

PS COMMITTEE # 1
April 30, 2015

MEMORANDUM

April 28, 2015

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst *SJF*

SUBJECT: **FY16 Operating Budget: Office of Consumer Protection (OCP) *continued***

Those expected to attend this worksession include:

Eric Friedman, Director, Office of Consumer Protection
Dieter Klinger, Chief Operating Officer, Department of Technology Services (DTS)
Marsha Carter, OCP
Helen Vallone, Office of Management and Budget (OMB)

Follow-up from April 17 Committee meeting:

The Committee has requested additional information to be discussed at today's worksession, including:

- Department of Technology Services (DTS) in-house ability to develop a training module and/or any off-the-shelf training programs that may be available to do the online training required in Bill 45-14, as well as ballpark costs;
- Scope of work and cost estimates from Montgomery College to develop the training module;
- The scope and method of the Department of Housing and Community Affairs' (DHCA) current data collection for Common Ownership Communities (COCs), including data fields and storage;
- The estimated timeframe to expand data collection to all board members; and
- Cost estimates from University of Maryland for their development of the online training Module.

Follow-Up Issues

Most of the Committee's follow-up questions and concerns relate to the CCOC. Further, there are ongoing developments regarding the CCOC, including Councilmember Floreen's initial request for additional funding and staff for the CCOC (April 8 memo attached at ©1-2). Councilmember Floreen's request for an additional \$2 million for CCOC was considered by the Committee at the April 17 worksession, but not supported (3-0) for placement on the Reconciliation List. Councilmember Floreen has requested that the Committee consider an alternative proposal (April 27 memo attached at ©5-6), requesting \$500,000 for five new positions, \$200,000 for online training to meet the requirements of Bill 45-14, and notice that she intends to introduce a bill relocating the CCOC to DHCA.

In addition, in his April 16 memo (©3-4) to the Council President, the Executive also provided clarification on his intent to have the CCOC refocus its purpose and mission on education, community outreach, informal negotiation, and mediation rather than on lengthy hearings. Until this refocused mission is in place, the Executive does not intend to invest in any new IT systems for CCOC. (The needs assessment for the entirety of OCP will continue).

The Joint Public Safety and Planning, Housing, and Economic Development Committee will meet on June 18 to discuss the Office of Legislative Oversight's report: An Evaluation of the Commission on Common Ownership Communities.

OCP has provided responses to the Committee's questions on ©7-10.

DTS has the ability to develop the online training module for Bill 45-14. It can do so within the \$30,000 stated in Bill 45-14's Fiscal Impact Statement. DTS advises that it can build a training website similar to the State's Open Meetings Act training module using existing tools. It can deliver this website by the end of the calendar year, pending the curriculum submitted by OCP.

Scope of Work and Cost Estimates from Montgomery College to develop online training module for Bill 45-14: Council staff met with Montgomery College training and IT staff to assess the feasibility of developing the training module. The College regularly uses various off-the-shelf software for its online classes and distance learning, and believes Adobe Captivate would be suitable for this task. While this was a very informal discussion, the College believes it can provide a training module that would capture demographic information, either include test taking or just confirmation of training, be accessible to individuals with disabilities, and offer basic reporting functions so that CCOC could use the data collected for other purposes, such as verifying training, and developing other training modules. The system would permit later addition of different training modules. Video can be incorporated. The College can provide a Spanish-version module as well. The College advised that it could provide the module for testing by October/November. Since these discussions are very preliminary, the College cannot provide a cost estimate for the scope of work needed.

DHCA Data Collection: DHCA sends out a request to all communities in January each year, and updates the COC database with all new information received. DHCA currently

collects contact information from the Board President, Treasurer, and the Management Company, including address, phone number, and e-mail address. DHCA can add additional contact information to the request and database in time for 2016. DHCA is also investigating automating the update request and submission process, but not timeframe has been set.

DHCA houses the data on an Oracle database, and plans to consolidate this database onto a SQL Server. Both are supported by DTS.

Cost Estimates from University of Maryland for Online Training Module: OCP did not investigate this option further since OCP was not involved in the preliminary discussions with University of Maryland, and an in-house solution can be provided within the amount allocated for OCP.

Council Staff Recommendation: Given that there are numerous stakeholders who have proposed various changes to the CCOC mission, staffing, funding, and IT systems, and that there continue to be emerging issues, Council staff recommends postponing any funding decisions until the Joint Public Safety and Planning, Housing, and Economic Development Committee can review the OLO report on June 18. While this postponement falls after budget deliberations, it will provide a chance to thoroughly evaluate staffing, operations, and funding needs.

