the Commission's four areas of focus for 2021: school health, modernization of public health data, communicable diseases, and racial equity. Efforts include ways to ensure all school-age children are up-to-date on their vaccines, update their system to provide public outcomes, attention on flu and COVID-19 vaccinations; and identifying and correcting racial disparities in the County.

B. [Novel Coronavirus \(COVID-19\) and County Public Health Planning](#)

Participating in the discussion were Dr. Gayles, County Health Officer and Chief of Public Health Services, DHHS; and Dr. Stoddard, Director, Office of Emergency Management and Homeland Security (OEMHS).

Dr. Gayles expressed concern about what will happen moving forward, noting the increase in COVID cases across all ages, increases in emergency room visits and with five out of six hospital intensive care units in the red zone, and indicating that further restrictions may be needed if hospitals run out of capacity. With authorization of the vaccines anticipated shortly, distribution of the limited supply will begin December 14 to the highest priority groups with all nursing homes signed up for the program. Dr. Gayles indicated infrastructure is being put in place for future distribution of the vaccine. Grant funding was obtained for the purchase of emergency supply kits for distribution in the most highly-impacted communities.

Commenting on enforcement of public safety requirements, Dr. Stoddard noted expanded efforts by the Department of Transportation (DOT), Department of Environmental Protection (DEP), Animal Services, and the Police Department. He said over 100 locations were visited, and credited education efforts for the result of no citations being issued. Education efforts will be continued as enforcement continues to be expended. Discussions are underway regarding programming to promote the vaccine and possible incentives.

Discussing the reopening of schools, Dr. Gayles said the understanding of how children transmit the virus is limited, children are more likely to be asymptomatic, and less likely to be tested and that children tend to congregate when participating in activities such as sports. Dr. Stoddard

said they are less willing to experiment by putting kids in schools, noting the first death of a child under age nine in the State, but that they are aware that families may be struggling with the virtual learning model. Mr. Rice commented that the American Academy of Pediatrics reported that the number of cases in children doubled in July/August, and Dr. Gayles said an understanding of the long-term impacts of COVID is still being developed. Mr. Riemer commented that younger children are less likely to transmit the virus, and Dr. Gayles noted that this was considered in MCPS' plan to bring back the youngest children first in its phased-in approach to school reopening. He stressed the need to reduce overall community transmission rates before schools could safely reopen, and that the availability of a vaccine is a game changer and should make students and staff more comfortable with returning to school facilities. Dr. Stoddard stated as the data shifts, they are willing to modify their recommendations.

Mr. Friedson commented that waiting 7 to 10 days to get test results is too long and asked what can be done to reduce that time. Dr. Gayles said that that situation is not unique to the County as the number of people getting tested has increased. Testing capacity at laboratories is being increased, the State is working to increase staffing, and the County's Call Center staff is also being increased. Mr. Friedson suggested wait times at testing sites be published on the COVID portal, if possible. A listing of all testing sites is updated daily on the COVID portal.

Mr. Albornoz noted that decisions are not made in a vacuum and suggested it might be helpful to publish the information used to reach those decisions. He noted that with children not in school, vaccination levels are at record lows and that it is important to reinforce the need for traditional vaccines.

C. [Coronavirus Relief Fund](#)

This item was postponed to the afternoon.

The meeting recessed at 1:02 P.M. and reconvened at 1:48 P.M.

(4) **PUBLIC HEARING - [Zoning Text Amendment \(ZTA\) 20-04, Farming Defined - Accessory Mulching and Composting](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on January 4, 2021.

- (5) **PUBLIC HEARING** - Resolution to approve Disposition of a certain portion of the Oaks Landfill, located at 6010 Riggs Road, Gaithersburg

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on December 1, 2020. Action is tentatively scheduled for December 8, 2020.

- (6) **PUBLIC HEARING/ACTION** - Supplemental appropriation to Montgomery College's FY21 Operating Budget - \$1,361,801 for CARES Act Governor's Emergency Education Relief Fund

The public hearing was conducted and the record closed.

Adopted **Resolution 19-670**, approving the subject supplemental appropriation.

Mr. Rice made the motion, which carried unanimously.

- (7) **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY21 Operating Budget, Department of Correction and Rehabilitation - \$543,000 for the Inmate Advisory Council Fund

The public hearing was conducted and the record closed.

