



Committee: EC/GO
Committee Review: Completed
Staff: Christine Wellons, Chief Legislative Attorney
Purpose: Final action – vote expected

AGENDA ITEM #1D
April 7, 2026
Action

SUBJECTS

Expedited Bill 10-26, Arts and Humanities Council - Amendments

Lead Sponsor: Council President at the Request of the County Executive

Co-Sponsor: Councilmember Sayles

EXPECTED ATTENDEES

N/A

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- The EC/GO Committee voted (5-0) to recommend the enactment of Expedited Bill 10-26 with amendments.

DESCRIPTION/ISSUE

Expedited Bill 10-26 would:

- (1) establish requirements for the board of directors of the Arts and Humanities Council;
- (2) establish appointment and confirmation requirements for members of the board of the Arts and Humanities Council;
- (3) establish certain operational requirements of the Arts and Humanities Council;
- (4) require the establishment of a racial equity and social justice policy by the Arts and Humanities Council;
- (5) establish a plan and timeline for implementation; and
- (6) generally amend the law regarding the Arts and Humanities Council.

SUMMARY OF KEY DISCUSSION POINTS

- The County Executive explained his request for legislation as follows: “This bill updates and clarifies the Arts and Humanities Council’s statutory role and responsibilities and strengthens its relationship with the County to reflect current governance standards. It establishes the structure and requirements of the Council’s Board of Directors; clarifies appointment and confirmation processes; and sets forth policies and procedures to ensure that Council actions are ethical, fair, unbiased, non-partisan, and compliant with applicable rules and policies.”
- “The amendments align the Council’s governing framework with other County public-private entities that receive most or all of their funding from the County, as well as with comparable regional arts and humanities councils. These updates are intended to provide clearer guidance

and strengthen accountability, while continuing to support the Arts and Humanities Council’s mission to promote and expand the arts and humanities in Montgomery County.”

- The GO/EC Committee unanimously adopted amendments to Expedited Bill 10-26 to:
 - require the Arts and Humanities Council’s (AHC’s) racial equity and social justice policy to include standards for equitable grantmaking;
 - require the AHC’s bylaws to reinforce existing ethics requirements under Chapter 19A of the Code; and
 - make several non-substantive technical corrections to the bill.

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MEMORANDUM

April 2, 2026

TO: County Council

FROM: Christine Wellons, Chief Legislative Attorney

SUBJECT: Expedited Bill 10-26, Arts and Humanities Council – Amendments

PURPOSE: Action – roll call vote expected

Committee Recommendation: The Education and Culture (EC) Committee and the Government Operations and Fiscal Policy (GO) Committee voted (5-0) to recommend the enactment of Expedited Bill 10-26 with amendments.

Expedited Bill 10-26, Arts and Humanities Council - Amendments, was introduced on February 10, 2026. The Lead Sponsor is the Council President on behalf of the County Executive. Councilmember Sayles is a Co-Sponsor.

A public hearing occurred on March 10. A joint worksession of the Education and Culture (EC) Committee and the Government Operations and Fiscal Policy (GO) Committee occurred on March 19.

Expedited Bill 10-26 would:

- (1) establish requirements for the board of directors of the Arts and Humanities Council;
- (2) establish appointment and confirmation requirements for members of the board of the Arts and Humanities Council;
- (3) establish certain operational requirements of the Arts and Humanities Council;
- (4) require the establishment of a racial equity and social justice policy by the Arts and Humanities Council;
- (5) establish a plan and timeline for implementation; and
- (6) generally amend the law regarding the Arts and Humanities Council.

BACKGROUND

The County Executive explained his request for the bill as follows: “This bill updates and clarifies the Arts and Humanities Council’s statutory role and responsibilities and strengthens its relationship with the County to reflect current governance standards. It establishes the structure and requirements of the Council’s Board of Directors; clarifies appointment and confirmation processes; and sets forth policies and procedures to ensure that Council actions are ethical, fair, unbiased, non-partisan, and compliant with applicable rules and policies.”

“The amendments align the Council’s governing framework with other County public-private entities that receive most or all of their funding from the County, as well as with comparable regional arts and humanities councils. These updates are intended to provide clearer guidance and strengthen accountability, while continuing to support the Arts and Humanities Council’s mission to promote and expand the arts and humanities in Montgomery County.”

BILL SPECIFICS

Expedited Bill 10-26 would amend Chapter 5A of the County Code regarding the establishment, membership, and duties of the Arts and Humanities Council (AHC).

Establishment and designation. The bill would set up a process through which the Council would designate a non-profit entity as the AHC through Council resolution. The designation would expire after 5 fiscal years, unless extended by the Council through resolution. The Council would have the power to revoke or suspend the designation at any time.

To be eligible for designation as the AHC, a non-profit organization would be required to adopt Articles of Incorporation specifying, among other requirements, that the organization is “incorporated for the purpose of serving as the County’s Arts and Humanities Council”. The organization would also be required to adopt bylaws requiring the organization to comply with the Open Meetings Act and the Maryland Public Information Act.

Membership. The AHC would be required to have a board of directors consisting of no fewer than 11 and no more than 15 voting members, appointed by the County Executive and confirmed by the County Council. The membership would include two voting *ex-officio* members from the County government.

Duties. The AHC would be required to adopt a racial equity and social justice policy. In addition, the main duties of the AHC would include:

- overseeing grantmaking and programmatic activities funded by the County and securing and administering private-sector funding to support the Board’s activities; and
- conducting a countywide needs assessment at least once every 2 years and adopting a strategic plan at least once every 5 years.

The AHC would be required to provide the County with regular and complete financial reports, including an annual report on the Public Arts Trust.

SUMMARY OF IMPACT STATEMENTS

Racial Equity and Social Justice Impact. “The Office of Legislative Oversight (OLO) anticipates Expedited Bill 10-26 would have a positive impact on racial equity and social justice (RESJ) in the County. Requiring the Arts & Humanities Council of Montgomery County (AHCMC) to develop a detailed RESJ policy as proposed in Bill 10-26 could help ensure they are advancing RESJ in their efforts.”

Racial Equity and Social Justice Recommendation. OLO recommends the following: “Require AHCMC to develop an equitable grantmaking process as part of RESJ policy. Grantmaking processes often contain racial inequities that disadvantage BIPOC artists and arts organizations. To help build on AHCMC’s progress with prioritizing equity in its grantmaking, the Council could require them to detail their process for equitable grantmaking as a part of their RESJ policy. This would increase transparency and help codify AHCMC’s processes for equitable grantmaking.”

Fiscal Impact. According to the Office of Management and Budget, “Expedited Bill 10-26 is not expected to have a fiscal impact.”

Economic Impact. “The Office of Legislative Oversight (OLO) anticipates that Expedited Bill 10-26 would have an insignificant impact on economic conditions in the County, as measured by the Council’s priority economic indicators. The Bill would update the governance structure and responsibilities of the Arts & Humanities Council of Montgomery County. The proposed changes would have no direct economic effects on non-profit arts and humanities organizations and individual artists and scholars in the County.”

Climate Assessment. “The Office of Legislative Oversight (OLO) anticipates that Expedited Bill 10-26 will have no impact as it is proposing changes to an existing Council whose operations do not impact the County’s contribution to climate change. OLO notes one of the proposed changes requires OLO to conduct an evaluation of the performance and effectiveness of AHCMC. The office cannot provide an independent assessment of that proposed change and it is therefore left out of the analysis.”

SUMMARY OF PUBLIC TESTIMONY

At the public hearing on March 10, ACAO Cardona spoke in favor of Expedited Bill 10-26 on behalf of the County Executive. Ms. Cardona stated that the AHC was established in 1976 and has served the County for 50 years. The AHC enriches cultural life and economic development throughout the County. The purpose of the bill is to modernize the AHC’s governance framework by strengthening the board of directors, promoting transparency, and ensuring financial accountability.

Numerous arts and humanities organizations submitted a joint letter in support of the legislation, stating: “We believe that strong governance, transparency, and accountability are essential to maintaining public trust and ensuring that County-supported arts funding continues to benefit the entire community. The Arts and Humanities Council of Montgomery County oversees

the distribution of millions of dollars in public funding and reports to the County Council and the County Executive to help advance the County’s priorities across the community. We believe that the governance updates proposed in Bill 10-26 will strengthen transparency and accountability while preserving fair, arm’s-length support for the arts and humanities.”

SUMMARY OF THE JOINT COMMITTEE’S WORKSESSION

Participating in the joint Committee worksession were Luisa Cardona, Assistant Chief Administrative Officer (ACAO); Gabe Albornoz, Director, Montgomery County Recreation; and Suzan Jenkins, Executive Director, Arts and Humanities Council (AHC).

The Committee voted (5-0) to recommend the enactment of Expedited Bill 10-26 with the following amendments.

1. Amendment – Racial Equity and Social Justice in Grantmaking

In the Racial Equity and Social Justice Statement, OLO recommends the following: “Require AHCMC to develop an equitable grantmaking process as part of RESJ policy. Grantmaking processes often contain racial inequities that disadvantage BIPOC artists and arts organizations. To help build on AHCMC’s progress with prioritizing equity in its grantmaking, the Council could require them to detail their process for equitable grantmaking as a part of their RESJ policy. This would increase transparency and help codify AHCMC’s processes for equitable grantmaking.”

To implement OLO’s suggestion, the joint Committee adopted the following amendment, which would add a new subsection (g) to Section 5A-9 (*starting at line 243 of the bill as introduced*):

Sec. 5A-9. Racial Equity and Social Justice.

