

MEMORANDUM

March 5, 2019

TO: Government Operations and Fiscal Policy Committee

FROM: Amanda Mihill, Legislative Attorney *amihill*

SUBJECT: Expedited Bill 3-19, Administration – Executive Branch – Non-Merit Positions

PURPOSE: Worksession – Committee should make recommendations on Bill

Those expected to attend today's worksession include:

Andrew Kleine, Chief Administrative Officer
Fariba Kassiri, Assistant Chief Administrative Officer

Expedited Bill 3-19, Administration – Executive Branch – Non-Merit Positions, sponsored by Lead Sponsor Council President Navarro at the request of the County Executive, was introduced on February 12. A public hearing was held on March 5 at which four speakers testified (©xx-xx).¹

Bill 3-19 and the Executive Regulation would designate certain positions in the Executive Branch as non-merit positions. Draft position descriptions are on ©9-55. Specifically:

- Bill 3-19 would create the following **new** non-merit positions:
 - Chief Labor Relations Officer (©9-12) – Office of the County Executive
 - Chief Digital Officer (©13-18) – Office of the County Executive
 - Chief Equity Officer (©19-22) – Office of the County Executive
- Bill 3-19 would **convert** the following merit M1 positions to non-merit positions:
 - Deputy Director (©23-27) – Department of Housing and Community Affairs (vacant)
 - Deputy Director for Results (©28-33) – Office of Management and Budget (vacant)
 - Deputy Director (©34-37) – Department of General Services (occupied)
 - Deputy Director of Operations (©38-42) – Department of Transportation (occupied)

¹ Key Search Terms #MoCoExeAppointments

Other search terms: non-merit jobs, county employment and county executive staff

- Chief Broadband Officer (©43-46) – Department of Technology Services (occupied)
- Chief Data Officer (©47-51) – Department of Technology Services (occupied)
- Bill 3-19 would **rename** a Deputy Director in DOT to “Transportation Policy Officer” (©52-55). This is an existing non-merit position.

Bill 3-19 would not actually abolish any positions. Discussion of whether to abolish a specific position would be made by the Council during its budget discussions this spring. However, the fiscal impact statement on ©56-58 identifies 5 positions that would be **abolished** in connection with Bill 3-19:

- Senior Information Technology Specialist – Grade 28 in the Office of the County Executive
- Manager I – M1 in Department in Finance
- Manager I – M1 in Department of Liquor Control
- Manager I – M1 in Office of Human Resources
- Manager I – M1 in Office of Procurement

Background²

Comparison with other jurisdictions. Montgomery County currently has 47 non-merit positions; Bill 3-19 would bring that number to 56. Under existing law, 0.49% of the full-time workforce is non-merit; this percentage would increase to 0.59% if Bill 3-19 is enacted as introduced. Council staff conducted a survey with other Maryland jurisdictions and found the number of non-merit positions under existing law or Bill 3-19 as introduced are within the range of non-merit positions in other jurisdictions.

Fiscal impact statement. The fiscal impact statement on ©xx-xx identifies Bill 3-19 as saving approximately \$750,000 because of the abolishment of 4 M1 positions. Council staff does not concur with the analysis that Bill 3-19 will result in this level of savings. Of the 4 M1 positions slated to be abolished, 1 position is vacant. If the vacant position is not filled, then it cannot be a savings. Three M1 positions that are proposed to be abolished are occupied; it is unclear to Council staff if the employees in these positions are to be re-assigned. To the extent that these employees are re-assigned, then no savings are achieved.

In addition, the Bill creates 3 new non-merit positions. Although the fiscal impact analysis concludes that the cost of these 3 new positions would be paid for through other unexplained proposed non-salary savings, these 3 new positions, if filled, would eliminate all of the potential savings from abolishing the 3 occupied M1 positions discussed in the analysis. The Bill does not abolish any of the 4 M1 positions. This would be done through separate personnel actions. Therefore, the fiscal impact of the Bill, assuming the conversion of the 6 M1 positions to non-merit is a financial wash, would be an increase in County personnel costs by the amount of wages and benefits paid for the 3 new non-merit positions. The current mid-point for an M1 position is

² Given the importance of Bill 3-19 and the nature of it crossing many departments, all Central Staff analysts and attorneys contributed to the analysis presented in this memorandum.

approximately \$175,000. Assuming that benefits will increase the cost by approximately 35% for each position, the total cost for a single M1 employee hired at mid-point is approximately \$236,000. Three M1 positions hired at the midpoint would cost approximately \$709,000.

Issues

1. General concerns about non-merit positions. Council staff has general concerns with creating non-merit positions:

- Although we understand the desire for flexibility and to “provide an environment where County government is agile and able to proactively respond to changes”, Council staff also believes that continuity in important strategic positions is also beneficial.
- A political non-merit appointment is more likely to be more responsive to the County Executive and not the County Council and may be motivated by political concerns.
- In 2 departments, there may be equity issues arising from creating certain positions as non-merit. For instance, in both the Department of General Services and the Office of Management and Budget, there are 2 M1 positions; in both cases, Bill 3-19 would convert one M1 position to non-merit, but not the other. In response to Council staff questions, Executive staff assert that “originally, M1 positions were intended to act as Deputy Directors in large or complex departments or head of a non-principal office...” M2s and M3s are generally the subject matter experts. The Executive’s approach is retaining all M2s and M3s as merit and one M1 per department/office as merit and to convert the remaining M1s to non-merit. Are there equity issues in converting these positions to non-merit?

2. Specific positions. Aside from the general concerns noted, Council staff is not raising any specific concerns for the following positions:

- Chief Digital Officer (CEX)
- DHCA Deputy Director (although, Council staff does recommend that the Deputy Director not be appointed until a DHCA Director is appointed)
- DGS Deputy Director
- DOT Deputy Director of Operations
- Transportation Policy Officer (renamed)
- Chief Broadband Officer (DTS)
- Chief Data Officer (DTS)

For the following 3 proposed non-merit positions, Council staff raises the following specific questions for discussion:

Chief Labor Relations Officer (CEX)

- Will this person need additional staff? Many jurisdictions have entire offices of Labor Relations, not just a single person. To the extent that a Chief Labor Relations Officer needs additional staff, the fiscal impact of Bill 3-19 will increase, perhaps substantially.
- At the public hearing, representatives from MCGEO and IAFF Local 1664 expressed support for the Chief Labor Relations Officer position, but raised a number of questions concerning the position description (©9-12). Bill 3-19 does not incorporate the position description identified in the draft Executive Regulation. If the Council enacts Bill 3-19, the Executive will need to forward positions descriptions as Method 1 Executive Regulations. The Council will have the opportunity to review the specific position descriptions when the Executive formally transmits the Executive Regulation to Council review. A Method 1 regulation does not take effect until the Council adopts it.

Chief Equity Officer (CEX)

- As Councilmembers know, the Council is in the midst of a process to determine how to ensure that decisions made across County government and agencies address racial equity issues. Until the scope of that work is complete, is it premature to establish this position as a non-merit position in the County Executive's office? It could be that at the end of the Council's process, a single officer in the Executive's office is not the preferred framework for addressing racial equity issues.

Deputy Director for Results (OMB)

- The Office of Management and Budget used to have a performance management team in the early 1990s, but that team predated the creation of the CountyStat office. How will the work of this position be different from and/or complement the work of the CountyStat office? Should the CountyStat office be moved to the Office of Management and Budget? Would that accomplish the stated goals of Bill 3-19 as it relates to the Deputy Director for Results?
- This position had previously coordinated the operating budget (a second M1 coordinates the capital budget). Will the Deputy Director for Results also coordinate the operating budget? Will those duties be reassigned? Does OMB have the appropriate staff to absorb the reassignment of these duties?
- Will this position manage staff to assist with its analytical mission? If so, will these staff be reassigned from other areas in OMB? Does OMB have the appropriate staff to absorb the reassignment of these duties?

3. Transition section. Several of the positions that are proposed to be converted to non-merit positions are currently occupied by a merit system employee. Bill 3-19 provides for grandfathering

existing employees who have (1) obtained merit status; and (2) are not in a probationary period. Council staff understands that one position that is slated to be converted is filled by an employee that is in the probationary period. Committee members should discuss with Executive staff at the worksession if grandfathering of this position is appropriate.

Additionally, testimony was given by Edgar Gonzales who is in one of the positions that the fiscal impact statement identifies as one that would be abolished. Mr. Gonzales requested that the bill be amended to provide a retirement package for the 3 individuals who are in positions. Mr. Gonzales has referred to 2 bills that the Council enacted establishing general retirement incentive programs. Council staff re-emphasizes that although these positions were proposed to be abolished in the fiscal impact statement, Bill 3-19 itself does not abolish any positions. Decisions on whether to abolish these positions would be made during the context of the budget. To the extent Councilmembers are interested in establishing a retirement incentive packet for employees in the positions that are identified as being abolished, Bill 3-19 is not the appropriate bill to accomplish this purpose. It is outside the scope of Bill 3-19 and is more appropriate for a separate bill.

This packet contains:	<u>Circle #</u>
Bill 3-19	1
Legislative Request Report	6
County Executive Memorandum	7
Draft position descriptions	
Chief Labor Relations Officers (CEX)	9
Chief Digital Officer (CEX)	13
Chief Equity Officer (CEX)	19
Deputy Director (DHCA)	23
Deputy Director for Results (OMB)	28
Deputy Director (DGS)	34
Deputy Director of Operations (DOT)	38
Chief Broadband Officer (DTS)	43
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Executive staff responses to Council staff questions	60

Expedited Bill No. 3-19
Concerning: Administration – Executive
Branch – Non-Merit Positions
Revised: 2/8/2019 Draft No. 1
Introduced: February 12, 2019
Expires: August 12, 2020
Enacted: [date]
Executive: [date signed]
Effective: [date takes effect]
Sunset Date: None
Ch. [#], Laws of Mont. Co. [year]

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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

AN EXPEDITED ACT to:

- (1) designate certain positions in the Executive Branch as non-merit positions; and
- (2) generally amend the laws governing non-merit positions in the Executive Branch.

By amending

Montgomery County Code
Chapter 1A, Structure of County Government
Sections 1A-203

Montgomery County Code
Chapter 2, Administration
Sections 2-26, 2-27, 2-30, 2-56, 2-58D, and 2-64K.

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 **2-30. Department of General Services — Functions.**

28 [The Department of General Services must:]

29 (a) Generally. The Department of General Services must:

30 [(a)] (1) acquire and dispose of real property, except real property used
31 (or intended to be used) for right-of-way governed under Chapter
32 49, including roads, streets, highways, bridges, culverts, storm
33 drainage systems, pedestrian and bicycle pathways and walkway
34 systems;

35 [(b)] (2) design and build County buildings, including public parking
36 facilities under Chapter 60;

37 [(c)] (3) maintain County vehicles, including heavy and light equipment
38 and transit equipment;

39 [(d)] (4) remodel and renovate County buildings, except public parking
40 facilities under Chapter 60, which remain open during the
41 remodeling or renovation;

42 [(e)] (5) repair and maintain County buildings, except public parking
43 facilities under Chapter 60;

44 [(f)] (6) manage County property and identify and acquire real property
45 needed for the operation of County government;

46 [(g)] (7) plan and implement the use of space in County buildings; and

47 [(h)] (8) operate mail, printing, duplication, and archiving services.

48 (b) Non-merit position. The position of Deputy Director is a non-merit
49 position.

50 **2-56. Non-merit positions.**

51 The positions of Deputy Director of Operations and Transportation Policy
52 Officer [of the Department of Transportation is a] are non-merit positions.

53 **2-58D. Functions.**

54 * * *

55 (e) *Non-merit positions.* The positions of Chief Technology Officer, Chief
56 Broadband Officer, and Chief Data Officer [is a] are non-merit
57 positions.

58 **2-64K. Functions.**

59 (a) *Generally.* The [office of management and budget shall have] The
60 Office of Management and Budget has the following functions:

61 [(a)] (1) [Preparation] preparation and administration of the annual
62 operating budget, six-year public services program and related
63 matters.

64 [(b)] (2) [Preparation] preparation and administration of the annual
65 capital budget, six-year capital improvements program and
66 related matters.

67 [(c)] (3) [Planning] planning for county facilities.

68 [(d)] (4) [Program] program evaluation.

69 [(e)] (5) [Coordination] coordination of productivity improvement
70 activities, including management, organization and systems
71 analyses and projects.

72 [(f)] (6) [Other] other management functions as assigned by the chief
73 administrative officer.

74 (b) *Non-merit position.* The position of Deputy Director for Results is a
75 non-merit position.

76 **Sec. 2. Expedited Effective Date.**

77 The Council declares that this legislation is necessary for the immediate
78 protection of the public interest. This Act takes effect on the date on which it
79 becomes law.

