

MEMORANDUM

July 8, 2016

TO: County Council

FROM: Amanda Mihill, Legislative Attorney *A. Mihill*

SUBJECT: **Public Hearing:** Bill 25-16, Housing and Building Maintenance Standards – Neighborhood Action Team

Expedited Bill 25-16, Housing and Building Maintenance Standards – Neighborhood Action Team, sponsored by Lead Sponsors Councilmembers Leventhal and Navarro and Co-Sponsors Councilmembers Berliner and Elrich, was introduced on June 21, 2016. A Planning, Housing and Economic Development Committee worksession is tentatively scheduled for August 1 at 2:00 p.m.

Bill 25-16 would require the Executive to create a Neighborhood Action Team and specify the duties and membership of the Neighborhood Action Team. A memorandum from the Lead Sponsors with additional background material is on ©5.

This packet contains:	<u>Circle #</u>
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Bill No. 25 -16
Concerning: Housing and Building
Maintenance Standards -
Neighborhood Action Team
Revised: 5/31/2016 Draft No. 3
Introduced: June 21, 2016
Expires: December 21, 2017
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmember Leventhal and Navarro
Co-Sponsors: Councilmembers Berliner and Navarro

AN ACT to:

- (1) require the Executive to create a Neighborhood Action Team;
- (2) specify the duties and membership of the Neighborhood Action Team; and
- (3) generally amend County laws related to housing and building maintenance standards.

By adding

Montgomery County Code
Chapter 26, Housing and Building Maintenance Standards
Section 26-19

Boldface	<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:

1 **Sec. 1. Section 26-19 is added as follows:**

2 **26-19. Neighborhood Action Team**

3 (a) Creation. The Executive must create a Neighborhood Action Team to
4 address visual blight and other quality of life issues in the County.

5 (b) Membership.

6 (1) The Neighborhood Action Team must include representatives
7 from:

8 (A) the Department of Transportation;

9 (B) the Department of Housing and Community Affairs;

10 (C) the Department of Permitting Services;

11 (D) the Department of Environmental Protection;

12 (E) the Police Department; and

13 (F) any other representative the Regional Services Center
14 Director or the Executive finds necessary.

15 (2) By September 1 of each year, the Executive must submit the
16 names and position titles of the members of the Neighborhood
17 Action Team to the Council.

18 (c) Duties. The Neighborhood Action Team must convene at the request of
19 any Regional Services Center Director or other individual designated by
20 the Executive. After convening, the Neighborhood Action Team must
21 create a plan with recommended actions to address blight and quality of
22 life issues in any affected community. Recommendations may include
23 increasing enforcement of violations of County laws related to housing
24 maintenance standards, parking, and solid waste disposal.

25 (d) Report. By December 1, 2017 and each December 1 thereafter, the
26 Executive must submit a report to the Council that includes activities,

LEGISLATIVE REQUEST REPORT

Bill 25-16

Housing and Building Maintenance Standards – Neighborhood Action Team

DESCRIPTION: Bill 25-16 would require the Executive to create a Neighborhood Action Team and specify the duties and membership of the Neighborhood Action Team.

PROBLEM: There has been an informal team meeting regarding these issues, but County residents would benefit from a team more formally established.

GOALS AND OBJECTIVES: To address blight and quality of life issues.

COORDINATION: Departments of Transportation, Housing and Community Affairs, Permitting Services, and Environmental Protection; the Police Department; Regional Services Centers

FISCAL IMPACT: To be requested

ECONOMIC IMPACT: To be requested

EVALUATION: To be researched.

EXPERIENCE ELSEWHERE: To be researched.

SOURCE OF INFORMATION: Amanda Mihill, Legislative Attorney, 240-777-7815

APPLICATION WITHIN MUNICIPALITIES: To be researched.

PENALTIES: N/A



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

MEMORANDUM

TO: Councilmembers

FROM: George Leventhal, Councilmember *George Leventhal*
Nancy Navarro, Councilmember *NY*

DATE: June 15, 2016

SUBJECT: Creating an interdepartmental Neighborhood Action Team to address blight and quality of life issues in Montgomery County.

