

Resolution No.: 20-353
Introduced: December 12, 2023
Adopted: December 12, 2023

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Amendment to the FY24 Work Program of the Office of Legislative Oversight

Background

1. On July 25, 2023, the Council adopted the FY24 Work Program of the Office of Legislative Oversight. This Work Program assigned OLO thirty-one projects to be undertaken during the current fiscal year.
2. Since the approval of the FY24 Work Program of the Office of Legislative Oversight, Councilmembers have identified the projects described below as appropriate OLO assignments.

Action

The County Council for Montgomery County, Maryland, approves the addition of Project #32, 33, 34, 35 and 36 to OLO's FY24 Work Program. These projects will not require or result in any delays to those projects currently assigned in the FY24 OLO Work Program.

This is a correct copy of Council action.



Sara R. Tenenbaum
Clerk of the Council

OLO Work Program Supplement

Project #32

Data on Housing Starts in Montgomery County

Principal agencies: Montgomery County Government

The term “housing starts” refers to the number of new housing units that builders have begun to construct. The number of housing starts in a community is a helpful metric for understanding trends in the supply of housing. The U.S. Census Bureau’s Building Permits Survey (BPS) collects data on newly-permitted housing units from “permit-issuing places,” meaning jurisdictions that issue building or zoning permits for residential construction.

Concerns have been raised that historical BPS data for Montgomery County are not accurate because the County was not reporting data to the U.S. Census Bureau. The Council is interested in obtaining accurate data on housing starts for Montgomery County. OLO will provide a report that examines and compares available data on newly-permitted housing units from 2000 to 2023 from BPS and from Department of Permitting Services. For each dataset, OLO will review the methodologies and sources and assess the accuracy of the data.

OLO Work Program Supplement

Project #33

Mapping County Resources and Programs

Principal agencies: Montgomery County Government

Montgomery County Government offers a wide range of resources and programs for residents. The County Government directly delivers or provides funding to partner organizations to deliver programming and provide resources. Many residents may not be aware of the full range of resources and programs that are available to them. The Council is interested in offering to residents an interactive map to help them identify nearby County resources and programs. The map will focus on the following resources and programs provided or funded by the County:

- County recreation programs;
- Montgomery County Public Libraries locations and programs;
- Health and social services programs;
- Emergency food assistance programs; and
- Services and resources for persons experiencing homelessness.

OLO will work with the Department of Technology & Enterprise Business Solutions (TEBS) to develop this interactive map. In the future, additional resources could be added to the map.

OLO Work Program Supplement

Project #34**Impact of District of Columbia Tipped Minimum Wage Law**

Principal agencies: None

In November 2022, District of Columbia voters passed Initiative 82, which raised the minimum wage for workers who depend significantly on tips as part of their salaries. Per the initiative, tipped minimum wages will be phased out entirely by 2027 by increasing wages while decreasing tip credits. The objective is to level off tipped workers' salaries incrementally until they are equal to the regular minimum wage in D.C.

Prior to the passage of Initiative 82, the minimum wage for tipped workers in D.C. was \$5.35 per hour while minimum wage for other workers was \$16.10. Employers with tipped workers could count up to \$10.75 per hour in tipped wages earned by an employee (the tip credit) toward satisfying the D.C. minimum wage of \$16.10. If an employee did not earn at least \$10.75 in tipped earnings, the employer had to make up the difference to ensure the tipped worker earned the minimum wage of \$16.10 per hour.

The Council is interested in understanding the economic impact of this initiative on D.C. establishments that employ tipped workers. To this effect, OLO will survey a random sample of establishments in D.C. that employ tipped workers and gather empiric data on the impacts of the law to date. OLO will also work to compile publicly available data points that will be useful in analyzing the economic impacts of the D.C. law when data become available.

OLO Work Program Supplement

Project #35

Commercial Tenants' Legal Rights and Protections

Principal agencies: Montgomery County Government

The legal protections available to tenants who lease commercial property differ significantly from those available to tenants who lease residential property. Where protections for and obligations of residential tenants are often spelled out in laws and regulations, protections and obligations in commercial leases are often spelled out in lease documents and may differ significantly from lease to lease.

The Council is interested in better understanding the extent of legal protections established in laws, regulations, and policies available to commercial tenants in Montgomery County. The Council is also interested in whether other jurisdictions have taken steps to explicitly outline legal protections for commercial tenants in the law. This OLO report will:

- Describe the legal protections, if any, for commercial tenants in state and county laws and regulations;
- Include research on whether other jurisdictions have taken steps to define and more explicitly codify legal protections for commercial tenants and, if so, what those protections look like (e.g., Legacy Business programs).

OLO Work Program Supplement

Project #36**Montgomery County Public Schools Report Catalog Gap Analysis**

Principal agencies: Montgomery County Public Schools

Montgomery County Public Schools (MCPS) is one of the largest public school systems in the country¹, with student enrollment over 160,000² and an operating budget of \$3.2 billion³. To operate such a large entity, a full slate of departments/offices and over 23,000 employees are required to provide not only educational services, but those comparable services of a government entity, such as procurement, human resources, transportation, and finance.

To monitor performance, meet legally mandated requirements, and properly explore unplanned incidents or issues – multiple MCPS fiscal and performance reports, investigations, and audits are produced annually. MCPS has a current catalog of reports on operational and academic topics from County entities (Office of the Inspector General, Office of Internal Audit, and the Office of Legislative Oversight), MCPS (Office of Shared Accountability and the Office of Finance), the State of Maryland (Maryland General Assembly Office of Legislative Audits and the Maryland State Department of Education), and independent entities (as needed).

Although there is an extensive list of reports, audits, and investigations – this OLO report will evaluate whether MCPS and the County seek more information to fully compare MCPS against similar-sized school districts with high-level performance standards. OLO will work with an independent contractor to perform the following, focusing on fiscal management, budgeting, and performance measures. The report will:

1. Compile and categorize all MCPS-related reports, audits, and investigations recurring, mandated, and those needed on an ad hoc basis.
2. Compare this catalog of reports, audits, and investigations to similar-sized school districts, identifying gaps and/or additional MCPS information that others do not provide.
3. Confer with experts in the performance and fiscal budgeting fields, determining what additional reports, audits, and investigations should be required or asked for by the Council and/or the Board of Education.
4. Identify current reporting, auditing, and investigation resources and based on findings from 1-3, determine if additional resources are needed.

¹ <https://www.forbes.com/companies/montgomery-county-public-schools/?sh=241c57e12424>

² https://gis.mcpsmd.org/cipmasterpdfs/MP24_AppendixA.pdf

³ https://www.montgomerycountymd.gov/OMB/Resources/Files/omb/pdfs/FY24/psp_pdf/10-MontgomeryCountyPublicSchools-FY2024-APPR-Publication-Report.pdf