To effectively address the complex needs of the County’s racially, economically, and culturally diverse community and strategically expand access to Arts and Humanities Council resources to underrepresented populations, the Board must adopt and implement a racial equity and social justice policy that applies a racial equity and social justice lens into all aspects of the Board’s operations in alignment with the County’s racial equity and social justice strategic plan. The racial equity and social justice policy must include:

- (a) a statement of commitment to racial equity and social justice as part of the Board’s core values;

- (b) active recruitment of potential Board members from diverse backgrounds and outreach to communities of color for consideration by the County Executive and County Council;
- (c) a formal process to assess Board culture and identify barriers to inclusion in Board participation and leadership;
- (d) communications and business practices that are tailored to the needs of communities of color and other marginalized communities;
- (e) a process to identify and address discriminatory or non-inclusive behaviors;
- (f) organizational policies and procedures that address diversity and inclusion;
- (g) a process to develop and implement equitable grantmaking; and
- [[g)] (h) a clear, realistic, actionable, and measurable commitment to addressing racial equity that is woven into the governance, culture, and membership of the Arts and Humanities Council.

2. Amendment – Required Notices to the Council

There are two instances under the bill in which the AHC is required to report information to the Executive, but not to the Council. The Committee adopted the following amendment to require reporting in all instances to both the Executive and the Council.

Amend lines 154 – 163 of the bill, as introduced, to read as follows.

- (b) [The Arts and Humanities Council, in cooperation with the County government and other local public agencies, should:] On August 31 of each year, the Arts and Humanities Council must report to the County Executive and the County Council regarding its operations, activities, finances, and plans designed to:

- [(a)] (1) [Support] support, encourage, and promote the arts and humanities in the County, including projects, performance, research, education, information exchange, historic preservation, and other activities that advance the artistic, cultural, and intellectual environment in the County[.];

* * *

Amend lines 172—175 to read as follows.

(c) On August 31 of each year, the Arts and Humanities Council must report to the County Executive and the County Council on the status of the Public Arts Trust (PAT), including:

(1) current PAT fund balance;

* * *

3. Bylaws -- Ethics Standards and Processes

The Committee adopted the following amendment to ensure that the AHC's bylaws reinforce protections against conflicts of interest.

Amend lines 230—236 of the bill, as introduced, to read as follows.

(c) Bylaws. The Arts and Humanities Council's bylaws:

(1) may contain any provision necessary to govern and manage the Arts and Humanities Council that does not conflict with this Chapter; [[and]]

(2) must require the Arts and Humanities Council to comply with the Maryland Open Meetings Act and the Maryland Public Information Act; and

(3) must, consistent with Chapter 19A, require members of the board to comply with ethical standards, including mandatory:

(A) training regarding ethics;

(B) disclosures and recusals based on actual or perceived conflicts of interest;
and

(C) reporting to the County of any violations of ethical requirements.

4. Technical Amendments

Technical Amendment #1 -- Lettering of subsections. The Committee adopted the following technical amendment (*to lines 63 – 78 of the introduced bill*).

(a) Voting members of the Board of Directors of the Arts and Humanities Council must represent:

* * *

(4) [The] the general public, including ethnic, racial, linguistic, and cultural minorities[.]; and

(5) [Geographic] geographic balance regarding where members live or work in the County[.][[; and]].

[[6]] (c) [[voting]] Voting members of the board must be residents of, work in, or have strong local ties to Montgomery County.

Re-letter subsequent subsections.

Technical Amendment #2 -- Transition Section. In Sec. 2 {Transition} of the bill, the Committee amended each reference to “this Chapter” to be “Chapter 5A, as amended by this Act”.

Technical Amendment #3 – Correct a Typo. The Committee corrected lines 90-93 (of the introduced bill) as follows.

* * *

The Arts and Humanities Council must adopt and apply policies and procedures to ensure that its Arts and Humanities actions are fair, unbiased, and non-partisan.

* * *

NEXT STEP: Roll call vote on whether to enact Expedited Bill 10-26 with amendments, as unanimously recommended (5-0) by the joint EC/GO Committee.

<u>This packet contains:</u>	<u>Circle #</u>
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Expedited Bill No. 10-26
Concerning: Arts and Humanities Council -
Amendments
Revised: 3/19/2026 Draft No. 3
Introduced: February 10, 2026
Expires: December 7, 2026
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President at the Request of the County Executive
Co-Sponsor: Councilmember Sayles

AN EXPEDITED ACT to:

- (1) establish requirements for the board of directors of the Arts and Humanities Council;
- (2) establish appointment and confirmation requirements for members of the board of the Arts and Humanities Council;
- (3) establish certain operational requirements of the Arts and Humanities Council;
- (4) require the establishment of a racial equity and social justice policy by the Arts and Humanities Council;
- (5) establish a plan and timeline for implementation; and
- (6) generally amend the law regarding the Arts and Humanities Council.

By amending

Montgomery County Code
Chapter 5A, Arts and Humanities
Sections 5A-2, 5A-3, 5A-4, 5A-5, 5A-6, and 5A-7

By adding

Sections 5A-8, 5A-9 and 5A-10

Boldface	<i>Heading or a 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:

27 pictures; television; radio; puppetry; tape and sound recording; architecture and the
 28 construction and conserving of same; publishing, printing, and collection of books,
 29 papers and media prints; the history, criticism, theory, and practice of the arts; and
 30 the study and application of the arts to the human environment.

31 **5A-3. Arts and Humanities Council[-]; Establishment and recognition.**

32 (a) [The County government should help establish a County-based,
 33 nonprofit organization to develop, promote, advocate, and coordinate
 34 efforts to support, investigate, encourage, and present arts and
 35 humanities in the County.] A designation under this Chapter expires at
 36 the end of the fifth full fiscal year after the effective date of the
 37 resolution making the designation, unless the County Council extends
 38 the designation by another resolution.

39 (b) [The County Council, after considering any recommendations of the
 40 County Executive, may designate by resolution a qualified organization
 41 as the Arts and Humanities Council.] At least one year before a
 42 designation under subsection (a), the Office of Legislative
 43 Oversight must evaluate the performance and effectiveness of the Arts
 44 and Humanities Council. The evaluation should include a survey of
 45 stakeholders, including artists, arts and humanities organizations,
 46 grantees, and members of the public.

47 (c) The County Council at any time may suspend or revoke the designation
 48 of a corporation as the County's Arts and Humanities Council by
 49 resolution, adopted after at least 15 days public notice, that is approved
 50 by the Executive, or, if the Executive disapproves the resolution within
 51 10 days after receiving it, is readopted by a vote of at least 7
 52 Councilmembers.

53 **5A-4. [Council Membership and Organization.] Board of Directors.**

54 (a) [Membership on the Arts and Humanities Council must be open to all
55 private and public agencies, organizations, and individuals who
56 support, participate in, contribute to, and generally enhance and
57 promote the arts and humanities in the County. Membership on the
58 governing board of the Arts and Humanities Council must be
59 nonpartisan.] Board Composition. The Arts and Humanities Council of
60 Montgomery County must be governed by a Board of Directors
61 consisting of no fewer than 11 and no more than 15 voting members,
62 appointed by the County Executive and confirmed by the County
63 Council.

64 (b) Voting members of the Board of Directors of the Arts and Humanities
65 Council must represent:

66 (1) [Private citizens] residents, organizations, and groups recognized
67 for their knowledge of or interest in the arts and humanities[.];

68 (2) [Practicing] practicing artists and writers, both professional and
69 amateur; scholars and researchers; civic cultural leaders;
70 members of the professions; and other individuals and groups
71 concerned with the arts and humanities[.];

72 (3) [The] the various disciplines in the arts and humanities[.];

73 (4) [The] the general public, including ethnic, racial, linguistic, and
74 cultural minorities[.]; and

75 (5) [Geographic] geographic balance regarding where members live
76 or work in the County[.]; and].

77 ~~[(6)]~~ (c) ~~[[voting]]~~ Voting members of the board must be residents of,
78 work in, or have strong local ties to Montgomery County.

79 ~~[(c)]~~ (d) [The Arts and Humanities Council may provide for separate
 80 classes of membership for organizations and individuals to recognize
 81 and give representative weight to the size and nature of the interests a
 82 member represents.

83 (d) The Arts and Humanities Council must require each officer and
 84 director, and the executive director to annually disclose, confidentially
 85 and in writing, all activities and interests related to arts and humanities
 86 organizations, programs, or funding to the governing board of directors
 87 for the Arts and Humanities Council. Each officer and director, and the
 88 executive director of the Arts and Humanities Council is a public
 89 employee under Sections 19A-11 and 19A-14 for any matter in which
 90 the person participates for the Arts and Humanities Council. The Arts
 91 and Humanities Council must adopt and apply policies and procedures
 92 to ensure that its ~~[[Arts and Humanities]]~~ actions are fair, unbiased, and
 93 non-partisan.

94 ~~[(d)]~~ (e) Ex Officio Voting Members. The County Executive must
 95 designate 2 current county employee representatives, including one
 96 employee representative of the Department of Recreation, to serve as
 97 ex-officio members of the Board, effective upon the effective date of
 98 this Act. Ex-officio members must vote and must be counted for
 99 quorum.

100 ~~[(e)]~~ (f) [Before the County may contract with the Arts and Humanities
 101 Council, the Council must provide a copy of its current articles of
 102 incorporation and bylaws to the County Executive and the County
 103 Council. The Council must submit to the County Executive and County
 104 Council for review and comment any proposed amendment to the

105 articles of incorporation or bylaws, at least 60 days before the Arts and
 106 Humanities Council takes final action on the amendment. The Council
 107 must submit a copy of all adopted amendments to the Executive and
 108 County Council within 5 working days after adoption. The articles of
 109 incorporation and bylaws are subject to all County laws, including those
 110 enacted after the County contracts with the organization.] Terms. Each
 111 voting member, other than an ex-officio member, serves a three-year
 112 term. Terms shall be staggered so that approximately one-third of the
 113 members' terms expire each year. Members may be reappointed and
 114 may serve until a successor is appointed and confirmed.