In dual memoranda dated June 30, 2014 and July 9, 2014, we detailed important steps the county could take to begin to address issues of blight in and around the community of Connecticut Avenue Estates in Wheaton. Both memoranda called for an increased effort in county agency coordination to address issues of targeted code enforcement, overnight parking and illegal dumping enforcement and penalties. We sought participation from the Department of Housing and Community Affairs (DHCA), the Department of Permitting Services (DPS), the Department of Environmental Protection (DEP), the Montgomery County Police Department (MCPD) and the Department of Transportation (DOT).

While we are well aware that a working group, with members from these various departments, has been meeting on an informal basis about these issues, we believe it is vitally important that there be an accurate record of potential findings, new public education initiatives, and best practices moving forward. We believe this working group will be able to provide valuable community resources to residents, not just in the neighborhood of Connecticut Avenue Estates, but county-wide. Directors of each of the Regional Services Centers (RSC) would be able to call upon the newly established Neighborhood Action Team to evaluate problem areas in communities and to quickly establish a workable, time limited plan to address issues of blight that negatively affect residents' quality of life.

To that end, we are soliciting your support for the attached legislation, which we will introduce on Tuesday, to create an official, permanent Neighborhood Action Team. We believe this is an important first step in providing residents with a unified and uniformed response on issue of blight. We look forward to working with you on this issue.



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

NANCY NAVARRO
COUNCILMEMBER, DISTRICT 4

MEMORANDUM

June 30, 2014

TO: Councilmembers
Isiah Leggett, County Executive

FROM: Nancy Navarro 
Councilmember (District 4)

SUBJECT: Community Solutions: Neighborhood Revitalization Enhancement Initiative

On April 25, 2014, I sent a memo (attached) to the Planning, Housing and Economic Development Committee (PHED) requesting targeted funding through a grant administered by the Department of Housing and Community Affairs (DHCA) for community building activities in District 4. Specifically, I requested \$120,000 for Montgomery Housing Partnership (MHP) to continue their excellent work in Glenmont (\$100,000) and for them to begin working in Connecticut Avenue Estates (\$20,000). The Connecticut Avenue Estates Civic Association sent a letter (attached), also dated April 25, 2014, in support of this funding. I also requested \$127,350 for Impact Silver Spring for work in the following areas:

- \$32,350 for Bel Pre;
- \$60,000 for Wheaton; and
- \$35,000 for Connecticut Avenue Estates in partnership with MHP.

I requested this funding because of the phenomenal track record MHP and Impact Silver Spring have in neighborhood building and community development activities throughout the County. I chose these areas because of the outreach activities my office has been doing with a broad range of residents who had requested these initiatives. These organizations have a history of engaging community members who do not traditionally attend civic association meetings or participate in community events. I have attached a letter from the Bluehill Neighborhood Opportunity Circle, a group representing close to 30 residents who live in the Connecticut Avenue Estates neighborhood who are interested in continuing their work with Impact Silver Spring.

It has recently come to my attention that a small group of concerned residents in three neighborhoods have expressed opposition to these DHCA contracts to nonprofits. I have met with these individuals and they expressed a desire that the County Government focus resources exclusively on enforcement of housing, permitting, parking, and solid waste code violations. After meeting with these individuals, touring their neighborhoods with them, and reviewing the

materials they provided to me, I am sympathetic to their desire for enhanced enforcement. However, I do not believe this is an "either/or" proposition. I strongly oppose any redirection of allocated funds because this sells the community short. Instead, I am in favor of an "and/both" approach that emphasizes positive community building and education activities, enhancing existing code enforcement, and developing new policy initiatives that will provide lasting solutions to the community issues I have observed firsthand.

There is no doubt that the Mid- and East-County has the vast majority of housing and code enforcement complaints in the County. MC311 data, compiled by the Office of Legislative Oversight (OLO) (attached), show that over the past two years, District 4 and District 5 have received 2,311 and 2,339 housing complaints, respectively. The next highest number of housing complaints is District 2 at 1,772. For code enforcement requests, District 4 and District 5 have received 4,224 and 4,256, respectively, over the past two years. District 2 comes in third, at 3,151 requests. I have attached the complete analysis by OLO. My view is that these numbers reflect symptoms of a larger societal issue that cannot be addressed through enforcement alone. An "enforcement only" approach would only serve to ostracize residents who are not aware of County laws and negatively divide neighborhoods. My belief is that government's role should be to bring people together by being welcoming to all people and educating those who are not aware of what is expected.