LEGISLATIVE REQUEST REPORT
Bill 3-19

Administration – Executive Branch – Non-Merit Positions

DESCRIPTION: This Bill revises Chapters 1A and 2 to designate certain positions as non-merit. It also moves the labor relations function from the Office of Human Resources to a new Office of Labor Relations.

PROBLEM: Top level policy-driven positions should be responsive to the County Executive. Movement of the labor relations function from OHR to a new OLR will permit OHR to concentrate on core personnel duties while allowing the new OLR to focus on labor relations matters.

GOALS AND OBJECTIVES: Increase the effectiveness, efficiency, and responsiveness of these policy-driven positions.

COORDINATION: Chief Administrative Officer.

FISCAL IMPACT: Office of Management and Budget

ECONOMIC IMPACT: Department of Finance

EVALUATION: n/a

EXPERIENCE ELSEWHERE: n/a

SOURCES OF INFORMATION: Edward B. Lattner, Office of the County Attorney
Kimberly Williams, Office of Human Resources

APPLICATION WITHIN MUNICIPALITIES: n/a

PENALTIES: n/a



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Marc Elrich
County Executive

MEMORANDUM

January 24, 2019

TO: Nancy Navarro, Council President

FROM: Marc Elrich, County Executive *M.E.*

SUBJECT: Proposed Legislation Designating Executive Branch Positions as Non-Merit

As County Executive, I am committed to reviewing and bolstering the County's fiscal health and the needs of our diverse communities Countywide. As part of that process, my staff and I have found opportunities for improvement that align with my administration's key objectives to create a more effective, responsive and efficient government.

Therefore, I am submitting to Council the enclosed bill, which would designate certain positions in the Executive Branch as non-merit positions in accordance with Charter § 401. Designating these positions as non-merit serves to improve the efficiency, accountability and effectiveness of County government because the positions being submitted for consideration involve the development of policy or the implementation of important programs impacting the public. Furthermore, the non-merit designation of these positions allows for regular innovation at the senior management level across strategic areas in large departments within County government.

I want to highlight that through a combination of changes, this reorganization saves money and establishes the position of Chief Equity Officer within the Office of the County Executive.

Montgomery County Code § 1A-104(b)(2) requires that each of these positions be supported by a position description established by executive regulation under method (1). I am enclosing the proposed executive regulations, which include those position descriptions.

In addition to this legislation, we will be abolishing several positions. The net impact of creating and abolishing these positions is a savings of \$750,000 starting in FY20 and continuing annually. These savings allow us to minimize reductions with service impacts to our communities in the FY20 budget and beyond.

Nancy Navarro, Council President
January 24, 2019
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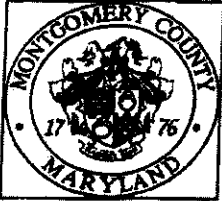
This proposed, multi-faceted approach demonstrates my commitment to increase government accountability while simultaneously streamlining operations in a sustainable way.

I will formally submit these regulations to the Council for approval after publication for notice and comment in the County Register.

Also enclosed is a legislative request report, a Fiscal Impact Statement, and an Economic Impact Statement. I would appreciate the Council's approval of this bill.

Attachments

cc: Andrew Kleine, Chief Administrative Officer
Fariba Kassiri, Assistant Chief Administrative Officer
Dale Tibbitts, Special Assistant to the County Executive
Marc Hansen, County Attorney
Karen Plucinski, Acting Director, Office of Human Resources
Rich Madaleno, Director, Office of Management and Budget
Alex Espinosa, Director, Department of Finance



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject	Position Description for Chief Labor Relations Officer, Office of the County Executive	Number 8-19
Originating Department	Office of Human Resources	Effective Date

Montgomery County Regulation on

POSITION DESCRIPTION - CHIEF LABOR RELATIONS OFFICER, OFFICE OF THE COUNTY EXECUTIVE

Issued by: County Executive
Regulation No. 8-19

Authority: Montgomery County Code (2014) Section 1A-104(b)(2)

Supersedes: None

Council Review: Method (1) under Code Section 2A-15

Register Vol. 36 No. 2

Effective Date:

Comment Deadline: March 3, 2019

Summary: This regulation establishes the position description for Chief Labor Relations Officer, Office of the County Executive, a non-merit position.

Staff contact: Kimberly Williams, Office of Human Resources
(240) 777-5198

Address: Office of Human Resources
Executive Office Building
101 Monroe Street, Fifth Floor
Rockville, Maryland 20850

Background: Montgomery County Code § 1A-104(b)(2) requires that certain positions in the Executive Branch designated by law as non-merit must be supported by a position description established by executive regulation under method (1).

CHIEF LABOR RELATIONS OFFICER, OFFICE OF THE COUNTY EXECUTIVE

This is an appointed, non-merit full-time or part-time position in the County Government reporting to the Chief Administrative Officer (CAO). Under the general direction of the County Executive's Office, an incumbent of this position is responsible for both the formulation of the County's labor relations policy and its implementation. In fulfilling this function, the incumbent is responsible for representing management in labor relations including contract negotiations, interpretation and administration of collective bargaining agreements (CBA), and the



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject	Position Description for Chief Labor Relations Officer, Office of the County Executive	Number 8-19
Originating Department	Office of Human Resources	Effective Date

maintenance of positive and effective labor-management relations.

The Chief Labor Relations Officer counsels and advises managers and supervisors of all departments on labor relations matters and maintains contact with state and local labor relations groups and individuals. Supervision is exercised over a small number of employees, office/and clerical support functions.

MAJOR DUTIES:

Collective Bargaining and Contract Administration: responsible for negotiating collective bargaining agreements, the process by which wages, benefits and other terms and conditions of employment for organized employees is established; training management representatives on the provisions of each collective bargaining agreement applicable to their department; and responding to requests from management for advice and counsel on planned management action, prior to decision making and implementation.

CBA Approvals:

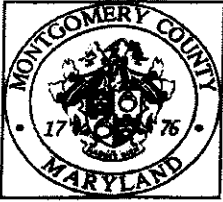
Once both labor and management have ratified the agreements the Chief Labor Relations Officer issues implementing instructions for affected department management. For non-compensation agreements the pertinent management personnel are sent the instructions which capture the changes to the contract and any salient issues that those at the department should be aware of. For compensation agreements the instructions are sent to the Department of Finance (FIN) and Office of Human Resources (OHR) to ensure that any wage increases are timely and properly implemented.

CBA Training:

In addition to issuing implementing instructions Chief Labor Relations Officer then schedules training on the new contracts. The target audience for this training is managers and supervisors with responsibility for supervising employees covered by the agreement.

Litigation:

The Litigation Unit supports the Office of the County Attorney in its efforts to initiate, prosecute, defend and monitor a wide range of litigation activity, primarily for and on behalf of departments under the personnel authority of the County Executive. This litigation activity consists primarily of grievance arbitrations, unfair labor practice complaints, Merit System Protection Board (MSPB) appeals, and/or Petitions for Judicial review of MSPB decisions. The Unit also supports litigation by the Office of the County Attorney in a limited number



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject	Position Description for Chief Labor Relations Officer, Office of the County Executive	Number	8-19
Originating Department	Office of Human Resources	Effective Date	

of civil complaints, filed by or on behalf of an employee, in Court and appellate matters before the Court of Appeals. Litigation activity also flows from Interest Arbitrations.

EXAMPLES OF DUTIES: (Illustrative Only)

- Formulates the County's labor relations policy and directs its implementation, under general direction from the County Executive and subject to approval of the Council;
- Prepares for and conducts the County's participation in union-management contract negotiations to develop mutually agreeable compensation structures, to establish and define union/management rights and obligations and to establish and define conditions of employment;
- Provides training on County-Union agreements and educates and counsels all levels of supervisors and managers in the administration of such agreements, to ensure proper and uniform interpretation and administration of collective bargaining agreements;
- Maintains records and prepares reports on union activities; keeps the County management informed of potential problems;
- Assembles and analyzes information on trends in labor relations to best represent County interests in labor relations;
- Advises and assists management with respect to publicity on labor relations matters;
- Maintains contact with Statewide labor relations groups and counterparts in local municipalities and other County governments on labor relations issues.

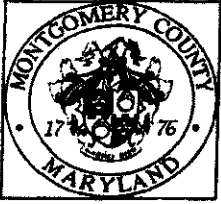
MINIMUM QUALIFICATIONS:

Education: Graduation from an accredited college or university with a Master's Degree in Public Administration, Business Administration, Human Resources, or a related field.

Experience: Seven (7) years of experience in labor relations and litigation, preferably in public administration, which must have included substantial experience as the primary negotiator in management-union contracts. Experience in collective bargaining, grievance, and arbitration strongly preferred.

Advanced Knowledge of:

- General principles and practices used in modern labor relations (i.e., contract negotiation, mediation.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject	Position Description for Chief Labor Relations Officer, Office of the County Executive	Number	8-19
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fact- finding, arbitration, contract administration and interpretation);

- Labor relations laws and current trends in the labor field;
- Supervisory practices and the rights and obligations of management and unions; personal and professional integrity; resourcefulness; tact; good judgement; physical condition commensurate with the duties of the position.

Ability to:

- Maintain effective working relationships with all levels of management and upon representation; negotiate; and
- communicate effectively both orally and in writing.

Licenses, Registrations, Certifications, or Special Requirements: None.

Approved:

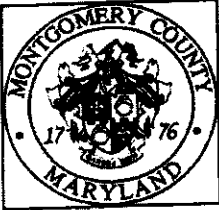
Marc Elrich, County Executive

Date

APPROVED AS TO FORM AND LEGALITY
OFFICE OF THE COUNTY ATTORNEY

BY: [Signature]

DATE: 1/11/19



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject	Position Description for Chief Digital Officer, Office of the County Executive	Number 9-19
Originating Department	Office of Human Resources	Effective Date

Montgomery County Regulation on

POSITION DESCRIPTION – CHIEF DIGITAL OFFICER, OFFICE OF THE COUNTY EXECUTIVE

Issued by: County Executive
Regulation No. 9-19

Authority: Montgomery County Code (2014) Section 1A-104(b)(2)

Supersedes: None

Council Review: Method (1) under Code Section 2A-15
Register Vol. 36 No. 2

Effective Date: _____

Comment Deadline: March 3, 2019

Summary: This regulation establishes the position description for Chief Digital Officer, Office of the County Executive, a non-merit position.

Staff contact: Kimberly Williams, Office of Human Resources
(240) 777-5198

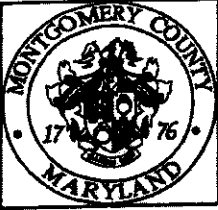
Address: Office of Human Resources
Executive Office Building
101 Monroe Street, Fifth Floor
Rockville, Maryland 20850

Background: Montgomery County Code § 1A-104(b)(2) requires that certain positions in the Executive Branch designated by law as non-merit must be supported by a position description established by executive regulation under method (1).

CHIEF DIGITAL OFFICER, OFFICE OF THE COUNTY EXECUTIVE

DEFINITION OF CLASS:

This is an appointed, non-merit full-time position in the County Government reporting to the Chief Administrative Officer (CAO). The Chief Digital Officer is a visionary leader with strong Information Technology (IT) focused skills and sound knowledge of the County's internal and external business environments (demographics, partners), services and processes. The incumbent advises the CAO on digital



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject Position Description for Chief Digital Officer, Office of the County Executive	Number 9-19
Originating Department Office of Human Resources	Effective Date

business opportunities that leverage technology to drive cross-organizational synergies, partnerships, and integration to meet the County's priority objectives; enhance stakeholder value; and lower the overall cost of service delivery. The incumbent monitors trends in digital government practices and strategies; leverages experience in enterprise technology management business transformation and IT driven innovation ideas; organizational management; asset management; multi-generational technology investment; digital government strategy planning; systems, technologies and techniques; and knowledge of information privacy and security risk management to advise the CAO on IT governance and digital risk management. The incumbent works proactively with business units to implement practices and governance that maximize return on investment in process and service automation initiatives to deliver targeted outcomes and meet investment objectives on a large scale.

MAJOR DUTIES:

The Chief Digital Officer serves under general policy direction from the CAO.

Works collaboratively with other County executive-level managers to achieve the priority goals and objectives of the County.

Monitors trends in digital government practices and strategies.

Reviews current and planned information technology and digitalization efforts, investments, and initiatives of the County to advise the CAO and major stakeholders in the development and maintenance of appropriate organizational structures necessary for the County to meet emerging and future challenges and demands in enterprise digital business management.

Works with the Department of Technology Services and all others to make recommendations to the CAO related to the County's services and digital business.

Monitors digital trends and opportunities and advises the CAO on their use to affect large-scale outcomes; including the use of smart mobile devices (in the hands of customers/citizens and employees), social media, technology embedded in products (such as vehicles), the integration of IT and operational technology (e.g., 5G telecom networks, county-wide networks, energy and transportation grids), and the Internet of Things (e.g., smart lighting, sensor-based SMART controls, body worn networks and devices).

