



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Tuesday, July 21, 2020

The County Council for Montgomery County, Maryland convened via video conference at 9:32 A.M. on Tuesday, July 21, 2020.

### PRESENT

Councilmember Sidney Katz, President  
Councilmember Gabe Albornoz  
Councilmember Evan Glass  
Councilmember Nancy Navarro

Councilmember Tom Hucker, Vice President  
Councilmember Andrew Friedson  
Councilmember Will Jawando  
Councilmember Craig Rice

Councilmember Hans Riemer

The President in the Chair.

The Council held a moment of silence in tribute to Congressman John Lewis.

### GENERAL BUSINESS

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

Ms. Singleton, Clerk of the Council, announced an addendum to the agenda, adding introduction of the following items: a resolution in support of Mailing Ballots to Voters for the 2020 General Election; a special appropriation to the County Government's FY21 Operating Budget, Department of Health and Human Services (DHHS), Behavioral Health and Crisis Prevention Crisis Prevention and Intervention Services - \$395,000 for Montgomery County Hotline, and amendment to FY21 Operating Budget Resolution 19-472 Section G, Designation of Entities for Noncompetitive Contract Award Status: EveryMind; a resolution in support of Indigenous People's Day; a special appropriation to the County Government's FY21 Operating Budget, COVID-19 Human Services and Community Assistance Non-Departmental Account (NDA) - \$20,000,000 for COVID-19 Response: Rental Assistance and Eviction and Homelessness Prevention; and a special appropriation to the County Government's FY21 Operating Budget, COVID-19 Human Services and

Community Assistance NDA - \$7,545,590 for Por Nuestra Salud y Bienestar (For Our Health and Well Being); and correcting the title of **Bill 34-20**, Police - Disciplinary Procedures - Police Labor Relations - Duty to Bargain - Amendments to make it an expedited bill, and adding Councilmember Jawando as a co-sponsor of the bill.

(1) B. **Acknowledgement - [Receipt of Petitions](#)**

Acknowledged receipt of a petition from residents of Montgomery County supporting Zoning Text Amendment (ZTA) 20-01, Solar Collection System - AR Zone Standards.

C. **Action - Approval of Minutes**

Approved the minutes of April 30, 2020, without objection.

(2) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.  
Mr. Friedson made the motion, which carried without objection.

A. **Introduced** a resolution approving the Office of Legislative Oversight's (OLO) FY21 Work Program. Action is tentatively scheduled for July 28, 2020.

C. **Introduced and Adopted Resolution 19-530**, Executive Regulation 9-20T, Public Health Emergency Business Assistance Program.

D. **Received and Released** the OLO Report 2020-9, Local Policing Data and Best Practices.

E. **Received and Released** the OLO COVID-19 Recovery Outlook papers:

- 7. Retail Sector
- 8. Disparities in Telework by Race and Ethnicity
- 9. Child Care

F. Adopted **Resolution 19- 531**, to Support the Renaming of the Washington Redskins.

G. Adopted **Resolution 19-532**, approving the FY21 schedule of revenue estimates and appropriations.

H. Adopted **Resolution 19-533**, approving a special appropriation to the County Government's FY21 Operating Budget, DHHS - \$592,202 for Mobile Crisis Response.