115 ~~[(f)]~~ (g) [The Arts and Humanities Council must give the County regular
 116 and complete financial reports, including an annual independent audit
 117 and any accompanying management letter, and any other report
 118 required under a contract with the County.] Removal. The County
 119 Executive may remove a voting member for good cause, including a
 120 violation of law or a violation of the board's bylaws, after providing at
 121 least 15 days' notice to the County Council.

122 ~~[(g)]~~ (h) [The Arts and Humanities Council is a public body under the
 123 State open meetings law.] Compensation. Board members serve
 124 without compensation, but may be reimbursed for reasonable and
 125 necessary expenses.

126 **5A-5. [Reserved.] Duties of the Board.**

127 (a) Governance and Oversight. The Board of Directors must govern the
 128 Arts and Humanities Council and provide independent oversight of its
 129 operations, finances, and compliance with applicable laws, contracts,
 130 and ethical standards.

- 131 (b) Executive Director. The Board shall appoint, supervise, evaluate, and,
 132 if necessary, remove the Executive Director in accordance with the
 133 board's bylaws and County-approved governance procedures.
- 134 (c) Fiduciary Responsibility. The Board acts in a fiduciary capacity on
 135 behalf of the public interest and must ensure that all County funds and
 136 other public funds are used solely for authorized purposes consistent
 137 with County agreements and appropriations.
- 138 (d) Financial and Program Responsibilities. The Board must oversee
 139 grantmaking and programmatic activities funded by the County and
 140 may secure and administer private-sector funding to support the
 141 Board's activities.
- 142 (e) Planning and Assessment. The Board must conduct a countywide needs
 143 assessment at least once every 2 years and shall adopt and maintain a
 144 strategic plan at least once every 5 years.
- 145 (f) Officers. The Board must elect annually from among its voting
 146 members a Chair, Vice Chair, and Secretary.

147 **5A-6. [Council] Authority and Reporting.**

- 148 (a) The Arts and Humanities Council is authorized to:
- 149 (1) plan and manage special events (which may include arts shows,
 150 performances, fairs, festivals, galas, and exhibitions);
- 151 (2) conduct workshops and seminars related to the arts;
- 152 (3) solicit funds from the private sector and third parties to support
 153 the activities of the Arts and Humanities Council; and
- 154 (4) undertake any activity authorized pursuant to a contract with the
 155 County.
- 156 (b) [The Arts and Humanities Council, in cooperation with the County

157 government and other local public agencies, should:] On August 31 of
 158 each year, the Arts and Humanities Council must report to the County
 159 Executive and the County Council regarding its operations, activities,
 160 finances, and plans designed to:

161 [(a)] (1) [Support] support, encourage, and promote the arts and
 162 humanities in the County, including projects, performance,
 163 research, education, information exchange, historic preservation,
 164 and other activities that advance the artistic, cultural, and
 165 intellectual environment in the County[.];

166 [(b)] (2) [Promote] promote creativity, scholarship, and
 167 professionalism in the arts and humanities[.];

168 [(c)] (3) [Provide] provide and coordinate funding for the arts and
 169 humanities in the County[.]; and

170 [(d)] (4) [Advise] advise local, State, and federal agencies about
 171 financial and other needs of arts and humanities programs in the
 172 County, including the needs of any underserved or
 173 underrepresented populations in the County.

174 (c) On August 31 of each year, the Arts and Humanities Council must
 175 report to the County Executive and the County Council on the status of
 176 the Public Arts Trust (PAT), including:

177 (1) current PAT fund balance;

178 (2) expenditures from the PAT fund during the prior fiscal year;

179 (3) a list of all works of art purchased with PAT funds during the
 180 prior fiscal year;

181 (4) a complete inventory of works of art owned by the County, along
 182 with the current condition and location of each piece; and

183 (5) a list of all private donations to the PAT received during the fiscal
 184 year.

185 (d) The Arts and Humanities Council must avoid duplication in arts and
 186 humanities activities by coordinating Arts and Humanities Council
 187 activities with other existing and planned governmental programs and
 188 activities.

189 (e) The Arts and Humanities Council must give the County regular and
 190 complete financial reports, including an annual independent audit and
 191 any accompanying management letter, and any other report required
 192 under a contract with the County.

193 [(e) Report annually in writing to the County Council, County Executive,
 194 and public on the operations and activities of the Arts and Humanities
 195 Council and on the state of the arts and humanities in the County,
 196 including how these activities affect any underserved or
 197 underrepresented populations in the County.]

198 (f) Avoid duplication in arts and humanities activities by coordinating
 199 Arts and Humanities Council activities with other existing and
 200 planned governmental programs and activities.]

201 **5A-7. [County Support for Arts and Humanities Council.] Status;**
 202 **incorporation; bylaws.**

203 [The County may provide administrative and financial support for the operations and
 204 activities of the Arts and Humanities Council.]

205 (a) Before the County may contract with the Arts and Humanities Council,
 206 the Board must provide a copy of its current articles of incorporation
 207 and bylaws to the County Executive and the County Council. The
 208 Board must submit to the County Executive and County Council for

209 review and comment any proposed amendment to the articles of
 210 incorporation or bylaws, at least 60 days before the Board takes final
 211 action on the amendment. The Board must submit a copy of all adopted
 212 amendments to the Executive and County Council within 5 working
 213 days after adoption. The articles of incorporation and bylaws are subject
 214 to all County laws, including those enacted after the County contracts
 215 with the organization.

216 (b) Articles of incorporation. To qualify as the County's Arts and
 217 Humanities Council, the corporation's articles of incorporation must
 218 provide for the appointment of the members of its Board of Directors
 219 as required under this Chapter. The articles of incorporation also must
 220 provide that the corporation is:

221 (1) a Maryland nonprofit, non-stock corporation the purposes and
 222 activities of which are limited to those that are permitted to be
 223 promoted or performed by a corporation that is recognized as
 224 exempt from federal income tax under 26 U.S.C. § 501, as
 225 amended;

226 (2) not an instrumentality of the County;

227 (3) incorporated for the purpose of serving as the County's Arts and
 228 Humanities Council;

229 (4) organized and operated under the laws of the State of Maryland;
 230 and

231 (5) headquartered in the County.

232 (c) Bylaws. The Arts and Humanities Council's bylaws:

233 (1) may contain any provision necessary to govern and manage the
 234 Arts and Humanities Council that does not conflict with this

- 235 Chapter; ~~[[and]]~~
- 236 (2) must require the Arts and Humanities Council to comply with the
- 237 Maryland Open Meetings Act and the Maryland Public
- 238 Information Act; and
- 239 (3) must, consistent with Chapter 19A, require members of the board
- 240 to comply with ethical standards, including mandatory:
- 241 (A) training regarding ethics;
- 242 (B) disclosures and recusals based on actual or perceived
- 243 conflicts of interest; and
- 244 (C) reporting to the County of any violations of ethical
- 245 requirements.

246 **[[Sec.]] 5A-8. Meetings.**

- 247 (a) The Board must meet at least 4 times a year.
- 248 (b) The Board must meet in public session, except as permitted or
- 249 required under Maryland law.
- 250 (c) Board meetings must comply with Maryland Open Meetings Act and
- 251 the Maryland Public Information Act.

252 **[[Sec.]] 5A-9. Racial Equity and Social Justice.**

253 To effectively address the complex needs of the County's racially,

254 economically, and culturally diverse community and strategically expand

255 access to Arts and Humanities Council resources to underrepresented

256 populations, the Board must adopt and implement a racial equity and social

257 justice policy that applies a racial equity and social justice lens into all aspects

258 of the Board's operations in alignment with the County's racial equity and

259 social justice strategic plan. The racial equity and social justice policy must

260 include:

- 261 (a) a statement of commitment to racial equity and social justice as part of
 262 the Board's core values;
- 263 (b) active recruitment of potential Board members from diverse
 264 backgrounds and outreach to communities of color for consideration by
 265 the County Executive and County Council;
- 266 (c) a formal process to assess Board culture and identify barriers to
 267 inclusion in Board participation and leadership;
- 268 (d) communications and business practices that are tailored to the needs of
 269 communities of color and other marginalized communities;
- 270 (e) a process to identify and address discriminatory or non-inclusive
 271 behaviors;
- 272 (f) organizational policies and procedures that address diversity and
 273 inclusion;
- 274 (g) a process to develop and implement equitable grantmaking; and
 275 ~~[(g)]~~ (h) a clear, realistic, actionable, and measurable commitment to
 276 addressing racial equity that is woven into the governance, culture, and
 277 membership of the Arts and Humanities Council.

278 **Sec. 2. Transition.**

- 279 (a) Continuation of Existing Board. Notwithstanding any other provision
 280 of ~~[[this]]~~ Chapter 5A, as amended by this Act, individuals serving on
 281 the Board of Directors of the Arts and Humanities Council on the
 282 effective date of this Act may continue to serve on an interim basis until
 283 appointments are made in accordance with this Chapter.
- 284 (b) Application to Continue Service. Each individual serving on the Board
 285 on the effective date of this Act who seeks to continue service must
 286 submit an application for appointment under the procedures established

287 by the County Executive.

