

MEMORANDUM

REVISED

TO: Government Operations and Fiscal Policy Committee
FROM: Selena Mendy Singleton, Racial Equity and Social Justice Manager
SUBJECT: **Office of Racial Equity Social Justice FY23 Operating Budget**
PURPOSE: Make Committee Recommendation for Council Consideration

Expected Participants:

- Tiffany Ward, Director, Office of Racial Equity and Social Justice
- Veronica Jaua, Fiscal & Policy Analyst, Office of Management and Budget

The County Executive’s complete FY23 Recommended Operating Budget for the Office of Racial Equity and Social Justice (ORESJ) is attached at © 1-9. Responses to Council staff questions are attached at © 10-11.

Summary of FY23 Recommended Budget and Key Discussion Issues

Racial Equity and Social Justice	FY21 Approved	FY22 Approved	FY23 CE Recommended	Change from FY22 Approved
Total Expenditures General Fund	\$581,304	\$1,001,712	\$1,326,440	32.42%
Personnel Costs	\$304,304 2 FTEs	\$731,420 6 FTEs	\$1,029,044 7 FTEs .5 FTEs	40.7%
Operating Costs	\$277,000	\$270,292	\$297,396	10.0%

Council staff recommends reducing the amount of the FY23 Office of Racial Equity and Social Justice (ORESJ) budget by \$50,000, because the \$50,000 for the Lynching Memorial Project is being moved to the CIP per the Council decision on March 29, 2022. See also Memorandum from County Executive Elrich to Council President Albornoz of April 19, 2022. The Memorandum is attached at © 12-18.

Council staff recommends approving a budget of \$1,276,440.

The Executive's FY23 recommended operating budget for the Office of Racial Equity and Social Justice (ORESJ) totals **\$1,326,440, an increase of \$324,728 or 32.42%** from the FY22 approved budget. The Executive recommends 7.5 FTEs for the ORESJ in FY23, an increase of 1.5 FTEs from FY22. Personnel costs comprise 77.58% of the budget, operating expenses comprise the remaining 22.42% of the budget. The changes included in the Executive's recommendation are summarized below:

A. FY23 Recommended Budget Changes (with Service Impacts)

- **An increase of \$114,789** for an additional 1.5 FTEs for one Program Manager II, and one part-time Administrative Specialist I to enhance communication and support the development of community engagement plans in all county offices and departments.
- **An increase of \$50,000** for consulting services to assist with planning for the Montgomery County Lynching Memorial Project

B. FY23 Recommended Budget Changes (with no Service Impacts)

- **An increase of \$56,142** for the annualization of an FY22 lapsed position.
- **An increase of \$46,739** for the annualization of FY22 personnel costs.
- **An increase of \$36,523** for an FY23 compensation adjustment.
- **An increase of \$19,786** for an adjustment in salaries of two Program Manager IIs.
- **An increase of \$4,818** for the annualization of FY22 compensation increases.
- **An increase of \$2,690** for printing and mail adjustment.
- **An increase of \$1,241** for a retirement adjustment.
- **A decrease of \$8,000** for the elimination of one-time items approved in FY22.

C. ORESJ Staffing

FY22. The two Program Manager II positions will be in charge of Racial Equity Impact Assessments (REIAs), and the support and implementation of the budget equity tools for the CIP and the Operating budgets, and will assist departments in the development of their racial equity action plans.

FY23. The County Executive's recommended budget includes 7.5 FTEs for the ORESJ in FY23, which includes an increase of 1.5 FTEs from FY22. The increase includes 1 FTE Program Manager II, and one .5 FTE (part time) Administrative Specialist I.

Currently, the ORESJ has 6 FTEs - in addition to Ms. Ward, 4 Program Manager II positions, and 1 Administrative Assistant. The County Executive is requesting **an increase of \$114,789** for an additional 1.5 FTEs for a Program Manager II and a part-time Administrative Specialist I.

- The Program Manager II position requested will be a Community Engagement specialist. This person will review departmental community engagement plans, provide guidance to departments on the best ways to engage communities of color, and help departments understand and implement the community engagement continuum proposed in the draft regulations.
- The part-time Administrative Assistant position is needed to assist with administrative and communications needs of the office. The office would like to raise its profile by more frequently updating website content, producing a quarterly newsletter, and providing updates to the general public by e-mail and social media. ORESJ anticipates that this part-time person will also assist with the administrative tasks of our training program.

II. UPDATES ON THE IMPLEMENTATION OF THE RACIAL EQUITY AND SOCIAL JUSTICE ACT

On November 19, 2019, the County Council enacted Bill 27-19 unanimously, with Councilmember Nancy Navarro as the lead sponsor. The Bill became effective on March 2, 2020. The Council enacted Bill 44-20 amending Bill 27-19 on December 1, 2020 (effective, March 12, 2021).

- A. **BILL 27-19** established several requirements intended to address persistent racial and social justice disparities among County residents, including by establishing ORESJ. Bill 27-19 is attached at is attached at © 19-33.
file:///C:/Users/singls02/Downloads/2623_1_10216_Bill_27-19_Signed_20191202.pdf

Under this legislation, the ORESJ must:

Perform the Following Functions

- Perform an **equity assessment** to identify County policies and practices that must be modified to redress disparate outcomes based on race or social justice issues;
- **Develop metrics** to measure progress in redressing disparate outcomes based on race or social justice;
- Work with each County department and office to develop a racial equity and social justice **action plan** designed to remedy individual, institutional, and structural racism or social justice issues adversely impacting County residents;
- Provide **racial equity and social justice training** to County employees;
- Develop **short-term and long-term goals** for success in redressing disparate outcomes based on race or social justice issues;
- **Measure progress** in meeting both short term and long-term goals; and
- Provide **staff support** for the Racial Equity and Social Justice Advisory Committee.

Equity Assessment - ORESJ contracted with the Government Alliance on Racial Equity (GARE) to assist department directors and Racial Equity Leads and Core Teams with utilizing an equity assessment beginning Fall of 2021. These assessments will inform departmental Racial Equity Action Plans.

Executive Regulations -The Executive is required to adopt regulations implementing the law. The County Executive transmitted Executive Regulation 15-21 on March 24, 2022. A Government Operations and Fiscal Policy (GO) Committee will be scheduled to discuss the regulations. Executive Regulation 15-21 is attached at is attached at © 34-53.

Action Plans - The ORESJ is working with several County departments and offices to develop a racial equity and social justice **action plan** designed to remedy institutional and structural racism or social justice issues adversely impacting County residents. According to the recently transmitted Executive Regulation 15-21, Racial Equity and Social Justice Plan, action plans are expected to be completed by 2025 (originally by 2023).

Training - ORESJ began training departmental Racial Equity Leads in September 2020, including the 2-day Racial Equity Institute (REI) Phase I training, Montgomery County Public Schools (MCPS) study circles training, and regular ORESJ trainings on facilitating conversations about race.

The Office offers two virtual racial equity trainings to all County employees including *Advancing Racial Equity in Government* (adapted from GARE) and REI's *Fish, Lake, and Groundwater* systems analysis training.

Finally, the ORESJ has performed several trainings and participated in numerous events throughout the County.

B. Bill 44-20

On December 1, 2020, the County Council enacted Bill 44-20, Racial Equity and Social Justice - Impact Statements -Advisory Committee – Amendments. **Bill 44-20** is attached at © 63-69. [file:///C:/Users/singls02/Downloads/2682_1_12149_Bill_44-20_Signed_20201211%20\(1\).pdf](file:///C:/Users/singls02/Downloads/2682_1_12149_Bill_44-20_Signed_20201211%20(1).pdf)

- This legislation requires that supplemental/special appropriation requests include an explanation of how the appropriation promotes racial equity and social justice. As of this writing, ORESJ has prepared and submitted nearly seventy (70) Racial Equity Impact Assessment Statements (REIAs). The list of completed REIAs is attached at © 70-76. <https://www.montgomerycountymd.gov/ore/appr.html>

Racial Equity and Social Justice Advisory Committee

ORESJ also provided staff support for the Racial Equity and Social Justice Advisory Committee. The Committee is charged with developing and distributing information and promoting educational activities that increase understanding of racial equity and social justice, as well as developing recommendations to reduce racial and social justice inequities in the County. With the exception of August 2021, the Committee met at least once monthly. The 2021 annual report is attached at © 54-62.

<https://www.montgomerycountymd.gov/boards/Resources/Files/sites/resj/annual-reports/2021%20RESJAC%20Annual%20Report.pdf>

RESJAC received an update on Montgomery County’s Thrive Montgomery 2050 Plan. RESJAC members held information sessions; formed subcommittees (on health, public safety, immigration, communications and outreach, transportation/environmental justice); and developed and implemented an issue identification process to ensure members conduct initial research and background on proposed issues and help the full committee to make informed decisions and actions related to each issue. RESJAC members contacted HHS and began inquiring about disaggregating Native American data from the “Other” category and tracking and publishing Native American COVID-19 data; and sent a letter to Governor Hogan requesting counties report and include “American Indian or Alaska Native” as a category separate from the “Other” in COVID-19 online data products at the state level, including monthly and total cases, monthly and total mortality, and vaccination rates by partial and full dosage.

C. Racial Equity and Social Justice Lens for FY23 Budget

The racial equity and social justice legislation requires the County Executive to detail how each management initiative or program that would be funded in the annual recommended budget promotes racial equity and social justice.

The ORESJ developed an Operating Budget Equity Tool (BET), training, and guidance manual attached at © 78-81.

https://www.montgomerycountymd.gov/OMB/Resources/Files/omb/pdfs/FY23/psprec/03-FY2023-REC_OperatingBudgetProcess.pdf based on collaborative efforts with peer jurisdictions and an examination of best practices in the advancement of budget equity tools. Incorporated into the OMB oversight budget process, the goal of the BET was to raise awareness of racial inequities *before* finalizing budget decisions and allocating appropriate resources using methods that help to reduce and eventually eliminate racial inequities in the County.

- Explain how the department's budget allocations (including requests, reallocations, and reductions) advances racial equity in the County, reduces, or eliminate disparities, and improves outcomes for communities of color and low-income communities.
 - Departments were encouraged to clearly state the commitment that the department is making to advance equity in the County, such as staff hours to training, building capacity to engage with marginalized communities, designating an equity lead, collecting, and disaggregating racial equity data, purchasing GIS software, and engaging directly with marginalized communities.
- Explain whether and how programs considered racial/ethnic disparities and/or disproportionalities in its outcomes (including quantitative data and qualitative data that was collected and analyzed)
- Describe what insights the data provided and how the program proposal (budget submission) seeks to address the identified inequities

- Identify community residents that will potentially benefit the most or potentially be burdened the most from the program proposal (budget submission)
- Describe the potential disproportionate effects on communities of color and low-income communities as a result of the program or the initiative and how those effects will be mitigated
- Explain how the program proposal builds capacity to engage with marginalized communities

Council staff will work to obtain answers to these questions, and work with ORESJ and OMB to ensure coordination and alignment with between the legislative and executive branch efforts and to help inform a more robust racial equity and social justice analysis for FY24 budget cycles.

D. Staff Recommendation

Council staff recommends reducing the of the FY23 Office of Racial Equity and Social Justice budget by \$50,000 because this item is being moved to the CIP per the Council Decision on March 29, 2022.

Council staff recommends approving a budget of \$1,276,440.

This packet contains:

		Circle Page #
1	The Executive’s Recommended FY22 Racial Equity and Social Justice Operating Budget	1-9
2	ORESJ Responses to Council Staff Questions	10-11
3	Memorandum from County Executive Elrich to Council President Albornoz dated April 19, 2022	12-18
4	Bill 27-19	19-33
5	Memorandum from County Executive, Fiscal Impact Statement, Executive Regulation 15-21, dated March 24, 2022	34-53
6	Racial Equity and Social Justice Advisory Committee 2021 Annual Report	54-62
7	Bill 44-20 amending Bill 27-19	63-69
8	List of Racial Equity and Social Justice Impact Statements (ORESJ)	70-76
9	Office of Racial Equity and Social Justice Budget Tool	77-80



Racial Equity and Social Justice

RECOMMENDED FY23 BUDGET
\$1,326,440

FULL TIME EQUIVALENTS
7.50

☀️ **TIFFANY WARD**, CHIEF EQUITY OFFICER

MISSION STATEMENT

The mission of the Office of Racial Equity and Social Justice is to establish Racial Equity and Social Justice (RESJ) as a core principle in all County decision making. The Office of Racial Equity and Social Justice will work with all County departments to ensure race is not a predictor of outcomes for Montgomery County residents. The office will assist departments to examine their own policies, procedures, and practices as well as to develop their community engagement plans to determine if they are creating or exacerbating current racial disparities in the County. The office will also assist departments in developing more equitable practices and policies by examining and developing data and creating racial equity assessments and racial equity action plans.

BUDGET OVERVIEW

The total recommended FY23 Operating Budget for the Office of Racial Equity and Social Justice is \$1,326,440, an increase of \$324,728 or 32.42 percent from the FY22 Approved Budget of \$1,001,712. Personnel Costs comprise 77.58 percent of the budget for seven full-time position(s) and one part-time position(s), and a total of 7.50 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 22.42 percent of the FY23 budget

COUNTY PRIORITY OUTCOMES

While this program area supports all seven of the County Executive's Priority Outcomes, the following is emphasized:

◆ **Effective, Sustainable Government**

INITIATIVES

- ★ Enhance communications and support the development of departments' community engagement plans to ensure members of the community who are traditionally underserved have access and opportunities to express their views in County decisions.
- ★ Continue providing support to the Department of Environmental Protection to help center people of color in their work as this population is often the most burdened by climate change.
- ★ Add funds for consulting services to assist with planning for the Montgomery County Lynching Memorial Project.

PROGRAM CONTACTS

Contact Tiffany Ward of the Office of Racial Equity and Social Justice at 240.777.5334 or Veronica Jaua of the Office of Management and Budget at 240.777.2782 for more information regarding this department's operating budget.

PROGRAM PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable). The FY22 estimates reflect funding based on the FY22 Approved Budget. The FY23 and FY24 figures are performance targets based on the FY23 Recommended Budget and funding for comparable service levels in FY24.