- I. Adopted **Resolution 19-534**, approving a special appropriation to the County Government's FY21 Operating Budget, DHHS - \$371,761 for Support Payment to Organizations Directly Serving Developmentally Disabled Persons.
- J. Adopted **Resolution 19-535**, approving a special appropriation to the County Government's FY21 Operating Budget, COVID-19 Human Services and Community Assistance NDA - \$3,000,000 for Assistance to Community Clinics, Medical and Dental Practices.
- K. Adopted **Resolution 19-536**, to amend Resolution 19-472, Section G, FY21 Designation of Entities for Non-Competitive Award Status: Maryland Technology Council \$250,000.
- L. Adopted **Resolution 19-537**, confirming the County Executive's appointment to the Housing Opportunities Commission (HOC): Jeffrey Merkowitz.
- M. Adopted **Resolution 19-538**, confirming the County Executive's appointments to the Racial Equity and Social Justice Advisory Committee: Selena Mendy Singleton, Sylvia Hernandez, Betty Lam, James Stowe, Partap Verma, Willie Parker-Loan, Troy Boddy, Sonia Canzater, Katherine Culliton-Gonzalez, Pat Grant, Jared Hautamaki, Shuo Huang, Shane Lloyd, Izola Shaw, Gustavo Torres.
- N. Adopted **Resolution 19-539**, confirming the County Executive's appointments to the Commission on Veterans Affairs: Hannah Dibonge, Jonathan Alfaro, Robert Koffman, Reginald Mitchell, Scott Schlesinger, Michael Wilson.
- O. Adopted **Resolution 19-540**, confirming the County Executive's appointment to the Workforce Development Board: Sharon Strauss.
- P. **Introduced** a special appropriation to the County Government's FY21 Operating Budget, Conference and Visitors Bureau NDA, Support for COVID-19 Response - Hospitality and Tourism Support, \$200,000. A public hearing and action are scheduled for July 28 at 1:30 P.M.
- Q. Adopted **Resolution 19-541**, approval of a Certain Refunding Plan of the Washington Suburban Sanitary Commission (WSSC) for the Issuance of Refunding Bonds.
- R. **Introduced** a special appropriation to the County Government's FY21 Operating Budget, Community Engagement Cluster, Office of Community Partnerships (OCP) - \$296,436 for 2020 Census Grant Program. A public hearing and action are scheduled for July 28 at 1:30 P.M.

- S. **Introduced** a resolution in support of Mailing Ballots to Voters for the 2020 General Election. A public hearing and action are scheduled for July 28 at 1:30 P.M.
- T. **Introduced** a special appropriation to the County Government's FY21 Operating Budget, DHHS Behavioral Health and Crisis Prevention Crisis Prevention and Intervention Services - \$395,000 for Montgomery County Hotline and Amendment to Fiscal Year 2021 Operating Budget Resolution 19-472 Section G, FY21 Designation of Entities for Non-Competitive Contract Award Status: EveryMind. A public hearing and action are scheduled for July 28 at 1:30 P.M.
- U. **Introduced** a resolution in support of Indigenous People's Day. A public hearing and action are scheduled for July 28 at 1:30 P.M.
- V. **Introduced** a special appropriation to the County Government's FY21 Operating Budget, COVID-19 Human Services and Community Assistance NDA - \$20,000,000 for COVID-19 Response: Rental Assistance and Eviction and Homelessness Prevention. A public hearing and action are scheduled for July 28 at 1:30 P.M.
- W. **Introduced** a special appropriation to the County Government's FY21 Operating Budget - for COVID-19 Human Services and Community Assistance NDA - \$7,545,590; for Por Nuestra Salud y Bienestar (For Our Health and Wellbeing). A public hearing and action are scheduled for July 28 at 1:30 P.M.

(3) **DISTRICT COUNCIL SESSION**

- A. [Extension of Time for Council Action on the Germantown Plan for the Town Sector Zone](#)

Adopted **Resolution 19-542**, extending the time for Council action on the Germantown Plan for the Town Sector Zone until September 3, 2020.

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

- B. [Zoning Text Amendment \(ZTA\) 19-08 Bicycle Parking - Requirements and Design Standards](#)

Mr. Riemer, Chair of the Planning, Housing, and Economic Development (PHED) Committee, and Senior Legislative Analyst Zyontz reviewed the Committee's recommendations, as contained in the staff report.

Adopted **Ordinance 19-11**, approving draft #3 of ZTA 19-08.

The PHED Committee made the motion and the Ordinance was enacted by a roll call vote:

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

C. [Germantown Plan for the Town Sector Zone](#)

Mr. Riemer said today's action confirms the recommendations of the PHED Committee and the Council discussion of June 23, 2020.