The comprehensive approach outlined below can serve as a roadmap for how I believe we can address community issues, not only in District 4, but throughout Montgomery County.

Community Development and Education

Developing an engaged community and educating residents about their rights and responsibilities as good neighbors is the cornerstone in solving all of the issues I have observed in many District 4 neighborhoods. County Government alone cannot facilitate the community building exercises that are needed to solve neighborhood problems. That is why our departments (Health and Human Services (HHS), DHCA, and others) contract with nonprofit organizations to do much of this important work. Working with and strengthening existing civic associations and neighborhood structures are the core work of organizations such as MHP and Impact Silver Spring. They also serve as a liaison between neighborhoods and government entities. These groups listen to the concerns of residents and structure their activities based on those needs. For example, in neighborhoods where persistent crime is an issue, these groups can help organize "neighborhood watch" programs. Where there are housing code issues, they can help educate residents about how to be better neighbors. This work is critical to addressing the underlying issues in many neighborhoods.

Before the Council begins the FY16 Operating Budget process, I encourage DHCA to create an inventory of community-based nonprofits doing this type of work in the County. DHCA should also develop a quantitative assessment to measure the results of these organizations and objective criteria for determining what areas of the County would benefit most from these initiatives.

Targeted Code Enforcement

Residents often use the term "code enforcement" as a blanket phrase when describing quality of life issues in a neighborhood. Residents are sometimes frustrated when reporting these issues to MC311 or Council offices because the County department responding to a complaint depends on the nature of the complaint itself. Whether the request for service is directed to the

Montgomery County Police Department (MCPD), DHCA, Department of Permitting Services (DPS), Department of Environmental Protection (DEP), Department of Transportation (DOT), or an outside agency, such as the Washington Suburban Sanitary Commission (WSSC) or Maryland-National Capital Park and Planning Commission (M-NCPPC), the constituent's goal is getting the problem resolved.

I propose creating an interdepartmental unit comprised of officials from across County Government to focus on quality of life issues in targeted neighborhoods. This unit would have at least one staff member from the Code Enforcement Section of DHCA, DPS, DEP, MCPD, and DOT. They would work as a team to increase proactive enforcement of housing code, parking, permitting, illegal dumping and other quality-of-life violations in areas identified by the County Executive as having the greatest need. This unit would help mitigate the "stove piping" or "silo" mentality that frustrates residents about government. The unit will be nimble enough to work in one or more high need area at a time and will complement—not replace—existing enforcement activities. I encourage the County Executive to recommend adequate funding in the FY16 Operating Budget, or sooner through a supplemental appropriation, to implement this proposal.

Overnight Parking

One of the most pervasive issues in several neighborhoods around Wheaton is the lack of overnight parking for residents in front of their homes. I observed orange construction cones in front of several homes in an effort to "reserve" street parking spaces. Under the County's current residential parking program, streets can "opt-in" to the program requiring permits during daytime hours. The purpose of this program is to prevent commuters taking public transit from parking on residential streets during the day. In neighborhoods where most homes do not have driveways and are not near transit, parking shortages are most prevalent in the evening and overnight hours.

In the coming weeks, I plan on working closely with Montgomery County Department of Transportation (DOT) to explore ways of expanding the County's residential parking permit program. I believe the program should include an evening/overnight component in neighborhoods with single-family homes that do not have driveways. In the fall, I plan to introduce legislation that reflects these discussions with DOT and provides some relief for residents who cannot find parking near their homes in the evening.

Illegal Dumping Enforcement and Penalties

Illegal dumping is a serious quality of life issue for residents. The Department of Environmental Protection (DEP) does a very good job dealing with illegal dumping on a complaint-driven basis. However, the County needs to employ strategies that prevents and deters illegal dumping in the first place.

