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May 2, 2024

**To the Montgomery County Council**

**Testimony re FY25 Operating Budget**

Dear Council President Friedson and Councilmembers, and Staff,

I oppose Bill 18-23 which seeks to essentially eliminate the Office of the People's Counsel altogether and strongly support fully funding the Office of People's Counsel (OPC) in the FY25 Operating budget.

Replacing the OPC with a Community Zoning and Land Use Resource Office that prohibits the OPC from serving as an advocate for Residents. For over a decade we've been without a voice, and this would not change that. We've already seen avoidable issues arise from not having an OPC.

For example, there were mistakes made with ZTA 19-07 that lead to the creation of ZTA 22-01. 19-07 included material misstatements and misrepresentations that to this day result in a zoning code that is very confusing and doesn't actually mean what it says it does. For any normal resident trying to read section 3.5.2 and make sense of it, it's even more confusing.

When reading Bill 18-32 and comparing it with Berliner's Bill 41-16, they are basically identical. On the "Legislative Request Report" page, the copy was revised under the "Problem" section to read:

“The County’s development approval, zoning code, and master plan process is complex and residents have asked for assistance navigating the development process.”

That section couldn't be truer. We've been asking for the OPC to be restored, but we keep being ignored. Even the well-respected former CE Ike Leggett wrote a letter in 2016 opposing the identical Bill 41-16 and supported strengthening the OPC.

Furthermore, on April 17, 2023, OLO's REJS Impact Statement on Bill 18-23 stresses the importance of "Equity" the office would bring. In their words, it reads:

“the People’s Counsel is better positioned to advocate for RESJ in the County than the proposed Community Zoning and Land Use Office. As originally created, “the People’s Counsel was intended to provide a degree of equity” and “to address disparity that exists between the resources available to developers and those available to the residential community.” If the Office of the People’s Counsel was funded, it could advocate for RESJ as part of its advocacy for the public interest in land use decisions. In contrast, the Community Zoning and Land Use Resource Office would not be authorized to advocate for RESJ in land use proceedings with the County Council, Planning Board, Zoning Hearing Examiner, Board of Appeals, and Court of Appeals.”

We have reached a point where it is time to give residents back a real voice and representation in the land use and zoning process by finally funding the Office of the People's Counsel and withdrawing Bill 18-23. Thank you.

Sincerely,

Nicole Williams  
Resident and Advocate