Mr. Rice expressed support for the Plan, noting that it brings more affordable senior housing, with nearby public transportation, to Germantown.

Adopted **Resolution 19-543**, approving the Germantown Plan for the Town Sector Zone.

Mr. Riemer made the motion and the resolution was adopted by a roll call vote:

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

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

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

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

Received an update on current statistics and activities pertaining to COVID-19, including daily testing rates, positivity and transmission rates, the uptick in the number of cases in the Baltimore area, and the availability of local testing centers.

Responding to questions from Councilmembers, Dr. Gayles said that the County's requirements in Phase 2 reopening are more restrictive than in other jurisdictions, and data is being reviewed to see if any specific activity is tied to an increase in the number of cases. He expressed the view that should there be a resurgence of cases, the County and area hospitals are equipped to address them, and that the outlook depends on the standardization of strategies to minimize transmission of the virus. They are working on strategies with

other local jurisdictions for dissemination of a vaccine when it becomes available. Dr. Gayles acknowledged wait times of up to 10 days for test results from some private labs have occurred and said that they hope to reduce wait times to 24 to 48 hours.

Mr. Friedson requested guidance be provided to businesses on how to address situations where patrons are not following safety guidelines.

Mr. Jawando noted the lack of test data from the black community, even though they have the highest death rate from the virus, and the need to increase communication, outreach, and testing availability in highly impacted areas.

Dr. Stoddard commented on steps being taken during the excessive heat, noting that the usual cooling centers, libraries and recreation centers, are closed due to the pandemic, but that homeless shelters, that would normally be closed this time of year, are open. He said that most businesses are in compliance with safety requirements, but there has been an increase in complaints involving construction sites. Ride On bus routes and frequency are being increased, and modifications have been made to protect bus drivers and passengers. They are working with local nonprofit groups to increase food distribution, and that additional funding would be needed to help provide food.

Dr. Crowel commented on increased steps being taken to help the developmentally disabled community, raised concern about the likelihood of future evictions, and the need to provide direct support to highly impacted communities. He noted that during the pandemic, overdose deaths have increased and that the Mobile Crisis Team is in place to offer support. They are working to increase awareness of mental health stressors and to recognize trauma.

The meeting recessed at 12:05 P.M. and reconvened at 1:33 P.M.

(5) **PUBLIC HEARING** - [Special Appropriation to the County Government's FY21 Operating Budget - \\$1,500,000 for Conference Center Non-Departmental Account \(NDA\)](#)

The public hearing was conducted. Mr. Jawando was temporarily absent. Additional material for the Council's consideration should be submitted by the close of business on July 22, 2020. A Planning, Housing and Economic Development (PHED) Committee worksession is tentatively scheduled for July 27, 2020.

- (6) **PUBLIC HEARING** - [Special Appropriation to Montgomery County Public Schools' \(MCPS\) FY21 Operating Budget \\$250,000 for the Mental Health Program to Support Schools](#)

The public hearing was conducted. Mr. Jawando was temporarily absent. Additional material for the Council's consideration should be submitted by the close of business on July 21, 2020. A joint Education and Culture (E&C) Committee and Health and Human Services (HHS) Committee worksession is tentatively scheduled for July 23, 2020.

- (7) **PUBLIC HEARING** - [Expedited Bill 30-20, Administration - Executive Branch - Chief Digital Officer](#)

The public hearing was conducted. Mr. Jawando was temporarily absent. Additional material for the Council's consideration should be submitted by the close of business on July 22, 2020.

- (8) **PUBLIC HEARING** - [Supplemental Appropriation to the County Government's FY21 Operating Budget, Office of the County Executive - \\$550,000 to support a Police audit, Fire and Rescue Service audit, and consulting funds for community engagement support](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on September 11, 2020. A joint Public Safety (PS) Committee and Government Operations and Fiscal Policy (GO) Committee worksession is tentatively scheduled for September 17, 2020.

