


MEMORANDUM

March 25, 2011

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: **Public Hearing:** Bill 4-11, Commission for Women - Reorganization

Bill 4-11, Commission for Women - Reorganization, sponsored by the Council President on recommendation of the Organizational Reform Commission, was introduced on March 8, 2011. A Joint Government Operations and Fiscal Policy/Health and Human Services Committee worksession is tentatively scheduled for April 27 at 2:00 p.m.

Bill 4-11 would eliminate the Office of the Commission for Women, reallocate certain functions of the Office, and provide staff support for the Commission for Women.

Background

In its report to the Council dated January 31, 2011, the Organizational Reform Commission (ORC), in **Recommendation #3**, recommended the County reorganize the Commission for Women and eliminate the Office of the Commission for Women.

The full text of the recommendation is below.

1) **Proposed Consolidations and Reorganizations.** The ORC proposes the following consolidations and reorganizations for boards, committees and commissions:

a) **Commission for Women (CFW)** – Current Budget- **\$881,300** – The ORC commends the CFW, which over the years has served a very important function. But as County government and the social landscape have evolved, it is clear that many of the CFW's activities duplicate those provided by other agencies. We believe that the CFW's core functions can be served in other ways. The CFW's counseling and career center is now duplicated to a great extent by the new Family Justice Center, the County's Workforce Development program, Montgomery College, and private entities and religious organizations.

Additionally, the County's Office of Intergovernmental Relations effectively advocates for the County at all levels of government including CFW issues.

- *The ORC recommends that the Commission for Women be restructured as an advisory committee attached to another department or unit deemed most appropriate by the Council and Executive. This action could save the County more than \$800,000 annually.*

Executive's Response

In a memorandum to the Council President dated February 21, 2011, the Executive responded to each of the 28 recommendations in the ORC report (©6). The Executive supported this recommendation with conditions as follows:

3. Reorganize the Commission for Women and eliminate the office.

County Executive's Position: Support with Conditions

I support the ORC recommendation regarding the reorganization of the Commission for Women. My FY12 Recommended Operating Budget will address the reorganization of this Commission, but in order to maintain the excellent work of the Commission for Women I will recommend a reduction, but not the elimination of all staff support. This recommendation requires implementing legislation which I will forward to the Council.

However, the Executive subsequently decided that his proposed modified reorganization of the CFW did not require County legislation, and he did not submit proposed legislation to implement this ORC recommendation.

Bill 4-11, sponsored by the Council President on recommendation of the ORC would implement ORC Recommendation #3.

This packet contains:

	<u>Circle #</u>
Bill 4-11	1
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Bill No. 4-11
Concerning: Commission for Women -
Reorganization
Revised: March 7, 2011
Draft No. 2
Introduced: March 8, 2011
Expires: September 8, 2012
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President on the recommendation of the Organizational Reform Commission

AN ACT to:

- (1) eliminate the Office of the Commission for Women;
- (2) reallocate certain functions of the Office of the Commission for Women;
- (3) provide for staff support for the Commission for Women; and
- (4) generally amend the law concerning the Commission for Women.

By amending

Montgomery County Code
Chapter 1A, Structure of County Government
Section 1A-203, Establishing Other Offices

Chapter 2, Administration
Section 2-59, Domestic Violence Coordinating Council

Chapter 11, Consumer Protection
Section 11-6, Filing Complaints

Chapter 27, Human Rights and Civil Liberties
Sections 27-26B, 27-28, and 27-33A

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>

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

1 **Sec. 1. Sections 1A-203, 2-59, 11-6, 27-26B, 27-28 and 27-33A are**
2 **amended as follows:**

3 **1A-203. Establishing other offices.**

4 (a) Executive Branch. These are the offices of the Executive Branch that
5 are not part of a department or principal office.

6 [Office of the Commission for Women [section 27-28 et seq.]]

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8 **2-59. Domestic Violence Coordinating Council.**

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10 (c) *Composition and terms of members.*

- 11 (1) The Coordinating Council has 17 members.
- 12 (2) The County Council requests the following individuals to serve
13 as ex officio members of the Coordinating Council:
 - 14 (A) The Administrative Judge for District 6 of the Maryland
15 District Court or designee of the Administrative Judge;
 - 16 (B) The Administrative Judge for the Montgomery County
17 Circuit Court or designee of the Administrative Judge;
 - 18 (C) The State’s Attorney for Montgomery County or designee
19 [or] of the State’s Attorney;
 - 20 (D) The Regional Director of the Division of Parole and
21 Probation, Maryland Department of Public Safety and
22 Corrections or designee of the Regional Director;
 - 23 (E) The County Sheriff or designee of the County Sheriff; and
 - 24 (F) The President of the County Board of Education or
25 designee of the President.
- 26 (3) Subject to confirmation by the County Council, the County
27 Executive should appoint the following individuals to serve as ex

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- officio members of the Coordinating Council:
- (A) A member or designee of the County Council, selected by the Council President;
- (B) The Chief of Police or designee of the Chief of Police;
- (C) The Director of the Department of Health and Human Services or designee of the Director.
- (D) [The Executive Director] a member or designee of the Commission for Women [or designee of the Executive Director]; and
- (E) The Director of the Department of Correction and Rehabilitation or designee of the Director.

* * *

11-6. Filing complaints.

* * *

(f) *Referral to the [Commission for Women] Departments of Economic Development and Health and Human Services. The Director may refer a domestic worker to the [Commission for Women Counseling and Career Center] Department of Economic Development and the Department of Health and Human Services for additional assistance if the Director determines that the services offered there would benefit the worker.*

27-26B. Interagency fair housing coordinating group.

