

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

EDUCATION COMMITTEE

Thursday, February 18, 1993
2:10 P.M. to 4:20 P.M.
Council Hearing Room

PRESENT

Michael L. Subin, Chair

Nancy Dacek

Isiah Leggett

SUBJECT: Meeting with the Board of Trustees of Montgomery College

Dr. Parilla, President, Montgomery College, reviewed the FY 94 operating budget adopted by the Board of Trustees in accordance with the chart provided, noting the gap between the adopted budget and the Council's spending affordability guidelines. He asked that, if the Council is able to adjust its affordability guidelines, it consider the factors over which the College has no control, such as its obligations for the funding of social security payments and post-retirement health benefits. Mr. Locksley, Chair of the Board of Trustees, pointed out that most of the gap between the adopted budget and the affordability guidelines can be attributed to these obligations.

Mr. Subin said it had been his hope that there would be a way to distinguish between expenditure authority and appropriations for the school system and College. Mr. Lehman, member of the Board of Trustees, advised that including non-County revenues in the affordability limitations discourages efforts to identify new revenue sources or to increase revenues from other sources.

Mr. King, Finance Director, Montgomery College, provided information about the change in the standards with respect to the funding of post-retirement health benefits, noting that the College is now required to set funds aside for these benefits. He advised that the College proposes funding this liability over a 20-year period.

Discussion followed concerning the spending affordability process. Mr. King advised that the College does not receive a benefit if it acquires a grant or is able to increase revenues because it is constrained by the spending ceiling. Mr. Subin said he believes the distinction must be made between expenditure authority and appropriations, and expressed a willingness to sponsor legislation, if it is determined that such a distinction cannot be made without a legislative amendment. He proposed that Mr. Sherer determine whether an amendment to the spending affordability law is needed or whether modification to the process can be achieved through another mechanism, such as the adoption of a resolution. He noted that such a change would not impact

County appropriations but would provide an incentive for the College to explore other revenue sources, such as increased user fees. Ms. Dacek pointed out that other departments and agencies receive grants and revenues from sources other than County appropriations, and noted the need to develop a solution which addresses the general issue of the relationship of the spending affordability guidelines and other revenue sources for all budgets.

ACTION: Instructed Mr. Sherer to determine what actions must be taken to allow for the distinction to be made between County appropriations and other revenue resources when establishing the spending affordability guidelines.

Dr. Parilla responded to inquiries about the enrollment at the three campuses, and provided information on the increase in the number of students needing English skills. He noted that the College is considering establishing a multi-cultural resource center at the Takoma Park campus, and advised that it is interested in discussing the possibility with the County to determine whether a partnership can be established to develop such a center. Mr. Subin noted that some funding may be available from the private sector. Dr. Parilla advised that the College has received a contract to develop a video and other materials to train small businesses on how to do business in other countries. Mr. Subin said it may be useful to schedule a joint meeting of the Education and Planning, Housing, and Economic Development (PHED) Committees with representatives of the College and the private sector leadership to discuss the possibilities of a public-private partnership. Dr. Parilla advised that the College would be very interested in leading such an effort. Dr. Lehman noted that this proposal brings attention to the concerns raised earlier about the spending affordability process, and pointed out that any funds which the College may receive as a result of a partnership with the private sector will have an impact on the funds which can be expended in support of the general education program.

ACTION: Instructed Mr. Sherer to explore the possibility of scheduling a meeting with the Education and PHED Committees and representatives of the College and the private sector to discuss the interest of the College in establishing a multi-cultural resource center and in undertaking other efforts to assist businesses in their relationships with other countries and cultures, and to examine whether a public-private partnership to facilitate these efforts may be feasible.

SUBJECT: Supplemental Appropriation to the FY 93 Operating Budget of the Montgomery County Public Schools (MCPS) for the Adult Basic Education (ABE) Program. in the amount of \$27,000

Ms. Hughes, MCPS staff, responded to inquiries about the funding of the ABE program, and advised that a condition of the grant is that no user fees be charged. She said she believes the higher cost to provide these services in Montgomery County accounts for the difference between the funding provided by the Federal Government and the total funding of the program.