F:\Farag_FY16 Operating Budget\OCP FY16 Operating Budget Follow-Up April 30.docx



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

MEMORANDUM

NANCY FLOREEN
COUNCIL VICE PRESIDENT

April 8, 2015

Tim - F41
Received

APR 8 2015

Department of Housing &
Community Affairs

TO: Councilmember Marc Elrich, Chair, Public Safety Committee
Councilmembers Tom Hucker and Sidney Katz, Members, Public Safety Committee

FROM: Councilmember Nancy Floreen, Chair, PHED Committee

SUBJECT: FY16 Funding Request for Commission on Common Ownership Communities (CCOC)

By this memo, I request that the Public Safety Committee add \$2 million to the Fiscal 2016 Operating Budget in order to support the long underfunded and understaffed work of the Commission on Common Ownership Communities.

While the CCOC has also requested that it be established as a standalone agency, we have not yet reached that conclusion. However, we know that CCOC has significant needs that require support now.

Common ownership communities cover 134,000 housing units, which is 40% of the county's housing stock. We know that the number of units will grow and that CCOC's responsibilities will likewise grow.

CCOC operates in a 1980s office with its work almost completely paper-based. It has no digital case management system. It also has no digital process for any of the myriad other functions we would expect it to do, such as keeping uniform data on associations or directors or monitoring compliance with the Council's recently passed training requirement for the 5,000 directors in community associations.

Despite the myriad of mediation matters it is obligated to resolve, the CCOC operates today with one professional staffer and no clerical support. Commissioners and attorneys are all volunteers. By contrast, DHCA's Landlord-Tenant Mediation Program deals with issues arising from 83,000 rental units. For FY 16, the Executive is requesting 7.5 FTEs and roughly \$1,000,000.

My itemized funding request for the estimated personnel, technology and operations improvements necessary to bring the CCOC closer to serving its statutory obligations is as follows:

Staff increase	Nine (9) FTEs and three (3) part-time employees	\$1,046,361
Digital Office Modernization	Automation, design, development, testing, data transfer, systems integration, Implementation, training	\$700,000
Director Training	Development of online courses for association director training pursuant to enacted Council Bill 45-14	\$200,000
TOTAL		\$1,946,361

1

I further request that all funds appropriated from the General Fund be in addition to the funds collected in fees by DHCA on CCOC's behalf. It is incredible to me that DHCA collects \$408,000 from fees of \$3.00/unit, but CCOC only nets about \$160,000; the rest is withheld by DHCA and the Office of Consumer Affairs.

I very much appreciate your attention to this matter when you take up the OCA budget on April 17.

cc: Councilmembers

Clarence Snuggs, Director, DHCA

Eric Friedman, Director, OCP

Rand Fishbein, Chair, CCOC



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

April 16, 2015

TO: George Leventhal, Council President

FROM: Isiah Leggett, County Executive

SUBJECT: Modernization of the Commission on Common Ownership Communities

Thank you for your memorandum regarding the operation of the Commission on Common Ownership Communities. I established the initial Task Force, recommended they consider the creation of the Commission, and introduced legislation to ultimately establish the Commission more than 20 years ago. I share your belief in the importance of the mission of this Commission and the need to ensure that it has sufficient resources. However, as this Commission is fully funded by an annual fee charged to every common ownership community unit, it needs to maintain a balance between the fees collected and the type of services provided.

I am concerned that the Commission may no longer be serving its original purpose, which is to promote education and outreach in order to reduce the number and divisiveness of disputes, and function as a true alternative dispute resolution program. The Task Force did not envision that the Commission's primary function would be to conduct quasi-judicial hearings. Yet, the Commission's formal hearing procedures appear to duplicate a court litigation process, which can be costly and time-consuming for all involved. I believe the Commission should be refocused on its original objectives with more emphasis on community outreach, education, informal negotiation, and mediation.

At this point, the resources and technology services provided to the Commission are the same as those utilized by OCP. I have already instructed the Department of Technology Services (DTS) to work with OCP to conduct a needs assessment. As part of this effort, they will seek input from the commission as well. The Directors of DTS and OCP and their respective staffs have already engaged in preliminary discussions in an effort to assess the technology needs of both OCP and the Commission. However, before we invest in assessing needs and developing a new IT system, the business processes related to the Commission's complaint resolution function needs to be reevaluated and refocused. Any modification to the Commission's procedures may have an impact on the type of case management system that best suits the work of the Commission.