288 (c) Appointments Under New Process. Appointments to the Board made
289 after the effective date of this Act, including the appointment of current
290 Board members, must be made by the County Executive and confirmed
291 by the County Council in accordance with [[this]] Chapter 5A, as
292 amended by this Act.

293 (d) Term Alignment and Staggering. The County Executive may assign
294 initial term lengths to newly appointed board members, including
295 reappointed current members, as necessary to achieve staggered terms
296 required under [[this]] Chapter 5A, as amended by this Act.

297 (e) Expiration of Interim Service. An individual serving in an interim
298 capacity under subsection (a) may not continue to serve beyond 6
299 months (180 days) after the effective date of this Act unless appointed
300 and confirmed in accordance with [[this]] Chapter 5A, as amended by
301 this Act.

302 (f) Submission of Updated Bylaws. Within 180 days after the effective
303 date of this Act, the Arts and Humanities Council must submit revised
304 bylaws to the County Executive that conform to the requirements of
305 [[this]] Chapter 5A, as amended by this Act.

306 **Sec. 2. Expedited Effective Date.** The Council declares that this Act is
307 necessary for the immediate protection of the public interest. This Act takes effect
308 on the date on which it becomes law.




OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

February 2, 2026

TO: Natali Fani-González, President
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Expedited Bill XX-26 Arts and Humanities Council; and Supplemental Appropriation #26-59 to the FY26 Operating Budget Montgomery County Government - Department of Recreation Arts and Humanities Council of Montgomery County (AHCMC), \$53,788.45

For your consideration, I am submitting Bill XX-26, which will amend Montgomery County Code, Chapter 5A, Arts and Humanities. The Arts and Humanities Council (AHCMC) was established in County Code (Chapter 5A, Arts and Humanities; Sections 5A-7) in 1976 to support and expand the arts and humanities in Montgomery County. In FY2025, the County appropriated \$7,053,955 in General Fund support and \$408,000 from the Public Arts Trust to the Arts and Humanities Council of Montgomery County. Over the last five decades, the County's good governance and accountability framework, financial control systems, funding practices, and public-private partnership models have evolved significantly, while the statutory provisions governing the Council have not kept pace with those changes

A recent internal audit and subsequent internal reviews identified misappropriation of funds related to the Public Arts Trust and the AHCMC Cultural Plan. In response, the County is submitting, concurrently with this legislation, a supplemental appropriation to restore those funds so that the Cultural Plan may move forward in a financially appropriate and compliant manner.

The Department of Recreation is requesting a supplemental appropriation of \$53,788.45 for the AHCMC for the FY26 Operating Budget.

The total Cultural Plan contract amount with Metris Arts Consulting was \$371,298. Of that amount, a portion was paid prior to issuance of the cure memorandum, and \$53,788.45 remains outstanding. At this time, the County is continuing to reconcile the funding sources used for certain payments and is working with AHCMC to obtain complete documentation to confirm how those expenses were paid.

Concurrently, as prescribed in the audit, the County is requesting that the remaining balance of deferred revenue, of which the majority is restricted in its use, be returned by the AHCMC no later than Feb. 6, 2026. Those funds are broken down as follows:

- \$367,299.96 from the PAT NDA
- \$28,598 from the AHCMC NDA

The Department has also requested supporting documentation related to Cultural Plan expenditures to help bring this matter to closure.

This supplemental request is narrow in scope and is intended solely to address the remaining Cultural Plan obligation to Metris Arts Consulting. It does not resolve all audit-related matters, which are being addressed through ongoing administrative and legal review.

The County has also updated the Arts and Humanities Council's contract and directed the Department of Recreation, as the contract administrator, to dedicate additional staff capacity to enhance contract review and ongoing monitoring. Together, these actions underscore the importance of updating the underlying legislation to clarify roles, responsibilities, and accountability going forward.

The Arts and Humanities Council was established pursuant to County law and is funded almost entirely through County appropriations. Accordingly, the County bears a duty to ensure that the Council's governance framework, particularly its processes for appointment, oversight, and accountability, conforms to contemporary standards applicable to entities entrusted with the stewardship of public resources. Given that AHCMC relies predominantly on Montgomery County taxpayer funding, it is imperative that the County demonstrate that such funds are administered within a transparent, compliant, and well-defined governance structure. Consequently, this legislation is being advanced concurrently with the proposed supplemental appropriation to guarantee that any additional public investment is supported by modernized governance provisions that reinforce accountability and maintain public confidence.

This bill updates and clarifies the Arts and Humanities Council's statutory role and responsibilities and strengthens its relationship with the County to reflect current governance standards. It establishes the structure and requirements of the Council's Board of Directors; clarifies appointment and confirmation processes; and sets forth policies and procedures to ensure that Council actions are ethical, fair, unbiased, non-partisan, and compliant with applicable rules and policies.

The amendments align the Council's governing framework with other County public-private entities that receive most or all of their funding from the County, as well as with comparable regional arts and humanities councils. These updates are intended to provide clearer guidance and strengthen accountability, while continuing to support the Arts and Humanities Council's mission to promote and expand the arts and humanities in Montgomery County.

If you have any questions regarding this legislation, please do not hesitate to contact Luisa Cardona at Luisa.Cardona@montgomerycountymd.gov.

Enclosures: Expedited Bill XX-26 – Arts and Humanities Council
 Supplemental Appropriation #26-59

cc: Tommy Heyboer, Chief of Staff to the Council President, Montgomery County Council
 Craig Howard, Executive Director, Montgomery County Council
 Richard S. Madaleno, Chief Administrative Officer
 Fariba Kassiri, Deputy Chief Administrative Officer
 Luisa, Cardona, Assistant Chief Administrative Officer
 Tricia Swanson, Director of Strategic Partnership
 Gabe Alboroz, Director, Department of Recreation
 Jennifer Bryant, Director, Office of Management and Budget
 Adriane Clutter, Division Chief, Department of Recreation
 Michele El-Gamil, Internal Audit Manager, Office of County Executive

Bill No.: _____
Concerning: Arts and Humanities -
Amended
Revised: _____ Draft No.: _____
Introduced: _____
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President at the Request of the County Executive

AN ACT to:

- (1) establish requirements for Arts and Humanities Council board of directors;
- (2) establish appointment and confirmation requirements for Arts and Humanities Council;
- (3) establish policies and procedures to ensure that Arts and Humanities Council actions are ethical, fair, unbiased, and non-partisan;
- (4) add racial equity and social justice policy; and
- (5) establish a plan and timeline for implementation.

By amending

Montgomery County Code
Chapter 5A, Arts and Humanities
Sections 5A-2, 5A-3, 5A-4, 5A-5, 5A-6, and 5A-7

By adding

Montgomery County Code
Chapter 5A, Arts and Humanities
Sections 5A-8, 5A-9 and 5A-10

Boldface	<i>Heading or a 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:

26 memorabilia; photography; industrial design; costume and fashion design; motion
27 pictures; television; radio; puppetry; tape and sound recording; architecture and the
28 construction and conserving of same; publishing, printing and collection of books,
29 papers and media prints; the history, criticism, theory and practice of the arts and the
30 study and application of the arts to the human environment.

31 **Sec. 5A-3. Arts and Humanities Council[-]; Establishment and recognition.**

32 (a) [The County government should help establish a County-based,
33 nonprofit organization to develop, promote, advocate, and coordinate
34 efforts to support, investigate, encourage, and present arts and
35 humanities in the County.] Any designation under this Chapter expires
36 at the end of the fifth full fiscal year after the resolution is adopted
37 unless the County Council extends the designation by adopting another
38 resolution under this Section.

39 (b) [The County Council, after considering any recommendations of the
40 County Executive, may designate by resolution a qualified organization
41 as the Arts and Humanities Council.] At least one year before
42 redesignation, the Office of Legislative Oversight must evaluate the
43 performance and effectiveness of the Arts and Humanities Council. The
44 evaluation should include a survey of stakeholders, including artists,
45 arts and humanities organizations, grantees, and members of the public.

46 (c) The County Council at any time may suspend or revoke the designation
47 of a corporation as the County's Arts and Humanities Council by
48 resolution, adopted after at least 15 days public notice that is approved
49 by the Executive, or, if the Executive disapproves the resolution within
50 ten days after receiving it, is readopted by a vote of at least seven

51 Councilmembers.

52 **Sec. 5A-4. [Council Membership and Organization.] Board of Directors.**

53 (a) [Membership on the Arts and Humanities Council must be open to all
54 private and public agencies, organizations, and individuals who
55 support, participate in, contribute to, and generally enhance and
56 promote the arts and humanities in the County. Membership on the
57 governing board of the Arts and Humanities Council must be
58 nonpartisan.] Board Composition. The Arts and Humanities Council of
59 Montgomery County shall be governed by a Board of Directors
60 consisting of no fewer than 11 and no more than 15 voting members,
61 appointed by the County Executive and confirmed by the County
62 Council.

63 (b) Voting members of the Board of Directors of the Arts and Humanities
64 Council must represent:

65 (1) [Private] private citizens, organizations, and groups recognized
66 for their knowledge of or interest in the arts and humanities[.];

67 (2) [Practicing] practicing artists and writers, both professional and
68 amateur; scholars and researchers; civic cultural leaders;
69 members of the professions; and other individuals and groups
70 concerned with the arts and humanities[.];

71 (3) [The] the various disciplines in the arts and humanities[.];

72 (4) [The] the general public, including ethnic, racial, linguistic, and
73 cultural minorities[.]; and

74 (5) [Geographic] geographic balance regarding where members live
75 or work in the County.

76 (6) Voting members of the board must be residents of, work in or
77 have strong local ties to Montgomery County.