Adopted **Resolution 19-671**, approving the subject supplemental appropriation.

Mr. Katz made the motion, which carried unanimously.

- (8) **PUBLIC HEARING** - Special appropriation to Montgomery County Public Schools' (MCPS) FY21 Operating Budget - \$750,000 for Restorative Justice Training for School Staff

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on January 19, 2021.

- (9) **PUBLIC HEARING** - Special appropriation to the County Government's FY21 Operating Budget - DHHS - \$312,455 for Children, Youth, and Family Services - Therapeutic Recreation Services for School-Age Youth

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on December 1, 2020.

- (10) **PUBLIC HEARING** - Special appropriation to the County Government's FY21 Operating Budget - Department of Recreation, \$406,000 for Youth Development - After School Youth Support and Engagement Hubs and Amendment to FY21 Operating Budget Resolution Section G, FY21 Designation of Entities for Non-Competitive Contract Award Status: Montgomery Collaboration Council for Children, Youth, and Families

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on December 1, 2020.

- (11) **PUBLIC HEARING/ACTION** - Special appropriation to MCPS's FY21 Capital Budget and Amendment to the FY21-26 Capital Improvements Program (CIP) - Major Capital Projects - Elementary (No. 652101) (South Lake ES) - \$5,853,000

The public hearing was conducted and the record closed.

Mr. Rice thanked Council and Executive Branch staff and community advocates for their efforts to make this project a reality.

Adopted **Resolution 19-672**, approving the subject special appropriation and CIP amendment.

Mr. Rice made the motion, which carried unanimously.

- (12) **PUBLIC HEARING/ACTION** - Special appropriation to MCPS's FY21 Capital Budget and Amendment to the FY21-26 CIP, - HVAC (Mechanical Systems) Replacement: MCPS (No. 816633) - \$3,000,000

The public hearing was conducted and the record closed.

Adopted **Resolution 19-673**, approving the subject special appropriation and CIP amendment.

Mr. Rice made the motion, which carried unanimously.

- (13) **PUBLIC HEARING/ACTION** - Amendments to the FY21-26 CIP - MCPS:

- Clarksburg Cluster ES (Clarksburg Village Site #2)
- Clarksburg HS Addition
- Kensington-Parkwood ES Addition
- S. Christa McAuliffe ES Addition
- Judith Resnick ES Addition
- Shady Grove Transportation Depot Replacement
- Blair G. Ewing Center Relocation



The public hearing was conducted and the record closed.

Adopted **Resolution 19-674**, approving the subject amendments to the FY21-26 CIP for MCPS.

Mr. Rice made the motion, which carried without objection.

- (14) **PUBLIC HEARING - Supplemental appropriation to the County Government's FY21 Capital Budget and Amendment to the FY21-26 CIPS, DHHS - \$1,000,000 for Emergency Homeless Shelter (No. P602103)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on December 2, 2020. Action is tentatively scheduled for December 8, 2020.

- (15) **PUBLIC HEARING/ACTION - Special Appropriation to the County Government's FY21 Operating Budget, Department of Housing and Community Affairs (DHCA) - \$3,473,228 for COVID-19 Response: Maryland State CDBG-CV HUD CPD Funding**

The public hearing was conducted and the record closed.

Adopted **Resolution 19-675**, approving the subject special appropriation.

Mr. Riemer made the motion, which carried without objection.

- (16) **PUBLIC HEARING/ACTION- Special Appropriation to the County Government's FY21 Operating Budget, DHCA - \$4,227,565 for COVID-19 Response: CDBG-CV HUD CPD Funding**

The public hearing was conducted and the record closed.

Adopted **Resolution 19-676**, approving the subject special appropriation.

Mr. Friedson made the motion, which carried without objection.

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND  
IN LEGISLATIVE SESSION - Day #37**

- (17) **Introduction of Bills**

A. **Bill 47-20, Ethics, Ethics Commission - Conflicts of Interest - Financial Disclosure - Amendments**

Introduced draft #5 of **Bill 47-20**, sponsored by the Council President at the request of the Ethics Commission. A public hearing is scheduled for January 12, 2021, at 1:30 P.M.

B. [\*\*Expedited Bill 48-20, Human Rights and Civil Liberties - Building Maintenance Worker - Minimum Work Week - Effective Date\*\*](#)

Introduced draft #1 of **Expedited Bill 48-20**, sponsored by the County Council. A public hearing is scheduled for December 8, 2020 at 1:30 P.M.