3

George Leventhal, Council President
April 16, 2015
Page 2

As you know, the operation of the Commission was recently reviewed by the Office of Legislative Oversight, and I look forward to the Council hearings regarding that report. The first step should be to redefine the Commission's dispute resolution process and its respective needs before allocating funds for the future technology needs of the Commission.

I recognize that sufficient information technology resources will need to be provided to OCP and the Commission. Please feel free to advise the Commission to address any questions or concerns to OCP Director Eric Friedman. Thank you again for taking the time to contact me regarding this matter.

IL:ef

cc: Timothy L. Firestine, Chief Administrative Officer
Eric Friedman, Director, Office of Consumer Protection
Fariba Kassiri, Assistant Chief Administrative Officer
Sonny Segal, Chief Information Officer



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

CONSUMER PROTECTION

APR 27 2015

RECEIVED

NANCY FLOREEN
COUNCIL VICE PRESIDENT

MEMORANDUM

April 27, 2015

TO: Councilmember Marc Elrich, Chair, Public Safety Committee
Councilmembers Tom Hucker and Sidney Katz, Members, Public Safety Committee

FROM: Councilmember Nancy Floreen, Chair, PHED Committee

SUBJECT: FY16 Funding Request for Commission on Common Ownership Communities (CCOC)

On April 9 I wrote to you requesting an addition to the Fiscal 2016 Operating Budget to fund the long underfunded and understaffed work of the Commission on Common Ownership Communities. I understand that the Public Safety Committee had a robust discussion about the needs of the CCOC at its meeting on April 30. One outgrowth of that meeting was to task CCOC, the Office of Consumer Protection, the Department of Technology Services, and OMB with determining what resources would be needed to create and implement the training program that the County Council mandated in Bill 45-14.

By this memo, I'm revising my previous request for a staffing increase. Based on further discussions, I request that the Public Safety Committee place \$500,000 on the Reconciliation List to create five (5) new positions in CCOC. The Commission only has one full-time employee, which is not sufficient to meet its training, legislative, and education mandates. Suggestions for additional personnel include:

- **Administrative Staff.** A staff member to support current Commission staff with routine duties associated with case management, the mediation process, and administrative hearings. Duties may include scheduling of mediation sessions and hearing panels, handling case documentation, and preserving the chain of custody of case evidence.
- **Information Technology Administrator.** A staff member who provides services in support of the planning, implementation, troubleshooting, maintenance, and administration of the case management system and with routine database analytics.
- **Common Ownership Communities Board Training Program Manager.** A position to monitor the mandatory training for association board members required under Council Resolution 45-14. Duties may include maintaining a database of Association board members, serving as a course registrar to record registrations and course compliance, updating course information due to changes in law or course requirements, and providing routine assistance to course takers.

- **Community Education and Outreach Coordinator.** A position dedicated to community education, for both associations and residents in common ownership communities, as well as working with policy makers on policies that directly impact these communities.
- **Office Intake Staffer.** A position dedicated to assisting disputing parties prior to the start of formal proceedings. This person may serve as an ombudsman or investigator, who can investigate and attempt to resolve complaints prior to mediation and guide disputing parties through filing requirements. Additionally this staff member may work to direct more cases through the mediation process or design a pre-hearing process to minimize the number of cases requiring a hearing and shorten the overall dispute resolution process.

Together with the one staff member that CCOC currently has, these additional staff members would be able to implement the training program and allow the CCOC to conduct the activities that its charter directs it to do. Those activities include advising the Council about policy matters that require its attention as well as the activities noted above.

I also request that the Public Safety Committee direct DTS to provide CCOC with the technology it needs to conduct its business. As mentioned above, I understand that the cost of this initiative is under discussion and that a number associated with this will be provided by DTS before the conclusion of our budget discussions.

Further, I request that we include \$200,000 in the CCOC budget so they can fulfill their legislative obligation to develop an online training program.

I am introducing a bill that would relocate CCOC in the Department of Housing and Community Affairs where it was originally housed until 2005. Regardless of where CCOC is located organizationally, it requires financial resources, personnel and technology to execute its duties.

I very much appreciate your attention to this matter when you take up the OCA budget on April 30.

cc: Councilmembers
 Clarence Snuggs, Director, DHCA
 ✓ Eric Friedman, Director, OCP
 Rand Fishbein, Chair, CCOC

1. Information from DTS (and others if available) about any COTS training programs that may be available to do the online training discussed in Bill 45-14, and ballpark costs.