78 [(c) The Arts and Humanities Council may provide for separate classes of
79 membership for organizations and individuals to recognize and give
80 representative weight to the size and nature of the interests a member
81 represents.]

82 [[d]c) The Arts and Humanities Council must require each officer and
83 director, and the executive director to annually disclose, confidentially
84 and in writing, all activities and interests related to arts and humanities
85 organizations, programs, or funding to the governing board of directors
86 for the Arts and Humanities Council. Each officer and director, and the
87 executive director of the Arts and Humanities Council is a public
88 employee under Sections 19A-11 and 19A-14 for any matter in which
89 the person participates for the Council. The Council must adopt and
90 apply policies and procedures to ensure that its actions are fair,
91 unbiased, and non-partisan.

92 (d) Ex Officio Voting Members. The County Executive shall designate two
93 current county employee representatives, one of whom shall be the
94 Department of Recreation, to serve as ex-officio members of the Board,
95 effective upon the effective date of this Act. Ex-officio members shall
96 vote and shall be counted for quorum.

97 (e) [Before the County may contract with the Arts and Humanities Council,
98 the Council must provide a copy of its current articles of incorporation
99 and bylaws to the County Executive and the County Council. The
100 Council must submit to the County Executive and County Council for

101 review and comment any proposed amendment to the articles of
102 incorporation or bylaws, at least 60 days before the Arts and
103 Humanities Council takes final action on the amendment. The Council
104 must submit a copy of all adopted amendments to the Executive and
105 County Council within 5 working days after adoption. The articles of
106 incorporation and bylaws are subject to all County laws, including those
107 enacted after the County contracts with the organization.] Terms. Each
108 voting member serves a three-year term. Terms shall be staggered so
109 that approximately one-third of the members' terms expire each year.
110 Members may be reappointed and shall serve until a successor is
111 appointed and confirmed.

112 (f) [The Arts and Humanities Council must give the County regular and
113 complete financial reports, including an annual independent audit and
114 any accompanying management letter, and any other report required
115 under a contract with the County.] Removal. The County Executive
116 may remove a voting member for good cause, including violation of
117 law or bylaws, after providing at least 15 days' notice to the County
118 Council.

119 (g) [The Arts and Humanities Council is a public body under the State open
120 meetings law.] Compensation. Board members serve without
121 compensation but may be reimbursed for reasonable and necessary
122 expenses.

123 **Sec. 5A-5. [Reserved.] Duties of the Board.**

124 (a) Governance and Oversight. The Board of Directors shall govern the
125 Arts and Humanities Council and provide independent oversight of its

126 operations, finances, and compliance with applicable laws, contracts,
127 and ethical standards.

128 (b) Executive Director. The Board shall appoint, supervise, evaluate, and,
129 if necessary, remove the Executive Director in accordance with the
130 Council’s bylaws and County-approved governance procedures.

131 (c) Fiduciary Responsibility. The Board acts in a fiduciary capacity on
132 behalf of the public interest and shall ensure that all County funds and
133 other public funds are used solely for authorized purposes consistent
134 with County agreements and appropriations.

135 (d) Financial and Program Responsibilities. The Board shall oversee
136 grantmaking and programmatic activities funded by the County and
137 may secure and administer private-sector funding to support the
138 Council’s activities.

139 (e) Planning and Assessment. The Board shall conduct a countywide needs
140 assessment at least once every two years and shall adopt and maintain
141 a strategic plan at least once every five years.

142 (f) Officers. The Board shall annually elect from among its voting
143 members a Chair, Vice Chair, and Secretary.

144 **Sec. 5A-6. [Council] Authority and Reporting.**

- 145 (a) The Arts and Humanities Council is authorized to:
- 146 (1) plan and manage special events (which may include arts shows,
147 performances, fairs, festivals, galas, and exhibitions);
 - 148 (2) conduct workshops and seminars related to the arts;
 - 149 (3) solicit funds from the private sector and third parties to support
150 the activities of the Council; and

151 (4) undertake any activity(ies) authorized pursuant to a contract with
152 the County.

153 (b) [The Arts and Humanities Council, in cooperation with the County
154 government and other local public agencies, should:] On August 31 of
155 each year the Arts and Humanities Council must report to the County
156 Executive on its operations, activities, finances, and plans designed to:

157 [a] (1) [Support] support, encourage, and promote the arts and
158 humanities in the County, including projects, performance,
159 research, education, information exchange, historic
160 preservation, and other activities that advance the artistic,
161 cultural, and intellectual environment in the County[.];

162 [(b)] (2) [Promote] promote creativity, scholarship, and professionalism
163 in the arts and humanities[.];

164 [(c)] (3) [Provide] provide and coordinate funding for the arts and
165 humanities in the County[.]; and

166 [(d)] (4) [Advise] advise local, State, and federal agencies about
167 financial and other needs of arts and humanities programs in
168 the County including the needs of any underserved or
169 underrepresented populations in the County.

170 (c) On August 31 of each year the Arts and Humanities Council must report
171 to the County Executive on the status of the Public Arts Trust (PAT),
172 including:

173 (1) current PAT fund balance;

174 (2) expenditures from the PAT fund during the prior fiscal year;

175 (3) a list of all works of art purchased with PAT funds during the

176 prior fiscal year;
177 (4) a complete inventory of works of art owned by the County, along
178 with the current condition and location of each piece; and
179 (5) a list of all private donations to the PAT received during the fiscal
180 year.

181 (d) The Arts and Humanities Council must avoid duplication in arts and
182 humanities activities by coordinating Arts and Humanities Council
183 activities with other existing and planned governmental programs and
184 activities.

185 (e) The Arts and Humanities Council must give the County regular and
186 complete financial reports, including an annual independent audit and
187 any accompanying management letter, and any other report required
188 under a contract with the County.

189 [(e) Report annually in writing to the County Council, County Executive,
190 and public on the operations and activities of the Arts and Humanities
191 Council and on the state of the arts and humanities in the County,
192 including how these activities affect any underserved or
193 underrepresented populations in the County.

194 (f) Avoid duplication in arts and humanities activities by coordinating
195 Arts and Humanities Council activities with other existing and
196 planned governmental programs and activities.]

197 **Sec. 5A-7. [County Support for Arts and Humanities Council.] Status;**
198 **incorporation; bylaws.**

199 [The County may provide administrative and financial support for the operations and
200 activities of the Arts and Humanities Council.]

- 201 (a) Before the County may contract with the Arts and Humanities Council,
202 the Council must provide a copy of its current articles of incorporation
203 and bylaws to the County Executive and the County Council. The
204 Council must submit to the County Executive and County Council for
205 review and comment any proposed amendment to the articles of
206 incorporation or bylaws, at least 60 days before the Arts and
207 Humanities Council takes final action on the amendment. The Council
208 must submit a copy of all adopted amendments to the Executive and
209 County Council within 5 working days after adoption. The articles of
210 incorporation and bylaws are subject to all County laws, including those
211 enacted after the County contracts with the organization.
- 212 (b) To qualify as the County’s Arts and Humanities Council, the
213 corporation’s articles of incorporation must provide for the
214 appointment of the members of its Board of Directors as set forth in this
215 Chapter. The articles of incorporation must also provide that the
216 corporation is:
- 217 (1) a Maryland nonprofit, non-stock corporation the purposes and
218 activities of which are limited to those that are permitted to be
219 promoted or performed by a corporation that is recognized as
220 exempt from federal income tax under 26 U.S.C. § 501;
- 221 (2) not an instrumentality of the County;
- 222 (3) incorporated for the purpose of serving as the County’s Arts and
223 Humanities Council;
- 224 (4) organized and operated under the laws of the State of Maryland;
225 and

226 (5) headquartered in the County. The Arts and Humanities Council’s
227 bylaws may contain any provision necessary to govern and
228 manage the Arts and Humanities Council that does not conflict
229 with this Chapter.

230 (c) The bylaws must require the Arts and Humanities Council to comply
231 with the Maryland Open Meetings Act and the Maryland Public
232 Information Act.

233 **Sec. 5A-8. Meetings.**

234 (a) The Board shall meet at least four times a year.

235 (b) The Board shall meet in public session, unless required by otherwise
236 provided by law, as provided in its bylaws as required to perform its
237 duties and exercise its responsibility.

238 (c) Board meetings must comply with Maryland Open Meetings Act and
239 the Maryland Public Information Act.

240 (d) The Arts and Humanities Council is a public body under the State open
241 meetings law.

242 **Sec. 5A-9. Racial Equity and Social Justice.**

243 To effectively address the complex needs of the County’s racially,
244 economically and culturally diverse community and strategically expand
245 access to Arts and Humanities Council resources to underrepresented
246 populations, the Council must adopt and implement a racial equity and social
247 justice policy that applies a racial equity and social justice lens into all aspects
248 of the Council’s operations in alignment with the County’s racial equity and
249 social justice strategic plan. The racial equity and social justice policy must
250 include:

- 251 (a) a statement of commitment to racial equity and social justice as part
252 of the Council's core values;
- 253 (b) active recruitment of potential Board members from diverse
254 backgrounds and outreach to communities of color for consideration by
255 the County Executive and County Council;
- 256 (c) a formal process to assess Board culture and identify barriers to
257 inclusion in Board participation and leadership;
- 258 (d) communications and business practices that are tailored to the needs of
259 communities of color and other marginalized communities;
- 260 (e) a process to identify and address discriminatory or non-inclusive
261 behaviors;
- 262 (f) organizational policies and procedures that address diversity and
263 inclusion; and
- 264 (g) a clear, realistic, actionable, and measurable commitment to addressing
265 racial equity that is woven into the governance, culture, and
266 membership of the Arts and Humanities Council.