ACTION: Requested that, prior to Council action on the supplemental appropriation request, MCPS staff provide information on the services which are mandated for the ABE program and additional services which the MCPS may be providing beyond those which are mandated, and requested that this information be provided in the future for mandated programs when funding requests are transmitted to the Council.

SUBJECT: Montgomery County Public Schools (MCPS) Enrollment Projections

Using graphics, Mr. Crispell, MCPS staff, reviewed the components of the enrollment forecast, enrollment history and projections for the County from 1980 through 2010, enrollment history and projections for Maryland and the United States, and data on enrollment by grade for the 1992-93 school year for the Blair, Paint Branch, Sherwood, Springbrook, Quince Orchard, and Seneca Valley Clusters. He responded to inquiries and provided information on the factors which impact migration into and out of the system.

Mr. Subin noted the impact of new construction on in-migration, and inquired about whether there may be ways to get a better determination of this impact. Mr. Crispell advised that builders are surveyed with respect to their expectations, and this information is incorporated by school into the data base which he uses to develop his projections. He noted that the regional forecasts which are developed by the Montgomery County Planning Board (MCPB) are also used.

Mr. Dedrick, MCPB staff, reviewed factors which indicate that the economy is improving, and expressed the view that the MCPS assumptions with respect to in-migration are conservative.

Mr. Huggins, representing the Board of Realtors, advised that the Board does not track the composition of families moving into and out of the County, but said it is his observation that more families with younger children are moving into the County. He provided data on the increase in the residential sales which occurred in 1992 by area of the County, and said it is clear that the economic recovery has begun. To assist the County in collecting data on family composition, he suggested that the County transfer form which is completed at the time of settlement be modified to include a question on the number and ages of children in the family. Mr. Subin said he believes the information would also be useful to Montgomery College.

ACTION: Instructed Mr. Sherer to request that the appropriate Executive Branch staff work with staff of the MCPB and MCPS to explore the possibility of using the transfer form to collect data on family composition to assist the MCPS in developing enrollment projections.

This is an accurate account of the meeting:



Kathleen A. Freedman, CMC
Secretary of the Council

Minutes written by: Sherry Homer, Assistant Secretary

APPROVED

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
PLANNING, HOUSING, AND ECONOMIC DEVELOPMENT COMMITTEE

Thursday, February 18, 1993
3:47 P.M. - 5:27 P.M.
PIC Conference Room in Silver Spring

PRESENT

William E. Hanna, Jr., Chair
Bruce Adams Derick Berlage

SUBJECT: Private Industry Council (PIC) Job Training Programs

The Committee met with members of PIC and representatives of the Office of Economic Development (OED) to receive a briefing on the job training programs coordinated by PIC. Mr. Stewart, Chair; Mr. Bozarth; and Mr. Zeller, Executive Director, PIC, responded to questions of Committee members concerning the various programs and funding sources.

Mr. Adams stated that PIC and other organizations should develop a clear plan to be ready to take advantage of summer jobs programs and other Federal initiatives that will be funded as a result of President Clinton's economic stimulus plan.

Mr. Berlage requested information on the total amount of funding received by the various job training programs coordinated by PIC that is leveraged with County money. He requested that this information be displayed in the form of a pie chart. In response to an inquiry as to whether PIC has a breakdown of the client population in terms of different categories and groups of people served, Mr. Zeller stated that PIC can provide this information for the portion of the client population that is not funded by the County, and for portions of the County funding which is earmarked for specific populations.

Mr. Hanna stated that the Committee's direction to OED and PIC was to combine all of the County-funded programs into a single integrated system. He stated that each individual program has the administrative support necessary to make the program work, and, while administrative support is necessary, these funds could be devoted to job training programs if the administration was consolidated.

Mr. Bozarth stated that PIC does not have the intention of combining all of the programs under one name; PIC is coordinating the programs and creating efficiencies. He stated that PIC's development of a central point of intake could serve all of the various programs. He stated that there are other efficiencies that will be identified and implemented.