DTS reviewed the bill to understand the requirements, investigated alternatives and proposes the following to meet the training and reporting requirements of Bill 45-14.

- 1) *Build a training web site (similar to state open meetings training site) in-house using existing tools.*
- 2) *Build a reporting web site in-house.*

Details and assumptions for building the training and reporting web sites can be found in the attached.

DTS can deliver the web sites by the end of the calendar year within the amount (\$30k) stated in the fiscal impact statement and included in the FY16 recommended budget, pending the curriculum submitted by OCP and not finding any surprises there.

2. OCP to request information from DHCA regarding their data collection with Fee collection.

- a. Can we get information on the Board Presidents from DHCA, how they collect that data, and what it would take to collect all board member data in the same way? (What is collected now, name, e-mail, phone number, address?).

DHCA sends out a request to all communities in January each year, and updates the Common Ownership Community database with updates received. Currently, the contact information for the Board President, Treasurer, and the Management Company, including address, phone number(s), and e-mail address, are collected.

- b. How long would it take to expand data collection to all board members (in an effort to begin data collection as soon as possible in preparation for 2016 training)?

DHCA has advised that they can add additional contacts to the request and database in time for 2016. Per Montgomery County Code (10B) changes in contact information must be reported to DHCA within 10 days of the change. Given that the Bill requires that anyone elected or re-elected after January 1, 2016 are required to take the training, collecting information prior to January 2016 would not be helpful.

DHCA is also investigating automating the updating request/submission process, but no timeframe has been set.

3. What type of database does DHCA keep this data on?

DHCA currently uses an Oracle database to store the Common Ownership Community data, and plans are to consolidate this database onto a SQL Server database. Both are supported by DTS.

4. Cost estimates from Maryland for online training module. I thought I had heard a \$200,000 figure in the past week or so, for Maryland, but that wasn't discussed today in Committee. Mr. Fishbein gave a different range -- \$80,000 - \$120,000.

OCP did not investigate the Maryland option further, as OCP was not involved in the preliminary discussions with University of Maryland and an in-house solution can be provided within the amount allocated for OCP in the CE recommended budget.



On-Line Training (10B-17 (h))

1. Develop a training web page on the existing County (OCP) website where members of the governing body of a common ownership community ("members") will access an on-line training module(s).
 - a. The web page will present members with on-line training which will be constructed leveraging existing DTS training software.
 - i. The training curriculum must be provided to DTS by OCP/COCC
 - ii. The website will be similar to the Maryland State Open Meetings Training site.
 - b. Before beginning the on-line training module, the website will require members to provide their:
 - i. Name and E-mail address
 - ii. Select their COC from list of COC's pre-populated from the DHCA database
 - c. Upon completion of the training module
 - i. Members will be able to print a certificate of completion for their records
 - The certificate will include their Name, COC name, and date of completion
 - ii. Members will also receive an automated training confirmation e-mail
 - Members will not be able to reply to this e-mail with any follow up questions etc. Members will have to contact OCP/COCC with any follow-up questions.

Additional Assumptions:

1. Members must complete the training in 1 sitting. There is no provision for saving in progress training. If a member exits before completing the training, they must start again.
2. It is the member's responsibility to provide a copy of the training completion certificate, or the confirmation e-mail, to their governing board.
3. If a member misplaces their printed certificate of completion, or the confirmation e-mail, they will have to request a copy from the County or take the training again. There is no provision to re-print the certificate or receive an additional e-mail confirmation from the system.
4. There is no test on the training. The certificate is presented when the training module(s) is completed.
5. The training will be Accessible (for persons with disabilities).
6. DTS will develop reports for OCP/COCC to see who has completed the training.
7. There is no self-service reporting contemplated for governing boards.

Governing Board Reporting (10B-17 (h) (3))

2. Develop a self-reporting web page on the existing County (OCP) website where a representative of the governing body of a common ownership community ("representative") will report the required data to the OCP/COCC annually.
 - a. The web page (form) will require the representative to first select their COC from list of COC's pre-populated from the DHCA database
 - b. The representative will be asked to provide an e-mail address
 - i. The representative must download an electronic form that they will be required to complete. The form will contain data elements specified in (A) – (D) of **(10B-17 (h) (3))**
 - c. Upon completion of the electronic form, representatives will be able to upload the completed form to the web page. The data will be stored in electronic form in a database.
 - i. The system will prompt the representative to confirm that the form that they are uploading is complete and accurate to the best of their ability.
 - ii. The system will scan the form to assure that it is in the correct format and ready for upload. If not, an error message will be presented.
 - iii. An e-mail confirmation of the successful form upload will be sent to the e-mail address provided by the representative.