267 **Sec. 5A-10. Transition.**

- 268 (a) Continuation of Existing Board. Notwithstanding any other provision
269 of this Chapter, individuals serving on the Board of Directors of the
270 Arts and Humanities Council on the effective date of this Act may
271 continue to serve on an interim basis until appointments are made in
272 accordance with this Chapter.
- 273 (b) Application to Continue Service. Each individual serving on the Board
274 on the effective date of this Act who seeks to continue service must
275 submit an application for appointment under the procedures established

- 276 by the County Executive.
- 277 (c) Appointments Under New Process. Appointments to the Board made
278 after the effective date of this Act, including the appointment of current
279 Board members, must be made by the County Executive and confirmed
280 by the County Council in accordance with this Chapter.
- 281 (d) Term Alignment and Staggering. The County Executive may assign
282 initial term lengths to newly appointed board members, including
283 reappointed current members, as necessary to achieve staggered terms
284 required under this Chapter.
- 285 (e) Expiration of Interim Service. An individual serving in an interim
286 capacity under subsection (a) may not continue to serve beyond six
287 months (180 days) after the effective date of this Act unless appointed
288 and confirmed in accordance with this Chapter.
- 289 (f) Submission of Updated Bylaws. Within 180 days after the effective
290 date of this Act, the Arts and Humanities Council must submit revised
291 bylaws to the County Executive that conform to the requirements of
292 this Chapter, as amended.

Approved:

Natali Fani-González, President, County Council

Date

Approved:

Marc Elrich, County Executive

Date

This is a correct copy of Council action.

Sara Tenenbaum, Clerk of the Council

Date

Approved as to Form and Legality:

Megan Greene

2/2/2026

Megan Greene, Assistant County Attorney

Date

Resolution: _____
Introduced: _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Council President at the Request of the County Executive

SUBJECT: Supplemental Appropriation #26-59 to the FY26 Operating Budget
Montgomery County Government - Department of Recreation
Arts and Humanities Council of Montgomery County (AHCMC), \$53,788.45

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of six Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of seven Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. The County Executive has requested the following FY26 Operating Budget appropriation increases for the Department of Recreation:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Total</u>	<u>Source of Funds</u>
\$0.00	\$53,788.45	\$53,788.45	General Fund Undesignated Reserves

3. This request represents the remaining balance owed to Metris Arts Consulting for work completed under the AHCMC Cultural Plan. The supplemental is being advanced to allow this outstanding obligation to be resolved so that work already performed is paid in a timely and appropriate manner. The County recognizes the value of the Cultural Plan to the community and remains committed to seeing it move forward in a way that is both programmatically meaningful and financially compliant.

This request follows the findings of MCIA-24-5, Contract Management Audit, which identified issues related to the use of restricted funds and deferred revenue associated with the Public Arts Trust (PAT) and the Cultural Plan. In response, the County issued a cure memorandum on May 14, 2025, outlining corrective steps and reinforcing the requirement that PAT funds be used only for the limited purposes authorized by County Code and the contract, including the purchase and installation of permanent art on public property and the maintenance of County-owned public art.

As part of the County's review of Cultural Plan expenditures, AHCMC has indicated that it believed certain Cultural Plan costs could be paid using deferred Public Arts Trust (PAT) revenue. However, as clarified through the audit and subsequent County review, PAT funds, including deferred balances, may be used only for the limited purposes authorized by County Code and the applicable contract, and Cultural Plan consulting expenses are not among those authorized uses.

The total Cultural Plan contract amount with Metris Arts Consulting was \$371,298. Of that amount, \$86,148.03 was paid prior to issuance of the cure memorandum, \$231,361.52 was paid after the issuance of the cure memorandum and \$53,788.45 remains outstanding. At this time, the County is continuing to reconcile the funding sources used for certain payments and is working with AHCMC to obtain complete documentation to confirm how those expenses were paid.

Concurrently, as prescribed in the audit, the County is requesting that the remaining balance of deferred revenue, of which the majority is restricted in its use, be returned by the AHCMC no later than Feb. 6, 2026. Those funds are broken down as follows:

- \$367,299.96 from the PAT NDA
- \$28,598 from the AHCMC NDA

The Department has also requested supporting documentation related to Cultural Plan expenditures to help bring this matter to closure.

In parallel, and while related questions are being reviewed in consultation with the Office of the County Attorney, the Department believes it is appropriate to advance a limited and targeted supplemental appropriation to address the remaining balance owed to Metris Arts Consulting. This approach allows the County to resolve an outstanding payment for work already completed while broader audit follow-up, reconciliation, and oversight measures continue.

Looking ahead, once the County has full clarity regarding funding sources, repayment of restricted funds, and the implementation of strengthened financial controls, the County may consider restoring Public Arts Trust funds so that they may be used for their intended purposes.

Any such action would be contingent upon resolution of outstanding compliance issues and confirmation that appropriate governance and financial safeguards are in place.

This supplemental request is narrow in scope and is intended solely to address the remaining Cultural Plan obligation to Metris Arts Consulting. It does not resolve all audit-related matters, which are being addressed through ongoing administrative and legal review.

4. The County Executive recommends a supplemental appropriation to the FY26 Operating Budget in the amount of \$53,788.45 for the Arts and Humanities Council of Montgomery County (AHCMC) and specifies that the source of funds will be General Fund Undesignated Reserves.
5. Notice of public hearing was given and a public hearing was held.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

A supplemental appropriation to the FY26 Operating Budget of the Department of Recreation is approved as follows.

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Total</u>	<u>Source of Funds</u>
\$0.00	\$53,788.45	\$53,788.45	General Fund Undesignated Reserves

This is a correct copy of Council action.

Sara R. Tenenbaum
Clerk of the Council



Fiscal Impact Statement

Office of Management and Budget

Bill 10-26

Arts and Humanities Council - Amendments

Bill Summary

Expedited Bill 10-26 strengthens governance and accountability and sets requirements for the Arts and Humanities Council of Montgomery County's (AHCMC) board of directors, including appointment and confirmation processes. It establishes policies to ensure ethical, fair, unbiased, and non-partisan actions, incorporates racial equity and social justice principles, and outlines a plan with a timeline for implementation.

Fiscal Impact Summary

Expedited Bill 10-26 is not expected to have a fiscal impact.

Fiscal Impact Analysis

The bill reorganizes and modernizes the governance structure of the Council and therefore does not have a fiscal impact.

Staff Impact

The bill will increase workload to existing staff but does not require a new position. The bill would require two County employees to sit as ex officio board members who would be required to attend board meetings and ensure oversight of County funds. This work can be seamlessly absorbed into current roles within the department as staff are currently assigned to attend board meetings and monitor the two AHCMC contracts.

Actuarial Analysis

The bill is not expected to impact retiree pension or group insurance costs.

Information Technology Impact

The bill is not expected to impact the County Information Technology (IT) or Enterprise Resource Planning (ERP) systems.

Other Information

Later actions that may impact revenue or expenditures if future spending is projected

The bill does not authorize future spending.

Sources of information

Examples of more recently Council approved board structures:
https://codelibrary.amlegal.com/codes/montgomerycounty/latest/montgomeryco_md/0-0-0-157700 & https://codelibrary.amlegal.com/codes/montgomerycounty/latest/montgomeryco_md/0-0-0-118338

Contributors

Gabriel Albornoz, Department of Recreation
Hamza Ahmed, Office of Management and Budget



Climate Assessment

Office of Legislative Oversight

EXPEDITED BILL 10-26: ARTS AND HUMANITIES COUNCIL - AMENDMENTS

SUMMARY

The Office of Legislative Oversight (OLO) anticipates that Expedited Bill 10-26 will have no impact as it is proposing changes to an existing Council whose operations do not impact the County's contribution to climate change. OLO notes one of the proposed changes requires OLO to conduct an evaluation of the performance and effectiveness of AHCMC. The office cannot provide an independent assessment of that proposed change and it is therefore left out of the analysis.

BACKGROUND AND PURPOSE OF EXPEDITED BILL 10-26

In 1999, the Council passed a law designating the Arts & Humanities Council of Montgomery County (AHCMC) as the County's local arts agency. Through this designation, the AHCMC is responsible for:¹

- Promoting creativity, scholarship, and professionalism in arts and humanities;
- Providing and coordinating funding for arts and humanities in the County; and
- Advising local, state, and federal agencies about financial and other needs of arts and humanities programs in the County.

Between FY18 and FY25, the AHCMC distributed \$49 million in County funding to grants supporting non-profit arts and humanities organizations and individual artists and scholars in the County.²

The purpose of Expedited Bill 10-26 is to update the governance structure and responsibilities of the AHCMC. If enacted, Expedited Bill 10-26 would:³

- Set the size, terms, and composition of AHCMC's board of directors and the duties of the board;
- Require annual reports on AHCMC's activities and on the status of [Public Arts Trust](#) on August 31 of every year;
- Set specific requirements for AHCMC's articles of incorporation and bylaws; and
- Require AHCMC to adopt and implement a RESJ policy that applies a RESJ lens into all aspects of its operations.

Expedited Bill 10-26 would also require AHCMC's designation to be renewed by the Council every five years. OLO would be required to evaluate AHCMC at least one year before the redesignation is made.⁴ According to the County Executive, Expedited Bill 10-26 was introduced to guarantee that public investment in AHCMC "is

supported by modernized governance provisions that reinforce accountability and maintain public confidence.”⁵

The Council introduced Expedited Bill 10-26 at the request of the County Executive on February 10, 2026.

