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From: **montgomerycountymd-countyexecutive** <montgomerycountymd-countyexecutive@montgomerycountymd.gov>

Date: Wed, May 1, 2024, 2:30 PM

Subject: Office of People's Council and Bill 18-23



MARC ELRICH • COUNTY EXECUTIVE

I am writing because you have contacted me previously regarding the Office of the People's Counsel. As you may know, I included \$250,000 funding for the Office of the People's Counsel in my recommended FY25 budget that I sent to County Council in March. In the budget memo I wrote: "It is time again for the residents of Montgomery County to have a seat at the table and direct input into the County's complex land-use and zoning action."

The Council has been reviewing the budget, and recently, I learned that tomorrow, in the midst of their review of the FY25 budget, the Committee on Planning, Housing and Parks (PHP) will also consider Bill 18-23, which essentially aims to replace the current structure of the Office of the People's Counsel with a Community Zoning and Land Use Resource Office. The packet regarding this proposal is here: https://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=16163&meta_id=178054 You can see the agenda here: https://montgomerycountymd.granicus.com/GeneratedAgendaViewer.php?view_id=169&event_id=16163.

I have just sent a memo to the Committee members asking them not to approve Bill 18-23 and to fund the Office of the People's Counsel. I reminded them of the Racial Equity and Social Justice report by Council's Office of Legislative Oversight (OLO) that states:

"When comparing two potentially funded offices to one another – the Office of the People's Counsel to the proposed Office of Community Zoning and Land Use – the Office of Legislative Oversight (OLO) anticipates that Bill 18-23 could sustain or marginally widen racial and social inequities in the County as its benefits would disproportionately accrue to land developers that are disproportionately White." RESJIS Bill 6-23: Structure of County Government – Community Zoning and Land Use Resource Office (montgomerycountymd.gov).

I also reminded them of testimony presented by Meredith Wellington, Land Use Planning Policy Analyst, in my office. She explained that the Community Zoning and Land Use Office has none of the salient characteristics of the Office of the People's Counsel. The Community Zoning and Land

Use Resource Office has no authority to advocate for the public interest or to promote a full and fair presentation of relevant land use issues in administrative proceedings; no authority with respect to zoning changes; or to advocate or advise even on the limited land use subjects that are in the bill.

I also pointed out that because the Community Zoning and Land Use Office (created by Bill 18-23) has nothing in common with the People's Counsel position, the two should not be considered at the same time. Staff at Planning and the Council already perform the functions that would be offered by a Community Zoning and Land Use Office.

Multiple Maryland counties, including Baltimore, Harford, Howard and Prince George's, have a People's Counsel-- an attorney or attorneys-- with clear responsibilities to participate in land use discussions. That's what the residents of Montgomery County need, too.

I concluded my memo asking the following:

"I must ask why create a new position via Bill 18-23 rather than fund the existing position of the Office of the People's Counsel – a position that residents clearly prefer and that has some authority to give residents a meaningful voice.

The committee begins deliberations at 9 am tomorrow (Thursday). If you wish to contact the County Council, you can find that information here: [Contact Us - Montgomery County Council](#) (montgomerycountymd.gov)

I hope this information is helpful.

Thank you,

Marc Elrich
County Executive

To share your thoughts or if you have new inquiries, please use this link.

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