Additional Assumptions:

1. If a representative misplaces their confirmation e-mail, they will have to request a copy from the County or upload the form again to generate an additional e-mail.
2. The self-reporting form will be Accessible (for persons with disabilities).
3. DTS will develop reports for OCP/COCC to see which COCs have completed the self-reporting.

PS COMMITTEE # 1
April 30, 2015
ADDENDUM

MEMORANDUM

April 29, 2015

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst *SJF*

SUBJECT: **FY16 Operating Budget: Office of Consumer Protection (OCP) *continued***

Attached at ©1-8 is the April 23 memo from the Commission on Common Ownership Communities (CCOC) outlining preliminary specifications for an online training course that meets the requirements of Bill 45-14. The memo is in response to the OCP Director's request (attached on ©9) for additional information from the Commission regarding its detailed specifications for developing an educational curriculum for governing body members, as required by Bill 45-14. The memo outlines the history of CCOC's approach to developing online training, including preliminarily partnering with the University of Maryland Institute for Governmental Studies and Research (IGSR). IGSR has developed the Open Meetings Act training for the State Attorney General, and the CCOC has used this model as a guide for future development of its training model. CCOC has also developed a draft narrative to develop the training.

Attached on ©3-4 is a list of proposed specifications for a basic online court. The memo also outlines proposed collaboration between the County's Department of Technology Services (DTS) and IGSR to assist with collecting, aggregating, storing, and integrating data with other County databases. CCOC seeking funding, IT, and appropriate staffing within the Commission to meet the bill's mandate as well as an anticipated increase in workload.

MEMORANDUM

To: Eric Friedman, Director
Office of Consumer Protection (OCP)

From: Rand H. Fishbein, Ph.D., Chair, CCOC
Marietta Ethier, Esq., Commissioner,
Chair, CCOC Budget and Policy Reform Committee
Aimee Winegar, CMCA, LSM, PCAM, Commissioner,
Chair, CCOC Education Committee

Date: April 23, 2015

Re: Preliminary Specifications for the Implementation of an Online Training Course for
Directors of Common Ownership Communities

This memorandum responds to the request you made to the Commission on Common Ownership Communities (CCOC) in your communication of April 17, 2015, for *"detailed specifications for developing an 'educational curriculum' for governing body members."*

Proposed Priority Action Plan

- Obtain full funding for the development, implementation and hosting of online training courses for the directors of governing bodies with funds to be released in three installments upon successful completion of each prior task order.
- Obtain appropriation for enhanced staffing of CCOC to handle current and increased workload.
- Negotiate a service procurement contract with University of Maryland Institute for Governmental Service and Research (IGSR) for the creation, production and hosting of the 45-14 basic and advanced online courses.
- Work with DTS to acquire technical support in the design of a method to capture and deliver data to the CCOC in a form that permits real time monitoring of compliance and interfaces seamlessly with a new digitized CCOC office.
- Obtain funding to begin expedited design, development, construction, testing and operation of new office IT system for CCOC in FY 2016.

Summary

On February 3, 2015, Council Bill 45-14 was signed into law by the Montgomery County Executive. The Act amends Chapter 10B of the County Code to authorize the Commission

①

on Common Ownership Communities (CCOC) to "provide training on the responsibilities of a board member for members of the governing body of a common ownership community."¹ Chapter 10B-17, Sec. 3, of the Act directs that it take effect on January 1, 2016.

The CCOC first became aware of Bill 45-14 when it was introduced by the Council's Vice-President on September 23, 2014. Discussions then began in earnest on how the proposed training program might be implemented and the resources that would be necessary to effectively carry out the new mandate. By the time the bill was enacted, the Commissioners already had a conceptual vision in place for how this might be accomplished.

The requirement that the CCOC: 1) develop an educational curriculum, and 2) approve alternative curricula offered by other organizations, provides the Commission with essential flexibility in the administration of the Act.² One Commissioner, a professional in the field of property management, volunteered to lead the effort. Within three weeks, she had prepared the first draft of the course narrative and shortly thereafter had it available for initial internal review and comment by all fifteen volunteer commissioners, CCOC staff and the counsel to the Commission.