Measure	Actual FY20	Actual FY21	Estimated FY22	Target FY23	Target FY24
Program Measures					
Number of County employees who have completed Racial Equity Training (not cumulative)	N/A	430	1,000	1,000	1,000
Percent of County departments with a Racial Equity and Social Justice Lead established	N/A	85%	100%	100%	100%
Number of Racial Equity Impact Assessments completed	N/A	20	50	40	40
Percent of County departments with a Racial Equity Action Plan completed	N/A	0%	10%	20%	30%

PROGRAM DESCRIPTIONS

☀ Office of Racial Equity and Social Justice

After many years of spending on programs and initiatives to close racial disparities in Montgomery County, the Montgomery County Council decided it was time to take an approach that looked at race as the primary determinant of disparities. In April 2018, the County Council passed Resolution # 18-1095 to establish an equity framework for policy and decision making. The resolution required the County to perform a baseline study by the Montgomery County Office of Legislative Oversight (OLO) to describe current racial disparities in education, employment, housing, health, land use, and others. Following the completion of the study, the County Council passed Bill 27-19 to adopt a Racial Equity and Social Justice law. The law mandates 1) the creation of an Office of Racial Equity and Social Justice, 2) that all County employees receive racial equity training, and 3) that all departments examine their policies, procedures, and protocols for racial inequities. In December 2020, the County Council passed Bill 44-20 that requires the Office of RESJ to provide racial equity impact assessments (REIA) on supplemental appropriations. The Office of RESJ will also provide a racial equity analysis of the Montgomery County Public Schools operating and capital budgets.

The Office of Racial Equity and Social Justice will partner with Montgomery County departments and regional and national non-profit organizations to accomplish the following actions mandated by law:

- perform an equity assessment to identify the County policies and practices that do not advance racial equity and that must be modified to address racial disparities;
- develop metrics to measure the progress in redressing disparate outcomes based on race and social justice;
- work diligently with each Montgomery County department to develop racial equity and social justice action plans to remedy issues adversely impacting County residents that include community engagement;

- provide training to County employees on racial equity and social justice; and develop long- and short-term goals for success in redressing disparate outcomes based on race and social justice as well as their own metrics to measure their success and progress.

BUDGET SUMMARY

	Actual FY21	Budget FY22	Estimate FY22	Recommended FY23	%Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	267,647	595,672	499,923	825,461	38.6 %
Employee Benefits	60,687	135,748	124,395	203,583	50.0 %
County General Fund Personnel Costs	328,334	731,420	624,318	1,029,044	40.7 %
Operating Expenses	147,479	270,292	241,192	297,396	10.0 %
County General Fund Expenditures	475,813	1,001,712	865,510	1,326,440	32.4 %
PERSONNEL					
Full-Time	2	6	6	7	16.7 %
Part-Time	0	0	0	1	—
FTEs	2.00	6.00	6.00	7.50	25.0 %
GRANT FUND - MCG					
EXPENDITURES					
Salaries and Wages	64	0	0	0	—
Employee Benefits	0	0	0	0	—
Grant Fund - MCG Personnel Costs	64	0	0	0	—
Grant Fund - MCG Expenditures	64	0	0	0	—
PERSONNEL					
Full-Time	0	0	0	0	—
Part-Time	0	0	0	0	—
FTEs	0.00	0.00	0.00	0.00	—
REVENUES					
Federal Grants	64	0	0	0	—
Grant Fund - MCG Revenues	64	0	0	0	—
DEPARTMENT TOTALS					
Total Expenditures	475,877	1,001,712	865,510	1,326,440	32.4 %
Total Full-Time Positions	2	6	6	7	16.7 %
Total Part-Time Positions	0	0	0	1	—
Total FTEs	2.00	6.00	6.00	7.50	25.0 %
Total Revenues	64	0	0	0	—

FY23 RECOMMENDED CHANGES

COUNTY GENERAL FUND

FY22 ORIGINAL APPROPRIATION 1,001,712 6.00

Changes (with service impacts)

Add: Enhance Communications and Support the Development of Community Engagement Plans in all County Offices and Departments [Office of Racial Equity and Social Justice] 114,789 1.50

Add: Funds for Consulting Services to Assist with Planning for a Lynching Memorial [Office of Racial Equity and Social Justice] 50,000 0.00

Other Adjustments (with no service impacts)

Increase Cost: Annualization of FY22 Lapsed Positions 56,142 0.00

Increase Cost: Annualization of FY22 Personnel Costs 46,739 0.00

Increase Cost: FY23 Compensation Adjustment 36,523 0.00

Increase Cost: Adjustment in Salaries of Two Program Manager II [Office of Racial Equity and Social Justice] 19,786 0.00

Increase Cost: Annualization of FY22 Compensation Increases 4,818 0.00

Increase Cost: Printing and Mail Adjustment 2,690 0.00

Increase Cost: Retirement Adjustment 1,241 0.00

Decrease Cost: Elimination of One-Time Items Approved in FY22 (8,000) 0.00

FY23 RECOMMENDED 1,326,440 7.50

FUNDING PARAMETER ITEMS

CE RECOMMENDED (\$000S)

Title	FY23	FY24	FY25	FY26	FY27	FY28
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COUNTY GENERAL FUND**EXPENDITURES**

FY23 Recommended	1,326	1,326	1,326	1,326	1,326	1,326
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No inflation or compensation change is included in outyear projections.

Annualization of Positions Recommended in FY23	0	48	48	48	48	48
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New positions in the FY23 budget are generally assumed to be filled at least two months after the fiscal year begins. Therefore, the above amounts reflect annualization of these positions in the outyears.

Elimination of One-Time Items Recommended in FY23	0	(62)	(62)	(62)	(62)	(62)
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Items recommended for one-time funding in FY23, including operating expenditures for new positions and consulting services to assist with planning for the Lynching Memorial project, will be eliminated from the base in the outyears.

Labor Contracts	0	36	36	36	36	36
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These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.

Subtotal Expenditures	1,326	1,348	1,348	1,348	1,348	1,348
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ANNUALIZATION OF FULL PERSONNEL COSTS

FY23 Recommended		FY24 Annualized	
Expenditures	FTEs	Expenditures	FTEs

ANNUALIZATION OF FULL PERSONNEL COSTS

	FY23 Recommended		FY24 Annualized	
	Expenditures	FTEs	Expenditures	FTEs
Program Manager II	90,808	1.00	124,917	1.00
Administrative Specialist I (G21)	41,567	0.50	55,423	0.50
Total	132,375	1.50	180,340	1.50



Racial Equity & Social Justice

Montgomery County government, with the establishment of the Office of Racial Equity and Social Justice, is committed to reducing and eliminating racial disparities and inequities in the County.

One aspect of advancing this work involves analyzing resource allocations that form the structures—programs, policies, practices, and procedures—that can either worsen or improve racially disparate outcomes across the County. Our goal is to identify these disparities, reduce them, and ultimately create structures that eliminate their existence and prevent disparities from emerging in the future.

To this end, and in accordance with Bill 44-20, Racial Equity and Social Justice - Impact Statements - Advisory Committee Amendments, the Office of Racial Equity and Social Justice developed a Budget Equity Tool to support departments and decision makers in applying a racial equity lens to the development of the County Executive's FY23 Recommended Operating Budget. This tool and process has supported the County's implementation of its guiding racial equity framework, adapted from the Government Alliance on Race and Equity (GARE), to normalize, organize, and operationalize for racial equity and social justice. This framework guides jurisdictions across the country in navigating the changes required to advance racial equity and social justice.



Building from this framework, the FY23 Recommended Operating Budget enables the County to continue developing its racial equity and social justice infrastructure, while fostering meaningful community partnerships, and piloting initiatives that address the symptoms and structures of inequality.

First, this budget reflects a greater awareness among departments about the human and other resources necessary to learn new skills and competencies for identifying and addressing barriers to racial equity and social justice in all aspects of the County's work. Departments specifically pointed to the leadership and reach of CORE teams—a structure used to normalize conversations about race and racism—in expanding staff knowledge and capacity to identify and discuss racial disparities and make necessary systems-level changes. These normalizing efforts help to equip decision makers with new perspectives and a deepened appreciation for the role of government in addressing long-standing racial and ethnic disparities in the County.

Second, this budget enables the County to continue partnerships with long-standing community groups who provide

essential services in response to the impacts of racial and ethnic disparities. Over time, the County will look for ways in its policies and processes to amplify voices of community members most excluded and impacted by structural inequities, enabling the government and community to cocreate solutions together.

Lastly, to operationalize racial equity, this budget provides resources to help mitigate against the harms of structural racism and initiates efforts to address racial disparities head on. The FY23 recommended budget was heavily impacted by the County's recovery from the COVID-19 pandemic. Much of this budget focuses on shoring up departments, programs, and services serving communities most impacted by the health and economic impacts of COVID-19. In Montgomery County, like much of the country, communities of color—due to long-standing inequities in education, employment, housing, and healthcare—are disproportionately impacted by the pandemic. While some of these programs and services don't eliminate racial disparities, they do prevent them from widening, enabling a more equitable pandemic recovery for all county residents.

FY23 Recommended Budget includes:

Departments and Non-Departmental Accounts (NDAs)

Cable Communications Television

- Deploy 40,000 free computers to low-income residents and seek grant funding to expand additional digital equity programs including assistance to low-income residents to enroll in home broadband subsidy programs and expand Senior Planet Montgomery to affordable housing developments.
- Leverage FY22 Community Communications Survey findings to strategically deploy County Cable Montgomery (CCM) resources. The goal is to provide communications over preferred communications platforms, in formats and languages that enable the County to reach more residents with information, especially those communities that are not currently engaging with the County.
- Add funds to support Montgomery County Media (MCM) operations, which provides media training for residents and operates the public television channels and website; programming is focused on communities of color. MCM operates a separate facility in a Housing Opportunities Commission affordable housing development in Silver Spring that provides media training for African American and Latino youth.
- Provide technical support to enable elected officials and departments to host hybrid in-person and remote community meetings to increase participation by new immigrants, low-income residents, and communities of color.
- Create a Connect Montgomery Alliance (CMA) Coordinator position to coordinate programming designed to serve low-income families, specific racial and ethnic communities (including African American and Latino households), and coordinate promotion of support service programs across the County, municipalities, and two educational agencies.

Community Grants

- Funding in the amount of \$70,000 for grants to provide non-profit technical assistance and management support.
- Funding in the amount of \$750,000 to provide grants for non-profit partners who serve underserved communities, children, youth, and families.

Community Engagement Cluster

- Establish an Office of Food System Resilience to coordinate food resilience efforts with community partners, government agencies, and regional partners.
- Funds are added to support the farm to food bank program, the Montgomery County Food Council, market money grants that allow farmers markets to match Federal Supplemental Nutrition Assistance Program funding for individuals, and community gardening and local resilience grants.

Department of Health and Human Services

- Expand funding for the Asian American Health Initiative, Latino Health Initiative, African American Health Programs

- Enhance funding to expand Health and Psychiatric Services to accommodate an increase in year-round clients at home shelters
- In addition to the investments made in the Montgomery Housing Initiative Fund, these resources will provide an additional \$2 million for Rapid Rehousing (General Fund)
- In addition to the investments made in the Montgomery Housing Initiative Fund, these resources will provide an additional \$3 million for Rental Assistance (General Fund)
- Fund the Bienvenidos Initiative, focused on expanding the County's capacity to address the unique needs of unaccompanied migrant children and asylum-seeking families including school-based health services, family reunification, Street Outreach Network supports, and youth leadership development. Related legal and representation services are funded in the Community Engagement Cluster.
- Increase mental health services for Montgomery County Public Schools at ten priority high schools without High School Wellness Centers and expand mental health services at six high schools with existing High School Wellness Centers to address growing demand
- Provide funding to continue the East County Opportunity Zone program
- Support food security through a \$4 million allocation for the direct purchase of food for distribution
- Add a Tuberculosis nurse to address health disparities and better serve the growing County immigrant population. Thirty percent of tuberculosis cases Statewide are in Montgomery County.

Department of Housing and Community Affairs

- Continue to leverage Federal grants including the Community Development Block Grant, the HOME Investment Partnership Grant, and the Emergency Solutions Grant to provide affordable housing, housing rehabilitation, commercial revitalization, focused neighborhood assistance, public services, and prevent homelessness.
- Allocate \$2 million in additional resources dedicated to the Rental Assistance Program to continue protecting lower-income residents from rent increases by working with nonprofits to identify and preserve at-risk naturally-occurring affordable housing and actively engaging purchasers with rental agreements to preserve affordable rents.
- Allocate \$3 million in additional resources dedicated to the Rental Assistance Program
- Continue to actively underwrite affordable housing loans to preserve and produce affordable housing. Five developments, including one senior and four family projects, have already been identified for potential funding in FY23. These developments would preserve or produce a total of 815 units, including 317 affordable units.

Office of Agriculture

- The Montgomery County Farm to Food Bank program - a partnership between the Montgomery County Food Security Task Force, the Department of Health and Human Services, Manna Food Center, the Montgomery County Food Council, the Montgomery County Office of Agriculture, and the Greater Washington Community Foundation - has collectively invested and committed over \$630,000 in local farms to support a sustained and resilient local food supply and provide more nutritious and culturally diverse produce to residents who experience hunger. Since July 2020, over 112,235 pounds of fresh, locally produced food has been purchased or donated to over 30 food assistance providers, creating over 90,000 meals for the Montgomery County community.

Office of Consumer Protection

- The Office expanded its language access program, establishing an in-house roster of volunteers that speak five different languages to assist residents and merchants with limited English proficiency.

Office of Grants Management

- Funding to create this Office to develop and oversee a grant funding mechanism for County departments to use for implementing programs and initiatives. This Office will develop, manage, advertise, and apply a racial equity lens into

the application and awarding processes for grant programs offered by the County.

Office of Human Rights

- Increase support for the Partnership Fund to provide partial compensation for property damage to victims of racial, ethnic, religion, sexual orientation, and disability-based hate/violence. The Partnership Fund aims to demonstrate community support for the victims and ease the financial consequences of such violence.

Office of the County Executive

- Add funding to address disparities in the black business community and to provide increased training and resources through grants to the Black Chamber of Commerce and to the Black Business Council. This support will facilitate increased outreach and engagement between the County and the business community; allow the development of a Small Business Lending Program; and provide funding for technical assistance, training, capacity building, and resources to businesses throughout the County. These funds will also support the growth of a database and information sharing initiative for the County's Minority, Female, and Disabled-owned Businesses Program.
- Add a Climate Funding and Performance Specialist position to seek out grant opportunities that can support the Climate Action Plan's racial equity and social justice actions, such as the Community Justice Academy.

Office of Public Information

- Funding provided to expand Spanish language communications outreach via Radio America, communicating directly with this specific segment of the County's Latino population.

Office of Racial Equity and Social Justice

- Add funding for consulting services to assist with community engagement and planning for the Montgomery County Lynching Memorial Project.
- Provide funding for increased staffing to support the mission of the Office of Racial Equity and Social Justice.