- (9) **PUBLIC HEARING** - [Resolution to approve Board of Health Regulation requiring enhanced testing strategy](#)

The public hearing was conducted and the record closed. Action is scheduled for later in the meeting.

- (10) **PUBLIC HEARING** - [Special Appropriation to the County Government's FY21 Operating Budget, COVID-19 Human Services and Community Assistance NDA - \\$2,025,000 for Short-Term Assistance to Distressed, Affordable Common Ownership Communities](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on July 22, 2020. A PHED Committee worksession is tentatively scheduled for July 27, 2020.

- (11) **PUBLIC HEARING** - [Resolution to Urge the Maryland state lawmakers to change “Maryland, My Maryland” as the state song and urge against the song from being played at official Montgomery County events](#)

The public hearing was conducted. Additional material for the Council’s consideration should be submitted by the close of business on July 22, 2020. Action is tentatively scheduled for July 28, 2020.

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND  
IN LEGISLATIVE SESSION - Day #22**

- (12) **Introduction of Bills**

- A. [Bill 31-20, Public Campaign Financing - Amendments](#)

Introduced draft #1 of **Bill 31-20**, sponsored by Councilmembers Navarro, Katz, and Friedson (the GO Committee). A public hearing is scheduled for September 15, 2020, at 1:30 P.M.

- B. [Bill 32-20, Solid Waste \(Trash\) - Waste Reduction/Source Reduction and Single-Use straws - Requirements](#)

Introduced draft #1 of **Bill 32-20**, sponsored by the Council President at the request of the County Executive. A public hearing is scheduled for September 15, 2020, at 1:30 P.M.

- C. [Expedited Bill 34-20, Police - Disciplinary Procedures - Police Labor Relations - Duty to Bargain - Amendments](#)

Introduced draft #5 of **Expedited Bill 34-20**, sponsored by Councilmembers Riemer and Rice. A public hearing is scheduled for September 22, 2020, at 1:30 P.M.

Ms. Navarro requested to be added as a co-sponsor of the expedited bill.

- (13) **Call of Bills for Final Reading:**

- A. [Expedited Bill 27-20, Police - Regulations - Use of Force Policy](#)

Mr. Katz, Chair of the Public Safety (PS) Committee, and Ms. Wellons, Legislative Attorney, reviewed the Committee’s recommendations, as contained in the staff report.

Chief Jones, Montgomery County Police Department (MCPD); and Ms. Roberts, Associate County Attorney, participated in the discussion.

Discussed the current policy regarding no-knock warrants and how the Committee's amendment would change current practices. Chief Jones noted that the amendment would make more restrictive the circumstances under which the police could apply for a no-knock warrant and could have unintended consequences, and pointed out that an application for a warrant must undergo judicial review. He said that outside agencies or jurisdictions can serve no-knock warrants in the County with judicial approval, but that MCPD could not ask another jurisdiction to serve a no-knock warrant on its behalf if it was precluded.

Mr. Jawando made a motion to include a reference to Section 14-101 of the Maryland Criminal Code in the bill, to define the term "crime of violence." The motion was seconded and carried unanimously. He commented that the intent was to minimize trauma or harm to both residents and police. The Council agreed to return to the issue of no-knock warrants at a future Council session after receiving additional information.

Mr. Jawando made a motion, seconded by Mr. Riemer, to amend the definition of "restrained individual" to read an individual who is under control and is not actively resisting arrest by use of intentional force against the officer that threatens serious bodily injury. The motion did not come to a vote and the Council agreed to consider this amendment during the future discussion of the expedited bill.

The Council concurred with the remaining amendments recommended by the PS Committee and the technical amendments included in the staff report, and supported adding an amendment to add a "duty to report" instances of violating the use of force of policy.

The Council is scheduled to continue its discussion of **Expedited Bill 27-20** on July 29, 2020.