Makes recommendations on augmenting current enterprise organizational structures and increasing the focus on the big digital picture including opportunities, threats, capabilities and gaps; ensures resourcing and organizational design strategy recommendations integrate well with the overall business strategy of the County.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject Position Description for Chief Digital Officer, Office of the County Executive	Number 9-19
Originating Department Office of Human Resources	Effective Date

Advises on the selection, acquisition, or creation of digital solutions and services or the addition of digital capabilities to existing solutions and services.

Assists in identifying digital products, services or customer experiences to broaden constituent and partner engagement and service equity through appropriate digital channels and communities selection.

Develops digital risk governance artifacts and instruments to support the digital risk management objectives of the County.

Works with executive management to determine acceptable levels of risk for the organization and guides security culture, policy, and technology for measurable improvement in the County's digital services risk posture.

EXAMPLES OF DUTIES: (Illustrative Only)

- Advise the CAO on IT investments, policies, and practices and in the development and maintenance of appropriate organizational structures necessary for the County to meet emerging and future challenges and demands of the constituency through digital services.
- Lead the development of a digital government plan and roadmap for the County.
- Continually assess past, current, or proposed future IT programs and advise the CAO on a range of related matters.
- Formulate and establish Countywide enterprise-level digital business management and governance frameworks, artifacts and instruments.
- Ensure Countywide reduction in risk to digital initiatives by ensuring representation and participation in programs by all business units and stakeholders.
- Administer governance artifacts and instruments (e.g., dashboards) that address risk to digitalization efforts and projects.
- Identify policy and standards gaps in IT program/project management.
- Identify and help in incorporating management best practices to transform increasingly more County's service to digital than present.
- Work in a team with County departments and agencies on IT driven innovation projects/ideas.
- Collaborate with information asset owners, asset custodians and other business, technology, and digital security and risk stakeholders to manage risk.
- Encourage accountability for the successful delivery of County information technology programs/projects and digital services.
- Advise the CAO on technology acquisition practices, strategies and partnerships.



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Subject Position Description for Chief Digital Officer, Office of the County Executive	Number 9-19
Originating Department Office of Human Resources	Effective Date

- Participate in the County's information technology strategic planning and governance structure, to make recommendations and provide cohesion and convergence with the digital government plan.
- Participate in steering committees or advisory boards of major programs.
- Provide regular reporting on the current status of the digital risk reduction program to enterprise risk teams, senior business leaders, independently elected and appointed officials and the County Executive, as part of a strategic enterprise risk management program, thus supporting County business outcomes.
- Advise on the development, implementation and monitoring of a strategic, comprehensive program to ensure appropriate levels of confidentiality, integrity, availability, safety, privacy and recovery of information assets owned, controlled or/and processed by the County.
- Create a framework for roles and responsibilities with regard to information ownership, classification, accountability, and protection of information assets and investments.
- Facilitate a metrics and reporting framework to measure the efficiency and effectiveness of the program, facilitate appropriate resource allocation, and increase the maturity of information management programs, and review these with stakeholders at the executive and IT Policy Advisory Committee (IPAC) and Interagency Technology Policy Coordination Committee (ITPCC) levels.
- Identify technology opportunities outside of direct organizational control to include contracts and acquisition alternatives for managing digital business.
- Conduct surveys of comparable experiences and programs in other jurisdictions and sectors.

MINIMUM QUALIFICATIONS:

Education: Bachelor's degree in Management Information Systems, Business Management, or Public Administration or a directly related field.

Experience: Seven (7) to ten (10) years of relevant work experience, in digital business management, enterprise information systems management, or related role.

Equivalency: Any combination of education and experience that has been achieved and is equivalent to the stated education and experience and required knowledge, skills, and abilities deemed adequate by the County to successfully perform the duties and responsibilities of this job.

Licenses, Registrations, Certifications, or Special Requirements:

Preferred:

- Graduate degree in Business Administration, Public Administration, Computer Science, Digital Business Management, or related field.
- Experience in digital transformation and digital service delivery management.
- Experience with HIPAA, PCI and CJIS compliance.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject	Position Description for Chief Digital Officer, Office of the County Executive	Number 9-19
Originating Department	Office of Human Resources	Effective Date

Knowledge, Skills, and Abilities:

Knowledge of:

- Emerging and mature digital services in the public, not-for-profit, and private sectors.
- Management and supervisory principles, practices, and techniques in senior level information technology management and governance.
- Policies, practices, procedures, and terminology of assigned function.
- Federal, State, Local and County applicable laws, rules, regulations, and guidelines.
- Compliance with federal, State and local laws.
- Information Technology best practices as related to assigned tasks.
- Information Security Management best practices.
- Information Technology risk assessment and management.

Skill in:

- Technology and digital services strategic planning and visioning.
- Agile and Lean methodologies.
- Information Technology and Digital Services investment portfolio management and governance.
- Large program/project management oversight and governance.
- Results-based program planning and accountability.
- Understanding IT, Operational Technology (OT) and Internet of Things (IoT), and the overlap of technology and the physical world.
- Understanding the desired business outcomes of the organization, the supporting business processes, and the technology dependencies.
- Expressing risk tolerance and understanding risk appetite in terms of business and organizational outcomes.
- Supporting and working effectively with business units to envision future (digitalized) states.
- Managing technology dependencies that are outside of direct organizational control; including reviewing contracts, mapping data flows across external services, and creating alternatives for managing business service delivery.
- Leadership, collaboration and negotiation techniques, including contracts, agreements and proposals.
- Negotiating Public-Private Partnerships.
- Developing and evaluating procurements, e.g., Requests for Proposals (RFPs).
- Interacting with and supporting the activities of Information Technology and information security professionals.
- Problem-solving and decision-making, Strategic planning, developing, monitoring, and evaluating.



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Subject	Position Description for Chief Digital Officer, Office of the County Executive	Number 9-19
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- Both verbal and written communication, including presentations and communication technical issues in non-technical language.
- Presentation and briefing skills.

Ability to:

- Work with Executive and Senior level managers.
- Work with a large number of stakeholders in various sectors and the public.
- Establish and maintain effective working relationships with departmental clientele, representatives of outside agencies and providers, other County employees and officials, and the general public.
- Work in a people-centric style that supports improved behavior across the enterprise with respect to technology use and dependency.
- Establish and sustain an on-going program of results-based accountability.
- Manage, motivate, train, develop and evaluate programs.
- Work independently and efficiently and as part of a team.
- Manage time well; perform multiple tasks; and organize diverse activities.
- Translate policies and objectives into ideas and initiatives that deliver results.
- Research, compile, analyze, interpret, and prepare a variety of memoranda or reports.
- Deliver awareness formal or informal training.
- Identify security safeguards using risk management-based analysis that are in line with the value of the assets being protected.

MEDICAL EXAM PROTOCOL: Medical History Review

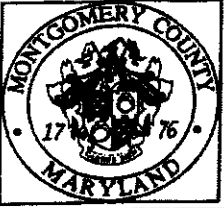
Approved:

Marc Elrich, County Executive

Date

APPROVED AS TO FORM AND LEGALITY
OFFICE OF THE COUNTY ATTORNEY

BY: *Ged Tuttle*
DATE: 11/24/19



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject	Position Description for Chief Equity Officer, Office of the County Executive	Number 7-19
Originating Department	Office of Human Resources	Effective Date

Montgomery County Regulation on

POSITION DESCRIPTION - CHIEF EQUITY OFFICER, OFFICE OF THE COUNTY EXECUTIVE

Issued by: County Executive
Regulation No. 7-19

Authority: Montgomery County Code (2014) Section 1A-104(b)(2)

Supersedes: None

Council Review: Method (1) under Code Section 2A-15
Register Vol. 36 No. 2

Effective Date:

Comment Deadline: March 3, 2019

Summary: This regulation establishes the position description for Chief Equity Officer, Office of the County Executive, a non-merit position.

Staff contact: Kimberly Williams, Office of Human Resources
(240) 777-5198

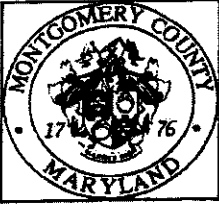
Address: Office of Human Resources
Executive Office Building
101 Monroe Street, Fifth Floor
Rockville, Maryland 20850

Background: Montgomery County Code § 1A-104(b)(2) requires that certain positions in the Executive Branch designated by law as non-merit must be supported by a position description established by executive regulation under method (1).

CHIEF EQUITY OFFICER, OFFICE OF THE COUNTY EXECUTIVE

DEFINITION OF CLASS:

This is an appointed, non-merit full-time position in the County Government reporting to the Chief Administrative Officer (CAO). The incumbent directs, administers, and facilitates the Countywide equity programs; works to build an infrastructure to ensure policy decisions are evaluated through an equity lens to create fair access to opportunity; collaborates with County departments, employees, community members, and



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Subject	Position Description for Chief Equity Officer, Office of the County Executive	Number 7-19
Originating Department	Office of Human Resources	Effective Date

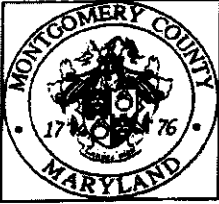
other stakeholders to make meaningful movement towards a more equitable county; and performs related duties as assigned.

MAJOR DUTIES:

This single-incumbent executive management classification exercises broad direction over equity work across Montgomery County. The incumbent provides leadership and vision to ensure the development and management of innovative and effective strategies to achieve racial equity for Montgomery County residents. The work requires considerable initiative and judgment, and the ability to make independent decisions within broad policies and procedures as determined by County executive management, the Council, and federal, State, and County laws, ordinances, and regulations.

EXAMPLES OF DUTIES: (Illustrative Only)

- Identifies disparities and the systemic causes that may exist within the County's departments and community.
- Oversees design, coordination, and implementation of programs, policies, and practices aimed at addressing the systemic disparities existing in the delivery of County services.
- Develops and creates awareness and understanding in the use of an equity lens to develop and implement programs and practices.
- Creates an infrastructure to sustain the County's commitment to equity.
- Implements the Countywide and Health and Human Services' Racial Equity Plans and other related plans.
- Provides leadership, guidance, training, and support to internal and external partners in the development and delivery of equity programs and tools; and develops work plans and training materials.
- Analyzes proposed legislation and regulations and provides expert technical guidance and leadership to management and elected officials on equity issues affecting County programs and practices.
- Establishes baseline disparity data targets/benchmarks in collaboration with partners; and establishes goals and initiatives to make progress and processes to track outcomes.
- Develops methods to determine how disparate impacts will be documented and evaluated; and collects, evaluates, and analyzes indicators and progress benchmarks related to addressing systemic disparities.
- Directs, evaluates, and coordinates analyses and recommendations regarding race and equity policy issues and long-range plans to address department and community needs and services; and develops and coordinates reports and supporting materials to be presented to the Council for information or action.



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Subject	Position Description for Chief Equity Officer, Office of the County Executive	Number 7-19
Originating Department	Office of Human Resources	Effective Date

- Develops and deepens relationships with community members and non-profits committed to racial equity work; and participates in community equity collaborations on behalf of the County to identify and address cumulative impacts of institutional and structural inequities in the County.

MINIMUM QUALIFICATIONS:

Education: A Bachelor's degree from an accredited college or university in sociology, education, public administration, ethnic studies, communication, social work, public health, or a closely related field. A Master's degree or other advanced degree in a related field is highly desirable.

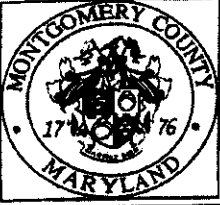
Experience: At least five (5) years of experience of demonstrated success in the administration of community, educational, or social justice programs which focus, in part, on the elimination of structural racism. At least two (2) of those years must be in a managerial, supervisory, or program administration capacity. Experience in a public agency is strongly preferred.

Advanced Knowledge of:

- Theories, principles, and practices of effective management and strategic planning process and techniques.
- Social, political and environmental issues influencing equity program development and implementation.
- Effective institutional change management principles and practices.
- Effective interpersonal and group communication techniques.
- Policy analysis and development techniques and methods of formulating and advocating for public policies specific to equity issues.
- How inequities were created, are currently reinforced and maintained, and can be removed.
- Principles and practices of community and public relations.

Ability to:

- Plan, organize, manage, and direct the implementation of equity programs.
- Effectively manage diverse employees and groups and apply effective management skills in the areas of planning and project management including organizing, directing, motivation, and evaluation.
- Act as a visionary and strategic thinker to identify and define complex equity disparities; develop sound conclusions and recommendations; and represent recommendations in a way that is compelling to a variety of institutional and community audiences.
- Conduct racial impact analysis; and utilize evidence and data to recommend improvements to life outcomes for marginalized populations.
- Represent the County effectively on equity issues in a variety of forums.
- Prepare clear, concise, and comprehensive correspondence, reports, studies, and other written materials.