Parking Districts (Department of Transportation)

- Explore opportunities to install solar photovoltaic systems on garage rooftops within the PLDs (parking lot districts) that can provide discounted electricity to lower and moderate income (LMI) communities in the County as well as County-owned facilities.

Urban Districts

- Standup a fee reduction program to expand access to community spaces in the Wheaton Urban District.

WorkSource Montgomery Inc. (Non-Departmental Account)

- Funding for employment and training services for immigrants.

Overall, this budget provides resources for the County to deepen its efforts to normalize, organize, and operationalize for racial equity and social justice. It supports the County government in building the skills and competencies necessary to identify and address racial and ethnic disparities across issue areas, at the same time providing resources for engaging community partners and piloting innovative strategies for shrinking disparities and improving the well-being of all Montgomery County residents.

The Executive's FY23 recommended operating budget for the Office of Racial Equity and Social Justice (ORESJ) totals \$1,326,440, an increase of \$324,728 or 32.42% from the FY22 approved budget of \$1,000,712. The staff now includes, in addition to Ms. Ward, four program managers and one administrative specialist. The County Executive is requesting an increase of \$114,789 for an additional 1.5 FTEs for a Program Manager II and an Administrative Specialist I.

How will the additional staff enhance the work of the RESJ office?

The Program Manager II position that we are requesting will be a Community Engagement specialist. This person will review departmental community engagement plans, provide guidance to departments on the best ways to engage communities of color and help departments understand and implement the community engagement continuum proposed in the draft regulations.

- The part-time administrative assistant position is needed to assist with administrative and communications needs of the office. The office would like to raise its profile by more frequently updating website content, producing a quarterly newsletter and providing updates to the general public by e-mail and social media. We anticipate that this person will also assist with the administrative tasks of our training program.

When do you anticipate filling the 3 current vacant program manager slots?

- Our Program Manager/Policy Analyst position has been filled. She will start on April 26, 2022.
- We have made an offer to our new Program Manager/Training Manager, we are currently waiting for salary approval from Compensation.
- The last Program Manager position is currently going through HR re-classification process, as soon as that process is complete, we will advertise and hire for this position.

What, if any, challenges have you faced with training County employees?

We lost our training manager at the end of last year, but our training program has proceeded uninterrupted. With additional communications to departments directly and to all county employees we expect that training numbers will increase in the coming months.

The Racial Equity and Social Justice Act now requires that your offices prepare Racial Equity Impact Assessment Statements for supplemental appropriations. It appears that your office has completed over 30 thus far. **What, if any, challenges have you experienced in preparing these statements?**

To date, ORESJ has conducted 69 Racial Equity Impact Assessments (REIA) We began conducting REIAs in March of 2021 as the legislation required. All of our REIAs are available

on our website. -Currently my office transmits all Racial Equity Impact Assessments to council and other interested parties in order avoid any confusion and delays.

It has taken some time for departments to get used to the REIA process and what is required of them in order for the Office of Racial Equity and Social Justice to do a thorough analysis. We have received incomplete or insufficient responses to RESJ REIA tool; lack of clarity about who completes these tools. We have found that additional phone calls or meetings are necessary to get additional information needed to complete the REIA process. In cases where our findings are inconclusive there is often a lack of information or data about the process leading to the supplemental or details about implementation.

Please highlight any improvements from the racial equity review of last year's budget.

This year ORESJ created and deployed a new budget equity tool for the Operating and for the Capital Budget. There were a group of departments that clearly and better articulated their department's understanding and commitment to racial equity, those departments include Alcohol Beverage Services, Libraries, TEBS and the Office of Agriculture. It is worth noting that the Department of Environmental Protection has demonstrated a level of understanding and commitment by embedding racial equity principals into their Climate Action Plan.

Overall, most departments are still developing an understanding of the historical roots of the inequities experienced by people of color in Montgomery County and working to understand how their department contributes or can contribute to shrinking disparities. Departments are continuing to build the infrastructure needed to identify and address racial inequities.

Racial equity is part of the budget discussions which has allowed the County Executive as well as others to ask questions. I am included in all budget meetings which has allowed me to advise when something could have significant adverse impact on racial equity in the County.




OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

April 19, 2022

TO: Gabe Albornoz, President
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Amendments to the Recommended FY23 Operating Budget

Since I submitted my FY23 Recommended Operating Budget on March 15, there have been a number of developments that necessitate sending over amendments to the recommended budget. These amendments center around changes in revenue projections as well as expenditure adjustments for Montgomery County Fire and Rescue Service, Office of Racial Equity and Social Justice, Office of Human Rights, Transit Services, Incubator Programs, Police Accountability Board, and Community Grants. The amendments are described in detail below (including source of funds), and the attached report contains the necessary information for your analysts to account for them. The amendments submitted are consistent with the County's policy to maintain ten percent of adjusted governmental revenues in reserve.

CHANGES IN RESOURCES

County Income Tax Revenue

The FY22 revised income tax revenue estimate and the FY23 Recommended Budget income tax forecast (as of March 15) are both higher than the December Fiscal Plan update. The FY22 income tax revenue estimate increased in part due to a strong February income tax distribution reflecting strong wage and salary growth, but also due to notification from the Maryland Comptroller of an estimated \$58 million distribution to correct prior under-distributions of Tax Year 2020 income taxes in November 2021 and January 2022. These increases in FY22 were built into the base used for the forecast of FY23 income taxes and are expected to be ongoing.

Following the submission of the FY23 Recommended Budget, the Maryland Comptroller provided the correcting distribution on March 25 of \$68 million, an increase of \$10 million over their initial notification. As a result, this \$10 million of additional revenue will be available for FY22, and an additional \$11.468 million is now forecast to be available for FY23 due to the higher FY22 revenue base. Since this additional revenue is subject to the County's reserve policy, 90 percent, or \$10.321 million is available for programmatic uses.

State Aid for Police Protection

The FY23 estimate for State Aid for Police Protection was based on the Governor's proposed FY23 Operating Budget, which included a significant year-over-year increase. In enacting the FY23 State Operating Budget, the General Assembly changed the distribution for the increase. The funds will be based on the number of reported total violent crime offenses instead of the traditional per officer allocation methodology. As a result of this change, the estimate for the County's share of the State Aid for Police Protection will decrease by \$3.290 million. This revenue write-down will be fully offset by the increased income tax revenue estimate for FY23.

Transit Revenue

The FY23 Recommended Budget restores Ride On service and Call-N-Ride to pre-pandemic levels. As part of the budget, I also recommended reducing fares on all Ride On routes by one half, bringing the cost of most Ride On trips to \$1.00, in line with our fare equity study. The Transit Revenue estimate assumed that the new fares would go into effect in July. Given the process for coordinating fare changes however, it is unlikely that Ride On would be able to implement the fare change before September. As a result, the fare revenue estimate for FY23 will decrease by \$1.638 million. This revenue decrease will be fully offset by a reduction in CIP Current Revenue expenditures for transit projects for which we have received State aid sufficient to allow for repurposing County funding.

CHANGES IN EXPENDITURES

Office of Racial Equity and Social Justice

My FY23 budget included \$50,000 in funds to assist with planning for a memorial to Black residents who were tortured and killed by lynching. After subsequent consideration, I am recommending that the funds be included in the capital budget instead of the operating budget to allow for more time for public input and coordination with the Equal Justice Initiative. Thus the \$50,000 reduction to the budget for the Office of Racial Equity and Social Justice will be fully offset by an expenditure increase to the capital budget to create the Montgomery County Lynching Memorial Project (P362308).

Fire and Rescue Service

The FY22 agreement with the Montgomery County Career Firefighters Association IAFF Local 1664, included a provision that if the CPI-U for the Washington-Arlington-Alexandria area for the 12-month period ending March 2022 exceeds 1.5 percent that I would submit a supplemental appropriation to Council to increase the general wage adjustment (GWA) provision from 1.5 percent up to a maximum of 2.25 percent. As of March, the CPI-U for the Washington-Arlington-Alexandria area was 7.3 percent, thus triggering the requirement in the agreement. That supplemental appropriation for FY22 will be forthcoming for Council consideration and, if approved, the increased GWA will be effective the pay period beginning June 19, 2022. The FY23 impact of this change will be \$860,267 – including the annualization of the FY22 increase and the impact of this cost increase on the FY23 agreement. This amendment will be funded by increased tax revenues for FY23.

Office of Human Rights

The Commission on Remembrance and Reconciliation submitted a funding request for \$56,000 in operating funds to conduct historical research, capture oral histories, traveling to and engaging with the Equal Justice Initiative, hosting community seminars and collaborating with community partners, enhancing Remembrance and Reconciliation Month, and delivering memorials and markers to commemorate the victims of lynching in the County. This request was inadvertently left out of the FY23 Recommended Budget and will be funded by increased tax revenues for FY23.

I am also recommending including \$100,000 to fund County celebrations to commemorate the Juneteenth holiday. This amount includes funds for venues, technical support, equipment, and services and entertainment. The amendment will be funded by increased tax revenues for FY23.

Transit Services

The Recommended Budget included \$11,015 in the Transit Services budget to fund the six percent inflationary adjustment to non-profit service provider contracts. This amount inadvertently left out funds to provide the inflationary adjustment for the service contract that provides fixed route services for communities in the Tobytown and surrounding areas. I am recommending an additional \$29,071 to fund the inflationary adjustment for this contract, and the amendment will be funded by increased tax revenues for FY23.

NDA – Incubator Programs – Economic Development Partnership

The Recommended Budget included an increase of \$74,915 to increase staffing capacity to support the development and entrepreneurial ecosystem and manage all programming and

portfolio management duties at the Germantown, Rockville, and Silver Spring innovation centers. Due to a calculation error, my budget inadvertently left out the full funding for this enhancement. The cost of this amendment is \$235,349 and will be funded by increased tax revenues for FY23.

NDA – Police Accountability Board

The FY23 Recommended Budget included \$100,510 to fund the Police Accountability Board Non-Departmental Account budget. This amount reflected the estimated fiscal impact from implementation of Bill 49-21, as introduced. Since introduction, the Council has adopted amendments to the initial text of the bill, including increasing the number of Board members; requiring full-time, dedicated staff; and providing for compensation of the members. As a result of these adopted amendments, the estimated fiscal impact for implementing Bill 49-21 increases to \$436,541, an increase of \$336,031 above the initial recommended amount and adds 2.0 FTEs to the budget. This amendment will be funded by increased tax revenues for FY23.

NDA – Community Grants

My FY23 Recommended Operating Budget included \$500,000 in the Community Grants Non-Departmental Account budget for Business District Development Grants. The purpose of the program is to support the development of grassroots organizations and non-profit entities that engage in place making, place management, business recruitment and retention, branding, and economic development activities in emerging business districts. The program must lead to the establishment of a Main Street, Business Improvement District, or an Urban District Corporation. After submission of the budget, I have received feedback that interest in the program was greater than expected. As a result, I am recommending increasing the amount to this grant program by \$300,000 for a total of \$800,000. This amendment will be funded by increased tax revenues for FY23.

The net impact of all of the above amendments includes \$1.917 million in new expenditures which are offset by a net \$7.031 million in additional revenue, leaving \$5.114 million to be used for other priorities. We are finalizing additional potential amendments for the Department of Health and Human Services and the Department of Police, and those will be transmitted in the coming days.

Department staff and staff from the Office of Management and Budget will be happy to answer any questions you may have about these amendments as we work together to finalize the FY23 operating budget.

ME:jw

Amendment to the Recommended FY23 Operating Budget
April 19, 2022
Page 5 of 5

Enclosure: Details on Recommended FY23 CE Amendments Report

cc: Richard S. Madaleno, Chief Administrative Officer
Fariba Kassiri, Deputy Chief Administrative Officer
Marlene Michaelson, Executive Director, County Council
Jennifer R. Bryant, Director, Office of Management and Budget
Michael Coveyou, Director, Department of Finance
Joy Nurmi, Chief of Staff to Council President Albornoz

Detail on Recommended FY23 CE Amendments

Tax Supported

EXPENDITURE AMENDMENTS

Racial Equity and Social Justice

Shift: Funding for Lynching Memorial from Operating Budget to Montgomery County Lynching Memorial CIP Project (P362308) -50,000

Fire and Rescue Service

Increase Cost: FY23 Impact of FY22 General Wage Adjustment Supplemental 860,267

Human Rights

Add: Juneteenth Celebration Expenditures 100,000

Enhance: Commission on Remembrance and Reconciliation 56,000

Transit Services

Increase Cost: Six Percent Inflationary Increase to Non-Profit Service Provider Contracts Correction 29,071

NDA - Incubator Programs - Economic Development Partnership

Increase Cost: Staffing Capacity Expenditure Correction 235,349

NDA - Police Accountability Board

Add: Police Accountability Board Adjustment 336,031

NDA - Community Grants

Add: Business District Development Grants Increase 300,000

Total Tax Supported Expenditures **1,866,718**

RESOURCE AMENDMENTS

Countywide Generic

FY23 Income Tax Adjustment 11,468,000

Police

Police Protection State Aid -3,290,000

Transit Services

Ride On Fare Revenue Reduction offset by a reduction in CIP Current Revenue expenditures -1,637,505

Detail on Recommended FY23 CE Amendments

Tax Supported

Total Tax Supported Resources

6,540,495

Bill No. 27-19
Concerning: Administration – Human Rights - Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee - Established
Revised: 11/19/2019 Draft No. 10
Introduced: September 17, 2019
Enacted: November 19, 2019
Executive: December 2, 2019
Effective: March 2, 2020:
Section 2-81C effective on August 1, 2020
Sunset Date: None
Ch. 27, Laws of Mont. Co. 2019

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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

AN ACT to:

- (1) establish a racial equity and social justice program;
- (2) establish an Office of Racial Equity and Social Justice in the Executive Branch;
- (3) remove the Chief Equity Officer position in the Office of the Executive as a non-merit position;
- (4) require the Executive to adopt, by Method 2 regulation, a racial equity and social justice action plan for the County;
- (5) require each Department and Office to develop a racial equity and social justice action plan;
- (6) require the ~~[[Executive]]~~ Director of the Office of Legislative Oversight to submit a racial equity and social justice impact statement to the Council for each Bill;
- (7) require the Executive to explain how ~~[[and for]]~~ each management initiative or program in the recommended budget would promote racial equity and social justice;
- (8) ~~[[7]]~~ establish a Racial Equity and Social Justice Advisory Committee and set forth the composition, compensation, and duties of the Committee;
- (9) ~~[[8]]~~ require the Planning Board to consider racial equity and social justice impact when preparing a Master Plan; and
- (10) ~~[[9]]~~ generally amend the law governing racial equity and social justice.