* * *

(b) The County Executive appoints the members of the coordinating group, subject to confirmation by the County Council. The coordinating group consists of one or more employees of each of the following agencies:
(1) Office of Community Outreach in the Office of the Chief

- 55 Administrative Officer;
- 56 (2) Human Rights Commission;
- 57 (3) Housing Opportunities Commission;
- 58 (4) Department of Economic Development;
- 59 (5) Department of Housing and Community Affairs;
- 60 (6) Community service centers;
- 61 (7) Department of Health and Human Services; and
- 62 (8) [Commission for Women; and
- 63 (9)] Commission on People with Disabilities.

* * *

27-28. Created; composition; appointment; terms of office and compensation of members; meetings[, etc.]

* * *

(e) Staff. The Chief Administrative Officer must designate appropriate staff to support the Commission.

27-33A. Fees.

(a) The County Executive by executive order may impose user fees on participants in [the programs, services, or activities] any program, service, or activity conducted by the Commission for Women. [Fees] Each fee must not exceed the reasonable cost of administering the program, service, or activity.

(b) The [Director] Chief Administrative Officer may waive the user fee charged to a participant if:

- 78 (1) The waiver would promote the purposes of this Article; and
- 79 (2) The participant cannot afford to pay the fee.

LEGISLATIVE REQUEST REPORT

Bill 4-11

Commission for Women - Reorganization

DESCRIPTION: Bill 4-11 would eliminate the Office of the Commission for Women, reallocate certain functions of the Office, and provide staff support for the Commission for Women.

PROBLEM: The Organizational Reform Commission recommended that the Commission for Women be reorganized and the Office eliminated.

GOALS AND OBJECTIVES: Although the CFW has served an important function over the years, many of its activities duplicate the activities of other County agencies and private organizations. The goal is to restructure this function to reduce County discretionary expenses to meet reduced County revenues.

COORDINATION: County Executive, Commission for Women

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested.

EVALUATION: To be requested.

EXPERIENCE ELSEWHERE: To be researched.

SOURCE OF INFORMATION: Organizational Reform Commission Report.
Robert H. Drummer, Senior Legislative Attorney

APPLICATION WITHIN MUNICIPALITIES: Not applicable.

PENALTIES: None.

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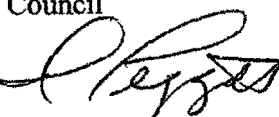
OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

February 21, 2011

TO: Valerie Ervin, President, County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Organizational Reform Commission Recommendations

This memorandum provides the County Council with my recommendations regarding the final report of the Organizational Reform Commission (ORC) which was released on January 31, 2011. I am deeply grateful to all of the ORC members, who were very generous in volunteering their time and expertise and spent hundreds of hours in developing the report. As the attached materials indicate, I am supportive of most of the ORC recommendations and urge the Council to approve the recommendations as outlined in my attached response.

The Commission has acknowledged that implementing its recommendations will be difficult, time consuming and complex. However, this is not a sufficient justification for failing to undertake the implementation effort. In addition, the controversy and opposition that some of these recommendations have engendered are also not alone a basis for rejecting the recommendations. Challenging the status quo will always provoke opposition from entrenched interests and those not willing to undertake necessary changes. At a time when we have requested that our residents shoulder increases in taxes (i.e. the energy, telephone and property taxes) and we have reduced several important public safety and safety net services, and reduced funding for education, we owe it to the taxpayers of this County to undertake the arduous task of further restructuring our government in order to achieve every possible efficiency and savings. Furthermore, my Fiscal Year 2012 Recommended Operating Budget is very likely to include additional reductions to many vital programs and services. To ignore possible long-term savings at this critical time would be a disservice to our taxpayers.

I realize that a majority of the County Council has already indicated that at this time they do not support State legislation that would enable the Council to merge Park Police and County Police if it later chose to do so. This legislation is a necessary first step in implementing one of the most prominent recommendations of the ORC -- i.e.,

Valerie Ervin, President, County Council
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a merger of the Maryland-National Capital Park and Planning Commission (M-NCPPC) Park Police with the County Police Department.¹ The Council's recent action was not taken in the context of the broader ORC report, this recommendation and the upcoming March 15th budget recommendations. Unfortunately, the Council will have to make extremely difficult decisions in the FY12 budget deliberations, including reductions to services and programs, cuts in staffing levels, and possibly significant changes to pay and benefits for County employees. As I stated at the time that the Council discussed the proposed State legislation, I do not believe it was prudent for the Council to reject that potential merger, and the savings and efficiencies that would arise from that merger, before it fully evaluates all of the implications of that decision in the context of all of the issues that relate to the FY12 operating budget.

I respectfully urge you to comprehensively evaluate the ORC recommendations along with my recommendations and the implications for the FY 12 budget and beyond. My staff and I stand ready to work with you to ensure that the efficiency and effectiveness of County Government is maximized.

Attachments

copies:

Organizational Reform Commission Members
Stephen B. Farber, County Council Staff Director
Christopher S. Barclay, President, Board of Education
Dr. Jerry D. Weast, Superintendent, Montgomery County Public School
Jerry Robinson, Acting Executive Director, Housing Opportunities Commission
Francoise Carrier, Chair, Montgomery County Planning Board
DeRionne P. Pollard, Ph.D., President, Montgomery College
Jerry N. Johnson, General Manager/CEO, Washington Suburban Sanitary Commission
Executive Branch Department and Office Directors
Fariba Kassiri, Assistant Chief Administrative Officer
Jennifer Hughes, Special Assistant to the County Executive

¹ MC/PG 112-11 - Maryland-National Capital Park and Planning Commission-County Police Authority, Metropolitan District Tax, and Transfer of Property