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Subject	Position Description for Chief Equity Officer, Office of the County Executive	Number 7-19
Originating Department	Office of Human Resources	Effective Date

- Speak clearly, explicitly, and convincingly to diverse audiences.
- Recognize and acknowledge existing cultural and racial "blind spots" and work toward addressing them.
- Exercise sound, expert independent judgment and political acumen within general policy guidelines.
- Exercise tact and diplomacy in dealing with highly sensitive, complex and confidential issues and situations.
- Build effective strong working relationships, partnerships and networks with communities of color, and the organizations that serve them.

MEDICAL EXAM PROTOCOL: Medical History Review.

Approved:

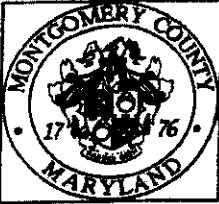
Marc Elrich, County Executive

Date

APPROVED AS TO FORM AND LEGALITY
OFFICE OF THE COUNTY ATTORNEY

[Signature]

1/11/19



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject - Position Description for Deputy Director, Department of Housing and Community Affairs	Number 3-19
Originating Department Office of Human Resources	Effective Date

Montgomery County Regulation on

POSITION DESCRIPTION – DEPUTY DIRECTOR, DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Issued by: County Executive
Regulation No. 3-19

Authority: Montgomery County Code (2014) Section 1A-104(b)(2)

Supersedes: None

Council Review: Method (1) under Code Section 2A-15
Register Vol. 36 No. 2

Effective Date:

Comment Deadline: March 3, 2019

Summary: This regulation establishes the position description for Deputy Director, Department of Housing and Community Affairs, a non-merit position.

Staff contact: Kimberly Williams, Office of Human Resources
(240) 777-5198

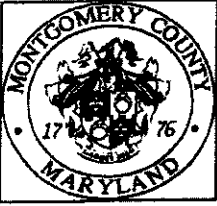
Address: Office of Human Resources
Executive Office Building
101 Monroe Street, Fifth Floor
Rockville, Maryland 20850

Background: Montgomery County Code § 1A-104(b)(2) requires that certain positions in the Executive Branch designated by law as non-merit must be supported by a position description established by executive regulation under method (1).

DEPUTY DIRECTOR, DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

DEFINITION OF CLASS:

This is an appointed, non-merit position in the County Government. This executive-level position reports to the Director, Department of Housing and Community Affairs (DHCA) and has full authority and accountability in the absence of the Director. The Deputy Director supports the Director in planning, developing, implementing, and evaluating policies, program, and special projects. The incumbent also addresses and resolves complex



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Originating Department Office of Human Resources	Effective Date

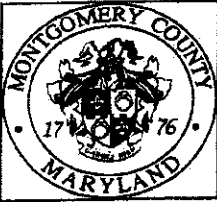
issues related to affordable, workforce, and market-rate housing with County, State, regional, and federal officials/managers as well as with private for-profit and not-for-profit sector and community/civic association leaders.

MAJOR DUTIES:

Incumbents perform a variety of complex duties. The distinguishing characteristics of this classification include responsibility for implementing affordable housing, the loan, grant, and other programs, and coordinating such efforts with other County, State, regional, and federal officials/managers and/or private agencies.

EXAMPLES OF DUTIES: (Illustrative Only)

- Develops the departmental work program and develops responsive and fiscally sound policies which impact public, private, and community interests related to the County's housing programs;
- Develops and promotes fair and affordable housing, tenant rights, and healthy living conditions and helps to preserve and produce affordable workforce and market-rate housing.
- Works with Director, Division Chiefs, and senior managers in planning and developing strategic, long-range policies; in establishing long and short terms goals and objectives; in implementing innovative programs and initiatives; and in determining organizational and financial resources required to meet objectives;
- Examines numerous diverse, complex, and politically-sensitive issues and problems related to housing and works with departmental and other County/outside stakeholders toward their resolution;
- Leads and/or works with task forces and advisory committees; analyzes recommendations / findings; informs/advises the Director and other officials of issues, strategies, and findings; implements recommendations; evaluates outcomes, etc.
- Serves as the primary liaison to officials/staff at the Montgomery County Planning Board, MNCPPC, the Housing Opportunities Commission (HOC), Council of Governments (COG), State of Maryland Department of Housing and Community Development, and other agencies on all matters of mutual concern;
- Serves as the Director's personal representative in meetings with and in making oral and written presentations before appointed and elected officials, community organizations, private sector business associations, and officials of both regulatory and non-regulatory local, State, and federal government agencies;
- Testifies before the County Council and Planning Board; participates in their committees regarding legislation and issues affecting departmental policies and procedures;
- Serves as liaison between the department and communities; manages community relations and outreach activities;



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- Oversees administration/management of major departmental contracts;
- Monitors and evaluates housing development programs to ensure the program meets all federal and local regulations, guidelines, and reporting requirements.
- Oversees the management of public and privately funded grants from award to close out; and responsible for tracking project budgets, funding accounts, and program income.
- Participates in developing the department's Operating and Capital Improvement Budgets;
- Provides oversight on modernization and development projects to include preparation of scope of services and participation in the selection process for developers or contractors.
- Manages/oversees the day-to-day real estate activities related to the acquisition and development of affordable, workforce, and market rate housing; coordinates development activities from planning to occupancy.
- Conducts and/or directs the efforts of consultants/contractors in carrying out evaluations and/or management studies of departmental programs; creates program evaluation criteria; assesses findings; proposes new approaches and/or modifications to Director;
- Coordinates the development of analytical and transactional tasks to include but not limited to market research, project budgets, sources and uses, draw schedules, proformas, and project schedules.
- Handles special projects, reports, and activities;
- Performs related duties as required.

MINIMUM QUALIFICATIONS:

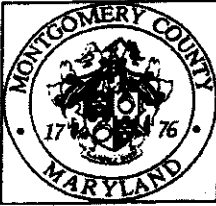
Experience: Ten (10) years of progressively responsible experience in public housing, affordable housing, or real estate redevelopment environment; three (3) of which were in a supervisory or executive capacity; or the equivalent combination of education and experience which meet the minimum qualifications requirement.

Education: Bachelor's degree from an accredited college or university with emphasis in Business Administration, Real Estate or closely related field.

Licenses, Registrations, Certifications, or Special Requirements: None

KNOWLEDGE, SKILLS, AND ABILITIES:

Advanced knowledge of:



MONTGOMERY COUNTY EXECUTIVE REGULATION

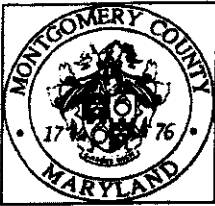
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Subject - Position Description for Deputy Director, Department of Housing and Community Affairs	Number 3-19
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- Principles, practices, and techniques of planning, formulating, analyzing, and implementing management and programmatic policies and strategies.
- Long- and short-range strategic planning and evaluation techniques and methods, and ability to look to the future with a broad perspective.
- Principles and practices of housing, community planning, and urban development, including zoning ordinances, master and sector plan development, land use, etc.
- Local, State, and federal laws, regulations, and programs affecting affordable, workforce, and market-rate development activities.
- Functions and activities of the local government, bi-county, State, and federal agencies that deal with Montgomery County.
- Contract development, administration, and monitoring; budget/fiscal control; procurement; human resources; etc.
- Federal, State, local and County applicable laws, rules, regulations and guidelines.

Skill in:

- Identifying, analyzing, and evaluating information concerning highly complex and often politically-sensitive housing issues.
- Manage numerous responsibilities, set priorities, anticipate problems, develop contingency plans, and monitor achievement of broad program goals/objectives.
- Working effectively with task forces, advisory groups, and panels comprised of a diverse range of stakeholders; to grasp and synthesize key issues; and to implement recommendations/findings.
- Interpersonal relations and ability to establish and maintain effective working relationships with elected/appointed officials, managers and supervisors, other governmental staff, civic and community leaders and groups, and representatives of the private business sector.
- Negotiating agreements which accommodate the conflicting interests and viewpoints of numerous groups and organizations.
- Managing staff, allocating resources, and evaluating programs.
- Leadership, collaboration and negotiation techniques, including contracts, agreements, and proposals.
- Developing and monitoring programs and related budgets.
- Managing user expectations and satisfaction.
- Developing and evaluating Requests for Proposals (RFPs).
- Problem-solving and decision-making.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject - Position Description for Deputy Director, Department of Housing and Community Affairs	Number 3-19
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Ability to:

- Cooperate with and fully support the goals and objectives of intra and interagency programs and activities.
- Effectively representing the organization on policy matters and controversial questions and to deal tactfully and equitably with a diverse range of people.
- Communicating clearly, concisely, and effectively, both orally and in writing.
- Ability to attend meetings and/or perform assignments at locations outside of the office.
- Manage, motivate, train, develop, and evaluate staff.
- Work independently and efficiently and as part of a team.
- Manage time well, perform multiple tasks, and organize diverse activities.
- Translate policies and objectives into ideas and applications web-based information products.
- Research, compile, analyze, interpret, and prepare a variety of memorandums or reports.

MEDICAL EXAM PROTOCOL: Medical History Review.

Approved:

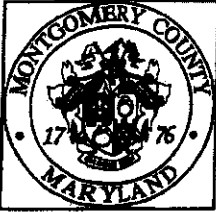
Marc Elrich, County Executive

Date

APPROVED AS TO FORM AND LEGALITY
OFFICE OF THE COUNTY ATTORNEY

BY: *Ced. [Signature]*

DATE: 1/11/19



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject	Position Description for Deputy Director for Results, Office of Management and Budget	Number	12-19
Originating Department	Office of Human Resources	Effective Date	

Montgomery County Regulation on

POSITION DESCRIPTION - DEPUTY DIRECTOR FOR RESULTS, OFFICE OF MANAGEMENT AND BUDGET

Issued by: County Executive
Regulation No. 12-19

Authority: Montgomery County Code (2014) Section 1A-104(b)(2)
Supersedes: None

Council Review: Method (1) under Code Section 2A-15
Register Vol. 36 No. 2

Effective Date:

Comment Deadline: March 3, 2019

Summary: This regulation establishes the position description for Deputy Director for Results, Office of Management and Budget, a non-merit position.

Staff contact: Kimberly Williams, Office of Human Resources
(240) 777-5198

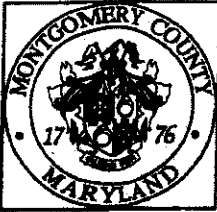
Address: Office of Human Resources
Executive Office Building
101 Monroe Street, Fifth Floor
Rockville, Maryland 20850

Background: Montgomery County Code § 1A-104(b)(2) requires that certain positions in the Executive Branch designated by law as non-merit must be supported by a position description established by executive regulation under method (1).

DEPUTY DIRECTOR FOR RESULTS, OFFICE OF MANAGEMENT AND BUDGET

DEFINITION OF CLASS:

This is an appointed, non-merit position in the County Government. This is a senior level management position serving as the Deputy Director for the Office of Management and Budget (OMB). The position reports to the Director, Office of Management and Budget and has full authority and accountability in the absence of the Director. The position works in conjunction with the Director to oversee the planning and deployment of



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject	Position Description for Deputy Director for Results, Office of Management and Budget	Number	12-19
Originating Department	Office of Human Resources	Effective Date	

Montgomery County Regulation on

POSITION DESCRIPTION - DEPUTY DIRECTOR FOR RESULTS, OFFICE OF MANAGEMENT AND BUDGET

Issued by: County Executive
Regulation No. 12-19

Authority: Montgomery County Code (2014) Section 1A-104(b)(2)

Supersedes: None

Council Review: Method (1) under Code Section 2A-15

Register Vol. 36 No. 2

Effective Date:

Comment Deadline: March 3, 2019

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Staff contact: Kimberly Williams, Office of Human Resources
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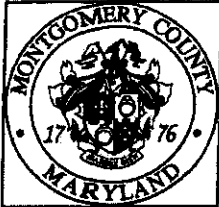
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Background: Montgomery County Code § 1A-104(b)(2) requires that certain positions in the Executive Branch designated by law as non-merit must be supported by a position description established by executive regulation under method (1).

DEPUTY DIRECTOR FOR RESULTS, OFFICE OF MANAGEMENT AND BUDGET

DEFINITION OF CLASS:

This is an appointed, non-merit position in the County Government. This is a senior level management position serving as the Deputy Director for the Office of Management and Budget (OMB). The position reports to the Director, Office of Management and Budget and has full authority and accountability in the absence of the Director. The position works in conjunction with the Director to oversee the planning and deployment of



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject Position Description for Deputy Director for Results, Office of Management and Budget	Number 12-19
Originating Department Office of Human Resources	Effective Date

Countywide resources to carry out the mission of OMB in supporting the implementation of the County Executive's priorities and policy agenda. The position directs the preparation and transmittal of the County Executive's annual proposed operating budget and six-year fiscal plan; oversees OMB's involvement in the collective bargaining process; assists the Director in developing strategies and policies to implement the County's budget priorities; and assist the Director in the management of OMB. This is a supervisory position and has full line management responsibility for planning, developing, and implementing employee work programs, communicating expectations, and assessing the achievement of established goals.