By amending

Montgomery County Code
Chapter 1A, Structure of County Government
Section 1A-201

Chapter 2, Administration
Sections 2-26 and 2-64A

Chapter 33A, Planning Procedures
Section 33A-14

By adding

Montgomery County Code
Chapter 2, Administration
Section 2-81C

Article XIV.
Chapter 27, Human Rights and Civil Liberties
Section 27-83

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. Sections 1A-201, 2-26, 2-64A, and 33A-14 are amended and**
2 **Sections 2-81C and 27-83 are added as follows:**

3 **1A-201. Establishing departments and principal offices.**

4 (a) Executive Branch.

5 (1) These are the departments and principal offices of the Executive
6 Branch.

7 * * *

8 Public Libraries (Section 2-45 et seq.)

9 Racial Equity and Social Justice (Section 2-64A)

10 Recreation (Section 2-58)

11 * * *

12 **2-26. Non-merit positions.**

13 The following positions in the Office of the County Executive are non-merit
14 positions:

15 (a) 5 Directors of the Regional Services Centers;

16 (b) Director, Office of Community Partnerships;

17 (c) Director, Criminal Justice Coordinating Commission;

18 (d) 4 Assistant Chief Administrative Officers;

19 (e) Special Projects Manager;

20 (f) Chief Labor Relations Officer; and

21 (g) Chief Digital Officer [; and

22 (h) Chief Equity Officer].

23 **Division 13. [Reserved] Office of Racial Equity and Social Justice.**

24 **2-64A. [Reserved] Office of Racial Equity and Social Justice.**

25 (a) Findings.

26 (1) Although not unique to the County, many County residents suffer
27 from stark disparities linked to race and social justice issues.

28 (2) These disparate outcomes among County residents include wealth,
29 housing, criminal justice, education, and health.

30 (3) Inequitable outcomes linked to race and social justice issues will
31 persist in the County without intentional intervention.

32 (4) The work to dismantle racial and social justice inequity must occur
33 on an individual, institutional, and structural basis.

34 (b) Definitions. As used in this Division:

35 Director means the Director of the Office of Racial Equity and Social
36 Justice or the Director's designee.

37 Equity means fair and just opportunities and outcomes for all people.

38 Equity assessment means a systematic process of identifying policies and
39 practices that may be implemented to identify and redress disparate
40 outcomes on the basis of race or social justice issues.

41 Individual racism means explicit or implicit pre-judgment bias or
42 discrimination by an individual based on race.

43 Inequity means systematic and patterned differences in well-being that
44 disadvantage one group in favor of another caused by past and current
45 decisions, systems of power and privilege, and policies.

46 Institutional racism means policies, practices, and procedures that work
47 better for some members of a community than others based on race.

48 Office means the Office of Racial Equity and Social Justice.

49 Race means a social construct that artificially divides people into distinct
50 groups based on characteristics such as physical appearance (including
51 color), ancestral heritage, cultural affiliation, cultural history, ethnic
52 classification, and the social, economic and political needs of a society at
53 a given period.

54 Racial equity and social justice means changes in policy, practice and
 55 allocation of County resources so that race or social justice constructs do
 56 [[does]] not predict one's success, while also improving opportunities and
 57 outcomes for all people.

58 Racial equity and social justice action plan means a comprehensive plan
 59 to incorporate and embed racial equity and social justice principles and
 60 strategies into operations, programs, service policies, and community
 61 engagement.

62 Social justice means [[a social construct that artificially divides people
 63 into distinct groups based on]] that everyone deserves to benefit from the
 64 same economic, political and social rights and opportunities, free from
 65 health disparities, regardless of race, socioeconomic status, age, [[gender,
 66 sexual orientation, gender identification]] sex – including on the basis of
 67 gender identity or orientation, religion, [[or]] disability, or other
 68 characteristics.

69 Structural racism means the history and current reality of institutional
 70 racism across public and private institutions which combine to create a
 71 system that negatively impacts certain groups based on race.

72 (c) Functions. After consulting with each department and office, the Office
 73 must:

- 74 (1) perform an equity assessment to identify County policies and
 75 practices that must be modified to redress disparate outcomes
 76 based on race or social justice;
- 77 (2) develop metrics to measure progress in redressing disparate
 78 outcomes based on race or social justice;
- 79 (3) work with each County department and office to develop a racial
 80 equity and social justice [[equity]] action plan designed to remedy

81 individual, institutional, and structural racism or social justice
 82 issues adversely impacting County residents;

83 (4) provide racial equity and social justice [[equity]] training to
 84 County employees;

85 (5) develop short term and long term goals for success in redressing
 86 disparate outcomes based on race or social justice issues;

87 (6) measure progress in meeting both short term and long term goals;
 88 and

89 (7) provide staff support for the Racial Equity and Social Justice
 90 [[Equity]] Advisory Committee.

91 (d) Racial Equity and Social Justice [[Equity]] Action Plan.

92 (1) The Executive must adopt, by Method 2 regulation, a racial equity
 93 and social justice [[equity]] action plan.

94 (2) The racial equity and social justice [[equity]] action plan must
 95 include:

96 (A) a community engagement process;

97 (B) mandatory racial equity and social justice training for
 98 [[managers and supervisors]] all County employees;

99 (C) the use of [[a]] explicit racial equity and social justice
 100 [[equity lens]] considerations in establishing new programs
 101 and evaluating existing programs;

102 (D) a requirement for the Executive to [[submit a racial equity
 103 and social justice impact statement to the Council for]]
 104 explain how each management initiative or program that
 105 would be funded in the Executive's annual recommended
 106 operating and capital budgets promotes racial equity and
 107 social justice;

- 108 (E) short term and long term goals for [[redressing inequity]]
109 promoting racial equity and social justice;
- 110 (F) metrics for measuring progress in meeting these goals;
- 111 (G) guidelines for each department and office to develop its own
112 equity action plan;
- 113 (H) recommended racial equity and social justice [[equity]]
114 tools and strategies for a department or office to use in
115 redressing disparities based on race or social justice issues;
116 and
- 117 (I) priority areas for additional County efforts.
- 118 (e) Reports. The Director must submit an annual report on the activities of
119 the Office to the Executive and the Council on or before each September
120 30. The report must include:
- 121 (1) the metrics used to measure the success of each short term and long
122 term goal of the approved racial equity and social justice [[equity]]
123 action plan;
- 124 (2) the progress toward meeting the goals of the approved racial equity
125 and social justice [[equity]] action plan; and
- 126 (3) any recommendations for changes in law, regulation, or operating
127 budget resources to assist in meeting the goals of the racial equity
128 and social justice [[equity]] action plan.
- 129 (f) Responsibilities of each department and office. Each Executive and
130 Legislative Branch department and office must:
- 131 (1) designate an employee to serve as the racial equity and social
132 justice [[equity]] lead for the department or office to coordinate
133 work with the Office;

- 134 (2) develop a department or office racial equity and social justice
- 135 [[equity]] action plan in coordination with the Office; and
- 136 (3) provide information to the Office as needed.

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

- 138 (1) establish a structure to provide oversight of the County’s progress
- 139 in meeting its racial equity and social justice goals. The Council
- 140 may retain experts from academic and scientific organizations to
- 141 assist the Council with this oversight responsibility; and
- 142 (2) ensure that the operating budget is sufficient:
 - 143 (A) for the Office of Racial Equity and Social Justice to provide
 - 144 the services required by this Section; and
 - 145 (B) to implement the Racial Equity and Social Justice Action
 - 146 Plan.

147 **2-81C. Racial Equity and Social Justice [[Equity]] Impact Statements.**

148 (a) Definitions. In this Section, the following words and phrases have the

149 following meanings:

150 Director means the Director of the Office of [[Racial Equity and Social

151 Justice]] Legislative Oversight or the Director’s designee.

152 Race means a social construct that artificially divides people into distinct

153 groups based on characteristics such as physical appearance (including

154 color), ancestral heritage, cultural affiliation, cultural history, ethnic

155 classification, and the social, economic and political needs of a society at

156 a given period.

157 Racial equity and social justice means changes in policy, practice and

158 allocation of County resources so that race or social justice constructs do

159 [[does]] not predict one’s success, while also improving opportunities and

160 outcomes for all people.

161 Racial equity and social justice impact means an estimate of changes in
 162 racial equity and social justice in the County attributable to a change in
 163 the law.

164 Social justice means [[a social construct that artificially divides people
 165 into distinct groups based on]] that everyone deserves to benefit from the
 166 same economic, political and social rights and opportunities, free from
 167 health disparities, regardless of race, socioeconomic status, age, [[gender,
 168 sexual orientation, gender identification]] sex – including on the basis of
 169 gender identity or orientation, religion, [[or]] disability, or other
 170 characteristics.

171 (b) Racial Equity and Social Justice [[Equity]] impact statement. The
 172 Director must submit a statement to the Council describing the racial
 173 equity and social justice [[equity]] impact, if any, of each bill under
 174 consideration by the Council. The Director must submit a separate
 175 statement for each bill.

176 (c) Time for submission. A racial equity and social justice impact statement
 177 should be submitted to the Council:

178 (1) no later than 7 days before the public hearing on each bill
 179 introduced by the Council President at the request of the County
 180 Executive; and

181 (2) no more than 21 days after a bill sponsored by a Councilmember
 182 is introduced.

183 If the Director is unable to submit the statement within the time required
 184 by paragraph (2), the Director must notify the Council President in
 185 writing of the delay, the reason for the delay, and the revised delivery
 186 date. If the Council President finds that the revised delivery date is
 187 unreasonable, the Council President may set a different delivery deadline.

188 (d) Content of racial equity and social justice impact statement. Each racial
 189 equity and social justice impact statement must include:

- 190 (1) the sources of information, assumptions, and methodologies used;
- 191 (2) an estimate of both positive and negative changes in racial equity
 192 and social justice [[equity]] in the County as a result of the
 193 implementation of the bill;
- 194 (3) recommended amendments that may promote racial equity and
 195 social justice [[equity]]; and
- 196 (4) if a bill is likely to have no racial equity or social justice [[equity]]
 197 impact, why that is the case.

198 (e) Compliance. Council action on [[a]] an expedited bill that is otherwise
 199 valid is not invalid because of any failure to follow the requirements of
 200 this Section.

201 **ARTICLE XIV. RACIAL EQUITY AND SOCIAL JUSTICE ADVISORY**
 202 **COMMITTEE.**

203 **27-83. Racial Equity and Social Justice Advisory Committee.**

204 (a) Members. The Executive must appoint, subject to confirmation by the
 205 Council, a Racial Equity and Social Justice Advisory Committee. The
 206 Committee must have [[9]] 15 voting members. [[At least 6 of the voting
 207 members must, when appointed, either reside in or be an employee of the
 208 County.]]

- 209 (1) Voting members. The members must reflect a range of ethnicities,
 210 professional backgrounds, socioeconomic status, and places of
 211 origin to reflect the racial, [[and]] economic, and linguistic
 212 diversity of the County’s communities, with an emphasis on those
 213 most [[proportionately]] disproportionately impacted by
 214 inequities. Each member should have some experience in

215 redressing disparate impacts based on race and social justice
 216 issues.

217 (A) One member should be [[an employee]] a designee of [[the
 218 Montgomery County Public Schools]] a public education
 219 system in the County.

220 (B) One member should be [[an employee]] the Chair of the
 221 Housing Opportunities Commission or the Chair's
 222 designee.

223 (C) One member should be a designee of the County Council.

224 (D) One member should be an employee of the County
 225 Department of Health and Human Services.

226 (E) One member should be an employee of the County
 227 Department of Correction and Rehabilitation.

228 (F) One member should be [[an employee]] a sworn officer of
 229 the County Police Department.

230 (G) One member should be the Chair of the Montgomery
 231 County Planning Board or the Chair's designee.

232 (H) [[Three]] Eight members should be a public member with
 233 experience in redressing disparate impacts based on race
 234 and social justice issues. Each public member must reside
 235 in the County.

236 (2) Term. Each member serves a 3-year term. A member must not
 237 serve more than 2 consecutive full terms. A member appointed to
 238 fill a vacancy serves the rest of the unexpired term. Members
 239 continue in office until their successors are appointed and
 240 qualified.

- 241 (3) Compensation. ~~[[Members]]~~ Except for the 8 public members,
 242 members must receive no compensation for their services. ~~[[A]]~~
 243 Each of the 8 public [[member]] members may receive an annual
 244 stipend of \$2,000.00 and reimbursement for expenses incurred in
 245 serving.
- 246 ~~[[~~(4) Removal. The Executive, with the consent of the Council, may
 247 remove a member for neglect or inability to perform the duties of
 248 the office, misconduct in office, or a serious violation of law.
 249 Before the Executive removes a member, the Executive must give
 250 the member notice of the reason for removal and a reasonable
 251 opportunity to reply.]]
- 252 (b) Chair and Vice Chair. The Committee must annually elect one member
 253 as chair and another as vice chair and may elect other officers.
- 254 (c) Meetings. The Committee may meet at the call of the chair as often as
 255 required to perform its duties, but at least 6 times each year. The
 256 Committee must also meet if a majority of the members submit a written
 257 request for a meeting to the chair at least 7 days before the proposed
 258 meeting. A majority of the members are a quorum for the transaction of
 259 business, and a majority of members present at any meeting with a
 260 quorum may take an action.
- 261 (d) Staff. The Office of Racial Equity and Social Justice must provide the
 262 Committee with staff, offices, and supplies as are appropriate.
- 263 (e) Duties. The Committee must:
- 264 (1) adopt rules and procedures as necessary to perform its functions;
 265 (2) keep a record of its activities and minutes of all meetings, which
 266 must be kept on file and open to the public during business hours
 267 upon request;

- 268 (3) develop and distribute information about racial equity and social
- 269 justice in the County;
- 270 (4) promote educational activities that increase the understanding of
- 271 racial equity and social justice in the County;
- 272 (5) recommend coordinated strategies for reducing racial and social
- 273 justice inequity in the County;
- 274 (6) advise the Council, the Executive, and County agencies about
- 275 racial equity and social justice in the County, and recommend
- 276 policies, programs, legislation, or regulations necessary to reduce
- 277 racial and social justice inequity; [[and]]
- 278 (7) meet periodically with the racial equity and social justice lead for
- 279 each department and office; and
- 280 (8) submit an annual report by December 1 of each year to the
- 281 Executive and Council on the activities of the Committee.
- 282 (f) Advocacy. The Committee must not engage in any advocacy activity at
- 283 the State or federal levels unless that activity is approved by the Office of
- 284 Intergovernmental Relations.

33A-14. Greenhouse Gas Emissions and Racial Equity and Social Justice.