B. [Bill 7-20, Interagency Commission on Homelessness \(ICH\) - Membership and Duties](#)

Mr. Glass, lead member for homelessness and vulnerable communities on the HHS Committee, provided an overview of the purpose of the bill and the work of the ICH to end homelessness. Ms. Wellons reviewed the recommendations of the HHS Committee, as contained in the staff report.

Enacted draft #5 of **Bill 7-20**, as shown at the end of these minutes.

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

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

C. [Bill 26-20, Environmental Sustainability - Energy and Air Quality Advisory Committee - Amendments](#)

Mr. Hucker, Chair of the of the Transportation and Environment (T&E) Committee, reviewed the Committee's recommendation as contained in the staff report.

Enacted draft #2 of **Bill 26-20**, as introduced.

The T&E Committee made the motion and the bill was enacted by a roll call vote:

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

(14) **DISCUSSION** - [OLO Report 2020-4: Youth Sports in Montgomery County](#)

This item was postponed.

(15) **UPDATE** - [FY21 Budget Savings Plan](#)

The Council considered the recommendations of the six Committees on the Executive's recommended FY21 Budget Savings Plan.

Mr. Katz reviewed the PS Committee's recommendation of reductions totaling \$12,183,993. The PS Committee accepted all of the Executive's reductions with two exceptions: agreed with the recommendation to delay the FY21 recruit class (\$751,338 savings) but did not agree with the recommendation to reduce the size of the recruit class from 57 to 37 (\$1.2 million potential savings); recommended that the positions proposed to be abolished in the Police Department instead be lapsed.

Discussed the School Resource Officers (SRO) program and noted that MCPS is reviewing the program and will make recommendations in January 2021.

Mr. Jawando made a motion to lapse 12 of the 23 active School Resource Officers (SRO) positions and to consider abolishing program in FY22. The motion failed 5 to 4 (voting in support were Mr. Hucker, Mr. Riemer, Mr. Jawando, and

Mr. Glass; voted against the motion were Mr. Friedson, Mr. Rice, Ms. Navarro, Mr. Albornoz, Mr. Katz).

Mr. Hucker summarized the T&E Committee's recommended savings, as contained in the staff report. Supported without objection.

Mr. Reimer summarized the PHED Committee's recommended savings, as contained in the staff report. Supported without objection.

Ms. Navarro summarized the GO Committee's recommended savings, as contained in the staff report. Supported without objection.

Mr. Rice summarized the E&C Committee's recommended savings, as contained in the staff report. Supported without objection.

Mr. Albornoz summarized the HHS Committee's recommended savings, as contained in the staff report. Supported without objection.

Ms. Michaelson, Council Executive Director, reviewed the charts on pages 4 and 5 of the staff report of the Executive's recommended CIP savings.

Noted that final votes on the FY21 Budget Savings Plan would take place on July 28, 2020.

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

B. **Action** - [Resolution to approve Board of Health Regulation requiring enhanced testing strategy](#)

Mr. Riemer stated that this regulation would require the Executive Branch to develop a strategy and implement programs to conduct up to 30,000 COVID-19 tests per week, stressing that testing, tracing and isolation programs must be in place before schools can safely reopen.

Mr. Drummer, Senior Legislative Attorney, noted that the amended version of the regulation is included in the staff report and includes edits provided by Executive Branch staff.

Mr. Friedson requested a detailed analysis of how the Executive Branch spent \$4 million for testing programs.

Adopted **Resolution 19-544**, approving the subject Board of Health Regulation, as amended.

Mr. Riemer made the motion and the resolution was adopted by a roll call vote:

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

The meeting recessed at 5:53 P.M. and reconvened at 7:38 P.M.

(16) **PUBLIC HEARING** - Resolution to place an amendment to Section 305 of the County Charter on the 2020 general election ballot

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business July 22, 2020. Action is tentatively scheduled for July 28, 2020.

(17) **PUBLIC HEARING** - Resolution to adopt a Proposed Amendment to County Charter - Property Tax Limit - Limit on Taxable Value of Owner-Occupied Residential Property; Limit on Tax Rate Increases

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business July 22, 2020. Action will be scheduled at a future date.