Mr. Adams stated that he agrees with Mr. Hanna in concept, but noted that a number of the job training programs have administrative overhead which is designed to serve a series of other programs and functions. It would not necessarily be more efficient to take the job training component out of each of these entities and combine them into a large training operation. He requested that PIC examine the question from this point of view in time for the Committee's review of job training programs in the operating budget.

Senior Legislative Analyst Orlin noted that many of the job training programs are individual efforts and not part of a large agency. He requested information on the number of administrative staff for each program, and whether it is a stand alone program or part of another agency.

Mr. Hanna stated that, in difficult economic times such as these, the establishment of priorities for government programs is the single most important thing the Council can do. Unfortunately, there will be many good programs eliminated as a result of budget cuts that meet the criteria of good programs but they are not a high priority when there are limited resources. He noted the variety of clients and population groups served by the various job training programs, and stated that, if the objective of PIC is to place the maximum number of people into jobs, it would be inappropriate to spend large amounts of money for job training programs for some segments of the population. Noting that some client categories are easier to train and place in jobs than others, if the objective is to place the greatest number of people in jobs, the Council should cut funding for certain groups because it would be better able to achieve its objective by directing these funds to other programs. He stated that that is the kind of issue that elected officials should address. Mr. Hanna stated that the Council will not abandon programs for some of these groups, but it does need to give consideration to whether it is wise to spread scarce resources around to all the different categories of clients when substantial classes of clients can be identified that have a greater likelihood of being placed in jobs. Mr. Hanna noted that some client groups, such as women and senior citizens, may fall into more than one category of job training programs. Ideally, PIC would establish a cross classification system to track these clients, but he is not sure that funding is available for this purpose. If PIC could decide which categories are easiest to work with and represent the largest number of clients likely to be placed in jobs and then concentrate on what needs to be done to serve those different categories, PIC will be able to serve the greatest number of people for the least amount of money.

Mr. Hanna noted that yesterday he and a small group of elected officials were invited to meet with the new Secretary of the Federal Department of Housing and Urban Development (HUD). The Secretary provided insights on some new initiatives with which HUD is involved. For example, Mr. Hanna stated that all present recipients of Community Development Block Grant funds will be given a bonus in the amount of 50% to 60% of the amount of money normally appropriated to that jurisdiction. The idea is spend the money on job-producing programs and projects immediately. He stated that he has met with Mr. Ferrara, Director, County Department of Housing and Community Development, to determine whether the County has any projects which are ready to be implemented. Montgomery County will probably receive \$1 million to

\$3 million under this program. He stated that this will result in new construction contracts that may employ some of the clients that PIC is trying to place. In addition, HUD will make available \$450 million on a grant application basis for new programs to serve the homeless, including buildings and facilities, without exclusions. Projects that involve job production will be given favorable treatment. HUD is seeking new and creative ways of using this money and has not put any limitations on it. He asked Mr. Ferrara to talk to Mr. Short, the County's Secretary of Health and Human Services, to determine what Montgomery County can do to take advantage of this money. Mr. Hanna requested that PIC inform the County Government if it has any ideas on how it can use these new funds which will be made available.

Mr. Zeller stated that PIC will provide the Committee with information on the return on the investment of County funds and how expenditures for this purpose save other County expenditures, such as in the Department of Social Services, and the amount of revenue generated in income taxes.

Following the discussion, Committee members toured the PIC Office at 8500 Colesville Road in Silver Spring.

This is an accurate account of the meeting:


Kathleen A. Freedman, CMC
Secretary of the Council

Minutes written by: Kathleen A. Freedman, CMC

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
MANAGEMENT & FISCAL POLICY COMMITTEE

Thursday, February 18, 1993
9:05 A.M. - 9:16 A.M.
Council Conference Room

PRESENT

Michael L. Subin

William E. Hanna, Jr.

ABSENT

Marilyn J. Praisner, Chair

Mr. Hanna stated that he has been asked to chair the meeting in the absence of Ms. Praisner who is ill.

SUBJECT: Bill 37-92. Construction Excise Tax (CET) - Postponement

The Committee had before it memoranda from Senior Legislative Attorney Faden, dated February 18, 1993, attaching the bill and related material.