286 As part of the factors and conditions outlined in [§7-108] Section 21-204 of the

287 Regional District Act and [§ 1.01 and § 1.03 of Article 66B,] Section 1-201 of the Land

288 Use Article of the Maryland Code in preparing the Plan, the Planning Board must:

- 289 (a) ~~[[consider the environmental impact of the plan by:]]~~
- 290 ~~[[(1) [assess] assessing]]~~ assess the Plan’s potential impact on
- 291 greenhouse gas emissions in the County, including a carbon
- 292 footprint analysis;
- 293 (b) ~~[[2) [(b) consider] considering]]~~ consider ways to reduce vehicle
- 294 miles traveled in the County; ~~[[and]]~~

- 295 (c) ~~[(3) [(c) consider]~~ considering]] consider options that would
 296 minimize greenhouse gas emissions; and
 297 (d) ~~[(b)]~~ consider the impact of the plan on racial equity and social justice
 298 in the County, as defined in Section 2-64A.

299 **Sec. 2. Transition and Effective Date.**

- 300 (a) The first report of the Office of Racial Equity and Social Justice required
 301 in Section 1 must be submitted to the Council on or before September 30,
 302 2020 and the first report of the Racial Equity and Social Justice
 303 Committee required in Section 1 must be submitted to the Executive and
 304 the Council on or before December 1, 2020.
 305 (b) Section 2-81C as added by Section 1 of this Act takes effect on August
 306 1, 2020.

Approved:

/s/ _____ 11/21/19

Nancy Navarro, President, County Council

Date

Approved:

s/ _____ 12/2/19

Marc Elrich, County Executive

Date

This is a correct copy of Council action.

s/ _____ 12/2/19

Mary Anne Paradise, Acting Clerk of the Council

Date



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

March 24, 2022

TO: Gabe Albornoz, President
Montgomery County Council

FROM: Marc Elrich, County Executive *Marc Elrich*

SUBJECT: Transmittal of Office of Racial Equity & Social Justice (ORESJ) Executive Regulation No. 15 – 21, Racial Equity and Social Justice Action Plan

The purpose of this memorandum is to submit Executive Regulation #15-21, Racial Equity and Social Justice Action Plan to the County Council for your approval. The attached document details the process that departments should undertake to have meaningful community engagement with a racial equity lens. It also outlines the necessary components of departmental racial equity action plans, requirements for countywide racial equity and social justice training, and priority areas of the county.

Executive Regulation #15 – 21 was advertised in the Montgomery County Register for the period of October 1, 2021 through November 1, 2021. Based on the responses received, there were no significant changes made. If you have any questions or need additional information, please reach out to Tiffany Ward, Director of Office of Racial Equity and Social Justice.

cc: Ken Hartman, Director of Strategic Partnerships, Office of the County Executive
Edward Lattner, Attorney, Office of the County Attorney
Richard S. Madaleno, Chief Administrative Officer, Office of the County Executive
Tiffany Ward, Director, Office of the Racial Equity and Social Justice

Attachments: Fiscal Impact Statement
Executive Regulation
Executive Regulation bracket and underlined copy
CASA Comments

Fiscal Impact Statement
Executive Regulation #15-21 & Racial Equity and Social Justice Action Plan

1. Executive Regulation Summary.

The purpose of the regulation is to articulate assumptions, principles, features, and aspects of the work required for the County and its departments to meaningfully develop the capacities and processes necessary to apply a racial equity and social justice lens to the development and implementation of policies, practices, and procedures. The regulations outline how departments can advance racial equity by incorporating community engagement, data collection and analysis, and systems change work into policy development, resource decisions, and service delivery.

2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.

The Racial Equity and Social Justice Regulations may not cause changes in County revenues, but it may have an impact on County expenditures. At this moment, it is too early to perform a comprehensive estimate on expenditure changes because departments are still in the process of developing their action plans and strategies to redress disparities based on race or social justice in their departments and in their programs.

However, it is expected that eight hours of training and workshops per year for all County employees will have a fiscal impact of \$1,871,133. Departments impacted are the Department of Transportation, Department of Police, Department of Corrections, Fire and Rescue, and the Office of the Sheriff. In these Departments and Offices there are employees that can only take training after their working hours or regular shift. Additional working hours for these employees are paid as overtime at a rate of 1.5 times their regular pay. See table below.

	A	B	C = B/2,080	D	E
	Number of Employees	Annual Average Salary	Hourly Pay	8 hrs OT at 1.5 Times	Fica
Bus Drivers	705	\$ 55,000	\$ 26.44	\$ 223,702	\$ 17,113
Police Officers	1,631	\$ 78,320	\$ 37.65	\$ 736,961	\$ 56,378
Corrections Officers and Others	430	\$ 76,856	\$ 37	\$ 190,661	\$ 14,586
Deputy Sheriffs	155	\$ 86,932	\$ 42	\$ 77,737	\$ 5,947
TOTAL				\$ 1,229,062	\$ 94,023

Employees	Number of Employees	OTP Hourly Rate (Weighted Average) Includes FICA	8 Hrs of OT (includes Fica)
Fire	1,214	\$ 56.43	\$ 548,048

TOTAL			\$ 1,871,133
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In addition, the Office of Racial Equity and Social Justice cost to provide training to Montgomery County employees including consultants, based on the approved FY22 budget, is \$142,440.

It is also expected that the implementation of these regulations will increase the workload of the Office of Racial Equity and Social Justice. Consequently, it is likely that this office will need an additional Program Manager II position. See table below:

Position	Grade	Salary	Fica	Insurance	Retirement	TOTAL
Program Manager II	25	\$ 96,000	\$ 7,344	\$ 13,893	\$ 7,680	\$ 124,917

3. Revenue and expenditure estimates covering at least the next 6 fiscal years.

The total estimated impact for training Montgomery County employees and an additional Program Manager II for the Office of Racial Equity and Social Justice covering the next six fiscal years is \$12,830,940. See below:

FY23	FY24 (*)	FY25 (*)	FY26 (*)	FY27 (*)	FY28 (*)	Total 6 year
\$ 2,138,490	\$ 2,138,490	\$ 2,138,490	\$ 2,138,490	\$ 2,138,490	\$ 2,138,490	\$ 12,830,940

(*) = Includes no compensation adjustments because those are subject to collected bargaining agreements that have not been negotiated yet.

4. An actuarial analysis through the entire amortization period for each regulation that would affect retiree pension or group insurance costs.

Not applicable.

5. Later actions that may affect future revenue and expenditures if the regulation authorizes future spending.

The work related to equity is evolving and departmental strategies to redress racial equity and social justice in the County could require actions in future years that will have an impact on expenditures and revenues. However, at this moment, the fiscal impact for later actions is unknown

6. An estimate of the staff time needed to implement the regulation.

- Community engagements:
 - For each community engagement it is estimated that staff at County departments or offices will use approximately 10 hours to develop a formal community engagement plan, coordinate the review of the proposal with the Office of Racial Equity and Social Justice, coordinate with appropriate parties for logistics such as

the rental of space, delivery of the engagement itself, and debriefing or follow up with participants.

- *Racial Equity and Social Justice Workshops and Trainings*

It is expected that Montgomery County employees will each invest annually a minimum of 8 hours in training and workshops on racial equity and social justice. This is a total of approximately 84,915 hours of annual training. Some staff may devote more hours due to additional responsibilities related to advancing racial equity and social justice in the County.

- Use of Racial Equity and Social Justice in establishing and evaluating new and existing programs:

At this moment, the Office of Racial Equity and Social Justice is still assessing the time it will take to perform the evaluation of new and existing programs using equity considerations.

- Promotion of racial equity and social justice in the budget:

It is unknown at this time the numbers of hours staff from County departments and offices will need to address the budget equity tool. It is estimated that for the Capital budget, small to medium size subcategories will require 4 to 6 hours and large ones 6 to 8 hours. For the Operating budget, it could also take 6 to 8 hours. This estimate will be better understood at the end of the FY23 budget cycle.

- Short-and-Long-term goals and metrics:

Although some of the data may exist, the gathering and development of these goals and metrics are expected to be embedded in staff's job descriptions and regular work assignments. No additional time is projected.

- Developing Racial Equity and Social Justice Action Plans:

We anticipate that each department will spend at least 40 hours developing their Racial Equity and Social Justice Action Plans.

7. An explanation of how the addition of new staff responsibilities would affect other duties.

It is likely that the addition of new responsibilities will have an impact on staff workload. Job assignments might need to be rebalanced and collaboration increased within departments.

8. An estimate of costs when an additional appropriation is needed.

At this moment, it is unknown when additional appropriation would be needed.

9. A description of any variable that could affect revenue and cost estimates.

Estimates provided in this fiscal impact statement could be affected by compensation adjustments, staff turnover, and policy changes addressing racial equity work in departments.

10. Ranges of revenue or expenditures that are uncertain or difficult to project.

Not applicable.

11. If a regulation is likely to have no fiscal impact, why that is the case.

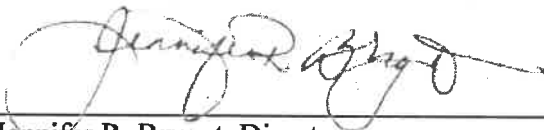
Not applicable.

12. Other fiscal impacts or comments.

No other fiscal impacts at this time.

13. The following contributed to and concurred with this analysis (enter name and dept.)

Edward Lattner, Office of the County Attorney, Chief
Tiffany Ward, Office of Racial Equity and Social Justice, Director
Veronica Jaua, Office of Management and Budget, Fiscal and Policy Analyst III



Jennifer R. Bryant, Director
Office of Management and Budget

3-21-22

Date



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject:

Racial Equity and Social Justice Action Plan

Number:

15-21

Originating Department:

The Office of Racial Equity and Social Justice (ORESJ)

Effective Date:

Montgomery County Regulation on

RACIAL EQUITY AND SOCIAL JUSTICE ACTION PLAN

Issued by: County Executive

Regulation No. 15-21

Authority:

Council Review: Method (2) under Code Section 2-64A(d)(1)

Register Vol. 38 No. 10

Effective Date: _____

Comment Deadline: Nov. 1, 2021

Summary: The purpose of the regulation is to articulate details about the nature of the work required for the County and its departments to meaningfully develop the capacities and processes necessary for applying a racial equity and social justice lens to the development and implementation of its policies, practices, and procedures. The regulations outline how departments can advance racial equity by incorporating community engagement, data collection and analysis, and systems change work into policy development, resource decisions, and service delivery.

Staff contact: Tiffany Ward, Chief Equity Officer

Address: Executive Office Building (EOB)
101 Monroe Street, 6th Floor
Rockville, MD 20850

COMCOR 02.64A.01 RACIAL EQUITY AND SOCIAL JUSTICE ACTION PLAN



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject:

Racial Equity and Social Justice Action Plan

Number:

15-21

Originating Department:

The Office of Racial Equity and Social Justice (ORESJ)

Effective Date:

A. Scope: This regulation applies to all departments and offices in the executive and legislative branch.

B. Community Engagement Process:

1. Purpose

- a. Community engagement is a way of ensuring that community members have an opportunity to be able to contribute meaningfully to decisions and develop functional capabilities that enable them to participate fully.
- b. Community engagement is a two-way exchange of information, ideas, and resources. Engagement activities include a range of approaches from informing to sharing leadership to resident-led efforts, depending on the degree of community and county involvement, decision-making and control.
- c. Community engagement should offer opportunities for communities to express their views and have a meaningful role in decision-making. It should also consider the diversity of our communities, including culture and ethnicity, and seek to create an inclusive and accessible process.
- d. Effective engagement removes barriers that may have previously prevented residents from successfully working with County government.
- e. Community engagement can vary in implementation depending on program goals, time constraints, level of program and community readiness, capacity, and resources.



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2. When to use the community engagement process.

- a. While a department or office should consider using the community engagement process whenever it is making decisions that will impact County residents, it is particularly recommended whenever a department or office is developing a strategic plan or major initiative that will have substantive and significant impact on county residents (e.g., Climate Action Plan).
- b. Definition of Strategic Plan - a department or office's plan to achieve short and long term goals, determine its direction, allocate resources, or take actions needed to execute goals.
- c. Definition of Major Initiatives - plans made outside of a traditional strategic planning process or time period but that involve a change of a previously determined direction or a newly created plan intended to solve a particular problem or issue.

3. Process

- a. The County department or office should submit a written proposed community engagement plan to the Office Racial Equity and Social Justice detailing the topic or issue for the community engagement process, the intended stakeholders and partners, and the impacted communities. The plan must explain:
 - i. what the department or office hopes to achieve through the community engagement process and what is the main purpose of the department or office for involving the community?
 - ii. who is most impacted by, involved in, or has a specific interest in the issue area, and why?
 - iii. how the community engagement process will ensure impacted communities that have not historically been included in the initial decision-making phase will be included;



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- iv. the degree of public and community support for the engagement;
 - v. the duration of the community engagement process;
 - vi. potential for unintended consequences should the engagement not be implemented successfully;
 - vii. anticipated costs and timeline for the engagement; and
 - viii. plan for publicizing and promoting the community engagement process to County residents.
- b. The proposed plan must also present research and background information about the affected communities and populations the department or office intends to reach, including:
- i. language or dialect spoken, customs, historical or geographical data, and other relevant data;
 - ii. known barriers and risks, such as trust issues among the community and the public that may prevent full engagement and community willingness to participate;
 - iii. detailed steps and strategies that will be taken to address language and literacy needs.
4. Transparency and Recognition
- a. This plan must be made available to the public by the department or office after approval by the Office of Racial Equity and Social Justice. The Office has 30 days to take action on proposed plan if no action is taken by the Office of Racial Equity and Social Justice the department plan is deemed approved.



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- b. The department or office must conduct a follow-up communication or debrief meeting with the community engagement participants no later than 8 weeks after the conclusion of the engagement. The communication must:
 - i. acknowledge community members for their contributions;
 - ii. indicate opportunities for formal project/program updates and feedback;
 - iii. indicate opportunities for future dialogue and collaboration; and
 - iv. present any resultant decisions or outcomes of the community engagement process.
- c. The lead department or office must provide a final report to community engagement participants presenting any resultant decisions or outcomes after the conclusion of the program/project.

