



Committee: GO
Committee Review: At a future date
Staff: Christine Wellons, Chief Legislative Attorney
Purpose: To introduce agenda item – no vote expected

AGENDA ITEM #5A
October 15, 2024
Introduction

SUBJECTS

Bill 21-24, General Provisions – Naming of County Facilities

- Lead Sponsor: Council President Friedson

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- N/A

DESCRIPTION/ISSUE

Bill 21-24 would:

- (1) establish a process for the naming of County-owned facilities; and
- (2) generally amend the law regarding County facilities.

SUMMARY OF KEY DISCUSSION POINTS

- N/A

This report contains:

Staff Report	Pages 1-2
Bill 21-24	© 1
Administrative Procedure 5-19	© 4

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MEMORANDUM

October 10, 2024

TO: County Council

FROM: Christine Wellons, Chief Legislative Attorney

SUBJECT: Bill 21-24, General Provisions – Naming of County Facilities

PURPOSE: Introduction – no Council votes required

Bill 21-24, General Provisions – Naming of County Facilities, is scheduled for introduction on October 15, 2024. The Lead Sponsor is Council President Friedson. A public hearing on the bill is tentatively scheduled for November 12, 2024 at 1:30 p.m.

Bill 21-24 would:

- (1) establish a process for the naming of County-owned facilities; and
- (2) generally amend the law regarding County facilities.

BACKGROUND

Under Administrative Procedure (AP) 5-19, adopted by the County Executive in 2008, the Executive Branch follows a specific policy and procedure to name County-owned facilities. To name a County facility for an individual via Executive Order, the County Executive uses the following criteria under the AP:

The person whose name is being considered:

- Has been inactive in his or her field of contribution for five years (unless waived by the Executive);

and,

- Has made a significant contribution to the program represented by the facility, to the community in which the facility is located, or to Montgomery County, the State, or the nation;

or,

- Is a significant person in the history of Montgomery County, the State, or the nation.

The procedure under the AP includes the following steps:

- The County Executive forms an ad hoc committee to consider the naming of a facility for a particular individual. However, the Executive may waive the requirement of a committee.
- The Committee, chaired by the Chief Administrative Officer, makes recommendations to the Executive.
- The County Executive considers the recommendation of the Committee and makes a decision about the naming of the facility. The naming is memorialized by an Executive Order.

BILL SPECIFICS

Bill 21-24 would establish criteria and a procedure through with the County Council, like the Executive, could name County facilities after specific individuals.

Similar to AP 5-19, the bill would provide that the Council – after a public hearing – may adopt a resolution to name a County facility in honor of a particular individual:

- (1) who has:
 - (A) been inactive in the individual’s field for at least 5 years; and
 - (B) made a significant contribution to the program represented by the County facility or to the community in which the facility is located;
 or
- (2) who is a significant person in the history of the County, the State of Maryland, or the nation.

Procedurally, the bill would require the Council to consult the County Executive prior to adopting the resolution. Seven Councilmember votes would be required to adopt the resolution.

<u>This packet contains:</u>	<u>Circle #</u>
Bill 21-24	1
Administrative Procedure 5-19	4

Bill No. 21-24
Concerning: General Provisions -
Naming of County Facilities
Revised: 10/10/24 Draft No. 4
Introduced: October 15, 2024
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 Friedson

AN ACT to:

- (1) establish a process for the naming of County-owned facilities; and
- (2) generally amend the law regarding County facilities.

By adding

Montgomery County Code
Chapter 1, General Provisions
Section 1-406

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

Boldface	<i>Heading or 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>

Sec. 1. Section 1-406 is added as follows:

1-406. Naming of County Facilities.

(a) In this Section, County facility means any improved or unimproved real property owned by the County government. County facility includes the Executive Office Building, the Council Office Building, Judicial Center, Police Headquarters, offices, libraries, health facilities, police stations, detention buildings, transportation depots and shops, parking garages, warehouses, recreation centers, pools, and community centers.

(b) Except as provided under subsection (c), the County Executive assigns names to County facilities under an administrative procedure or executive order adopted under Chapter 2A.

(c) Subject to subsection (d), the Council may by resolution name a County facility in honor of a particular individual:

(1) who has:

(A) been inactive in the individual's field for at least 5 years;
and

(B) made a significant contribution to the program represented by the County facility or to the community in which the facility is located; or

(2) who is a significant person in the history of the County, the State of Maryland, or the nation.

(d) Procedure.

(1) Prior to adopting a resolution under subsection (c), the Council must:

(A) consult the County Executive; and

(B) hold a public hearing.

27 (2) A resolution under subsection (c) requires the affirmative vote of
28 at least 7 Councilmembers.



OFFICES OF THE COUNTY EXECUTIVE

Isiah Leggett
County Executive

Timothy L. Firestine
Chief Administrative Officer

MEMORANDUM

June 20, 2008

TO: All Department Heads

FROM:  Fariba Kassiri, Assistant Chief Administrative Officer

SUBJECT: Administrative Procedure 5-19, Naming of Public Facilities

Attached is AP 5-19, Naming of Public Facilities. The administrative procedure provides policies and procedures for the naming of County-owned public facilities or major portions thereof. Paragraphs 4.1, 5.3, 6.1 and 6.2 were updated to reflect the newly created Department of General Services under the Department of Public Works and Transportation reorganization. Paragraph 4.3 was added to the procedure enabling the County Executive to request that an ad hoc committee evaluate more than one proposal when naming a County facility.

This Office is publishing the administrative procedure on an interim basis. Please insert this procedure in place of the one dated April 24, 2008, and amend the table of contents to reflect this change. Provide your written comments to Philip Weeda in the Office of Management and Budget by Friday July 25, 2008. After the comments are collected, the procedure will be published in final form.