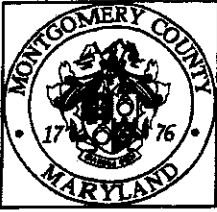
MAJOR DUTIES:

Work is performed independently under general administrative supervision and final results are evaluated for effectiveness in establishing policies and achieving goals and objectives integral to County's mission and purpose. Judgments and decisions are guided by broad guidelines within the context of regulations, legislation, and/or County policies and practices and requires full utilization of management principles and tactical as well as strategic planning within broadly outlined and complex regulations.

EXAMPLES OF DUTIES: (Illustrative Only)

Plan, develop, and lead year-long process to prepare the County's annual Operating Budget, six-year Public Services Program (PSP), and six-year Fiscal Plan. Consisting of the following functions:

- Establish the County's overall fiscal planning guidelines and specific budget guidelines to Executive Branch departments based on the County's fiscal plan and economic forecast.
- Collect information from various sources and analyze complex problems to identify options and recommend funding levels, including solutions to close budget gaps, in the County's annual operating budget consistent with the County Executive's policy priorities.
- Direct development of all budget adjustments including supplemental appropriations, budget amendments, and savings plan appropriation reductions.
- Manage the internal review of department budget requests, scheduling of budget review meetings with department directors and senior leadership including the County Executive and Chief Administrative Officer, and planning for the Council budget review and approval process.
- Negotiate changes to the Council's requirements specified in the annual appropriation resolutions with the Council Administrator and other Council Staff.
- Provide direction to staff on analyzing department and agency budget requests, in identifying and preparing options for the County Executive's decisions and making recommendations.
- Oversee preparation and transmittal of all fiscal reports to the County Council including the quarterly analysis of expenditures and revenues and the annual six-year fiscal plan.
- Coordinate fiscal planning and strategy with the manager overseeing development of the Capital Improvements Program.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject	Position Description for Deputy Director for Results, Office of Management and Budget	Number 12-19
Originating Department	Office of Human Resources	Effective Date

- Manage the complex budgetary relationship between the County, agencies, and other levels of government.
- Identify efficient and effective use of County resources, including development of performance measures and performance-based budgeting in coordination with CountyStat and other departments.
- Lead cross-department groups, including department directors and designated staff, to identify efficiencies, cost reductions, and improvements in the delivery of County programs and services through more effective allocation of County resources.
- Represent the County Executive and defend budget recommendations during Council review and approval of the annual operating budget.
- Oversee responses to questions and requests for information from the County Council, other County officials, and the public.
- Oversee OMB's involvement in the collective bargaining process. This involves assessing the County's fiscal condition and developing parameters regarding the economic provisions of labor agreements. Represent the County Executive as necessary in negotiations with the County's designated employee organizations.
- Assist Department Director in developing strategies and policies to implement the County Executive's priorities.
- Build and strengthen relationships and partnerships between OMB and departments and agencies.
- Supervises a team of Management and Budget Specialists - planning, developing, and implementing work programs, communicating expectations, assessing the achievement of established goals, and mentoring and coaching.
- Serve as Department Director in the Director's absence, with authority to approve decision memos, fiscal impact statements, position exemptions, procurement exemptions, and all other actions.

MINIMUM QUALIFICATIONS:

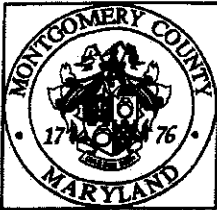
Education: Graduation from an accredited college or university with a bachelor's degree in accounting, business administration, economics, finance, public administration, or a closely related field.

Experience: Ten (10) years' professional experience in accounting, budget formulation, and/or financial management, four years of which were in a supervisory capacity.

Licenses, Registrations, Certifications, or Special Requirements: None

Knowledge, Skills, and Abilities:

Advanced knowledge of:



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject	Position Description for Deputy Director for Results, Office of Management and Budget	Number	12-19
Originating Department	Office of Human Resources	Effective Date	

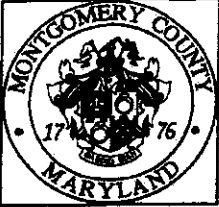
- The principles and practices of public administration with particular reference to management concepts and techniques, strategic planning principles, policy analysis, labor relations, accounting and actuarial principles, resource allocation and budgeting.
- County government's services and programs, budget process, legal requirements, human resources policies and procedures, and accounting policies and requirements.
- Program development, implementation, management and evaluation techniques, high level interagency coordination, negotiations, and conflict resolution.
- The laws, rules and regulations governing the preparation and implementation of the County's budget and fiscal planning.
- Applicable federal, State and County laws, regulations, and policies affecting the County's services and programs.

Skill in:

- Identifying, analyzing, and evaluating information concerning highly complex, varied, and often sensitive services and programs across the entire County government.
- Effectively representing the organization on policy matters and controversial questions; negotiating agreements which accommodate the conflicting interests and viewpoints of numerous groups and organizations.
- Managing processes, setting priorities, communicating expectations, anticipating problems, developing contingency plans, and monitoring achievement of broad programmatic goals, objectives, and quality standards.
- Interpersonal relations and ability to work tactfully and effectively with elected/appointed officials, Union representative, employees, supervisors and managers, outside agencies senior leadership, and community and business organization leaders.
- Expressing ideas, conclusions and recommendations clearly and concisely, both orally and in writing.

Ability to:

- Exercise judgment and independent decision making consistent with overall organizational policies and goals.
- Plan, set priorities, and organize numerous work assignments of team members to meet tight and often conflicting deadlines.



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Subject	Position Description for Deputy Director for Results, Office of Management and Budget	Number	12-19
Originating Department	Office of Human Resources	Effective Date	

- Lead, inspire, motivate, evaluate, and counsel subordinate supervisory staff and to delegate responsibility to them, as appropriate.

MEDICAL EXAM PROTOCOL: Medical History Review.

Approved:

Marc Elrich, County Executive

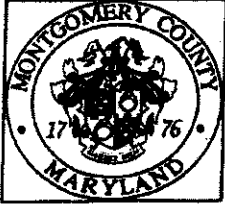
Date

APPROVED AS TO FORM AND LEGALITY

OFFICE OF THE COUNTY ATTORNEY

BY: Ed [Signature]

DATE: 1/15/19



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject Position Description for Deputy Director, Department of General Services	Number 2-19
Originating Department Office of Human Resources	Effective Date

Montgomery County Regulation on

POSITION DESCRIPTION - DEPUTY DIRECTOR, DEPARTMENT OF GENERAL SERVICES

Issued by: County Executive

Regulation No. 2-19

Authority: Montgomery County Code (2014) Section 1A-104(b)(2)

Supersedes: None

Council Review: Method (1) under Code Section 2A-15

Register Vol. 36 No. 2

Effective Date:

Comment Deadline: March 3, 2019

Summary: This regulation establishes the position description for Deputy Director, Department of General Services, a non-merit position.

Staff contact: Kimberly Williams, Office of Human Resources
(240) 777-5198

Address: Office of Human Resources
Executive Office Building
101 Monroe Street, Fifth Floor
Rockville, Maryland 20850

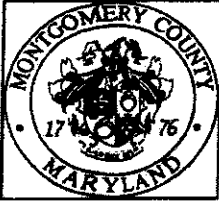
Background: Montgomery County Code § 1A-104(b)(2) requires that certain positions in the Executive Branch designated by law as non-merit must be supported by a position description established by executive regulation under method (1).

DEPUTY DIRECTOR, DEPARTMENT OF GENERAL SERVICES

DEFINITION OF CLASS:

This is an appointed, non-merit position in the County Government. This is a senior level management position serving as the deputy director for the Department of General Services (DGS). This position reports to the Director of DGS and has full authority and accountability in the absence of the Director.

This position focuses on an approach to Countywide planning and real estate development and assists the Executive branch in working with the County Council and Planning Board on significant land use policy and



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject Position Description for Deputy Director, Department of General Services	Number 2-19
Originating Department Office of Human Resources	Effective Date

implementation issues. The incumbent spends a significant amount of time in public forums promoting and supporting the County's vision for a more cohesive, environmentally responsible, and cost-effective use of all facilities.

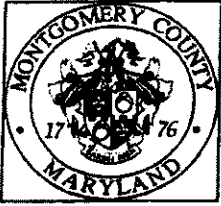
MAJOR DUTIES:

An employee in this class plans, develops, coordinates and evaluates land use and growth policies, redevelopment programs, and the use of public real estate assets. The employee directs managers in: review of planning and land use policies, capital planning and design, and maximizing the value of public real estate assets. This position has direct oversight and management of Capital Improvement Project (CIP) related design and construction and is tasked with leading the strategic direction related to sustainability in the County.

The work is performed within the context of broadly defined missions and functions and general administrative direction with little technical guidance. The employee exercises full accountability for all matters associated with completing work assignments, including determining the work to be performed and the methods used. Results of the work are considered technically authoritative and evaluated in terms of the Department's role in meeting its goals and objectives. Guidelines consist of broad policy directives and basic legislation and require the employee to use considerable judgment in interpreting the intent of the guidelines and in generating specific policies and guidance for use by managers in developing various components of the County's land use and growth policies, redevelopment and planning implementation, and use and development of county real estate assets. The complexity of the work is characterized by the need for planning, directing, and integrating a broad range of general functions, programs, and services for a wide range of diverse internal and external service recipients. The work requires consideration of public works, environmental, land use, community issues and impacts, and developing solutions which accommodate conflicting objectives from a variety of organizations, officials, groups, and individuals. These areas require substantial analysis of the legal implications for actions taken. This work directly impacts the business community and public and requires significant interaction with the public. The work is sedentary, performed in an office setting and subject to common everyday risks.

EXAMPLES OF DUTIES: (Illustrative Only)

- Provide substantial input and influence on policy to department directors, County Council, the County Executive, and the public.
- Represent higher management and/or the organizational unit(s) managed in presenting, justifying, defending, gaining compliance, obtaining or committing resources, and resolving issues of considerable consequence to the organizational unit(s).
- Develop and implement organizational strategies that integrate the County Executive's Vision Statement, and the County and State's plans for facilities and services throughout Montgomery County.



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Subject Position Description for Deputy Director, Department of General Services	Number 2-19
Originating Department Office of Human Resources	Effective Date

- Oversee the department's implementation of the Capital Improvement Program in the design and construction of public facilities.
- Develop and oversee administration of department-wide policies and procedures.
- In the absence of the Director, or for the Director, serve as the spokesperson for the Department by responding to inquiries from the media, the County Council, and other local and State Government officials and business, communities, and citizens.

MINIMUM QUALIFICATIONS:

Education: Graduation from an accredited college or university with a Master's Degree in Planning, Public or Business Administration or related fields.

Experience: Seven (7) years' experience in the field of planning, real estate development and asset management with at least four (4) years in a managerial or supervisory capacity which included responsibility for fund and budget administration, program planning, implementation, and administration.

Equivalency: An equivalent combination of education and experience may be substituted.

Licenses, Registrations, Certifications, or Special Requirements: None

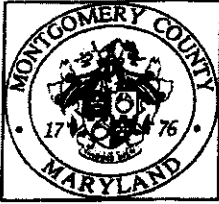
Knowledge, Skills, and Abilities:

Advanced knowledge of:

- Methods and techniques, practices, and procedures of land use planning and real estate development.
- Laws, ordinances, and regulations governing the land use and development such as zoning, subdivision regulations, historic preservation regulations, and public real estate acquisition and disposition.
- Principles and practices of accounting and financial analysis as they apply to business transactions associated with real estate functions and services.
- Principles and practices of public administration as they may apply to the management of a complex government organization.

Skill in:

- Making timely decisions in the light of conflicting priorities.
- Negotiating agreements which accommodate the conflicting interests and viewpoints of individuals, groups, and contractors with a particular emphasis on real estate transactions.
- Oral and written communication sufficient to develop positions and justifications of decisions reached.
- Making presentations to and reaching out to the public in meetings.
- Negotiating agreements, a collective position, etc., in support of the execution of the program objective.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject Position Description for Deputy Director, Department of General Services	Number 2-19
Originating Department Office of Human Resources	Effective Date

Ability to:

- Communicate effectively, orally and in writing, in a clear and concise manner.
- Establish and maintain effective working relationships with other governmental agencies, private organizations and the general public.
- Develop, present, and defend program measurements related to the program.
- Establish and maintain effective working relationships with government, community, business, and private individuals.
- Supervise support employees.
- Attend meetings and perform work assignments at locations outside the office.

MEDICAL EXAM PROTOCOL: Medical History Review.