ANTICIPATED IMPACTS

As the Bill proposes changes to the governance structure and responsibilities of an existing council whose operations do not impact the County’s contribution to climate change, OLO anticipates Expedited Bill 10-26 will have no impact.

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.⁶ OLO does not offer recommendations or amendments as Expedited Bill 10-26 is likely to have no impact on the County’s contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO’s endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County’s contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County’s contribution to addressing climate change, specifically upon the County’s contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County’s adaptative capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

¹ [Education and Culture Committee Staff Report, Discussion: Arts & Humanities](#), Montgomery County Council, July 22, 2019, pg. 2.

² C. Kalyandurg, [OLO Report 2025-13: Investing in the Arts: How County Government Funds Cultural Organizations and Public Arts Venues](#), Office of Legislative Oversight, November 4, 2025, pgs. 24-25.

³ Bill 10-26, [Introduction Staff Report for Expedited Bill 10-26](#), Montgomery County Council, Introduced February 10, 2026, pgs. (1)-(13).

⁴ Ibid., pg. (3).

⁵ Memo from County Executive to Council President, [Introduction Staff Report for Expedited Bill 10-26](#), pg. (15).

⁶ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022

Economic Impact Statement

Montgomery County, Maryland

Expedited Bill 10-26, Arts and Humanities Council – Amendments

Summary

The Office of Legislative Oversight (OLO) anticipates that Expedited Bill 10-26 would have an insignificant impact on economic conditions in the County, as measured by the Council’s priority economic indicators. The Bill would update the governance structure and responsibilities of the Arts & Humanities Council of Montgomery County. The proposed changes would have no direct economic effects on non-profit arts and humanities organizations and individual artists and scholars in the County.

Background and Purpose of Expedited Bill 10-26

In 1999, the Council passed a law designating the Arts & Humanities Council of Montgomery County (AHCMC) as the County’s local arts agency. Through this designation, AHCMC is responsible for:¹

- Promoting creativity, scholarship, and professionalism in the arts and humanities;
- Providing and coordinating funding for the arts and humanities in the County; and
- Advising local, state, and federal agencies about financial and other needs of arts and humanities programs in the County.

Between FY18 and FY25, AHCMC distributed \$49 million in County funding to grants supporting non-profit arts and humanities organizations and individual artists and scholars in the County.²

The purpose of Expedited Bill 10-26 is to update the governance structure and responsibilities of AHCMC. If enacted, Expedited Bill 10-26 would:³

- Set the size, terms, and composition of AHCMC’s board of directors and the duties of the board;
- Require annual reports on AHCMC’s activities and on the status of [Public Arts Trust](#) on August 31 of every year;
- Set specific requirements for AHCMC’s articles of incorporation and bylaws; and
- Require AHCMC to adopt and implement a RESJ policy that applies a RESJ lens into all aspects of its operations.

Expedited Bill 10-26 would also require AHCMC’s designation to be renewed by the Council every five years. OLO would be required to evaluate AHCMC at least one year before each renewal.⁴ According to the County

¹ [Education and Culture Committee Staff Report, Discussion: Arts & Humanities](#), Montgomery County Council, July 22, 2019, pg. 2.

² Chitra Kalyandurg, [OLO Report 2025-13: Investing in the Arts: How County Government Funds Cultural Organizations and Public Arts Venues](#), Office of Legislative Oversight, November 4, 2025, pgs. 24-25.

³ Bill 10-26, [Introduction Staff Report for Expedited Bill 10-26](#), Montgomery County Council, Introduced February 10, 2026, pgs. (1)-(13).

⁴ *Ibid.*, pg. (3).

Executive, Expedited Bill 10-26 aims to ensure public investment in AHCMC “is supported by modernized governance provisions that reinforce accountability and maintain public confidence.”⁵

The Council introduced Expedited Bill 10-26 at the request of the County Executive on February 10, 2026.

Information Sources, Methodologies, and Assumptions

As required by Section 2-81B of the Montgomery County Code, this Economic Impact Statement evaluates the impacts of Expedited Bill 10-28 on residents and private organizations, using the Council’s priority economic indicators as the measure. In doing so, it examines whether the Bill would have a net positive or negative impact on overall economic conditions in the County.⁶

By updating the governance structure and responsibilities of AHCMC, the Bill would have no direct effects on non-profit arts and humanities organizations and individual artists and scholars in the County in terms of the Council’s priority indicators.

Variables

Not applicable

Impacts

WORKFORCE ▪ TAXATION POLICY ▪ PROPERTY VALUES ▪ INCOMES ▪ OPERATING COSTS ▪ PRIVATE SECTOR CAPITAL INVESTMENT ▪ ECONOMIC DEVELOPMENT ▪ COMPETITIVENESS

Not applicable

Discussion Items

Not applicable

Caveats

Two caveats to the economic impact analysis conducted here should be noted. First, predicting the economic impacts of legislation is a challenging analytical endeavor due to data limitations, the multitude of causes of economic outcomes, economic shocks, uncertainty, and other factors. Second, the analysis performed here is intended to *inform* the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO’s endorsement of, or objection to, the Bill under consideration.

Contributions

Stephen Roblin, PhD (OLO) prepared this report.

⁵ Memo from County Executive to Council President, [Introduction Staff Report for Expedited Bill 10-26](#), pg. (15).

⁶ Montgomery County Code, [“Sec. 2-81B, Economic Impact Statements.”](#)

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

EXPEDITED BILL 10-26: ARTS AND HUMANITIES COUNCIL - AMENDMENTS

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Expedited Bill 10-26 would have a positive impact on racial equity and social justice (RESJ) in the County. Requiring the Arts & Humanities Council of Montgomery County (AHCMC) to develop a detailed RESJ policy as proposed in Bill 10-26 could help ensure they are advancing RESJ in their efforts.

PURPOSE OF RESJ IMPACT STATEMENTS

RESJ impact statements (RESJIS) evaluate the anticipated impact of legislation on racial equity and social justice in the County. RESJ is a **process** that focuses on centering the needs, leadership, and power of Black, Indigenous, and other People of Color (BIPOC) and communities with low incomes. RESJ is also a **goal** of eliminating racial and social inequities. Applying a RESJ lens is essential to achieve RESJ.¹ This involves seeing, thinking, and working differently to address the racial and social inequities that cause racial and social disparities.²

PURPOSE OF EXPEDITED BILL 10-26

In 1999, the Council passed a law designating AHCMC as the County's local arts agency. Through this designation, AHCMC is responsible for:³

- Promoting creativity, scholarship, and professionalism in the arts and humanities;
- Providing and coordinating funding for the arts and humanities in the County; and
- Advising local, state, and federal agencies about financial and other needs of arts and humanities programs in the County.

Between FY18 and FY25, AHCMC distributed \$49 million in County funding to grants supporting non-profit arts and humanities organizations and individual artists and scholars in the County.⁴

The purpose of Bill 10-26 is to update the governance structure and responsibilities of AHCMC. If enacted, Bill 10-26 would:⁵

- Set the size, terms, and composition of AHCMC's board of directors and the duties of the board;
- Require annual reports on AHCMC's activities and on the status of [Public Arts Trust](#) on August 31 of every year;
- Set specific requirements for AHCMC's articles of incorporation and bylaws; and
- Require AHCMC to adopt and implement a RESJ policy that applies a RESJ lens into all aspects of its operations.

Bill 10-26 would also require AHCMC's designation to be renewed by the Council every five years. OLO would be required to evaluate AHCMC at least one year before the redesignation is made.⁶ According to the County Executive, Bill 10-26 was introduced to guarantee that public investment in AHCMC "is supported by modernized governance provisions that reinforce accountability and maintain public confidence."⁷

The Council introduced Expedited Bill 10-26 at the request of the County Executive on February 10, 2026.

RESJ Impact Statement

Expedited Bill 10-26

This RESJIS builds on OLO Report 2025-13, *Investing in the Arts: How County Government Funds Cultural Organizations and Public Arts Venues*, which OLO published in November 2025. Please refer to this report for more background on AHCMC and their grantmaking trends between FY18 and FY25.⁸

THE ARTS, ARTS FUNDING AND RACIAL EQUITY

Art – including the visual and performing arts, literature, film, and architecture – is a powerful medium through which people understand and interpret the world. Art conveys narratives, stories, and messages that reflect and influence a society's culture and worldviews. These forces shape policies and institutions. As Race Forward explains, "[c]ultural change precedes social change. Narrative drives policy...Narrative is the space in which energies are activated to preserve a destructive system or build a better world for us all."⁹

Historically, art has been an important tool for preserving and reinforcing racism in American society. For example, *The Birth of a Nation*, the first blockbuster film in the U.S., perpetuated dehumanizing stereotypes about Black people and glorified racial terrorism. The film would go on to serve as a recruitment tool for the Klu Klux Klan for decades after its release.¹⁰ Yet, art has also been critical for challenging and dismantling racism. The *Subversion & The Art of Slavery* exhibition from the New York Public Library (NYPL) highlights how abolitionists used art to advance the anti-slavery movement. As noted by NYPL, "[a]bolitionist arts appealed to the public's moral, religious, and political convictions, eventually yielding a robust stream of anti-slavery propaganda and radical acts that could not easily be ignored."¹¹

BIPOC representation in the arts is essential for creating and promoting narratives that dismantle racism and white supremacy and advance anti-racism and RESJ. However, structural racial inequities, including economic inequities like the racial wealth gap, create racial disparities in who is able to work and get a platform as an artist.¹² An analysis of 2015 to 2019 data by the National Endowment for the Arts found that while BIPOC accounted for 38 percent of the labor force, they only accounted for 27 percent of all artists in the country.¹³ Further, a 2019 study of 18 major museums in the U.S. found 85 percent of the artists exhibited in collections were White.¹⁴

Racial inequities in grantmaking also drive racial disparities in the arts. OLO's analysis of AHCMC's grantmaking across eight fiscal years found their largest grant program favored organizations with larger operating budgets.¹⁵ This likely disadvantages BIPOC arts organizations, as they tend to have smaller budgets.¹⁶ OLO found in recent years, AHCMC has made efforts to prioritize equity in its funding approach, shifting more funding to grant programs that support smaller organizations.¹⁷

Several tools are available to support arts funders with equitable grantmaking.¹⁸ For instance, the "Equity Choice Points" tool from the National Assembly of State Arts Agencies outlines "policy and procedural decisions...that may be reservoirs of unintended structural bias" in grantmaking. These include requirements on minimum budgets, nonprofit incorporation, and matching, among many others.¹⁹

ANTICIPATED RESJ IMPACTS

Of note, Bill 10-26 would require OLO to conduct an evaluation of the performance and effectiveness of AHCMC. OLO cannot provide an independent assessment of that proposed change. As such, it is not considered in this analysis.