The CCOC now is in the latter stage of editing the training narrative. One or more advanced courses may follow, but only the basic course would be necessary to fulfill the requirements of enacted Bill 45-14.

The Commission's concept for the Directors' Training course(s) is that it be modeled after the successful Open Meetings Act³ course produced by the Institute for Governmental Studies and Research (IGSR) at the University of Maryland.⁴ By drawing upon IGSR's experience in online training, and the software it already has developed, the Commission believes the County would save both time and money over hiring another contractor to create such a class without a prototype.

In the absence of any feasibility funding, and without a procurement vehicle, the Commission has been unable to contract with IGSR to produce either a preliminary design for the course or a technical requirements package. It is our understanding that the IGSR operates on a cost reimbursable basis and is precluded from undertaking work-related tasks, other than solicitation discussions, for which it is not compensated.

The \$41,000 earmarked for CCOC "contracts" in the Executive's FY 2016 budget appears to be for the execution of director training since the amount generally tracks with the very

¹ Sections 10B-6 and 10B-17 of the Montgomery County Code, as amended, contains the enrolled language of Act, 45-14, enacted February 3, 2015.

² Section 10B-6(f) of the Montgomery County Code directs the CCOC to "provide training on the responsibilities of a board member for member of a governing body of a common ownership community by:

(1) developing an educational curriculum for new members; and

(2) approving an alternative educational curriculum for new members administered by other organizations"

³ The Open Meetings Act is codified as Title 10, Subtitle 5 of the State Government Article, Annotated Code of Maryland.

⁴ http://www.igsr.umd.edu/VLC/OMA/class_oma_intro1.php

preliminary cost estimate the Commission originally provided to OMB. The language of the Act gives the Commission discretion with respect to how it wishes to pursue the fulfillment of its mandate.

What we have provided, below, is a notional list of some of the tools and capabilities that Commission planners envision being part of future online courses.

Requirements

Commission members have reviewed the Open Meetings Act course and have folded their observations into a vision for a CCOC training course(s) for association directors. Below is a preliminary list of requirements that are under consideration by the Commission. The IGSR has indicated that its code writers can create new applications for us as needed. If and when a contract is signed, IGSR has promised to share with us the full array of design options they have developed and tested that might be appropriate for our use.

Working List of Specifications for CCOC Basic Course

(Not a final or comprehensive list)

#	Description	CCOC Course	OMA Course
1	2-2.5 hour course	✓	✓
2	Basic course to cover common governance themes with respect to HOA, Condominium and Cooperative administration	✓	---
3	No charge to user	✓	✓
4	Security intrusion protection	✓	unkn
5	Award certificate upon completion	✓	✓
6	Compliance monitoring	✓	no
7	Verification of user identity	✓	no
8	Interactive user interface	✓	✓
9	High production value	✓	good
10	Course broken into chapters	✓	✓
11	Wide use of color, graphics, tables, charts	✓	✓
12	Hosting in U. of Maryland Cloud	✓	✓
13	Format <ul style="list-style-type: none"> • Topic discussion • Questions • Test on each section 	✓	✓
14	Must answer a few test questions correctly to pass on to a new section	✓	✓
15	Hot links to external sources of information	✓	no
16	Buttons in each chapter that when clicked will provide greater detail on a topic	✓	✓

17	Capable of collecting user data and transmitting to CCOC database	✓	no
18	Modular design to ease of upgrading text and graphics to remain current with law and judicial action and control costs.	✓	✓
19	Pictures	✓	✓
20	Video	✓	no
21	Survey capability	✓	no
22	Multi-lingual text	?	no
23	Google Analytics interface	✓	?
24	Other sources of information at end of course	✓	?
25	Capability to generate a companion guide	✓	✓
26	Touch screen option	?	no
27	App for iPhone, Android, Tablet, etc.	✓	?
28	Each user given personal identification number	✓	no
29	MOCO to hold the license and copyright for the proposed online training course	✓	n/a
30	General information posting	✓	no

Key

Sym.	Definition
✓	Seek capability / have capability
no	Lacks capability
?	May wish this capability in the future
Good	Good production capability
Unkn	Unknown capability
n/a	Not applicable

Important Considerations

The Commission is cognizant of the lessons learned from the State of Maryland's unsuccessful roll-out of its Affordable Care Act (ACA) web site.⁵ We believe it to be both prudent, and in the long run, cost effective, for the County to contract with an entity that has a **demonstrated record of success** in the development and production of a successful online class, similar in most critical aspects, to what the Commission wishes to produce.