The meeting adjourned at 8:03 P.M.

This is a correct copy of Council action.

*Approved/Signed by Clerk of the Council*

---

Selena Mendy Singleton, Esq.  
Clerk of the Council

Bill No. 7-20  
 Concerning: Interagency Commission on Homelessness – Membership and Duties  
 Revised: 06/22/2020 Draft No. 5  
 Introduced: February 25, 2020  
 Enacted: July 21, 2020  
 Executive: \_\_\_\_\_  
 Effective: \_\_\_\_\_  
 Sunset Date: None  
 Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

**COUNTY COUNCIL  
 FOR MONTGOMERY COUNTY, MARYLAND**

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

**AN ACT** to:

- (1) alter the membership of the Interagency Commission on Homelessness;
- (2) alter the duties of the Commission; and
- (3) generally amend the law regarding the Commission.

By amending

Montgomery County Code  
 Chapter 24, Health and Sanitation  
 Sections 24-62, 24-63, 24-65, 24-66, 24-67, and 24-68

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

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

1           **Sec. 1. Sections 24-62, 24-63, 24-65, 24-66, 24-67, and 24-68, are**  
2 **amended as follows:**

3 **Sec. 24-62. Legislative findings and statement of policy.**

4           (a) The County has a goal to ensure that everyone has a home in the  
5 County, and that homelessness will be rare, brief, and non-recurring.  
6 In order to achieve this goal, the County will:

- 7           (1) end homelessness among veterans;  
8           (2) end homelessness among chronically homeless individuals;  
9           (3) end homelessness among families with children;  
10           (4) end homelessness among unaccompanied youth;  
11           (5) end homelessness among seniors; and  
12           (6) end homelessness among all individuals in the County.

13 ~~[(a)]~~ (b)       The County Council finds that ~~[reducing]~~ ending and preventing  
14 homelessness ~~[requires]~~ require substantial coordination and  
15 cooperation among federal, state, and local governments, as well as  
16 private sector service providers and community organizations.

17 ~~[(b)]~~ (c)       Montgomery County Continuum of Care is a group of  
18 governmental entities and community representatives that carries out  
19 the responsibilities of the Continuum of Care program established  
20 pursuant to the federal Homeless Emergency Assistance and Rapid  
21 Transition to Housing Act of 2009 (the HEARTH Act).

22 ~~[(c)]~~ (d)       The County Council intends that the Interagency Commission  
23 on Homelessness established under this Article be constituted and  
24 function in such a manner that it may serve as the governing board of  
25 Montgomery County Continuum of Care, and in serving this function  
26 comply with applicable federal regulations governing the Continuum  
27 of Care program.

28 **24-63. Definitions.**

29 When used in this Article:

30 [100,000 Homes Campaign means an initiative in special needs  
31 housing  
32 that gives priority to placing the most vulnerable, chronically homeless  
33 people in permanent supportive housing through a Housing First  
34 model;]

35 Commission means the Interagency Commission on  
36 Homelessness[;];

37 Continuum of Care means a community program, established under  
38 the HEARTH Act, to organize and deliver housing and services to  
39 meet the specific needs of people who are homeless as they move to  
40 stable housing and maximum self-sufficiency[;]; [and]

41 End homelessness or ending homelessness means:

42 [(A)] (1) reaching functional zero for an identified type of  
43 homelessness; and

44 [(B)] (2) having systems in place adequate to house all  
45 individuals entering homelessness during a specific time  
46 period.