Mr. Hanna stated the subject bill proposes to postpone the effective date, the sunset date, and the evaluation date of the CET for one year. The County Executive has indicated that he would accept a six-month delay in the effective date of the CET if the time of payment were advanced from issuance of the certificate of occupancy to an earlier point. Mr. Hanna stated that, although he would prefer that the bill be repealed, he will support it. Mr. Subin also agreed to support the bill.

ACTION: Recommended approval of Bill 37-92.

SUBJECT: Supplemental Appropriation and Amendment to the FY 93 Operating Budget of the Montgomery County Government (Management Systems Development Nondepartmental Account). Department of Information Systems & Telecommunications (DIST). for Construction Excise Tax Automation. in the Amount of \$280,000

Mr. Hanna stated that he does not support the provision of funds to implement the CET. Therefore he will vote against the supplemental appropriation.

Mr. Subin stated that he believes it is unrealistic to establish an automation system for the CET. He suggested that, if the CET is implemented, the County include CET calculations in an automation system that is already being used by the County. He pointed out that there is already a system in place in connection with the development impact tax currently being levied in Germantown and Eastern Montgomery County.

Mr. Rasmussen, Director, DIST, stated that there is a mechanism in place for collecting the tax, but the calculation of the CET is different from the calculation of other taxes collected by the County. Mr. Hubbard, staff, Department of Environmental Protection, explained the complexities involved in the calculation of the CET. Mr. Subin suggested that, if the CET is implemented, a further examination of the County's automation systems should be examined to determine whether the process for calculating the CET could be incorporated into a process which is already in place.

ACTION: Recommended disapproval of the supplemental appropriation.

The Committee voted to disapprove the supplemental appropriation at this time because of the potential that the CET will be postponed for a year; in that case the funds for any system adjustment could be considered later.

SUBJECT: Bill 3-93. Collective Bargaining - Process and Deadlines

The Committee had before it a memorandum from Mr. Faden, dated February 18, 1993, setting forth issues for discussion, and attaching the subject bill.

Mr. Hanna referred to objections raised by Mr. Bader, President, Fraternal Order of Police, in his letter of February 12, 1993, regarding stylistic and technical changes made to the bill. He noted that Mr. Faden has responded to these issues in his memorandum.

ACTION: Recommended approval of Bill 3-93.

This is an accurate account of the meeting:


Kathleen A. Freedman, CMC
Secretary of the Council

Minutes written by: Mary A. Edgar, CMC
Senior Assistant Secretary

APPROVED

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

PUBLIC SAFETY COMMITTEE

Thursday, February 18, 1993
9:05 A.M. to 12:15 P.M.
Council Hearing Room

PRESENT

Betty Ann Krahnke, Chair

Nancy Dacek

ABSENT

Gail Ewing

Ms. Ewing was absent because of a family emergency, and a member of her staff attended the session on her behalf.

SUBJECT: Cabin John Fire Station #10 - Roof

Ms. Krahnke added this item to the agenda to discuss a recent newspaper report of an evacuation of the building due to severe roof leakage. She asked that the Committee be briefed on the incident. Neil Shorb, Staff Director, Fire and Rescue Commission, explained that the roof was in the process of being repaired and the contractor failed to cover his work properly prior to recent heavy rains. The contractor's insurance will cover the damage from this incident. He emphasized that the roof has had continual roof leaks since it was built in 1984, which was the reason for the repair work. Ms. Krahnke asked for information on why the contractor who built the original roof was not held responsible for the work. She believes that the Department of Facilities and Services should assure that work is done properly in the first place and that if it is not, the contractor must be held accountable for unacceptable work. It was explained that the County now has a roofing engineer to help assure that roofs are designed and built properly.

Ms. Krahnke asked that the Council be apprised of emergency situations before reading about them in the newspapers.

SUBJECT: Briefing - Underground Storage Tanks

The Committee reviewed a memorandum, dated February 16, 1993, from Legislative Analyst Davidson, which raised some issues for Committee consideration.