(18) **Call of Bills for Final Reading:**

A. [\*\*Bill 44-20, Human Rights and Civil Liberties - Racial Equity and Social Justice Advisory Committee - Members - Amendments\*\*](#)

Ms. Navarro, Chair of the Government Operations and Fiscal Policy (GO) Committee, reviewed the Committee recommendations, as contained in the staff report.

Supported, unanimously, Ms. Navarro's motion for the following two amendments.

Add Section (f) after line 14:

(f) *Responsibilities of each department and office.* Each Executive and Legislative Branch department and office must:

- (1) designate an employee to serve as the racial equity and social justice lead for the department or office to coordinate work with the Office;
- (2) develop a department or office racial equity and social justice action plan in coordination with the Office; and
- (3) provide discrete data on disproportionality and other information to the Office as needed.

Add the following to line 12 in Section D: including the recommended operating and capital budgets for the County Board of Education to read:

- (D) a requirement for the Executive to explain how each management initiative or program that would be funded in the Executive's annual recommended operating and capital budgets, including the recommended operating and capital budgets for the County Board of Education, or in a supplemental appropriation promotes racial equity and social justice;

Enacted draft #4 of **Bill 44-20**, as amended and shown at the end of these minutes.

The GO Committee made the motion and the bill was enacted by a roll call vote:

YEAS: Glass, Jawando, Riemer, Navarro, Rice, Friedson, Katz, Alborno, Hucker.

(3) **COUNCIL SITTING AS BOARD OF HEALTH** *(continued)*

C. [Coronavirus Relief Fund \(CRF\)](#)

Participating in the discussion were Mr. Watters, Office of Management and Budget (OMB); Mr. Gottesman, Manager, CountyStat; Dr. Stoddard, and Mr. Madaleno, Chief Administrative Officer.

Received an update from on the status of the County's Federal Emergency Management Administration (FEMA) reimbursement requests, noting that the most recent request for \$31.2 million was submitted on November 25, which included mostly personnel costs for frontline and emergency responders. Dr. Stoddard reported that no response has been received to date regarding the request submitted on October 23, although he expects feedback within the next week or two.

Mr. Friedson noted that earlier in the year, it was estimated that total FEMA requests for reimbursement by the December 30 deadline would total \$120 million. He requested an update be provided on the current anticipated total reimbursement amount.

Mr. Madaleno said that so far, \$66 million pertaining to differential pay costs (for March through August) has been submitted for FEMA reimbursement. Dr. Stoddard noted that differential pay is tied to the CRF, and there is no authority after December 30.

(19) **Briefing - [Community Use of Public Facilities \(CUPF\)](#)**

Participating in the discussion were Ms. Bell-Pearson, Director, and Ms. Vitale, Financial Administrator, CUPF; Ms. Lambert, OMB; and Ms. Yao, Legislative Analyst.

Received an update on the status of the CUPF Enterprise Fund, noting that CUPF does not receive tax dollars to support its operations. CUPF has been losing approximately \$1 million in revenue each month that public facilities have been closed due to the COVID-19 pandemic. Thirty percent of CUPF staff have been temporarily reassigned to other departments, such as the Board of Elections and DHHS. Requested that CUPF follow-up to ensure that departments reimburse

CUPF for staff that were reassigned and if CARES funding will reimburse for reassigned staff.

CUPF managed the administration of reopening in September of childcare in MCPS facilities for school-age children, currently operating in 63 schools. Permitting for field use resumed in May 2020. The Silver Spring Civic Building has been booked for various civic and community uses during the pandemic. Noted that CUPF is working with the Department of General Services to identify other County facilities that could be used for public space to substitute for lost space in MCPS facilities due to social distancing mandates.

Discussed the lapsed Memorandum of Understanding between CUPF and MCPS and whether the formula for utility and custodial reimbursement, based on the previous year's use, needs to be reconsidered when school facilities are closed.

Received a summary of two future scenarios, with some public facilities opening in the fourth quarter of FY21 versus facilities remaining closed, and the projected FY21 fund balance. Several Councilmembers noted that space for childcare and ballfield renovations remain priorities.

Recommended that the Council receive an update on the status of the Enterprise Fund prior to consideration of the FY22 budget. Suggested that CUPF think about its vision for the future and about new models for providing use of public facilities to the community, other than an Enterprise Fund model.