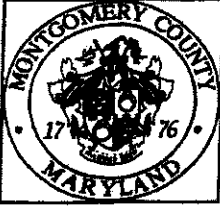
Approved:

Marc Elrich, County Executive

Date

APPROVED AS TO FORM AND LEGALITY
OFFICE OF THE COUNTY ATTORNEY

BY: *Ed Smith*
DATE: 1/11/19



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject Position Description for Deputy Director of Operations, Department of Transportation	Number 10-19
Originating Department Office of Human Resources	Effective Date

Montgomery County Regulation on

POSITION DESCRIPTION – DEPUTY DIRECTOR OF OPERATIONS, DEPARTMENT OF TRANSPORTATION

Issued by: County Executive
Regulation No. 10-19

Authority: Montgomery County Code (2014) Section 1A-104(b)(2)

Supersedes: None

Council Review: Method (1) under Code Section 2A-15

Register Vol. 36 No. 2

Effective Date:

Comment Deadline: March 3, 2019

Summary: This regulation establishes the position description for Deputy Director of Operations, Department of Transportation, a non-merit position.

Staff contact: Kimberly Williams, Office of Human Resources
(240) 777-5198

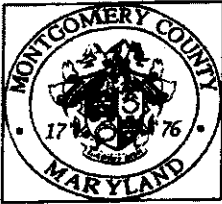
Address: Office of Human Resources
Executive Office Building
101 Monroe Street, Fifth Floor
Rockville, Maryland 20850

Background: Montgomery County Code § 1A-104(b)(2) requires that certain positions in the Executive Branch designated by law as non-merit must be supported by a position description established by executive regulation under method (1).

DEPUTY DIRECTOR OF OPERATIONS, DEPARTMENT OF TRANSPORTATION

DEFINITION OF CLASS:

Under the executive appointment of the County Executive and reporting to the Director, Department of Transportation, the Deputy Director of Operations has full authority and accountability in the absence of the Director. The Deputy Director assists the Director in the overall management, administration, operations, planning, and coordination of a diverse range of activities, operations, services, and staff in order to accomplish



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Subject	Position Description for Deputy Director of Operations, Department of Transportation	Number	10-19
Originating Department	Office of Human Resources	Effective Date	

the departmental vision, mission, and guiding principles. The position works in conjunction with the Director to oversee the planning and deployment of department-wide resources to carry out the operations of the Department in supporting the implementation of the County Executive's priorities. The position assists the Director in the management of the Department of Transportation and has full line management responsibility for planning, developing, and implementing employee work programs, communicating expectations, and assessing the achievement of established goals.

MAJOR DUTIES:

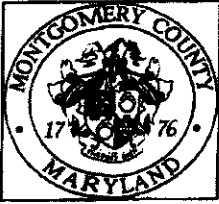
The Deputy Director of Operations oversees defined operations, services, divisions, staff within the Department of Transportation. The work includes coordinating with County and department staff to develop or update the administration and operations of the Department including information such as operational objectives, technologies, systems, information specifications, schedules, funding, and staffing. The work may involve preparing and reviewing operational reports and schedules to ensure accuracy, efficiency, and compliance with government policies and regulations. The position provides technical assistance to staff, volunteers, advisory boards, councils, community agencies, and others.

EXAMPLES OF DUTIES: (Illustrative Only)

- Exercises the full range of supervisory duties and responsibilities as defined in the Montgomery County Personnel Regulations (MCPR).
- Assists the Director in developing comprehensive long and short-range strategies designed to achieve Departmental goals and objectives and establishes priorities as necessary to accomplish them.
- Assumes the duties and responsibilities of the Director in his/her absence.
- Exercises technical management oversight for all operations.
- Analyzes technical performance reports, correspondence, and contracts.
- Reviews, evaluates and makes recommendations to the Director regarding areas of departmental responsibility.
- Investigates and researches difficult and complex inquiries, problems, or complaints, and initiates appropriate steps to address/resolve them.
- Performs tasks and duties which may not be specifically listed in the class specification or position descriptions, but which are within the general occupational category and responsibility level typically associated with the employee's class of work.

SUPERVISORY CONTROLS:

Work is performed with a wide latitude for independent judgment and action under the general supervision of



MONTGOMERY COUNTY EXECUTIVE REGULATION

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the Director. May provide direct supervision to management, professional, technical, and administrative support staff.

SUPERVISION EXERCISED: Employees in this classification act as supervisors to other positions.

GUIDELINES:

Incumbent must possess the ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Incumbent must possess the ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form.

COMPLEXITY:

Complex function with significant number of interrelated professional and operational disciplines which must be coordinated. Considerable discretion and latitude to direct and control affairs of the organization. Requires the exercise of ingenuity, creativity, judgment, and problem-solving skills.

SCOPE AND EFFECT:

The work involves planning, developing, and carrying out vital administrative and service programs. The programs are essential to the mission of the County and/or effect large numbers of people on a long-term or continuing basis.

CONTACTS:

Serves as a liaison between department director and department division chiefs, customers, County, State, and federal government representatives, public service and other community organizations, the media and the public-at-large; attends conferences, seminars and training.

PUBLIC SERVICE /ASSISTANCE:

Personal assistance and/or care of constituents is provided on an on-going basis.

HAZARDS: The work involves no significant hazards.

MINIMUM QUALIFICATIONS:

Graduation from college or equivalent plus experience of a type, duration, level of complexity, diversity and responsibility to be determined at time of announcement, which has provided the applicant with the necessary knowledge, skills and abilities to perform the duties in the appropriate executive level functional area; or equivalent combination of education, experience and training.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject	Position Description for Deputy Director of Operations, Department of Transportation	Number 10-19
Originating Department	Office of Human Resources	Effective Date

Knowledge, Skills, and Abilities:

Advanced Knowledge of:

- Modern office procedures, practices, and equipment.
- Principles and practices of public and business administration.
- Functions, organizations and governing laws and regulations of the County government.

Skill In:

- Analyzing, interpreting, and applying the most complex procedures and information from journals, documents and manuals, financial reports, policy and procedure manuals and legal documents and manuals;
- Responding effectively to the most sensitive inquiries or complaints from constituents, other Elected Officials, and department managers, and regulatory agencies;
- Writing original reports, business correspondence, and procedure manuals;
- Effectively presenting information on complex topics to groups including Elected Officials, Department Managers and the public, to respond to questions in one-on-one situations and in groups.

Ability to:

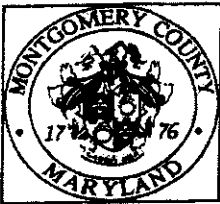
- Analyze, interpret and report research findings and recommendations.
- Exercise judgment and discretion in applying and interpreting policies and procedures.
- Plan, assign and direct the work of others in a manner conducive to full performance and high morale.
- Understand and carry out complex oral and written instructions.
- Establish and maintain effective working relationships with department officials, employees and the general public.

Licenses, Registrations, Certifications, or Special Requirements:

Employment must have been in an administrative, professional, and supervisory capacity in an area of work related to the functional responsibility of the departments/divisions in which the position exists. In those departments/divisions where registered specialists provide the primary source of functional and technical knowledge for planning and accomplishing the mission of the departments/divisions, the incumbent may also be required to be registered and experienced in that profession. Work experience must have included supervising and coordinating a variety of functions.

Work Environment:

Work is generally conducted in both an office and field environment. The job functions require the ability to



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject	Position Description for Deputy Director of Operations, Department of Transportation	Number	10-19
Originating Department	Office of Human Resources	Effective Date	

attend meetings, seminars, training and conferences as well as travel to off-site facilities.

Physical Demands:

The duties require sitting, standing, often times for long periods, walking on all types of terrain, maintaining balance, climbing stairs and inclines, kneeling, bending, stooping, crouching, reaching, pushing, pulling, twisting, requires a sense of touch, finger dexterity, ability to grip with hands and fingers, to lift and carry up to 30 pounds. May be required to wear and/or use personal protective equipment such as gloves, masks, eye protection, etc. for first aid and other department activities. May be required to work offsite and subject to outside temperatures and inclement weather.

MEDICAL EXAM PROTOCOL: Core Exam.

Approved:

Marc Elrich, County Executive

Date

APPROVED AS TO FORM AND LEGALITY
OFFICE OF THE COUNTY ATTORNEY

BY: *[Signature]*

DATE: 1/11/19



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject Position Description for Chief Broadband Officer, Department of Technology Services	Number 6-19
Originating Department Office of Human Resources	Effective Date

Montgomery County Regulation on

POSITION DESCRIPTION – CHIEF BROADBAND OFFICER, DEPARTMENT OF TECHNOLOGY SERVICES

Issued by: County Executive
Regulation No. 6-19

Authority: Montgomery County Code (2014) Section 1A-104(b)(2)

Supersedes: None

Council Review: Method (1) under Code Section 2A-15

Register Vol. 36 No. 2

Effective Date:

Comment Deadline: March 3, 2019

Summary: This regulation establishes the position description for Chief Broadband Officer, Department of Technology Services, a non-merit position.

Staff contact: Kimberly Williams, Office of Human Resources
(240) 777-5198

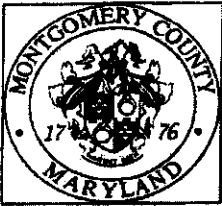
Address: Office of Human Resources
Executive Office Building
101 Monroe Street, Fifth Floor
Rockville, Maryland 20850

Background: Montgomery County Code § 1A-104(b)(2) requires that certain positions in the Executive Branch designated by law as non-merit must be supported by a position description established by executive regulation under method (1).

CHIEF BROADBAND OFFICER, DEPARTMENT OF TECHNOLOGY SERVICES

DEFINITION OF CLASS:

This appointed, non-merit, single-incumbent executive management job classification is in the Office of Broadband Programs in the Department of Technology Services. The incumbent performs as the County's Chief Broadband Officer (CBO) and reports to the Director, Department of Technology Services (DTS). The CBO is responsible to achieve the County Executive's priority objectives in digital equity, economic



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject	Position Description for Chief Broadband Officer, Department of Technology Services	Number 6-19
Originating Department	Office of Human Resources	Effective Date

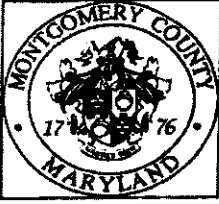
development, and workforce development through broadband technologies. The incumbent is responsible for planning and deploying broadband technologies that enhance the County's and its constituents' ability to leverage broadband and the Internet to conduct business.

MAJOR DUTIES:

The incumbent is responsible for identifying, developing, resourcing and implementing broadband initiatives and programs that are critical to the delivery of the government's service to residents and businesses, and support business and workforce development and job creation in targeted priority economic sectors, enhance community engagement and Smart County initiatives, and position the County's digital infrastructure to be prepared to meet future demand in areas such as public safety, education, mobility, digital equity, and commerce. The incumbent will be responsible for the County's broadband initiatives, infrastructure, services, and related cable, video, television, and consumer services.

EXAMPLES OF DUTIES: (Illustrative Only)

- Formulating a large-scale multi-sector, multi-year broadband program for the County.
- Assisting the CIO in the development and maintenance of appropriate organizational structures necessary for the County to meet emerging and future challenges and demands for broadband while maximizing the return on investment in existing broadband functions and assets to the County.
- Overseeing the following program areas: The County's fiber optic network, FiberNet, and the County government's network services, the Cable Office, and the ultraMontgomery program.
- Providing expertise and guidance in the leveraging of broadband technologies by developing a clear vision and producing a broadband and digital infrastructure master plan with measurable outcomes;
- Developing the business case and overseeing the development and implementation of budgets and fiscal forecasts;
- Identifying strategic public-private partnerships and capital investments;
- Identifying, competing for, and administrating grants and matching funding sources;
- Negotiating agreements and managing vendors and franchisees;
- Developing and maintaining good relations with members of the County Legislative Branch and other key partners;
- Representing the County's interests in broadband matters at the Federal, State and County government;
- Developing, delivering and defending testimony in public hearings of the legislative or policy governing bodies (e.g., FCC, State Legislature, Congress).
- Identifying and implementing best practices for the management of existing and emerging wireless and wireline technologies.
- Resolving the County residents' cable and broadband complaints and addressing businesses' broadband connectivity issues; and supporting digital equity initiatives and technology training.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject Position Description for Chief Broadband Officer, Department of Technology Services	Number 6-19
Originating Department Office of Human Resources	Effective Date

- Working with and representing the County at telecommunications forums and association, e.g., National Association of Telecommunications Officers and Advisors (NATOA)
- Working with the Montgomery County Economic Development Corporation (MCEDC), Montgomery County Business Council (MCBC), the County's Interagency Technology Policy Coordinating Committee (ITPCC), the Information Technology Policy Advisory Committee (IPAC), the Metropolitan Washington Council of Governments (MWCOG), and others to further the County's broadband interests and objectives.