The Committee was advised that the Executive plans to conduct a public hearing on the Master Fire Defense Plan, and then the results and other documentation will be transmitted to the Council. More specific details will be provided at the Council's March 4 session on the Capital Improvements Program (CIP).

Mr. Shorb described the membership on the Underground Storage Tank Work Group and the procedures that were used to develop and solicit comments on its report. He said that four different fire corporations had technical concerns, and that Bethesda Station 26 advised that it did not want its tank removed. He said that the Fire and Rescue Commission was aware of their concerns, but was attempting to reduce the number of fueling sites.

Ms. Krahnke commented that it would be helpful to incorporate the recommendations on underground storage tanks and maintenance shop centralization into the Master Fire Defense Plan. On the issue of centralized maintenance, Mr. Shorb explained that a Commission steering committee has repeatedly recommended the implementation of a satellite vehicle maintenance program, but the Executive is not yet ready to commit funding to implement this approach. In the meantime, the Commission is trying to encourage departments to embrace the concept of standardized maintenance and development of a uniform reporting and maintenance plan on an informal basis. Ms. Krahnke recommended that data be collected on the cost effectiveness of converting to a satellite maintenance program. Mr. Solomon, President of the Bethesda Fire Department, said that proposed station closures in the area could seriously impact the ability of the Bethesda units to refuel if the Station's fuel tank is removed. Ms. Krahnke agreed with these concerns, and expressed concern about trying to make decisions on fuel storage tanks based on assumptions that are not yet approved policy.

There was discussion about the operational impact of off-site fueling. It was explained that the apparatus would have to make special trips, but it was noted that the refueling could sometimes be scheduled while the units are already out. The Committee was advised that underground storage tank replacements are coordinated with other projects in the CIP, and that the schedule is in place for the next two or three years. Mr. Fred Edwards, DFS, explained that changes to the CIP or the master plan would impact the replacement schedule. On the issue of making the fuel depots accessible for fire/rescue use on a 24-hour basis, it was clarified that the adjustments that would be required pertain to logistical operations as opposed to capital projects. Mr. Shorb explained that the work group is still considering whether or not to pursue centralized fuel procurement. It was explained that sometimes the corporations are able to purchase fuel cheaper than the rates the County can provide. On the issue of converting some stations from oil to gas or propane heating, it was explained that 20% to 40% of the operating costs could be saved depending on the energy efficiency of the building. The conversion costs would be approximately \$90,000 per building, or lower if the fuel boiler can accommodate natural gas.

ACTION: Requested that Council staff be provided with a schedule of tank replacements, and information on other CIP projects planned for these stations as well.

SUBJECT: Executive Regulation 105-92. Pretrial Release Services Fee

The Committee had before it a memorandum, dated February 16, 1993, from Legislative Attorney Beninger, explaining the Executive's proposal to collect the administrative service fee ten days after the defendant's conviction in order to avoid administrative costs of providing refunds if there is no conviction.

The Committee discussed concerns about problems associated with the collection of these fees and what sanctions are possible if the fee is not paid. It was noted that Montgomery County is one of the only jurisdictions in the State moving forward in this effort. It may be determined that the administrative costs of this program will be prohibitive. The Committee members pointed out that the program will have to be monitored closely.

ACTION: Recommended approval as submitted.

SUBJECT: Executive Regulation 106-92. Procedure for Determining Fees for Weekend Prisoners

ACTION: Recommended approval as submitted.

SUBJECT: Briefing on Future Correctional Resource Needs

The Committee had before it a memorandum, dated February 11, 1993, from Legislative Analyst Davidson, which contained the following attachments for this briefing: Summary of December Briefing to the County Executive on Future Correctional Resource Needs; Briefing Summary of Future Correctional Resource Needs for the Department of Correction and Rehabilitation; and, Recidivism Rates Among a Work-Release Treatment Population in Montgomery County. Mr. Devon Brown, Director, Department of Correction and Rehabilitation (DCR), and members of his staff presented the briefing based on these materials, and were available to answer questions from the Committee members.