To the best of our knowledge, the roll-out of the OMA online course, produced by IGSR, proceeded smoothly, and was delivered to the user at cost and on time. We are fortunate that this expertise can be obtained locally and is available from a highly reputable and proven source.

⁵ Brad Bell, *Maryland Health Exchange glitches will cost taxpayers \$30.5M*, ABC News 7, February 27, 2014. "Now for the first time, we're hearing estimates of how much more the troubled \$200 million website will cost taxpayers. At a hearing in Annapolis on Thursday, state budget officials revealed an estimated \$30.5 million over the next 18 months because of the bugs in the system." <http://www.wjla.com/articles/2014/02/maryland-health-exchange-glitches-will-cost-taxpayers-30-5mm-100646.html>

We are informed by the County Attorney's office that because the University of Maryland is a state agency, a procurement contract would not have to be competitively bid and could be issued sole source. This is an extremely important consideration since it will save a great deal of time, perhaps a year, in the implementation process.

Role of DTS

The Commission believes that the Department of Technology Services (DTS), working in close collaboration with the production contractor, can make a valuable contribution to the online course development process by:

- helping to define how data collected during the administration of the online course(s) could be transmitted, aggregated and stored for use by the CCOC, and
- assist with the integration of data with other relevant County databases.

These considerations are critical as we look ahead to the digital modernization of the CCOC and the enhancement of its outreach capabilities.

DTS also can assist with ensuring compliance with the new law. DTS could create a program to track who should take the class, who has not taken it by the appropriate deadline, and what steps have been taken to obtain compliance with the training requirement.

Given the differential capabilities and experience of both DTS and the IGSR, we would propose that:

- IGSR be assigned the lead role in designing, producing, hosting, upgrading and implementing the proposed online course(s), and
- DTS be responsible for providing the connectivity to the County's IT system, data flow access to OCP and CCOC and compliance monitoring.

We believe that this division of responsibility recognizes the differential strengths and experience of each party with respect to the execution of a project of this kind.

Background

Since November, 2014, the Commission has been exploring with the Institute for Governmental Studies and Research (IGSR) at the University of Maryland how we might collaborate in building and producing an online educational course pursuant to the expected passage of Bill 45-14. IGSR was, and remains, a natural collaborator in this effort. Since its founding in 1948, the Institute has garnered extensive experience in executing complex IT, training, program development, office and agency restructuring, curriculum modeling and related tasks for jurisdictions and government agencies across Maryland.

The IGSR homepage notes that: "The Institute partners with local governments, state and federal agencies, university researchers, and community organizations in areas of public

safety, public health, justice administration, organizational effectiveness, leadership and governance, fiscal management, and land use and growth management. The Institute also provides strategic planning consultation and facilitation as part of its service portfolio."⁶

In 2010 the Institute partnered with the Office of the Maryland Attorney General (OAG) to produce a highly successful online training course on the Open Meetings Act (OMA).⁷ It is this course that continues to serve as the best model for the implementation of enacted Bill 45-14. Its overall structure, interactive nature, presentation and production values closely resemble what the Commission has been directed to produce. The CCOC training team concluded that there are efficiencies and time savings to be gained by partnering with IGSR since they already have the production staff, designers, software code writers, etc. necessary to execute the task.

As you know, since July, 2014, the Attorney General has required that at least two members of all County Boards, Committees and Commissions (BCCs) take the online OMA Training course.⁸ Each BCC was directed to "have at least two members take the training, usually the chair and vice chair, as well as the staff liaison."⁹ It seemed only logical that the County would be well-served by having the CCOC develop a Directors' Training Course that, in broad outline, followed a design it already was using.

In discussions with both the OAG staff attorney who authored the OMA course, as well as with the IGSR leadership, the CCOC learned that the OMA course was the product of rigorous requirements, design, development, evaluation, and testing process similar, if not identical, to what would be required to fulfill the mandate of Bill 45-14.

Based upon the assumption that funding would become available to operationalize the 45-14 mandate, the Commission has moved swiftly to develop a narrative for the basic training course. The document, now in its 4th generation of editing, is being readied for pre-production review once funding becomes available and a county procurement contract can be drafted and signed.

On February 24, 2015, the CCOC hosted a meeting with the directors of IGSR, its senior IT specialist and a number of Commissioners to discuss how we might partner with the Institute. IGSR is enthusiastic about the prospect of collaboration and has informed the Commission that they are prepared to begin work immediately once a contract is in place.