(20) **Briefing - [Census](#)**

Participating in the discussion were Ms. Vu, Director, and Mr. Ellis, 2020 Census Manager, Office of Community Partnerships (OCP); and Ms. Chen, Legislative Analyst.

Received an overview of the 2020 County census, noting in particular that the self-response rate was 78%, much higher than national state averages. OCP used a multifaceted education and outreach strategy in partnership with stakeholders from a broad representation of sectors and communities to ensure a fair and accurate count of everyone in the County, with a special focus on undercounted communities.

Outreach involved the 142 Census Complete Count Committee members; 376 multi-lingual volunteer Census Ambassadors; targeted outreach to the top seven languages spoken in the County (English, Spanish, Amharic, Chinese, Korean, French, Vietnamese), including multilingual flyers, media outlets and social media; census partners with 14 nonprofit organizations through the State 2020 Census Grant Program; partnering with over 150 other nonprofit, small business, civic, community, and faith or faith-based organizations to promote or provide

information to communities about the census; hosting over 350 census-related outreach events, information tables, staff trainings, virtual presentations, information sessions, or volunteer orientations since August 2019; and developing and distributing 1,500 lawn signs in multiple languages, with a focus on low-response neighborhoods. Targeted outreach areas included Fairland/Castle Boulevard, Long Branch, Aspen Hill, Montgomery Village, and Wheaton. Outreach efforts targeted undercounted populations such as renters, immigrants, and people of color as well as follow-up with non-responses. Methods of outreach also included bus ads, door hangers, and phone banking.

Councilmembers thanked Ms. Vu, Mr. Ellis and everyone involved in spearheading and assisting in achieving such commendable results with the 2020 census, especially during the pandemic and periods of racial unrest.

The meeting adjourned at 5:38 P.M.

This is a correct copy of Council action.

***Approved/Signed by Clerk of the Council***

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Selena Mendy Singleton, Esq.  
Clerk of the Council

Bill No. 44-20  
Concerning: Racial Equity and Social  
Justice – Impact Statements – Advisory  
Committee – Amendments  
Revised: 12/1/2020 Draft No. 5  
Introduced: September 29, 2020  
Enacted: December 1, 2020  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: Councilmember Navarro  
Co-Sponsors: Councilmembers Jawando, Albornoz, Council Vice-President Hucker, Councilmembers Riemer,  
Friedson, Council President Katz and Councilmembers Glass and Rice

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**AN ACT to:**

- (1) require a racial equity and social justice impact statement for each zoning text amendment;
- (2) add 2 public members to the Racial Equity and Social Justice Advisory Committee;
- (3) authorize the Executive to establish one or more task forces to study and make recommendations on a specific issue; and
- (4) generally amend the law governing Racial Equity and Social Justice.

**By amending**

Montgomery County Code  
Chapter 2, Administration  
[[Section]] Sections 2-64A and 2-81C

Chapter 27, Human Rights and Civil Liberties  
Section 27-83

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

Sec. 1. Sections ~~2-64A~~, 2-81C and 27-83 are amended as follows:

Division 13. OFFICE OF RACIAL EQUITY AND SOCIAL JUSTICE.

2-64A. Office of Racial Equity and Social Justice.

(d) *Racial Equity and Social Justice Action Plan.*

(2) The racial equity and social justice action plan must include:

(D) a requirement for the Executive to explain how each management initiative or program that would be funded in the Executive's annual recommended operating and capital budgets, including the recommended operating and capital budgets for the County Board of Education, or in a supplemental appropriation promotes racial equity and social justice;

(f) *Responsibilities of each department and office.* Each Executive and Legislative Branch department and office must:

- (1) designate an employee to serve as the racial equity and social justice lead for the department or office to coordinate work with the Office;
- (2) develop a department or office racial equity and social justice action plan in coordination with the Office; and
- (3) provide discrete data on disproportionality and other information to the Office as needed.

(g) *Responsibility of the Council.* The Council must:

- (1) establish a structure to provide oversight of the County's progress in meeting its racial equity and social justice goals. The Council may retain experts from academic and scientific organizations to assist the Council with this oversight responsibility; [[and]]
- (2) establish a process to explain how each special appropriation promotes racial equity and social justice; and
- (3) ensure that the operating budget is sufficient:
  - (A) for the Office of Racial Equity and Social Justice to provide the services required by this Section; and
  - (B) to implement the Racial Equity and Social Justice Action Plan.