47 *Housing First Initiative* means a [process for placing homeless people  
48 into housing that discourages imposing conditions on placement  
49 related to health, employment, or sobriety, and seeks to reduce the  
50 time in shelter or transitional programs and provide the needed  
51 supports to people in a permanent home] public policy approach to  
52 homeless assistance that:

53 [(A)] (1) prioritizes providing permanent housing to people  
54 experiencing homelessness;

55 [(B)] (2) reduces barriers to accessing housing and other key  
56 services; and

57 [(C)] (3) is guided by the theories that:

58 [(i)] (A) people need basic necessities like food and  
59 housing before attending to other needs, such as  
60 employment, budgeting, or substance abuse  
61 treatment;

62 [(ii)] (B) client choice is valuable in housing selection  
63 and supportive service participation; and

64 [(iii)] (C) exercising a choice in housing is likely to  
65 make a client more successful in remaining housed  
66 and improving the client's life.

67 \* \* \*

68 **24-65. Members.**

69 (a) The Commission has 25 members.

70 (b) The Executive must appoint the following to serve as ex officio  
71 members:

72 (1) Director of the Department of Health and Human Services or  
73 the Director's designee;

74 (2) Chief of Services to End and Prevent Homelessness of the  
75 Department of Health and Human Services or the Chief's  
76 designee;

77 [(3) Chief of Behavioral Health and Crisis Services of the  
78 Department of Health and Human Services;

79 (4) Director of the Department of Correction and Rehabilitation;

80 (5) [(3) Director of the Department of Housing and Community  
81 Affairs or the Director's designee; and

- 82 [(6) Assistant Chief for Field Services of the Montgomery County  
83 Police Department; and  
84 (7)] (4) A representative from the Office of the County Executive.  
85 (c) The Executive must invite the following to serve as ex officio  
86 members:  
87 (1) A [member] Councilmember or staff member of the County  
88 Council, selected by the Council President;  
89 (2) Executive Director of the Housing Opportunities Commission or  
90 the Executive Director's designee; and  
91 [(3) Director of Student Services of the Montgomery County Public  
92 Schools;  
93 (4) The Mayor or the representative of the Mayor of the City of  
94 Gaithersburg;  
95 (5) The Mayor or the representative of the Mayor of the City of  
96 Rockville;  
97 (6) The Mayor or the representative of the Mayor of the City of  
98 Takoma Park;  
99 (7) A representative of either the United States Department of  
100 Veterans Affairs or the Maryland Department of Veterans  
101 Affairs;  
102 (8) The Montgomery County Sheriff or the representative of the  
103 County Sheriff; and  
104 (9)] (3) A member of the County Legislative Delegation selected  
105 jointly by the Chairs of the House and Senate Delegations.  
106 (d) The Executive must appoint [5] 4 members [that] who are  
107 representatives of [the Montgomery County Continuum of Care]  
108 government agencies.

109 (e) The Executive must appoint 4 members who are representatives of  
110 homeless service organizations that:

111 (1) prevent homelessness or assist homeless families, single adults,  
112 or youth; or

113 (2) help households to exit homelessness and maintain stable,  
114 permanent housing.

115 (f) The Executive must appoint 4 members who are representatives of  
116 private organizations that provide behavioral health, children and  
117 family services, healthcare, domestic violence services, aging and  
118 senior services, disability services, or veterans' services.

119 [(e)] (g) The Executive must appoint [4 members of the public]:

120 (1) [At] at least 1 [public] member [must be] who is a homeless or  
121 formerly homeless resident of Montgomery County; [and]

122 (2) at least 1 member [must be] who is a representative of a hospital  
123 or other healthcare provider located in Montgomery County;

124 (3) at least 1 member who is a representative of a private  
125 philanthropic organization or foundation; and

126 (4) at least 1 member who is a representative of an affordable  
127 housing developer.

128 (h) The Executive must appoint 2 members of the general public who are  
129 residents of the County.

130 [(f)] (i) The term of each non-ex officio member is 3 years. If a  
131 member is appointed to fill a vacancy before a term expires, the  
132 successor serves the rest of the unexpired term.

133 (j) Recommendations by the Commission.

134 (1) The Commission may recommend to the Executive persons to  
135 serve on the Commission under subsections (d), (e), and (f).

136           (2)    The Executive should appoint members under subsections (d),  
137                   (e), and (f) from among the persons recommended by the  
138                   Commission.