MINIMUM QUALIFICATIONS:

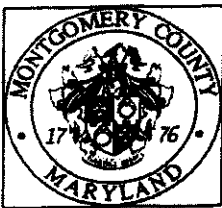
Education: Graduation from an accredited college or university with a Master's Degree in telecommunications, computer science, engineering, business or related field or equivalent experience.

Experience: Seven (7) years of progressively responsible professional experience in enterprise-wide organizational management of broadband/telecommunication operations and services, four (4) years of which were in a supervisory or executive capacity.

Licenses, Registrations, Certifications, or Special Requirements: None

KNOWLEDGE, SKILLS AND ABILITIES:

- Thorough knowledge of broadband technologies and architectures
- Demonstrated in-depth knowledge of business principles and practices required to manage high-speed broadband service to the business and residential premises; including but not limited to sales, operations, customer service, communications and process development.
- Knowledgeable about budgeting, general accounting and fiscal management practices; office procedures; and business operating systems.
- Thorough understanding of financial principles; be able to evaluate fiscal and financial information and achieve positive financial results.
- Must be knowledgeable about the appropriate methods and means of dealing with human behavior situations in a variety of business circumstances.
- Ability to plan, implement, and support large scale fiber networks; including but not limited to recommending policies, procedures, organizational structures, staffing, processes, and management reporting and controls.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject	Position Description for Chief Broadband Officer, Department of Technology Services	Number	6-19
Originating Department	Office of Human Resources	Effective Date	

- Demonstrated ability to effectively work directly with the public, vendors, and county and other government personnel.
- Communicate effectively verbally and in writing with all organizational levels both in the utility and its subsidiaries and with outside contractors and vendors.
- Relies on extensive experience, sound judgment and demonstrates leadership to plan and accomplish goals.
- Proven ability to plan and organize work to meet deadlines, all with a high degree of accuracy with attention to detail. Must have strong analytical and critical thinking skills with demonstrated problem-solving abilities. A wide degree of creativity and flexibility is expected.
- Ability to communicate effectively, verbally and in writing, in a diverse range of audiences and settings; persuasion and negotiation of conflicts and problems; assessing operational, program, staffing, and fiscal needs; interpreting legal documents and government regulations, evaluating fiscal and financial reports, forms, and data; analyzing complex written documents; identifying and resolving administrative problems; working long and irregular hours, and under pressure conditions; delegating responsibility and achieving results through subordinates; and maintaining order in an environment of changing priorities.
- Requires understanding and the ability to interpret contracts, agreements, and administrative policies to properly apply provisions to supervising and directing the work of subordinates as appropriate, and to build and lead a team successfully. Must be able to resolve administrative problems and effectively delegate duties to achieve results.
- Understands the concept of providing quality services and agrees to maintain a continuing commitment to superior customer service.

APPROVED AS TO FORM AND LEGALITY

OFFICE OF THE COUNTY ATTORNEY

BY: Ed [Signature]

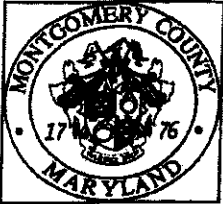
DATE: 1/11/19

MEDICAL EXAM PROTOCOL: Medical History Review.

Approved:

Marc Elrich, County Executive

Date



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject	Position Description for Chief Data Officer, Department of Technology Services	Number	5-19
Originating Department	Office of Human Resources	Effective Date	

Montgomery County Regulation on

POSITION DESCRIPTION - CHIEF DATA OFFICER, DEPARTMENT OF TECHNOLOGY SERVICES

Issued by: County Executive
Regulation No. 5-19

Authority: Montgomery County Code (2014) Section 1A-104(b)(2)

Supersedes: None

Council Review: Method (1) under Code Section 2A-15

Register Vol. 36 No. 2

Effective Date:

Comment Deadline: March 3, 2019

Summary: This regulation establishes the position description for Chief Data Officer, Department of Technology Services, a non-merit position.

Staff contact: Kimberly Williams, Office of Human Resources
(240) 777-5198

Address: Office of Human Resources
Executive Office Building
101 Monroe Street, Fifth Floor
Rockville, Maryland 20850

Background: Montgomery County Code § 1A-104(b)(2) requires that certain positions in the Executive Branch designated by law as non-merit must be supported by a position description established by executive regulation under method (1).

CHIEF DATA OFFICER, DEPARTMENT OF TECHNOLOGY SERVICES

DEFINITION OF CLASS:

This appointed, non-merit executive management job classification is in the Department of Technology Services. The incumbent performs as the County's Chief Data Officer (CDO) and is appointed by the County Executive. The CDO works under the administrative direction of and reports to the Director, Department of Technology Services (DTS) to plan, coordinate, direct, and evaluate Countywide data management standards



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Subject Position Description for Chief Data Officer, Department of Technology Services	Number 5-19
Originating Department Office of Human Resources	Effective Date

and practices; oversee and maintain data stores and architectures; ensure effective data confidentiality, security, integrity, transparency, and availability; enable data exploitation and business intelligence; formulate, evaluate, and implement data systems policies and procedures; and perform related duties. The CDO leverages knowledge of the County's business functions and services; existing data assets, technology investments and platforms, and data management organization; data consumption needs; strategic priorities; and targeted outcomes of the County Executive to carry out the CDO functions and duties.

MAJOR DUTIES:

The incumbent is responsible for developing strategies and managing Countywide data activities to facilitate a data-driven enterprise and provide transparency. The incumbent is also responsible for identifying, developing, resourcing, and implementing an enterprise data management program critical to the delivery of the government's service to residents and businesses, and to ensure government data confidentiality, integrity, and availability. The incumbent develops, leads, and oversees a comprehensive strategy to govern data capture, storage, maintenance, visualization, integration, security, and access to meet the County's current needs and prepare the County for future needs in structured and unstructured data governance; data storage, searchability and recoverability; government transparency; business intelligence, analytics and discoverability. Further, the incumbent is responsible for civic data analytics, information governance, control, policy development, collaboration, and engagement. Managing data quality and data lifecycle management, the incumbent will produce data architectures and data management strategic plans that increase the County's ability to make data-driven decisions.

EXAMPLES OF DUTIES: (Illustrative Only)

- Implement and manage a comprehensive, centralized and progressive Enterprise-wide data strategy for the County that includes: data architecture, management, accuracy, security and privacy; civic data analytics, intelligence, integrity, visualization, and governance; GIS and innovation.
- Assist the DTS Director in the development and maintenance of appropriate organizational structures necessary for the County to meet emerging and future challenges and demands for data management while maximizing the return on investment in existing data management functions and assets of the County.
- Direct and oversee varied data initiatives throughout the County to ensure consistent alignment with the Enterprise's data management strategy.
- Develop and implement policies, procedures, and standards regarding data operation, data accountability; data quality, privacy, and ethics; manage data governance; study and maximize data quality.
- Formulate a large-scale multi-department, multi-source, multi-year enterprise data management program for the County.



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- Provide data warehousing strategies that provide consistent, clean, and integrated data.
- Establish an architecture and a collection of integrated decision support-applications and databases, providing easy access to business data.
- Collaborate with and mentor a cross-functional team of professionals that include data engineers, data administrators, database administrators, developers, GIS analysts, and other positions as needed to support the County's data analytics strategy.
- Support planning for Enterprise-wide systems and platforms; make recommendations for integration of incongruent systems for data sharing and consistency.
- Assist in the collection and cleansing of data from varied legacy systems; make recommendations for modernizing legacy systems and assuring new solutions provide timely, useful and clean data.
- Review existing systems and operating procedures to identify trends, cost reductions and identify ways to increase operational efficiency.
- Work with the departments to identify data needs for larger outcomes and enhancement of service delivery, cost avoidance and process innovation.
- Work with consultants and industry partners to identify data management best practices.
- Work with other partners data scientists to ensure availability of data for active, enterprise-wide performance management.

MINIMUM QUALIFICATIONS:

Education: Master's degree from an accredited college or university in Data Science, Computer Science, Management Information Systems, Statistics, Analytics or another quantitative discipline or equivalent experience.

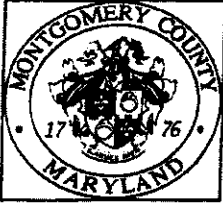
Experience: Ten (10) years of progressive work experience in data analytics/data science in a fast-paced, complex environment.

Licenses, Registrations, Certifications, or Special Requirements: None

Knowledge, Skills, and Abilities

Advanced knowledge of:

- Enterprise data management best practices and strategies;
- County or large local government data-driven operations and needs;
- Various government privacy, security and associated laws, rules and regulations including all applicable standards;



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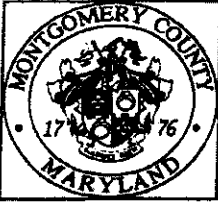
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- Computer-based systems processing personally identifiable information (PII) and electronic Private Health Information (ePHI) such as in employee record systems and various protocols relative to privacy and confidentiality of information;
- Data security risk analysis and the development of data security architectures and protocols;
- Leadership techniques, principles, and procedures to assign work, schedule, train, and evaluate the work of assigned or matrixed staff;
- Principles and processes for providing customer services; this includes meeting established quality standards;
- Strategic planning principles and theories to ensure competitive advantage;
- Big Data solutions and management techniques for high-impact outcomes in service delivery virtuous cycles, e.g., in law enforcement and human services;
- Expertise in data governance and quality control;
- Working with Cloud technologies, e.g., for data storage, aggregation, analysis, and retrieval;
- Creating best practices and methodologies for technical projects;
- Building business cases for large technical projects;
- Data modeling and visualization techniques;
- Various sources and resources for information at the federal, state and local level in the privacy and security areas;
- Managing large cross-agency, cross-departmental programs.

Ability to:

- Participate with upper management in a decision support mode through the development of appropriate management information;
- Emotional Intelligence to carry out cross-agency, cross-departmental work;
- Advocating for data analytics value across a business to diverse audiences with solid business experience in the field;
- Information management projects and programs;
- Influence personnel through a matrix organization as opposed to line management authority;
- Deal with the public, press, other officials, members of the County Council, boards and commissions, and State and federal officers or representatives in a manner that is diplomatic, clear, and knowledgeable;
- Work in a fast-paced environment, meet deadlines with a sense of urgency, focus on detail and accuracy and be an independent thinker;



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- Lead and think strategically;
- Use logic and reasoning to analyze, understand, and evaluate complex situations. Leverage ability to identify the strengths and weaknesses of alternative approaches or solutions, to a situation or targeted outcome. Exercise appropriate judgment in establishing priorities. Consider the relative costs and benefits of potential actions in developing and defending the business case;
- Develop and maintain cooperative and professional relationships with employees at all levels, representatives from various departments, and outside agencies. Effectively respond to and resolve complex inquiries;
- Communicate complex ideas and proposals effectively so others will understand to include preparation of reports, agendas, and policies;
- Listen and understand information and ideas presented verbally and in writing;
- Handle a variety of human resources issues with tact and diplomacy and in a confidential manner.

Skill In:

- Large program management;
- Working with multiple stakeholders at various organizational levels;
- The design, development, and validation of descriptive, predictive, prescriptive, and applied analytics;
- Mentoring, training and working with data owners and expert personnel in tense situations.

MEDICAL EXAM PROTOCOL: Medical History Review.

Approved:

Marc Elrich, County Executive

Date

APPROVED AS TO FORM AND LEGALTY
OFFICE OF THE COUNTY ATTORNEY

BY: Ed [Signature]

DATE: 1/11/19



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject Position Description for Transportation Policy Officer, Department of Transportation	Number 4-19
Originating Department Office of Human Resources	Effective Date

Montgomery County Regulation on

POSITION DESCRIPTION –TRANSPORTATION POLICY OFFICER, DEPARTMENT OF TRANSPORTATION

Issued by: County Executive
Regulation No. 4-19

Authority: Montgomery County Code (2014) Section 1A-104(b)(2)

Supersedes: None

Council Review: Method (1) under Code Section 2A-15

Register Vol. 36 No. 2

Effective Date:

Comment Deadline: March 3, 2019

Summary: This regulation establishes the position description for Transportation Policy Officer, Department of Transportation, a non-merit position.

Staff contact: Kimberly Williams, Office of Human Resources
(240) 777-5198

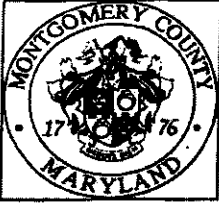
Address: Office of Human Resources
Executive Office Building
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Rockville, Maryland 20850

Background: Montgomery County Code § 1A-104(b)(2) requires that certain positions in the Executive Branch designated by law as non-merit must be supported by a position description established by executive regulation under method (1).

TRANSPORTATION POLICY OFFICER, DEPARTMENT OF TRANSPORTATION

DEFINITION OF CLASS:

Under the executive appointment of the County Executive and reporting to the Director, Department of Transportation, the Transportation Policy Officer (TPO) is responsible for shaping and implementing a complex transportation network for the County. This is an appointed, non-merit position in the County Government. The TPO is also responsible for ensuring the alignment and integration of strategies for the transportation,



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transportation planning, public works, and municipal parking functions.