FK:pw

Attachment: Administrative Procedure 5-19, Naming of Public Facilities



MONTGOMERY COUNTY ADMINISTRATIVE PROCEDURE

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

NO. 5-19	
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DATE 6/20/08	
CAO APPROVAL FK	

TITLE
Naming of Public Facilities

1.0 To establish policies and procedures for the naming of County-owned public facilities or major portions thereof.

DEFINITIONS

2.0 COUNTY-OWNED FACILITY – A facility including both improved and unimproved property, owned by the County Government. (These facilities include, but are not limited to, the Executive Office Building, Council Office Building, Judicial Center, Police Headquarters, office buildings, libraries, health facilities, police stations, detention buildings, transportation depots and shops, parking garages, warehouses, recreation centers, pools, community multi-purpose centers, and the liquor warehouse.)

2.1 PETITIONER – A person or persons who initiate a proposal for the naming of a County-owned facility.

POLICY

3.0 The County Executive assigns names to County-owned facilities that clearly describe the main program, the occupant of the facility, or a name that describes the function and geographic location of the facility. This naming process is a function of the normal Capital Improvement Program and requires no special action.

3.1 The naming of the County-owned facility for a particular individual shall be implemented by way of an Executive Order in accordance with Administrative Procedure 1-3, Executive Orders.

3.2 Proposals to change the name of a County-owned facility due to building reuse will follow this administrative procedure.

3.3 In general, facilities already named for an individual will not be renamed for another person.

GENERAL

4.0 Occasionally, the County Executive may consider naming a County-owned facility for an individual if community support exists and the following criteria described in A or B below:

A. The person whose name is being considered:

- Has been inactive in his or her field of contribution for five years (unless waived by the Executive);
and,

- Has made a significant contribution to the program represented by the facility, to the community in which the facility is located, or to Montgomery County, the State, or the nation;

or,



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- Is a significant person in the history of Montgomery County, the State, or the nation.

B. The person has made or has offered to make a significant donation to the County for a needed public facility, and it would be in the public interest to accept the donation.

4.1 Except as provided in Paragraph 4.2, naming a County-owned facility for an individual, the County Executive must:

A. Obtain the advice of an ad hoc committee composed of a representative from the Office of the Chief Administrative Officer, who will chair the committee, and representatives from the County Council, Department of General Services, the principal County department, if any, occupying or administering the facility, Historic Preservation Commission, and one or more responsible residents from the community who have a specific interest in the proposed naming; and

B. Provide a reasonable opportunity for the public to comment in writing by placing a notice of the proposal and an invitation to comment in at least one newspaper with general circulation in the County.

C. Request the advice of the County Council.

4.2 The Executive may waive the requirements of Paragraph 4.1 of this administrative procedure when the Executive finds there is a compelling reason to name a County-owned facility for an individual without following those requirements.

4.3 If the Executive uses one ad hoc committee to evaluate more than one proposal, the committee must include representatives of:

A. each principal County department, if any, occupying or administering each facility; and

B. one or more responsible residents from the community who have a specific interest in the proposed naming of each facility.

These representatives may only participate in evaluating the proposal that relates to the facility for which they were designated.

RESPONSIBILITIES

5.0 County Executive

A. Appoint the members of the ad hoc committee for naming a County-owned facility for an individual.

B. Request the advice of the County Council about the naming of a County-owned facility.

C. Issue Executive Orders naming a County-owned facility for a particular individual.

5.1 Chief Administrative Officer or Designee

A. Chair the ad hoc committee for naming a County-owned facility for an individual.



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B. Participate as a member of the ad hoc committee.

5.2 Ad Hoc Committee

- A. Review the proposal submitted by a petitioner for naming a County-owned facility for an individual.
- B. Review public comment on the proposal to name a County-owned facility for an individual.
- C. Make recommendations to the County Executive on the naming of a County-owned facility for an individual.

5.3 Department of General Services

- A. Participate as a member and provide staff support to the ad hoc committee.
- B. Coordinate solicitation of public comment for the naming of a County-owned facility for an individual.
- C. Make a recommendation concerning the naming of a County-owned facility for an individual to the ad hoc committee.

5.4 Departments

- A. Where appropriate, provide representation to ad hoc committees for the naming of County-owned facilities.
- B. Where appropriate, provide recommendations to ad hoc committee on the naming of a County-owned facility for an individual.
- C. Where appropriate, submit a request for the naming of a County-owned facility for an individual.

PROCEDURES

6.0 Petitioner

Submit proposal to the County Executive for naming a County-owned facility for an individual in accordance with the criteria presented in Paragraph 4.0 of this procedure.

6.1 Executive Office

Determine if proposal appears to meet the criteria in 4.0 of this administrative procedure. Unless the Executive waives the requirements of Paragraph 4.1 as authorized under Paragraph 4.2, forward the proposal to the Department of General Services and appoint the ad hoc committee members.



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6.2 Department of General Services

Place public notice and invitation to comment in the newspapers. After the date for submission of public comment, forward comments received and the proposal to the ad hoc committee.

6.3 Ad Hoc Committee

Review the proposal and comments received from the public and departments and evaluate the proposal in terms of the criteria presented naming at Paragraph 4.0 of this procedure.

Prepare and submit recommendations to the Executive Office.

6.4 Office of the County Executive

Review the ad hoc committee's recommendation and seek advice of the County Council.

After receiving the ad hoc committee's report and Council's comments, issue a decision regarding the naming of a County-owned facility.

NOTE: If the decision is to name a publicly-owned facility for an individual, an Executive Order will be issued.

DEPARTMENTS AFFECTED

7.0 All Departments