C. Racial Equity and Social Justice Workshops and Training:

- 1. All County employees must participate in at least eight (8) hours of training or workshops on racial equity and social justice on an annual basis. A training or a workshop is a meeting at which a group of people engage in intensive discussion and activity on a particular subject or project.
- 2. Racial equity and social justice training must be conducted by high-quality professionals and consultants in the field of racial equity and social justice.
- 3. Trainings will be conducted by the Office of Racial Equity and Social Justice, approved vendors, contractors, and/or county departments and offices.
- 4. Training curriculum and activities must:
 - a. provide immersive, interactive, and educational modules on comprehensive social, political, and economic history of race and racism and other forms of injustices and oppression in the United States and Montgomery County;



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Effective Date:

- b. increase the ability of County employees to understand concepts of structural inequity and its real-life implications;
 - c. increase the ability of County employees to recognize their individually held beliefs about all types of difference, including race, gender, age, socio-economic status, ethnicity, nationality, and religious background;
 - d. give county employees the ability to access how the policies, procedures and practices of their department impact the lives of County resident; and
 - e. give County employees frameworks for assessing their department/office and team cultures as well as strategies for making their department/office and team cultures more inclusive and equitable.
5. Training may be conducted in person or virtually.

D. Use of racial equity and social justice considerations in establishing new programs and evaluating existing programs:

- 1. Racial equity and social justice considerations help reveal how society's benefits and burdens are distributed such that race predicts privilege and disadvantage. It also aids in thinking about what can be done to change the equation. Using racial equity considerations means paying disciplined attention to race and ethnicity, while analyzing problems, looking for solutions, and defining success. A keen awareness of race and ethnicity, and of their impact on access to power and opportunity, is a distinct asset when using an equity lens. Racial equity considerations shed light on racial dynamics that shape social, economic, and political structures. Through examining data on race and ethnicity and openly asking the right questions, racial equity considerations support the development of strategy and programs, shaping guidelines and criteria, and promoting racial equity.
- 2. The Office of Racial Equity and Social Justice will employ racial equity and social justice considerations in its evaluation of new and existing programs.



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3. Racial equity considerations must articulate patterns of oppression, separate symptoms of inequity from causes, and identify new solutions.
4. Racial equity considerations may help clarify current objectives, then shape strategies and align resources to meet them.
5. Racial equity considerations can be used with other lenses. Other lenses illuminate other important dynamics that shape equity issues. “Intersectionality” — of race, class, gender, sexual orientation, and other social identities — is key to identifying the dynamics at play in a particular situation and how they combine and converge.

E. Promotion of racial equity and social justice in the budget:

1. The Executive is required to explain how each management initiative or new program that would be funded in the Executive’s annual recommended operating and capital budgets, including the recommended operating and capital budgets for the County Board of Education, or in a supplemental appropriation promotes racial equity and social justice.
2. To explain how budgets and supplemental appropriation support racial equity and social justice, the Executive must use a racial equity and social justice budget assessment tool that assesses:
 - a. who is burdened and who will benefit from the management initiative or program;
 - b. whether and how the initiative or program reduces social inequity in Montgomery County.
 - c. potential disproportionate effects on communities of color and low-income communities as a result of the initiative or program, and how those effects will be mitigated; and
 - d. additional considerations as determined by the Office of Racial Equity and Social Justice on an annual basis.



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F. Short- and long-term goals for The Office of Racial Equity and Social Justice:

1. Short-term goals should include the development of a County-wide equity team that will develop guidelines and monitor progress for each department or office.
2. Short-term goals should include collection of demographic information in leadership positions within County departments or offices.
3. Short-term goals should include an audit of demographic data each department or office collects from the community it serves (client base).
4. All goals must coordinate the design and implementation of an action plan, which emphasizes:
 - a. leadership, operations and services;
 - b. plans, policies and budgets;
 - c. workforce and workplace;
 - d. community partnerships;
 - e. communication and education; and
 - f. facility and system improvements.
5. Goals for promoting racial equity and social justice must include human capital goals, training goals, community development as well as a plan for leadership development and training for the department or office.
6. Goals must articulate systemic changes to the infrastructure that caused the disproportionalities and the resulting community impact.
7. Long-term goals should articulate the improvements in quality of life for underserved communities over time.



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G. Metrics for measuring the Office of Racial Equity and Social Justice 's progress in meeting these goals:

1. Existence of equity plans in each strategic area of services delivered by department and office.
2. Existence of data on staff in department and office.
3. Existence of targets for each department and office.
4. Completion of training for each department and office on definitions and strategies to improve equity.
5. Articulation of inequities and disproportionalities related to the functions of each office and department.
6. Audit on the diversity of vendors for each department and office.
7. Audit and analysis on equitable contracting processes.
8. Increased equity in County services for all members of the community.
9. Increases in the degree of public outreach and community engagement.
10. Increased access to County services for communities of color and immigrant communities.
11. Frequency and quantity of changes to existing County services using equity best practices and racial equity and social justice impact analyses.
12. By 2023, all supervisors, managers and directors will have equity and social justice measures written into their contracts and job descriptions for Director positions and below.
13. By 2023, racial equity and social justice indicators will be included in performance evaluations.
14. By 2025, there is a system for County wide display of progress on equity measures for each department or office. Departments and offices must update progress on equity measures every three (3) years.
15. By 2023, all departments and offices will establish racial equity and social justice values.



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16. By 2023, all departments and offices will include racial equity and social justice values in the guidance documents related to their operations, service delivery and programs, including:
 - a. early childhood development;
 - b. jobs and job training;
 - c. health and human services;
 - d. food systems;
 - e. parks and natural resources;
 - f. built and natural environment;
 - g. transportation;
 - h. community economic development;
 - i. neighborhoods;
 - j. housing;
 - k. community and public safety; and
 - l. law and justice.

H. Guidelines for each department and office to develop its own racial equity and social justice action plan:

1. By 2025, each department and office will develop an equity action plan which:
 - a. details specific targets and strategies for the improvement toward equity goals and
 - b. identifies the historical context and data for equity issues related to each office and department



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2. Goals must articulate the intended impact of each strategy.
3. Community input must be sought by each department and office. In the establishment of the equity plan per activities listed in A (2) above, including:
 - a. identifying the priorities of the local residents and businesses in the community and
 - b. determining the impact on those most impacted by the department and office.
4. The action plan must evaluate and analyze data related to equity. This audit should assess each department and office:
 - a. cultural and organizational diversity;
 - b. degree of equity and inclusion in the department or office's culture, and worksite culture, when appropriate;
 - c. suggestions for improvements that support the diversity in composition and engagement;
 - d. disaggregated data of the demographic makeup of employees, vendors, contractors, population of the community served (client base);
 - e. current equity strategies including levels of engagement and budget allocations for these efforts; and
 - f. resources currently spent on expanding diversity, improving equity in services provided, and tracking community satisfaction.
5. The action plan must address policies and practices such as:
 - a. structuring racial equity programming;
 - b. gathering data;
 - c. modeling diversity and inclusiveness;
 - d. communicating consistently; and
 - e. exercising community leadership.



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6. Racial equity and social justice action plans must be updated every two years.

I. Recommended racial equity and social justice tools and strategies for a department or office to use in redressing disparities based on race or social justice issues:

1. Strategies and tools for redressing disproportionate outcomes, racial equity and social justice issues must be recommended best practices by the Office of Racial Equity and Social Justice.
2. Tools for supporting racial equity and social justice issues should offer guidance in the planning, measurement, training, monitoring of strategies designed to impact equity.
3. Tools should assist in the articulation of racial equity disparities and disproportionality of outcomes.
4. Strategies must include staff training and consensus building on definitions of equity and approaches related to the work of each department and office.

J. Priority areas for additional County efforts:

1. **Economic Opportunity:** having economic opportunities and resources that enable residents to lead sustainable lives in their communities.
2. **Affordability:** having access to affordable housing and safety net services.
3. **Mobility/transportation:** getting where and when residents want to go safely and cost-effectively.
4. **Safety:** being safe in residents' home, at work, and in their communities.
5. **Health:** being able to maintain a healthy life both physically and mentally.
6. **Cultural and Learning Opportunities:** being enriched by our unique civic, cultural, ethnic, and learning opportunities.



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- 7. Government that Works: believing that County government works for everyone, that it is fair and equitable; serves as a good, continuously improving, and innovating steward of its resources; recruits and retains a high performing, ethical workforce; effectively collaborates with the public; and delivers the results people expect and an experience they welcome.

Marc Elrich, County Executive
Office of the County Executive

3/24/2022

Date

APPROVED AS TO FORM AND LEGALITY
OFFICE OF THE COUNTY ATTORNEY

By:

Date: March 23, 2022

November 1, 2021

Marc Elrich
County Executive
101 Monroe Street, 2nd Floor
Rockville, MD 20850

RE: Support for Regulation 15-21, Montgomery County Regulation on RACIAL EQUITY AND SOCIAL JUSTICE ACTION PLAN

Dear County Executive Marc Elrich,

CASA is here to register comments in support of the proposed Montgomery County Executive Regulation, Racial Equity and Social Justice Action Plan 15-21 by The Office of Racial Equity and Social Justice (RESJ). At CASA, our mission is to create a more just society by building power and improving the quality of life in working class and immigrant communities. We believe the proposed RESJ action plan helps get us closer to achieving a more just society in Montgomery County. Since its creation, RESJ has been a regional leader providing the much-needed equity lens on all things Montgomery County. CASA believes with the full implementation of this plan, we can achieve even greater racial equity and social justice for our most marginalized communities throughout Montgomery County. We know that because of the COVID-19 pandemic, there have been challenges in connecting with the community and receiving feedback on programs, policies, actions that the county plans to take. This action plan outlines the steps the county should implement if they want to genuinely receive feedback from the community.

We are particularly excited about section F. and the metrics outlined for measuring progress for the goals. The intentionality of getting this work done by 2023 is critical to meet the needs of the community. We know that if we want to see a more inclusive Montgomery county, we will have

to evaluate each county agency's policies, practices, and procedures. The Racial Equity and Social Justice Action Plan presented by The Office of Racial Equity and Social Justice is a model for other jurisdictions on how best to evaluate the impacts the government has on its people. Section A., bullet 2. speaks to the process of community engagement. We are encouraged to see that "stakeholders and partners" must be outlined in detail in any plan submitted because, as a leading stakeholder in the immigrant community we can provide a wealth of information and bring trust to the community engagement process that will yield genuine feedback and make for better outcomes. CASA supports regulation 15-21 and respectfully urges for a favorable report.



MONTGOMERY COUNTY GOVERNMENT

**Racial Equity and Social
Justice Advisory
Committee (RESJAC)**

2021 ANNUAL REPORT

MISSION:

RESJAC advises the County Council, the County Executive, and County agencies about racial equity and social justice in the County, and recommends policies, programs, legislation, or regulations necessary to reduce racial and social justice inequity; develops and distributes information and promotes educational activities and recommends strategies.

**Created by:
Mo. Co. Code Section 27-83**

December 1, 2021

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LETTER FROM THE RESJAC

December 1, 2021

Dear Montgomery County Executive and County Council :

It is our honor to serve on the Racial Equity and Social Justice Advisory Committee (RESJAC). In December 2019, the County Council voted unanimously to create the RESJAC as part of its Racial Equity and Social Justice Act, 27-19. Today our County continues to address the effects of the global pandemic COVID-19 and lay the groundwork for an equitable recovery. We face a historic challenge as our BIPOC (Black and Indigenous people of color) communities have been disproportionately impacted by the pandemic and continue to address the longstanding pre-existing disparities. RESJAC, through this landmark legislation, is tasked to not only address inequities among County residents, but also to focus on structural and historical inequities involving wealth distribution, housing policies, transportation, environment, public safety, criminal justice, education and the achievement gap, and health disparities. RESJAC recognizes that inequitable outcomes linked to race and social justice issues will continue to persist in the County without intentional intervention. It is the work of RESJAC to address and bring light to these important issues and dismantle racial inequities and achieve social justice while recognizing that change must occur on an individual, institutional, and structural basis. Equity means fair and just opportunities and outcomes for all people and in order to achieve that level of equity, RESJAC has taken on the arduous task of creating a systematic process of identifying policies and practices that may be implemented to identify and redress these particular disparate outcomes on the basis of race or social justice issues. As we work to effectuate long-term changes to achieve racial equity, we will continue to work very closely with the Montgomery County community members who, through their labor and activism, set the conditions for this landmark legislation and the committee. The attached report is a summary of our work since December 2020.

Sincerely,

Racial Equity and Social Justice Advisory Committee

RESJAC COMMITTEE MEMBERSHIP

Community Members

Izola Shaw (Zola), CHAIR
Rockville

Shane Lloyd, VICE CHAIR
Silver Spring

Sonia Canzater
Derwood

Isaac Cudjoe
Clarksburg

Pat Grant
Silver Spring

Jared Hautamaki
Silver Spring

Shuo Huang (Jim)
Silver Spring

Tasnuva Khan
Olney

Jordan Neal
Gaithersburg

Gustavo Torres
Silver Spring

County Staff Members

**Selena Mendy Singleton, Esq.,
PARLIAMENTARIAN**
Clerk

Montgomery County Council

Sylvia Hernandez
Correctional Specialist
Montgomery County Dept. of Corrections

Betty Lam
Chief, Office of Community Affairs
Montgomery County Dept. of
Health and Human Services

Willie Parker-Loan
Assistant Chief of Police
Montgomery County Police Department

James Stowe
Director
Office of Human Rights

Partap Verma
Commissioner
Montgomery County Planning Board

Member (vacant)
Montgomery County Public Schools

COMMITTEE INFORMATION

TERM OF SERVICE

There are seventeen voting members of the Racial Equity and Social Justice Advisory Committee (RESJAC), including ten community members, who serve with compensation - \$2,000 annually and seven government members, who serve without compensation. All community members have experience in redressing disparate impacts based on race and social justice issues and reside in Montgomery County. Government representatives on the committee include: the County Office of Human Rights, a designee of the County Council, an employee of the County Department of Health and Human Services, an employee of the County Department of Correction and Rehabilitation, an officer of the County Police Department, and a designee of the Chair of the County Planning Board. Each member serves a 3-year term and cannot serve more than 2 consecutive full terms. Any member appointed to fill a vacancy serves the rest of the unexpired term and members continue in office until their successors are appointed and qualified.

SCHEDULE OF MEETINGS

RESJAC is required to meet at least 6 times a year, however RESJAC holds monthly meetings, and all meetings are open to the public. The committee did not meet in August 2021 for a recess.

LEADERSHIP

The RESJAC Chair, Vice Chair, and Parliamentarian are elected by members via majority vote and serve a one-year term. In November 2021, RESJAC elected Zola Shaw, Community Member as Chair, Shane Lloyd, Community Member as Vice Chair (re-elected), Selena Mendy Singleton, Esq., Clerk Montgomery County Council as Parliamentarian. RESJAC is administered and supported by Tiffany Ward, Director – Office of Racial Equity and Social Justice. Partap Verma served as RESJAC Chair and Shane Lloyd served as RESJAC Vice Chair from October 2020 - November 2021.