Ms. Krahnke asked for information on the possibility of the County receiving some of the additional State funding that is being considered by the Governor for alternative community services. Mr. Brown advised that it is unlikely that any additional State funding for this program would be coming to Montgomery County, since the County's program was designed as the model program. Additional State efforts would be directed at developing similar programs elsewhere in the State. He said that the Department is reviewing experiences in other jurisdictions with regard to day reporting as an interim sanction.

In the discussion on the Pretrial Services Unit (PTSU), Ms. Krahnke asked about the effect of the PTSU on reducing the inmate population in the Detention Center. Mr. Kent Mason, Director of Community Corrections, reported that between 100 and 130 jail beds are being saved through the PTSU, and between 30 and 60 beds are saved through the Community Accountability and

Reintegration Treatment (CART) program. He referred to the study performed by the Correctional Services Group, Inc., which concluded that the impact of the PTSU on jail bed days saved would be 10%, and noted that the actual results have been higher than the study projected. Responding to Ms. Krahnke's question about how the CART program saves beds in the Detention Center, Mr. Mason explained that when someone is moved from the PRC to CART it then allows someone from the jail to go into the PRC. He responded to Committee members' questions about staffing levels, average lengths of stays, etc., noting that more detailed information will be provided for the Committee's budget deliberations.

Ms. Claire Gunster-Kirby presented the briefing on the pre-trial day reporting and Ms. Debbie Lyons-Prince explained the post-trial reporting, as set forth in the summary. The Committee members questioned whether day reporting is being used by the judges for punitive purposes for probation violators, and asked where they would otherwise be sending these persons. It was noted that in most cases these persons would not be sent back to the Detention Center. Noting that day reporting should be used to reduce beds, Ms. Krahnke said that the issue of net widening needs to be closely analyzed to identify the benefits and to see if the day reporting program can be structured to avoid net widening. She said that the State is funding this function for other counties. Mr. Brown said that the State considers day reporting to be a State function, and would be elated if the County would take on the responsibility.

Dr. Jeanne Hansman, Department of Information Systems and Telecommunications (DIST) reviewed for the Committee the evaluation of the validity of the Institute for Law and Justice (ILJ) Population Projects, as described in the documentation. Ms. Krahnke noted that these projections should contain a caveat that they assume the existing alternative and community correction programs will continue and that bed space will continue to be reduced by the same number. It was pointed out that the earlier projections did not take into consideration that as the County's baby boom generation is getting older, it is being replaced by an immigrant population.

Mr. Brown explained the conclusions as described in the report. He said that the conclusions would be modified where necessary to reflect some of these discussions.

Ms. Krahnke said that she has asked the Executive for an update to the August 11, 1992 memorandum on the work plan for the new Detention Center project. The possibility of a one-year delay will be discussed by the Committee during the CIP deliberations. Ms. Dacek commented that this briefing was one part of the process. Ms. Krahnke expressed concern about the section in the report on the Detention Center capacity, and requested information on the source of the assumptions that were used. It was clarified that these findings and conclusions were not endorsed by the Executive, but rather were a department recommendation to the Executive, which he used to decide upon a one-year delay. Ms. Krahnke added that the issues relating to the new detention center have not yet been determined, such as whether there should be one or two facilities, how many beds are needed, and when they will be needed.

Ms. Rita Hughes, of the University of Maryland's Center for Substance Abuse Research, presented her study on Recidivism Rates Among Work Release/Treatment Population in Montgomery County. Mr. Mason explained that this is the first of a series of studies on recidivism that the Department will be conducting. Ms. Hughes explained that the purpose of the study was to get a better understanding of the PRC population findings. It was noted that the Detention Center rearrest rate will be included in the second part of the study. Ms. Krahnke suggested that the study include an analysis of the benefit of funding the General Education Diploma (GED) program at the Detention Center, i.e. what is the recidivism rate of those with diplomas compared to those without. She also asked for information about the impact that various staffing levels may have on recidivism rates; and an analysis of how recidivism is affected by the CART program.

The Committee members thanked all those who participated in preparing and presenting the material for this briefing.

This is an accurate account of the meeting:



Kathleen A. Freedman, CMC
Secretary of the Council

Minutes written by: Linda Lauer
Administrative Specialist