

Testimony Bill 12-24, PAB/ACC Compensation 7/9/2024- Revised

Montgomery County Taxpayers League

Gordie Brenne, Treasurer

The proposed compensation for Police Accountability Board (PAB) Chair and designated PAB member to Chair the Administrative Charging Committee (ACC) is acceptable, assuming the Fiscal Impact Statement analysis is correct that in FY'25 the member of the PAB chosen to serve on the ACC would no longer be chair of the ACC and would receive an additional \$6,000 to serve.

We take exception to the proposed compensation for the ACC civilian trial board members. The Fiscal Impact Statement estimate of \$218,000 over 6 years for training and compensation is way out of line with the time served and expectations for good citizenship.

Citizens should be encouraged to serve as trial board members, but we believe \$500/day is way out of line, since jury duty pays only \$30/day, and worse can lead to patronage assignments. Further, we believe the number in the trial board pool of 10 is far to high based on current experience and additions should be done incrementally as experience is gained with trial demand shifts. We would recommend a rotating pool annually, perhaps done as an adjunct to the jury pool selection process, to reduce administrative costs. We further recommend just in time training to minimize training for those who don't serve, and to assure training is timely.

We would also like to thank you for this opportunity to testify before the Council. As we think about the importance of citizen input to achieve social justice and equity, we are reminded there won't be an opportunity to complete a citizen petition for a section 305 unanimous vote referendum that would compete against the Council sponsored referendum resolution introduced this morning. The referendum resolution was based on a flimsy Charter Review Commission's analysis that didn't include a Social Justice and Equity Impact analysis. While it may not seem reasonable to some to expect good government practices to apply to all Council decisions, the Taxpayers League believes only referendum reforms will take decisions out of the hands of back room political deal makers as happened for referendum Questions A and C in 2020, and is happening again for the section 305 referendum resolution. Our draft testimony against the Section 305 resolution is attached.

Staff Analysis

https://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=16189&meta_id=180975

Property Tax Referendum Resolution- Eliminating Section 305 Unanimous Vote

July 16, 2024 Testimony Draft

Montgomery County Taxpayers League, Gordie Brenne, Treasurer

It is with a heavy heart that we testify today. We've written and testified before the Council numerous times about the risks of higher property taxes, the necessary Council budget controls that are missing, and the need to listen to taxpayers who told you in a 2020 referendum **you sponsored** that they want a unanimous vote for tax rate increases. You haven't listened, and are about to approve a referendum to once again challenge taxpayers you serve. Five reasons your accountability and transparency is as low as MCPSs.

1. **2020 Referendum Machinations-** The Council sponsored referendum for revenue controls was conceived to defeat a citizen's referendum that would have limited property tax revenue increases to the CPI rate in favor of a Council sponsored referendum that didn't and was placed first on the ballot (Question A). Then the County Attorney misleadingly titled it on the ballot as "Limit Tax Rate Increases". The competing citizens referendum (Question B) was labeled "Prohibit Override". Lessons learned from that debacle apparently haven't sunk in and you're about to repeat the same mistake with leadership holdovers from that Council. Some of you recently elected Council members expressed caution about the County Attorney's language, but he reports to the CE and you know what that means. Worse, your timing prevents a competing citizens referendum because there isn't enough time to mount a petition drive. What's the rush all about? Spend some more time reflecting on the irony that your 2020 referendum include a unanimous vote. Why not wait for a citizen's alternative that supports a unanimous vote to improve Council member accountability and up county representation? Which union is pushing you hardest to subvert good government?
2. **Machine Politics Revealed-** The 2020 referendum debacle was made public by release of CE Elrich's recent [message](#) to Seth Grimes of the Democratic Central Committee where he referenced how they worked together to defeat the citizen's Question B in 2020 and need to do so again with Council supported referendums. Doesn't that make any of you uncomfortable?
3. **2023 Education Emergency That Wasn't-** The vote last year overrode the Charter's unanimous vote limit to fund a record budget with a fabricated "education emergency". Worse the Charter Review Commission characterized last year's record tax increase which added to already overburdening housing costs as "historical good fortune". Low-income home owners and renters got clobbered by housing cost tax increases which produced excess reserves estimated by the CE to be 15.5%. But you promptly appropriated all of the excess in ways that will increase the structural deficit. Worse most of last year's so called education emergency money was spent on record County employee pay raises and supplemental appropriations for county activities that

weren't in the budget while taxpayers received much lower pay raises and pension increases. MCPS employee pay raises weren't targeted at low-income schools where the achievement gap lives. When does government employee union greed become too much of an insult to the taxpayers you serve?

4. **2024 Budget Control Failures-** This year Section 305 CPI and Affordability guidance spending controls failed again. That's two years in a row that the GO Committee's recommendation to hold MCPS to Maintenance of Effort spending and failed to tie spending to improved reading and math proficiency. The Education Committee's analysis was limited to just the incremental spending increase requested, and a powerful special interest group, MCEA, pushed you hard to fully fund the request, even though they don't want to be held accountable for student reading and math proficiency which is still well below 2019. The avoidance in 2020 of Charter CPI revenue controls was the missing final spending control. What changes are you prepared to make to Charter spending controls to offset the loss of the unanimous vote tax increase control? How can you make the Council budget process more focused on outcomes and not simply a review of incremental increases so the taxpayers know what their getting for their money?

5. **Next Big Council Referendum Fix-** The fix is in for approving a referendum with no competing citizen question. The two sponsors are both term limited, three more of you voted against the tax increase last year not because it was too high, but because it was too low, and are reliably in favor of tax increases. So, just one more of you is needed for the six votes to approve this taxpayer insult for a referendum. The rest of you can hide in the minority of 5, instead of being held individually accountable which is the intent of the Charter's unanimous vote requirement. No matter how cautionary you are, the referendum question has no competition and will be framed seductively for approval by the CE's attorney. You're relying on the CRCs analysis of the unanimous vote requirement because no staff Social Justice and Equity review was performed. Are you the checks and balances we count on over the CE? One of you wants to make it harder for voters to petition for referendums, but who will lead for better accountability and transparency over referendums you sponsor?