DUTIES OF RESJAC

- Develop and distribute information about racial equity and social justice in the County;
- Promote educational activities that increase the understanding of racial equity and social justice in the County;
- Recommend coordinated strategies for reducing racial and social justice inequity in the County;
- Advise the Council, the Executive, and County agencies about racial equity and social justice in the County and recommend policies, programs, legislation, or regulations necessary to reduce racial and social justice inequity;
- Meet periodically with the racial equity and social justice lead for each department and office;
- Submit an annual report by December 1 of each year to the Executive and Council on the activities of the Committee.

ACCOMPLISHMENTS TO DATE

December 2020 - March 2021

- In December, RESJAC members reviewed the rules of conduct submitted by Shane Lloyd (Vice Chair) and provided their feedback.
- In January, RESJAC members decided that the impact of COVID-19 on the community was a priority item.
- On January 27, Pat Grant led a special presentation and discussion on the Capitol insurrection.
- Between January and February, RESJAC members led by Selena Mendy Singleton drafted, voted, and submitted committee bylaws to the Boards, Committees, and Commissions (BCC) office.
- On February 17, RESJAC held a panel discussion on “Vaccination and Racial Justice”, which included guest speakers: County Executive Marc Elrich, DHHS Director Dr. Raymond Crowel, Health Officer Dr. Travis. A. Gayles, M.D., Ph.D.
- In February, Zola Shaw drafted committee values that the committee unanimously approved at the April meeting.
- Between February and March, RESJAC members drafted and submitted a letter to Governor Larry Hogan regarding the Maryland COVID-19 vaccine rollout. The letter was sent to the Office of Intergovernmental Affairs and the Office of Racial Equity and Social Justice for approval before being sent to the Governor's office.
- Between February and March, RESJAC members drafted, reviewed and sent a letter to the Montgomery County Executive's office regarding the COVID-19 vaccine rollout.
- On March 17, RESJAC members held a discussion with Councilmember Nancy Navarro.
- On March 17, Dr. Christopher Rogers, Policy & Strategy Officer, Public Health Services, Department of Health and Human Services, presented an overview of Healthy Montgomery – Community Health Needs Assessment to RESJAC.

April 2021-July 2021

- On April 17, RESJAC members held as discussion with: Councilmember Evan Glass on

the recently passed resolution To reaffirm Montgomery County's commitment to combat hate and extremism; Captain Stacey Flynn, Director of Public Information and the Community Engagement, on the differences with hate crimes and bias incidents and provided statistics on these issues; and Dr. Elaine Bonner-Tompkins and Dr. Theo Holt, both from Office of Legislative Oversight (OLO) on the Racial Equity Impact Statements and Tool.

- In May, per the Racial Equity and Social Justice Act amendment and a previous resignation, the RESJAC welcomed new community members: Isaac Cudjoe, Tasnuva Khan and Jordan Neal.
- On May 19, the RESJAC committee received an update on Montgomery County's Thrive Montgomery 2050 Plan
- On May 19, RESJAC members agreed to sponsor the Montgomery County Juneteenth event at Blackrock by providing \$5,000 to the Human Rights Commission, who organized the event.
- Between June - September RESJAC members formed subcommittees, began identifying issues of interests and holding subcommittee meetings; Subcommittees focus on the areas of health, public safety, immigration, communications and outreach, transportation/environmental justice.

September 2021 - December 2021

- Between September - December, RESJAC members developed and implemented an issue identification process to ensure members conduct initial research and background on proposed issues and help the full committee to make informed decisions and actions related to the issue.
- Between October - November, RESJAC members reviewed and discussed the Executive Regulation 15-21.
- On October 2, RESJAC held a retreat at the Cabin John Regional Park and focused on relationship building and addressed issues related to committee culture and norms.
- On October 11 RESJAC members contacted HHS and began inquiring about disaggregating Native American data from the "Other" category and tracking and publishing Native American COVID-19 data; in November Jared Hautamaki and Shou (Jim) Huang drafted a letter urging Governor Hogan that he request counties report and include "American Indian or Alaska Native" as a category separate from the "Other" in COVID-19 online data products at the state level, including monthly and total cases, monthly and total mortality, and vaccination rates by partial and full dosage.
- On October 20, RESJAC elected a Chair, Vice Chair and Parliamentarian.
- Between October and November, Shane Lloyd (Vice Chair), Pat Grant and Sonia Canzater reviewed, compiled key outcomes and recommendations, and reported out to the full committee on the video and report covering Bill 45-20, Police – Community Policing – Data
 - video: <https://www.youtube.com/watch?v=1SUxanoU1Rs>
 - report: https://apps.montgomerycountymd.gov/cclims/DownloadFilePage?FileName=2683_1_16700_Bill_45-20_Committee_20210927.pdf
- On November 9, Zola Shaw (Chair) and Jared Hautamaki attended the County Council's Proclamation of Native American Heritage Month on behalf of RESJAC.
- On November 17, RESJAC began another discussion on Montgomery County's Thrive Montgomery 2050 Plan

- On November 17, Jordan Neal recommended that the committee start each meeting with a land acknowledgement and developed a draft for the committee to review and possibly approve during the December meeting.

2022 VISION

RESJAC is committed to effectuating change in 2022, as our County pursues an equitable recovery from the global pandemic COVID-19 and works to address the longstanding structural and systemic inequities. In addition to continuing our critical role to advise the Council, the Executive, and County agencies, RESJAC also envisions increased efforts in the following areas:

- Community engagement and outreach
- Subcommittee initiatives
- Coordinated strategies to reduce inequities



**MONTGOMERY COUNTY
GOVERNMENT RACIAL EQUITY AND
SOCIAL JUSTICE ADVISORY COMMITTEE
ANNUAL REPORT
2021**

Bill No. 44-20
Concerning: Racial Equity and Social Justice – Impact Statements – Advisory Committee – Amendments
Revised: 12/1/2020 Draft No. 5
Introduced: September 29, 2020
Enacted: December 1, 2020
Executive: December 11, 2020
Effective: March 12, 2021; Section 2-81C in section 1 effective September 1, 2021
Sunset Date: None
Ch. 38, Laws of Mont. Co. 2020

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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

AN ACT to:

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

By amending

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

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

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:

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

39 **2-81C. Racial Equity and Social Justice Impact Statements.**

40 * * *

41 (b) *Racial Equity and Social Justice impact statement.* The Director must

42 submit a statement to the Council describing the racial equity and social

43 justice impact, if any, of each bill and zoning text amendment under

44 consideration by the Council or the District Council. The Director must

45 submit a separate statement for each bill or zoning text amendment. The

46 Director must consult with the Planning Board staff before submitting a

47 racial equity and social justice impact statement for a zoning text

48 amendment to the Council.

49 * * *

50 (e) *Compliance.* Council action on an expedited bill or District Council

51 action on a zoning text amendment that is otherwise valid is not invalid

52 because of any failure to follow the requirements of this Section.

53 **27-83. Racial Equity and Social Justice Advisory Committee.**

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

57 (1) Voting members. The members must reflect a range of ethnicities,
58 professional backgrounds, socioeconomic status, and places of
59 origin to reflect the racial, economic, and linguistic diversity of the
60 County's communities, with an emphasis on those most
61 disproportionately impacted by inequities. Each member should
62 have some experience in redressing disparate impacts based on
63 race and social justice issues.

64 (A) One member should be a designee of a public education
65 system in the County.

66 (B) One member should be the Chair of the Housing
67 Opportunities Commission or the Chair's designee.

68 (C) One member should be a designee of the County Council.

69 (D) One member should be an employee of the County
70 Department of Health and Human Services.

71 (E) One member should be an employee of the County
72 Department of Correction and Rehabilitation.

73 (F) One member should be a sworn officer of the County Police
74 Department.

75 (G) One member should be the Chair of the Montgomery
76 County Planning Board or the Chair's designee.

77 (H) [~~Eight~~] Ten members should be a public member with
78 experience in redressing disparate impacts based on race
79 and social justice issues. Each public member must reside
80 in the County.

- 81 (2) Term. Each member serves a 3-year term. A member must not
82 serve more than 2 consecutive full terms. A member appointed to
83 fill a vacancy serves the rest of the unexpired term. Members
84 continue in office until their successors are appointed and
85 qualified.
- 86 (3) Compensation. Except for the [8] 10 public members, members
87 must receive no compensation for their services. Each of the [8] 10
88 public members may receive an annual stipend of \$2,000.00 and
89 reimbursement for expenses incurred in serving.
- 90 (b) *Chair and Vice Chair.* The Committee must annually elect one member
91 as chair and another as vice chair and may elect other officers.
- 92 (c) *Meetings.* The Committee may meet at the call of the chair as often as
93 required to perform its duties, but at least 6 times each year. The
94 Committee must also meet if a majority of the members submit a written
95 request for a meeting to the chair at least 7 days before the proposed
96 meeting. A majority of the members are a quorum for the transaction of
97 business, and a majority of members present at any meeting with a
98 quorum may take an action.
- 99 (d) *Staff.* The Office of Racial Equity and Social Justice must provide the
100 Committee with staff, offices, and supplies as are appropriate.
- 101 (e) *Duties.* The Committee must:
- 102 (1) adopt rules and procedures as necessary to perform its functions;
- 103 (2) keep a record of its activities and minutes of all meetings, which
104 must be kept on file and open to the public during business hours
105 upon request;
- 106 (3) develop and distribute information about racial equity and social
107 justice in the County;

- 108 (4) promote educational activities that increase the understanding of
 109 racial equity and social justice in the County;
- 110 (5) recommend coordinated strategies for reducing racial and social
 111 justice inequity in the County;
- 112 (6) advise the Council, the Executive, and County agencies about
 113 racial equity and social justice in the County, and recommend
 114 policies, programs, legislation, or regulations necessary to reduce
 115 racial and social justice inequity;
- 116 (7) meet periodically with the racial equity and social justice lead for
 117 each department and office; and
- 118 (8) submit an annual report by December 1 of each year to the
 119 Executive and Council on the activities of the Committee.
- 120 (f) *Advocacy.* The Committee must not engage in any advocacy activity at
 121 the State or federal levels unless that activity is approved by the Office of
 122 Intergovernmental Relations.
- 123 (g) The Executive may establish one or more limited issue task forces to
 124 study and make recommendations on a specific racial equity and social
 125 justice issue. A limited issue task force established by the Executive
 126 ceases to exist once it has completed its assigned task. The appointment
 127 of members of a limited issue task force must not be subject to
 128 confirmation by the Council. Each recommendation of a limited issue
 129 task force must be shared with the Council, the Executive, and the Racial
 130 Equity and Social Justice Advisory Committee.

131 **Sec. 2. Transition.**

132 The amendments to Section 2-81C in Section 1 must take effect on September
 133 1, 2021.

Approved:

/s/ 12/2/2020
Tom Hucker, President, County Council Date

Approved:

/s/ 12/11/2020
Marc Elrich, County Executive Date

This is a correct copy of Council action.

/s/ 12/11/2020
Selena Mendy Singleton, Esq., Clerk of the Council Date

Racial Equity and Social Justice Impact Statements



Supplemental Appropriations

On December 1, 2020, the County Council enacted Bill 44-20, Racial Equity and Social Justice – Impact Statements -Advisory Committee – Amendments. This legislation requires that all supplemental/special appropriation requests include an explanation how the appropriation promotes racial equity and social justice. The Office of Racial Equity and Social Justice analyzes each supplemental/special appropriation using a racial equity lens and documents findings from the analysis in a racial equity impact assessment (sometimes referred to as a racial equity impact statement). Using a racial equity lens brings conscious attention to potential racial equity impacts of government decisions by providing insights into historical and contemporary structural inequities that may create disparate or disproportionate outcomes. The subsequent racial equity impact assessments are the result of ORESJ’s analysis of supplemental/special appropriations.

REIA Name	Date	Number
<u>Supplemental Appropriation: Montgomery County Volunteer Fire and Rescue Association Supplemental</u>	April 23, 2021	Unassigned
<u>Supplemental Appropriation: FY21 Operating Budget Montgomery County Government/Supplemental for Snow Removal/Wind and Rainstorm Cleanup DOT & DGS</u>	May 3, 2021	#21-520
<u>Supplemental Appropriation: FY21 Operating Budget Montgomery County Government, Fire and Rescue Service General Personnel and Operating Costs</u>	May 17, 2021	#21-522
<u>Supplemental Appropriation: River Falls Drainage Assessment Project 14-21- 2819 CBG 8501</u>	June 4, 2021	14-21- 2819 CBG 850
<u>Supplemental Appropriation: Reacquisition of Larchmont Elementary School Property (No. P362201)</u>	June 10, 2021	#26-S21- CMCG-13
<u>Supplemental Appropriation: Covid-19 FEMA Emergency Protective Measures Grant</u>	June 9, 2021	#21-528
<u>Supplemental Appropriation: Covid-19 Mass Vaccination CARES Grant</u>	June 9, 2021	#21-529
<u>Special Appropriation Covid-19 Rent Relief Program</u>	June 22, 2021	#21-527
<u>Special Appropriation: Montgomery County Incubator Program</u>	June 30, 2021	#21-532
<u>Special Appropriation: Federal American Rescue Plan Act</u>	June 30, 2021	#21-534
<u>Supplemental Appropriation: Food Security Bridge Funding Proposal</u>	July 9, 2021	Unassigned
<u>Special Appropriation: Por Nuestra Salud y Bienestar</u>	July 15, 2021	#21-533

REIA Name	Date	Number
<u>Supplemental Appropriation: Merit System Protection Board Grievances MCFRS and Sheriff's Office</u>	July 30, 2021	#22-8
<u>Supplemental Appropriation: American Rescue Plan Head Start Funding</u>	August 4, 2021	#21-5
<u>Special Appropriation: Newcomer Children and Families</u>	August 5, 2021	#22-7
<u>Special Appropriation: Community Services Block Grant</u>	August 12, 2021	#22-4
<u>Supplemental Appropriation: COVID-19 Department of Transportation Research Demonstration Grant</u>	September 15, 2021	#22-9
<u>Special Appropriation: Assistance in Community Integration Services Pilot</u>	September 15, 2021	#22-10
<u>Special Appropriation: Human Trafficking Supplemental Appropriation</u>	September 17, 2021	#22-11
<u>Supplemental Appropriation: Montgomery College CRRSAA Higher Education Emergency Relief</u>	September 16, 2021	#22-12
<u>Supplemental Appropriation: Enhanced Disinfecting (American Rescue Plan Act)</u>	October 21, 2021	#22-14
<u>Supplemental Appropriation: MCPS Summer School Learning Grant (American Rescue Plan Act)</u>	October 21, 2021	#22-15
<u>Supplemental Appropriation: Behavior and Mental Health (American Rescue Plan Act)</u>	October 21, 2021	#22-16
<u>Supplemental Appropriation: Senior Nutrition Program</u>	October 21, 2021	#22-17
<u>Supplemental Appropriation: Development Ombudsman</u>	October 21, 2021	#22-20