139 **24-66. Voting, officers, chairs, meetings, compensation; [subcommittees]**  
140 **committees.**

- 141           (a)    Each member of the Commission is a voting member.
- 142           (b)    The [Executive] Commission must [designate] elect a Chair and Vice  
143                   Chair from among its members.
- 144           (c)    The Commission must meet at least 4 times each year.
- 145           (d)    A majority of the members of the Commission constitutes a quorum  
146                   for the transaction of business.
- 147           [(d)] (e)    A member serves without compensation. However, a member  
148                   may request reimbursement for mileage and dependent care costs at  
149                   rates established by the County.
- 150           [(e)] (f)    The Commission may establish 1 or more [subcommittees]  
151                   committees to assist in carrying out any function of the Commission.  
152                   Any [subcommittee] committee action is not the action of the  
153                   Commission and must not bind the Commission or its members. A  
154                   [subcommittee] committee may include a person who is not a member  
155                   of the Commission.
- 156           (g)    The Commission must establish a governance committee to ensure  
157                   effective coordination of the Continuum of Care. The governance  
158                   committee must:
- 159                   (1)    be co-chaired by the Chair of the Commission and the member  
160                   appointed under Section 24-65(b)(2); and

161                   (2)   include the member appointed under Section 24-65(b)(3) and a  
162                               representative of each committee established under subsection  
163                               (f).

164   **24-67. Duties.**

165           The Commission must:

- 166           (a)   promote a community-wide goal to end and prevent homelessness;
- 167           (b)   develop a strategic plan to prevent and [reduce] end homelessness and  
168                   minimize the trauma and dislocation caused to homeless families and  
169                   individuals;
- 170           (c)   review and monitor any program that is a component of the  
171                   Continuum of Care[, 100,000 Homes Campaign,] and Housing First  
172                   Initiative, including:

- 173 (1) permanent housing, including permanent supportive housing  
174 and rapid re-housing;
- 175 (2) transitional housing;
- 176 (3) supportive services;
- 177 (4) homeless management information system;
- 178 (5) homelessness prevention; [and]
- 179 (6) emergency shelter; and
- 180 (7) outreach;
- 181 (d) recommend to the Executive and Council any improvements to [the  
182 Continuum of Care, including process changes, to reduce any barrier  
183 to housing and minimize the time needed to move someone from  
184 homelessness to housing] local policies to end and prevent  
185 homelessness;
- 186 (e) educate the community about homelessness, best practices to [reduce]  
187 end and prevent homelessness, resources needed to [reduce] end and  
188 prevent homelessness, and long term savings that are achieved by  
189 providing permanent stable housing; [and]
- 190 (f) recommend and promote partnerships with any private organization,  
191 business, corporation, philanthropic organization or foundation, and  
192 any municipal, state, or federal government agency to improve the  
193 County's ability to prevent and [reduce] end homelessness; and
- 194 (g) establish procedures for the effective coordination of the Continuum of  
195 Care.

196 **24-68. Annual report.**

197 By November 30 of each year, the Commission must submit to the Executive  
198 and Council a report that:

- 199 (a) provides data and trends regarding homelessness, including data from  
200 the Council of Government’s Point-in-Time survey [and the 100,000  
201 Homes Campaign survey];
- 202 (b) identifies gaps in the Continuum of Care that prevent or impede the  
203 County’s ability to address needs identified through the review of data  
204 on [homeless] homelessness;
- 205 (c) makes recommendations for the capital and operating budget [for the  
206 following fiscal year];
- 207 (d) makes [recommendation] recommendations for any legislative or  
208 regulatory changes needed to implement the Continuum of Care  
209 strategic plan; and
- 210 (e) reports on any educational or public outreach activities undertaken  
211 during the preceding year.

212 **Sec. 2. Transition.** Non-ex officio members of the Interagency Commission  
213 on Homelessness on the effective date of this Act continue to serve on the  
214 Commission until the end of their terms.