⁶ <http://www.igsr.umd.edu/index.php>

⁷ Md. Code Ann. State Gov't. §10-502.7, part of the Maryland Open Meetings Act.

⁸ http://www.igsr.umd.edu/VLC/OMA/class_oma_intro1.php

⁹ Beth Gochrach, on behalf of Connie Latham, Special Assistant to the County Executive to BCC Staff, Subject: Required Maryland Open Meetings Act Online Training, Wednesday, July 30, 2014 3:55 PM

(6)

Benefits of Having IGSR Lead Course Production Team

There are many obvious benefits to having the IGSR lead the course production team:

- They have recent experience in successfully executing a project of this type and complexity.
- The OAG-IGSR partnership wrote and produced the OMA course in just six months, from start to finish. To the best of our knowledge, the project was completed on time and has operated without serious disruption since its debut. Though the CCOC courses are envisioned to have more “bells and whistles” than the OMA course, they still will operate within the general design parameters of the OMA course.
- IGSR specializes in digital production and editing, script development, software coding for unique applications, data stream handling and sorting, and
- The University of Maryland is an international leader in distance learning and a pioneer in online course training.

IGSR’s web site highlights the many other areas where it has relevant IT skills and experience:

“Information Technology Services provides innovative, customized software and service solutions to automate and improve the efficiency of numerous state and local government agencies. To accomplish these solutions, ITS provides a full range of services.”¹⁰

- business process analysis and reengineering
- modeling studies
- systems/project management
- custom applications and programming
- technical support
- training

“Information Technology Services has developed and implemented numerous innovative solutions to support efficient governance including UM/HATS, SMART, and eCourt. These applications are used extensively among drug treatment entities and drug courts. Working in conjunction with the Institute’s Applied Research team, Information Technology Services has focused its innovative technology expertise in three distinct, but related disciplines.”¹¹

- Electronic Health Records
- Electronic Case Records
- eConsent

¹⁰ http://www.igsr.umd.edu/technology_services/about.php

¹¹ *Ibid.*, http://www.igsr.umd.edu/technology_services/about.php

Conclusion

The CCOC's volunteer commissioners are moving forward rapidly in the development of a concept and narrative for the basic and advanced online directors' training courses. The ability to meet the goals of the new training mandate in a timely and comprehensive manner is reliant upon a package of three essential and interdependent components – collectively critical to success:

Funding

- Sufficient funding to design, build, test and operate the basic and advanced director training courses under development;

Technology

- Office IT modernization essential for monitoring the compliance of those required to take the basic course, the handling of data collected from the course (and possibly other sources, as well), and in conjunction with other pressing needs such as case management, budgeting, task management, scheduling, creation of performance metrics, etc.; and

People

- Professional and administrative staff able to manage the current and anticipated future increase in office workload.





OFFICE OF CONSUMER PROTECTION

Isiah Leggett
County Executive

MEMORANDUM

Eric S. Friedman
Director

April 17, 2015

TO: Commissioners
Commission on Common Ownership Communities

FROM: Eric Friedman, Director
Office of Consumer Protection

RE: Bill #45-14
Common Ownership Communities - Governing Body – Training

As you know, the Office of Consumer Protection (OCP) serves as staff to the Commission on Common Ownership Communities (CCOC). The County Executive's proposed FY16 budget for OCP was reviewed today by the County Council's Public Safety Committee. One item discussed during the review concerned the cost and implementation of Bill #45-14 regarding governing body training.

While CCOC Chair, Rand H. Fishbein Ph.D. participated in the budget review today, OCP has not received any specifications or requirements from the Commission with regards to what the Commission needs to develop an "educational curriculum."

This is to request that the Commission provide its approval of detailed specifications for developing an "educational curriculum" for governing body members. This information is needed so that OCP can work with Montgomery County's Department of Technology Services (DTS) and/or the Office of Procurement to determine options to implement training. The substantive course material is not needed at this time.

Please provide this information to OCP no later than April 23, 2015 so that additional information can be provided to the County Council's Public Safety Committee on April 30, 2015. Please feel free to contact me directly if you have any questions. Thank you.

ESF/wd

cc: Peter Drymalski, Investigator
Walter Wilson, Associate County Attorney

100 Maryland Avenue, Suite 330 • Rockville, Maryland 20850 • 240-777-3636 • FAX 240-777-3768
www.montgomerycountymd.gov/consumer

9