To consider the anticipated impact of Bill 10-26 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who would primarily benefit or be burdened by this bill?

RESJ Impact Statement

Expedited Bill 10-26

- What racial and social inequities could passage of this bill weaken or strengthen?

All community members, regardless of race or ethnicity, could benefit from proposed changes to the governance structure and responsibilities of AHCMC. These could help strengthen AHCMC and improve transparency and accountability in their operations to the community.

As previously noted, Bill 10-26 would require AHCMC to adopt and implement a RESJ policy. Figure A includes the language on the RESJ policy within the Bill. Proposed requirements for AHCMC's RESJ policy include:

- Active recruitment of potential board members from diverse backgrounds and outreach to communities of color;
- Communications and business practices that are tailored to the needs of communities of color and other marginalized communities; and
- Organizational policies and procedures that address diversity and inclusion, among others.

Since AHCMC is a decision-making body in the County, requiring them to develop a detailed RESJ policy as proposed in Bill 10-26 could help ensure they are advancing RESJ in their efforts.

Therefore, OLO anticipates Bill 10-26 would have a positive impact on RESJ in the County.

RECOMMENDED AMENDMENTS

The County's RESJ Act requires OLO to consider whether to recommend amendments to bills that could reduce racial and social inequities and advance RESJ.²⁰ OLO anticipates Expedited Bill 10-26 would have a positive impact on RESJ in the County. As such, OLO does not offer recommended amendments. However, should the Council seek to improve the RESJ impact of this Bill, OLO offers one policy option for Council consideration:

- **Require AHCMC to develop an equitable grantmaking process as part of RESJ policy.** Grantmaking processes often contain racial inequities that disadvantage BIPOC artists and arts organizations. To help build on AHCMC's progress with prioritizing equity in its grantmaking, the Council could require them to detail their process for equitable grantmaking as a part of their RESJ policy. This would increase transparency and help codify AHCMC's processes for equitable grantmaking.

CAVEATS

Two caveats to this RESJIS should be noted. First, predicting the impact of bills on RESJ is challenging due to data limitations, uncertainty, and other factors. Second, this RESJIS is intended to inform the Council's decision-making process rather than determine it. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

RESJ Impact Statement

Expedited Bill 10-26

APPENDIX

Figure A. Bill 10-26, Racial Equity and Social Justice

To effectively address the complex needs of the County's racially, economically, and culturally diverse community and strategically expand access to Arts and Humanities Council resources to underrepresented populations, the Board must adopt and implement a racial equity and social justice policy that applies a racial equity and social justice lens into all aspects of the Board's operations in alignment with the County's racial equity and social justice strategic plan. The racial equity and social justice policy must include:

- (a) a statement of commitment to racial equity and social justice as part of the Board's core values;
- (b) active recruitment of potential Board members from diverse backgrounds and outreach to communities of color for consideration by the County Executive and County Council;
- (c) a formal process to assess Board culture and identify barriers to inclusion in Board participation and leadership;
- (d) communications and business practices that are tailored to the needs of communities of color and other marginalized communities;
- (e) a process to identify and address discriminatory or non-inclusive behaviors;
- (f) organizational policies and procedures that address diversity and inclusion; and
- (g) a clear, realistic, actionable, and measurable commitment to addressing racial equity that is woven into the governance, culture, and membership of the Arts and Humanities Council.

¹ Definition of racial equity and social justice adopted from M. Gamblin et al., ["Applying Racial Equity to U.S. Federal Nutrition Programs,"](#) Bread for the World and [Racial Equity Tools.](#)

² Ibid.

³ [Education and Culture Committee Staff Report, Discussion: Arts & Humanities,](#) Montgomery County Council, July 22, 2019, pg. 2.

⁴ C. Kalyandurg, [OLO Report 2025-13: Investing in the Arts: How County Government Funds Cultural Organizations and Public Arts Venues,](#) Montgomery County Council, November 4, 2025, pgs. 24-25.

⁵ Bill 10-26, [Introduction Staff Report for Expedited Bill 10-26,](#) Montgomery County Council, Introduced February 10, 2026, pgs. (1)-(13).

⁶ Ibid., pg. (3).

⁷ Memo from County Executive to Council President, [Introduction Staff Report for Expedited Bill 10-26,](#) pg. (15).

⁸ C. Kalyandurg, [OLO Report 2025-13: Investing in the Arts: How County Government Funds Cultural Organizations and Public Arts Venues,](#) pgs. 17-48.

⁹ N. Viquiera, ["Messages to Grow and Uproot: Narrative Strategy Amid Attacks on Diversity, Equity, Inclusion, and Racial Justice,"](#) Race Forward, pg. 2.

¹⁰ ["100 Years Later, What's The Legacy Of 'Birth Of A Nation'?"](#) Code Switch, NPR, February 8, 2015.

¹¹ ["Subversion & The Art of Slavery Abolition,"](#) Online Exhibition Gallery, New York Public Library.

¹² ["Capacity Building for Racial Equity in Public Art,"](#) Seattle Office of Arts & Culture, September 2018, pg. 5.

¹³ [Table 1a. Selected characteristics of artists and the total labor force: 2015-2019,](#) Artists in the Workforce: National and State Estimates for 2015-2019, National Endowment for the Arts.

¹⁴ C. Topaz, et al., ["Diversity of artists in major U.S. museums,"](#) PLoS One, March 20, 2019.

¹⁵ C. Kalyandurg, [OLO Report 2025-13: Investing in the Arts: How County Government Funds Cultural Organizations and Public Arts Venues,](#) pgs. 40-41.

RESJ Impact Statement

Expedited Bill 10-26

¹⁶ According to a 2015 study, the 20 largest Black and Latinx arts organizations in the U.S. had a median budget of \$3.8 million, while the 20 largest mainstream arts organizations had a median budget of \$61 million. [“Diversity in the Arts: The Past, Present, and Future of African American and Latino Museums, Dance Companies, and Theater Companies,”](#) Devos Institute of Arts Management, University of Maryland, September 2015, pg. 20.

¹⁷ C. Kalyandurg, [OLO Report 2025-13: Investing in the Arts: How County Government Funds Cultural Organizations and Public Arts Venues](#), pg. 30 and pgs. 31-32.

¹⁸ See list of more tools in [Racial Equity Impact Assessment for Supplemental Appropriation #24-67](#), Office of Racial Equity and Social Justice, March 29, 2024, pg. 5.

¹⁹ [“Equity Choice Points: A Grant-making Reflection Tool for State Arts Agencies,”](#) National Assembly of State Arts Agencies.

²⁰ [Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council.](#)

March 11, 2026

Dear Members of the County Council,

As arts and humanities organizations serving the citizens of Montgomery County, we write to express our support for Bill 10-26.

We commend the diligence and hard work of the Arts & Humanities Council and express our gratitude for their service and leadership.

We believe that strong governance, transparency, and accountability are essential to maintaining public trust and ensuring that County-supported arts funding continues to benefit the entire community. The Arts and Humanities Council of Montgomery County oversees the distribution of millions of dollars in public funding and reports to the County Council and the County Executive to help advance the County's priorities across the community. We believe that the governance updates proposed in Bill 10-26 will strengthen transparency and accountability while preserving fair, arm's-length support for the arts and humanities.

We also appreciate that the bill calls for the inclusion of artists and representatives from arts and humanities organizations in the process. The voices and lived experiences of the creative community are vital to ensuring that policies and decisions reflect the needs of those doing the work day to day.

We are grateful for the County's commitment to continue the important programs, services, and funding processes that support artists, cultural organizations, and residents. Maintaining stability while strengthening governance will help ensure that the Arts and Humanities Council of Montgomery County continues to serve as a trusted steward of public resources and a strong partner to the arts and humanities community.

Montgomery County's arts and humanities sector plays an essential role in the cultural, educational, and economic life of our region. We support efforts that reinforce open communication, responsible controls, and community representation while sustaining the programs that allow this work to thrive.

On behalf of the following organizations:

Adventure Theatre MTC
Baltimore Symphony Orchestra
Blackrock Center for the Arts
Glen Echo Park Ptnrshp. for Arts & Culture
Levine Music
National Philharmonic
VisArts
Olney Theatre Center

Round House Theatre
Sandy Spring Museum
Story Tapestries
Strathmore
Washington Conservatory of Music
Washington Revels
The Writers Center
Imagination Stage

cc: Suzan Jenkins, CEO AHCMC