REIA Name	Date	Number
<u>Supplemental Appropriation: Online Sales and Telework Grant</u>	October 26, 2021	#22-18
<u>Supplemental Appropriation: Purple Line Light Rail Project Grant Program</u>	October 21, 2021	#22-22
<u>Supplemental Appropriation: High Quality Early Childhood Inclusion</u>	November 2, 2021	#22-24
<u>Supplemental Appropriation: National Capital Area Law Enforcement Information Exchange Program (NCR-LInX)</u>	November 8, 2021	#22-25
<u>Supplemental Appropriation: Food Security Bridge Funding Proposal updated REIA</u>	November 3, 2021	#22-27
<u>Special Appropriation: Effective Law Enforcement for All</u>	November 4, 2021	#22-28
<u>Supplemental Appropriation: 260 E. Jefferson Street Property Acquisition</u>	November 5, 2021	#22-30
<u>Supplemental Appropriation: Nebel Street Shelter</u>	November 9, 2021	#22-31
<u>Supplemental Appropriation: Por Nuestra Salud y Bienestar (PNSB) (Update to SA #21-533)</u>	November 5, 2021	#22-32
<u>Supplemental Appropriation: Tree Replacement</u>	November 15, 2021	#22-29
<u>Supplemental Appropriation: Emergency Rental Assistance Program 2 (Update to and, in support of #21-527 Racial Equity Impact Assessment of Special Appropriation)</u>	November 15, 2021	#22-34
<u>Supplemental Appropriation: Hidden Valley Culvert Repair</u>	November 18, 2021	#22-35

REIA Name	Date	Number
<u>Supplemental Appropriation: African American Health Program</u>	November 29, 2021	#22-23
<u>Supplemental Appropriation: Transit Services Transit Bus Operator</u>	November 29, 2021	#22-26
<u>Special Appropriation: FiberNet</u>	November 23, 2021	#22-40
<u>Supplemental Appropriation: ELC ED</u>	November 30, 2021	#22-19
<u>Supplemental Appropriation: Kirwan Institute</u>	December 2, 2021	#22-13
<u>Supplemental Appropriation: SAMHSA Community Block Grant</u>	November 23, 2021	#22-36
<u>Supplemental Appropriation: SAMHSA Crisis 2 Connection</u>	December 13, 2021	#22-43
<u>Special Appropriation: Montgomery County Conference Center</u>	January 14, 2022	#22-46
<u>Supplemental Appropriation: Prevailing Wage for Built to Learn Act funding</u>	January 14, 2022	#22-54
<u>Supplemental Appropriation: Immunization and Vaccines for Children Grant</u>	January 25, 2022	#22-47
<u>Special Appropriation: FEMA Emergency Protective Measures Grant</u>	November 18, 2021	#22-48
<u>Special Appropriation: Covid Mass Vaccination CARE Grant 2/2/22</u>	February 2, 2022	#22-50
<u>Supplemental Appropriation: FY21-26 Ag Land Preservation Amendment</u>	February 2, 2022	#22-53

REIA Name	Date	Number
<u>Supplemental Appropriation: CDC Crisis Cooperative Agreement</u>	February 8, 2022	#22-49
<u>Supplemental Appropriation: Affordable Living Quarters</u>	February 8, 2022	#22-60
<u>Supplemental Appropriation: FY22 Affordable Housing Acquisition and Preservation</u>	February 8, 2022	#22-57
<u>Supplemental Appropriation: Life Sciences and Technology Centers</u>	February 17, 2022	#22-59
<u>Special Appropriation: Housing Opportunities Commission</u>	March 2, 2022	#22-65
<u>Special Appropriation: Newcomer Enhancements and Assistance</u>	February 25, 2022	#22-64
<u>Supplemental Appropriation: MCPS CIP Planned Life Cycle Asset Replacement</u>	March 2, 2022	#22-63
<u>Supplemental Appropriation: MCFRS End of Year</u>	March 2, 2022	#22-62
<u>Supplemental Appropriation: Office of Grants Management</u>	March 2, 2022	#22-44
<u>Special Appropriation: Covid-19 Budget</u>	February 24, 2022	#22-56
<u>Supplemental Appropriation: Capital Budget Martha B. Gudelsky Child Development Center Sewer Improvements</u>	March 23, 2022	#22-66
<u>Supplemental Appropriation: End HIV Epidemic</u>	April 20, 2022	#22-68
<u>Supplemental Appropriation: Department of Recreation Public Arts Trust (No. 729658)</u>	April 1, 2022	#22-67

REIA Name	Date	Number
<u>Supplemental Appropriation: Preserving Naturally Occurring Affordable Housing</u>	April 8, 2022	#22-74
<u>Supplemental Appropriation: Amaranth Drive Emergency Culvert</u>	April 7, 2022	#22-71
<u>Supplemental Appropriation: Flood Control Study</u>	April 8, 2022	#22-72
<u>Supplemental Appropriation: Bridge Funding for the Food Security Task Force</u>	April 13, 2022	#22-79



Operating Budget Process

INTRODUCTION

The Montgomery County Charter, approved by the voters in 1968 and implemented in 1970, provides for a County Council/Executive form of government. Under this form of government, the Executive develops and recommends budget proposals; the Council then authorizes expenditures and sets property tax rates. The Charter also provides for an annual six-year Public Services Program (PSP), Operating Budget, and Capital Budget and a biennial six-year Capital Improvements Program (CIP). These budgets and related fiscal and programmatic plans provide the basis for understanding, coordinating, and controlling County government programs and expenditures.

This section provides a brief introduction and refers to the legal requirements for the annual budget process and includes descriptions of government structure and government accounting methods and funds.

THE BUDGET PROCESS

Fiscal Year

The 12-month period used to account for revenues and expenditures in Montgomery County commences on July 1 of each year and ends on June 30 of the following year. A budget process timeline appears later in this section, which displays the relationships between the Capital Budget/CIP, Operating Budget/PSP, and Growth Policy processes across the year.

Operating and Capital Budgets

Under the County Charter (Section 303), the complete County Executive's Recommended Budget includes the CIP, published by January 15 in even-numbered calendar years; the Capital Budget, published annually by January 15; and this document, the Operating Budget and PSP, published annually by March 15.

Further information about the PSP can be found later in this section. For further information about the Capital Budget/CIP, please refer to the Capital Improvements Program section of this document.

Spending Affordability Process

The Spending Affordability process for the Operating Budget is required by Section 305 of the County Charter and Chapter 20 of the Montgomery County Code.

The County Council must set Spending Affordability Guidelines (SAG) for the Operating Budget by the second Tuesday in February after a public hearing. The guidelines must specify a ceiling on funding from property tax revenues and a ceiling on the aggregate operating budget. In adopting SAG, the Council considers the condition of the economy, the level of economic activity in the County, personal income levels, and the impact of economic and population growth on projected revenues among other relevant factors.

Along with the guidelines, the Council also adopts recommended spending allocations for the tax-supported budgets of

County Government, the Board of Education, Montgomery College, the Maryland-National Capital Park and Planning Commission, debt service, and current revenue funding for the CIP.

By March 31, the governing board of each agency and the Executive must also specify how, if necessary, they would reduce the budget request to comply with the Council adopted budget allocation.

The Charter requires the Council to approve the Operating and Capital Budgets by June 1. An aggregate operating budget which exceeds the spending affordability guideline ceiling on the aggregate operating budget then in effect requires the affirmative vote of seven Councilmembers. The Council approved spending affordability guidelines and allocations are displayed in the Spending Affordability Comparison chart at the end of this chapter.

Limits on Revenues

Section 305 of the County Charter includes a limit on the annual increase in property tax revenues. Section 305 was amended in the November 2020 election to prohibit the County Council from adopting a tax rate on real property that exceeds the tax rate on real property approved for the previous year. This amendment replaces the previous property tax limit, which required an affirmative vote of all current Councilmembers to levy a tax on real property that would produce total revenue that exceeded the total revenue produced by the tax on real property in the preceding fiscal year plus any increase in the Consumer Price Index (CPI-U for the Washington Metropolitan Statistical Area). The previous property tax limit exempted real property tax revenue derived from (1) newly constructed property; (2) newly rezoned property; (3) certain property assessed differently under State law; (4) property that had undergone a change in use; and (5) property in a development tax district to provide funding for capital improvements.

Operating Budget Forums

The Executive sponsors budget forums to give County residents an opportunity to provide their input on the County's operating budget priorities, have their voices heard, contribute ideas that could be used in the development of the budget, advocate for funds that impact their community, as well as learn about the County's operating budget and get answers to their questions. During the FY23 operating budget development season, the County Executive conducted an historic operating budget forum - the first forum to be conducted in Spanish, making these forums more accessible and interactive. It was a historic moment for residents in Montgomery County.

Operating Budget Preparation and Executive Review

Requirements for submission of, and action on, County budgets are contained in Article 3 of the County Charter. Departments and agencies prepare budget requests within guidelines established by the Executive (for the departments) and by law (for other agencies of government). These are submitted on scheduled dates for analysis by the Office of Management and Budget (OMB) and are reviewed by the Executive during the period January-March. The Executive recommends a budget which balances all agency expenditures with projected revenues to the Council by March 15.

Racial Equity & Social Justice

During the FY23 operating budget development season, the County continued investing in efforts to normalize, organize, and operationalize for racial equity and social justice. The Office of Racial Equity and Social Justice's Director participated in the budget review discussions to ensure that a racial equity lens was applied in the process and to support the attainment of the County's goals.

The Office of Racial Equity and Social Justice developed the Operating Budget Equity Tool (BET), training, and guidance manual based on engagement with peer jurisdictions and research about leading practices in the development of racial equity

tools. The tool was incorporated into The Office of Management and Budget's oversight of the budget process. The goal of the BET was to bring attention to racial inequities before budget decisions are made and allocate resources in ways that contribute to reducing and ultimately eliminating racial inequities in the County. Departments were asked to:

- Explain how the department's budget allocations (including requests, reallocations, and reductions) advances racial equity in the County, reduces, or eliminate disparities, and improves outcomes for communities of color and low-income communities.
 - Departments were encouraged to clearly state the commitment that the department is making to advance equity in the County, such as staff hours to training, building capacity to engage with marginalized communities, designating an equity lead, collecting, and disaggregating racial equity data, purchasing GIS software, and engaging directly with marginalized communities.
- Explain whether and how programs considered racial/ethnic disparities and/or disproportionalities in its outcomes (including quantitative data and qualitative data that was collected and analyzed)
- Describe what insights the data provided and how the program proposal (budget submission) seeks to address the identified inequities
- Identify community residents that will potentially benefit the most or potentially be burdened the most from the program proposal (budget submission)
- Describe the potential disproportionate effects on communities of color and low-income communities as a result of the program or the initiative and how those effects will be mitigated
- Explain how the program proposal builds capacity to engage with marginalized communities.

The Office of Racial Equity and Social Justice will continue its forward momentum in the following activities:

- conduct Racial Equity Impact Assessments of supplemental and special appropriation requests;
- train all Montgomery County employees on racial equity and social justice;
- guide County departments to examine policies, procedures, and practices to determine if they create or exacerbate racial disparities in the County; and
- build capacity across departments to disaggregate data by race and ethnicity; develop metrics to measure the success of County government programs, short-term and long-term goals.

See Chapter 40 for a discussion on the Office of Racial Equity and Social Justice. See Chapter 74 for a discussion of the County's initiatives related to racial equity and social justice.

See the "Amending the Approved Operating and Capital Budgets" section below regarding racial equity and supplemental/special appropriation requests to operating budgets, capital budgets, and the capital improvements program.

Background

During the FY21 operating budget development season, racial equity was part of the discussions at the budget meetings with the Office of Management and Budget (OMB), departments, and the County Executive as recommendations were developed and made.

As part of the FY22 operating budget development season, the Office of Management and Budget requested the department users to include a brief explanation in their program proposal (budget submission) on how their programs promote racial equity. OMB also included a definition in the guidance document for the department users to reference during the development season.

Enhancements were established for the FY22 operating budgeting development season including:

- Information provided to the public attending the operating budget forums on the County's efforts to advance racial

equity as a part of the operating budget development process

- Dedicated a section of the form in one of the County's budgeting systems to collect information on the topic of racial equity

OMB requested departments/analysts identify requests that should be aligned with a racial equity characteristic in an attempt to determine which community residents will potentially benefit the most from the department's program proposal or be burdened by the department's program proposal.

The County will integrate these considerations as part of the budget process. As an initial step, the County's Office of Racial Equity & Social Justice will:

- perform an equity assessment to identify policies that do not advance equity;
- train all Montgomery County employees on racial equity and social justice;
- guide County departments to examine policies, procedures, and practices to determine if they create or exacerbate racial disparities in the County; and
- develop metrics to measure the success of County government programs, short-term and long-term goals.

Climate Change

During the FY23 capital budget development season, climate change was part of the discussion at the budget meetings with the Office of Management and Budget (OMB), departments, and the County Executive as recommendations were developed and before decisions were made.

As part of the budget development season, the Office of Management and Budget., the County's Climate Change Officer, and the Department of Environmental Protection provided assistance to departments in identifying climate-related budget needs. Departments were also asked to include the following in their budget submission:

- indicate the projects' impact on greenhouse gas emissions;
- identify how the project will increase the use or generation of renewable energy;
- identify aspects of the project that will help the County withstand future impacts of climate change (e.g., high heat days, severe storms, flooding, and high winds);
- indicate if the project is pursuing or has earned a green building certification (e.g., International Green Construction Code (which includes a number of alternative compliance pathways, including LEED (Leadership, in Energy and Environmental Design); NDGS (National Green Building Standard); PHIUS+ (Passive House Institute US); BREEAM (Building Research Establishment Environmental Assessment Method); or Green Globes; and
- each department identify its Climate Change Ambassador who will mobilize staff to green their department's day-to-day operations, build resiliency among vulnerable community members, and work as a team with other department Ambassadors to facilitate deep emission reductions across all departments.

Background

Enhancements were established for the FY22 operating budgeting development season including:

- Information provided to the public attending the operating budget forums on the County's efforts to tackle climate change as a part of the operating budget development process
- Dedicated a section of the form in one of the County's budgeting systems to collect information on the topic of climate change

OMB requested departments/analysts to identify requests that should be aligned with a climate change characteristic in an