First, I propose a targeted illegal dumping public education campaign in high-incident neighborhoods. This campaign should be administered by DEP in conjunction with the County's Public Information Office (PIO). I encourage the County Executive to recommend funds in the FY16 Operating Budget to fund a broad-based, multilingual outreach effort utilizing various forms of media—including print advertising, radio, television and the internet.

Second, the County should aggressively pursue individuals who are dumping illegally in neighborhoods. Civic Associations, along with nonprofit organizations working in the

community, should form neighborhood watch groups to monitor dumping and report incidents to the Police in real time. MCPD should also dedicate resources to monitoring areas where illegal dumping is a chronic problem and actively engage in "sting" activities to identify individuals engaged in this behavior.

Finally, this fall I will introduce legislation that increases the minimum fine for illegal dumping in Montgomery County. Currently, the minimum fine for first-time offenders is \$500 and the maximum is \$1,000. My legislation will increase the minimum to \$750. Currently, the County is prohibited by State Law to increase the maximum fine. However, I will request that our State Delegation introduce legislation giving Montgomery County the authority to adopt laws that are consistent with the higher penalties for illegal dumping found in the Maryland Criminal Code. Currently, only Prince George's County and Calvert County have this authority under State Law.



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

GEORGE LEVENTHAL
COUNCILMEMBER
AT-LARGE

MEMORANDUM

July 9, 2014

TO: Nancy Navarro

FROM: George Leventhal *George Leventhal*

SUBJECT: RE: Community Solution – Neighborhood Revitalization Enhancement Initiative

Thank you for your June 30 memorandum outlining proposals for dealing with parking, blight and other issues affecting Connecticut Avenue Estates and the surrounding Wheaton neighborhood. Your leadership on these issues is helping to improve the quality of life for these residents. You have engaged members of the community who had not had the opportunity to have their views presented. As you know, residents have sought assistance from at-large councilmembers in addition to their district member. While I largely agree with most of the points in your memorandum, I wanted to share some thoughts of my own.

With regard to community development and education. I understand that non-profit service providers may sometimes be better equipped than county government to work with diverse communities in a culturally competent way. As you will recall, during our budget discussions, I supported funding for Montgomery Housing Partnership (MHP) and Impact Silver Spring, but I also expressed a desire to see countywide criteria whereby contracts with these or other organizations for community development will be executed in the future. In addition, it is very important that we identify right away the deliverables we can expect from these contracts, and how they will be monitored.

Regarding targeted code enforcement, I believe it is not necessary to reinvent the wheel. The county already seeks a strong presence in communities through our Regional Services Centers (RSC). As you well know, these offices suffered tremendous cuts to personnel during the recession, turning them into one man/woman shops staffed only by the

directors. Instead of creating a new position or office, I suggest that we work in the FY2016 budget to address staffing at our Regional Services Centers, realizing that the directors of these centers currently possess the knowledge of how to navigate multiple county departments. In the meantime, the county should launch a coordinated effort with existing staff from the appropriate departments to address and remediate the issues now.

I wholeheartedly agree with your points regarding overnight parking, and I look forward to working closely with you on the implementation of any changes to the county Department of Transportation's (DOT) policy regarding evening residential parking.

The issue of illegal dumping and enforcement will be one of the most important issues we face moving forward. While I agree the county can and should do more multilingual outreach, I also believe that the county needs to take a firm hand with individuals who violate county law. While an increase to the minimum fine amount would seem to be a deterrent, any fine amount is useless until an actual fine is issued. To that end, I would suggest a mandatory fine for repeat offenders.

Please understand that I recognize your role as the district councilmember and am eager to work collaboratively with you, other council colleagues and executive branch officials to show a united front and yield positive results for our residents.

CC: Craig Rice, President Montgomery County Council
Nancy Floreen, Councilmember
Hans Riemer, Councilmember
Marc Elrich, Councilmember
Roger Berliner, Councilmember
Cheri Branson, Councilmember
Phil Andrews, Councilmember
Diane Schwartz-Jones, Department of Permitting Services
Richard Nelson, Department of Housing and Community Affairs
Ana Lopez van Balen, Mid-County Regional Services Center