2-81C. Racial Equity and Social Justice Impact Statements.

(b) *Racial Equity and Social Justice impact statement.* The Director must submit a statement to the Council describing the racial equity and social justice impact, if any, of each bill and zoning text amendment under consideration by the Council or the District Council. The Director must submit a separate statement for each bill or zoning text amendment. The Director must consult with the Planning Board staff before submitting a racial equity and social justice impact statement for a zoning text amendment to the Council.

(e) *Compliance.* Council action on an expedited bill or District Council action on a zoning text amendment that is otherwise valid is not invalid because of any failure to follow the requirements of this Section.

27-83. Racial Equity and Social Justice Advisory Committee.

(a) *Members.* The Executive must appoint, subject to confirmation by the Council, a Racial Equity and Social Justice Advisory Committee. The Committee must have [15] 17 voting members.

- (1) Voting members. The members must reflect a range of ethnicities, professional backgrounds, socioeconomic status, and places of origin to reflect the racial, economic, and linguistic diversity of the County's communities, with an emphasis on those most disproportionately impacted by inequities. Each member should have some experience in redressing disparate impacts based on race and social justice issues.
  - (A) One member should be a designee of a public education system in the County.
  - (B) One member should be the Chair of the Housing Opportunities Commission or the Chair's designee.
  - (C) One member should be a designee of the County Council.

- (D) One member should be an employee of the County Department of Health and Human Services.
- (E) One member should be an employee of the County Department of Correction and Rehabilitation.
- (F) One member should be a sworn officer of the County Police Department.
- (G) One member should be the Chair of the Montgomery County Planning Board or the Chair's designee.
- (H) [Eight] Ten members should be a public member with experience in redressing disparate impacts based on race and social justice issues. Each public member must reside in the County.
- (2) Term. Each member serves a 3-year term. A member must not serve more than 2 consecutive full terms. A member appointed to fill a vacancy serves the rest of the unexpired term. Members continue in office until their successors are appointed and qualified.
- (3) Compensation. Except for the [8] 10 public members, members must receive no compensation for their services. Each of the [8] 10 public members may receive an annual stipend of \$2,000.00 and reimbursement for expenses incurred in serving.
- (b) *Chair and Vice Chair.* The Committee must annually elect one member as chair and another as vice chair and may elect other officers.
- (c) *Meetings.* The Committee may meet at the call of the chair as often as required to perform its duties, but at least 6 times each year. The Committee must also meet if a majority of the members submit a written request for a meeting to the chair at least 7 days before the proposed meeting. A majority of the members are a quorum for the transaction of business, and a majority of members present at any meeting with a quorum may take an action.
- (d) *Staff.* The Office of Racial Equity and Social Justice must provide the Committee with staff, offices, and supplies as are appropriate.
- (e) *Duties.* The Committee must:
- (1) adopt rules and procedures as necessary to perform its functions;
  - (2) keep a record of its activities and minutes of all meetings, which must be kept on file and open to the public during business hours upon request;
  - (3) develop and distribute information about racial equity and social justice in the County;
  - (4) promote educational activities that increase the understanding of racial equity and social justice in the County;
  - (5) recommend coordinated strategies for reducing racial and social justice inequity in the County;
  - (6) advise the Council, the Executive, and County agencies about racial equity and social justice in the County, and recommend policies, programs, legislation, or regulations necessary to reduce racial and social justice inequity;
  - (7) meet periodically with the racial equity and social justice lead for each department and office; and
  - (8) submit an annual report by December 1 of each year to the Executive and Council on the activities of the Committee.
- (f) *Advocacy.* The Committee must not engage in any advocacy activity at the State or federal levels unless that activity is approved by the Office of Intergovernmental Relations.
- (g) The Executive may establish one or more limited issue task forces to study and make recommendations on a specific racial equity and social justice issue. A limited issue task force established by the Executive ceases to exist once it has completed its assigned task. The appointment of members of a limited issue task force must not be subject to confirmation by the Council. Each recommendation of a limited issue task force must be shared with the Council, the Executive, and the Racial Equity and Social Justice Advisory Committee.

**Sec. 2. Transition.**

The amendments to Section 2-81C in Section 1 must take effect on September 1, 2021.



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