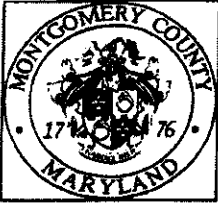
MAJOR DUTIES:

The Transportation Policy Officer directs transportation and infrastructure policies, programs, and strategic investments to ensure they are designed, managed, and operated in accordance with the County's commitment to increasing economic opportunity, improving public safety, building a more vibrant County, improving outreach to community members and other stakeholders, and strengthening the County's functionality.

Key responsibilities include examining issues and problems relating to transportation and developing responsive and fiscally sound policies for the Department's programs which impact on a variety of public, private, and community interests and operations. The work involves the planning, development, and implementation of County Government transportation programs which are essential to the County Government's mission and affects large numbers of people throughout the County.

EXAMPLES OF DUTIES: (Illustrative Only)

- Maximize the value, within County's financial capacity, provided by the County's transportation system.
- Coordinate and align the County's transportation system and program with those of neighboring jurisdictions, the State, and regional transportation agencies.
- Ensure County's transportation and infrastructure facilities and programs are "best in class" and meet the diverse needs of the County.
- Oversee the policy direction for the Department of Transportation and transportation planning by exploring and developing solutions for mobility to effectively and efficiently move people and things, shape urban form, affect economic vitality, and impact quality of life within the County.
- Provide overall strategic direction to ensure high quality services are provided, maintain and improve the County's infrastructure, and guarantee a clean and safe environment.
- Provide vision and oversight to create financial and operational efficiencies by leveraging "best in class" parking system techniques and designs.
- Partner with the County Executive, Chief Administrative Officer, Director, Chief Operating Officer, County Council, and other county leaders to best achieve the County's stated mobility, access, and operational goals.
- Implement the County's Strategic Plan for Transportation.



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Subject Position Description for Transportation Policy Officer, Department of Transportation	Number 4-19
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- Meets with and makes verbal and written presentations before appointed and elected officials, community organization and private sector business representatives, and officials of both regulatory and non-regulatory local, State, and federal government agencies.
- Guide investments in the County's transportation assets to improve mobility and reduce operations and management costs where feasible.
- Make policy recommendations and decisions through improved data collection, performance management, engagement with County residents and national best practices.
- Oversee an effective, responsive and accountable organization to ensure the attraction and retention of a quality staff and provide professional development opportunities to successfully implement best practices that serve the evolving needs of County residents.
- Communicate with policymakers about projects, policies and results, and provide comprehensive information to the public.
- Foster collaborative and innovative partnerships with the County, regional, State, and federal agencies, community groups, industry organizations and the non-profit, private and philanthropic sectors to advocate for the County's policy and investment priorities.
- Directs the coordinated analysis of and response to multi-divisional issues, e.g., review and analysis of Master Plans, Sector Plans, proposed legislation, etc.

MINIMUM QUALIFICATIONS:

Education: Bachelor's degree in Public Administration, Business, Engineering, Transportation, Architecture, Urban Planning or a closely related field.

Experience: Minimum ten (10) years' experience in transportation or public works administration, public sector management, or a closely related field. Minimum five (5) years' experience in an executive level and/or leadership role. Experience must include working with internal shareholders including other departments and collective bargaining units. Additionally, the experience must include government, finance, and operations.

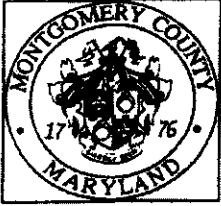
Licenses, Registrations, Certifications, or Special Requirements:

Preferred:

- Master's degree in transportation, urban planning, public policy, or a similar field
- Licensure by the State of Maryland as a Professional Engineer

Knowledge, Skills, and Abilities:

- Excellent leadership skills with an exceptional ability to inspire, empower, mentor, develop, and sustain a highly functional team.
- Extensive knowledge of transportation management in a large and complex urban environment.



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Subject Position Description for Transportation Policy Officer, Department of Transportation	Number 4-19
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- Exhibit a strong commitment to diversity and a passion of safe, sustainable transportation and infrastructure development.
- Knowledge of transportation planning, public works, and municipal parking systems.
- Excellent written and verbal communication skills.
- Must be politically savvy and sensitive to the interests of a wide-range of stakeholder groups, strategic partners, elected officials, and administrative colleagues.
- Strong understanding of and/or experience working with local, State, and/or federal transportation programs and policies with emphasis on transit and transportation demand management

MEDICAL EXAM PROTOCOL: Core Exam.

Approved:

Marc Elrich, County Executive

Date

APPROVED AS TO FORM AND LEGALITY
OFFICE OF THE COUNTY ATTORNEY

BY: *[Signature]*
DATE: 1/11/19

Fiscal Impact Statement
Bill XX-19 Non-Merit Positions - Creation

1. Legislative Summary.

The proposed legislation would amend the County Code to identify additional non-merit positions in the Executive branch and to amend the title of an existing non-merit position.

2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.

The proposed legislation has an estimated cost savings of approximately \$750,000.

The legislation would convert five current, funded M1 positions to non-merit, with no additional cost. The legislation also makes a technical title change to an existing non-merit position, with no fiscal impact.

In addition, one current but unfunded M1 position will be converted, with funding coming from the projected increase in licensing fees of the Department of Housing and Community Affairs (DHCA). The increase in licensing fees has been determined to be a reasonable source of funding for the identified position as the major duties of the proposed new DHCA non-merit position will benefit the process. The remainder would be covered through a reduction in Montgomery Housing Initiative (MHI) expenses.

The legislation would add three, new additional non-merit positions in the County Executive's Office. One of these positions would be funded by abolishing a vacant Grade 28 position in the County Executive's Office, utilizing up to \$94,000 of DTS PSSM CIP funds to offset the difference. As this project is winding down in the next few fiscal years, the executive branch will continue to explore ways to utilize existing operating expense funds to offset the difference in order to maintain cost neutrality. A second position would be funded by eliminating operating expenses related to the labor negotiator contract. A third position would be funded by abolishing a vacant M1 position in the Department of Finance (FIN).

Four M1 positions will be abolished with no adverse effects on government operations anticipated. The total savings associated with eliminating these positions is approximately \$750,000 annually.

This analysis assumes that the non-merit positions will be filled within the same salary range and funding as the current positions.

3. Revenue and expenditure estimates covering at least the next 6 fiscal years.

The proposed legislation assumes the identified FY20 savings of an estimated \$750,000 would be an annual savings, and anticipated personnel costs would change only in as much as county compensation changes over the next six fiscal years.

4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.

Not applicable.

5. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.

Any changes to the compensation to non-merit employees would affect future spending.

6. An estimate of the staff time needed to implement the bill.

Minimal staff time would be required to make the administrative changes necessary to implement the bill.

7. An explanation of how the addition of new staff responsibilities would affect other duties.

The minimal staff time required to implement the administrative changes necessary for this bill would not affect other duties.

8. An estimate of costs when an additional appropriation is needed.

Not applicable.

9. A description of any variable that could affect revenue and cost estimates.

Any changes in DHCA license fees receipts could affect the additional revenue identified to cover one of the non-merit positions. While salary provided to non-merit employees could vary from current funding, the administration is committed to making salary considerations within existing funding limits.

10. Ranges of revenue or expenditures that are uncertain or difficult to project.

Not applicable.

11. If a bill is likely to have no fiscal impact, why that is the case.

Not applicable.

12. Other fiscal impacts or comments.

Not applicable.

13. The following contributed to and concurred with this analysis:

Corey Orlosky, Office of Management and Budget

Richard Madaleno

Richard S. Madaleno, Director
Office of Management and Budget

1/16/19
Date

**Economic Impact Statement
Expedited Bill xx-19, Non-Merit Positions – Creation**

Background:

Expedited Bill xx-19 Non-Merit Positions Creation would:

- (1) make certain organizational changes in the Executive Branch;
- (2) designate certain positions in the Executive Branch as non-merit positions; and
- (3) make certain other stylistic and technical changes.

The proposed bill would designate certain positions in the Executive Branch as non-merit positions in accordance with Charter §401. The bill would also move labor relations functions from the Office of Human Resources into a new Office of Labor Relations (OLR) in the Office of the County Executive.

1. The sources of information, assumptions, and methodologies used.

There were no sources of information, assumptions, or needed methodologies in the formulation of this economic impact statement.

2. A description of any variable that could affect the economic impact estimates.

There are no variables that could affect economic impact estimates. The goal of the position designations is to improve the efficiency and effectiveness of the County without sacrificing the continuity necessary for operational efficiency. The proposed move of the labor relations functions from the Office of Human Resources into a new Office of Labor Relations in the Office of the County Executive would permit OHR to focus on core personnel functions while the newly created OLR can concentrate on crafting innovative solutions to address employee/management relations with greater responsiveness.

3. The Bill's positive or negative effect, if any on employment, spending, savings, investment, incomes, and property values in the County.

The bill will have no impact on employment, spending, savings, investment, incomes, and property values in the County.

4. If a Bill is likely to have no economic impact, why is that the case?

See number 2.

5. The following contributed to or concurred with this analysis:

David Platt and Dennis Hetman, Finance.


Alexandre A. Espinosa, Director
Department of Finance


Date

Proposed Legislation Designating Executive Branch Positions as Non-Merit

Question (1): *Can you please tell me of this list, which of these of these positions are M1 positions that would be converted to non-merit, and which are newly created positions? Also, are any of the positions that would be converted vacant or are they filled?*

Response (1): Please see attached document and below list for details:

New QA to be created:

1. Chief Labor Relations Officer (CEX)
2. Chief Digital Officer (CEX)
3. Chief Equity Officer (CEX)

Existing VACANT M1s to be converted to QA:

1. Deputy Director (DHCA)
2. Deputy Director for Results (OMB)

Existing OCCUPIED M1s to be converted to QA:

1. Deputy Director (DGS)
2. Deputy Director of Operations (DOT)
3. Chief Broadband Officer (DTS)
4. Chief Data Officer (DTS)

Existing QA to remain QA (technical correction only: "Deputy Director" being amended to "Transportation Policy Officer")

1. Transportation Policy Officer (DOT)

Question (2): *The fiscal impact statement states that the following positions will be abolished. Can you tell me what the specific positions are that would be abolished? And were any of these positions already abolished/lapsed in the savings plan to be adopted tomorrow?*

Grade 28, CE office

M1 in Finance

4 M1 positions (no department/office identified)

Response (2): It appears Council staff is counting one of the M1's twice. The FIS identifies the grade 28 being converted and the 4 M1s being abolished. The FIS identifies one of those M1's in two ways – first that one is being used to fund one of the three new non-merit positions in the CE's office, and second that there are 4 M1 positions being abolished. There is an additional M2 position being abolished in OHR; it was determined for the FIS purposes that because this has no funding impact on the overall process, it was not necessary to mention it in the context of the FIS. It is a position funded by the Health Fund and will be utilized to minimize the impact on the overall position count, but abolishing the position does not create savings to be utilized in the context of the proposed legislation.

The positions:

012997.Senior Information Technology Specialist.000551.FT.P. – Grade 28 in CE’s Office
016506.Manager I.000110.FT.P.5 – M1 in Finance
017810.Manager I.000110.FT.P. – M1 in DLC
017115.Manager I.000110.FT.P.3 – M1 in OHR
017959.Manager I.000110.FT.P. – M1 in PRO

These positions are not included in the savings plan.

Question (3): *Finally, per Code §1A-104(e), the Exec must send over a salary schedule for non-merit employees for consideration during the operating budget. While considering this bill, it would be good to know what the proposed salary schedule looks like. Do you have a draft that you can share? It would help with our analysis of the cost savings assumed in the fiscal impact statement.*

Response (3): Here is a position by position breakdown of the assumptions for each position and where the funding exists or is slated to come from.

Please note that the costs assume of a \$170,000 starting salary, which is roughly \$40,000 in benefits. The final salaries will all be subject to the final hiring decisions, but the process/costing here has some leeway built into it. Once the positions are all filled, we can identify more clearly – if requested – what the total before/after picture looks like. To the extent the new positions are filled at a lower level, more savings would result, but the current assumptions allow the possibility for flexibility in the final hiring decisions.

New/Converted Positions

HCA Deputy Director - Approximate cost of up to \$210,000, covered through \$100k of new revenue from license fee increase and up to \$110,000 in expense reduction

OMB Deputy Director for Results - Current funded position - approximate cost of up to \$210,000 is covered

CEX Chief Digital Officer - Approximate cost of up to \$210,000, covered through abolishing vacant grade 28 for approximately \$116,000, and utilizing up to \$94,000 in PSSM CIP funding or a reduction in operating expenses

CEX Chief Labor Relations Officer - Approximate cost of up to \$210,000, covered through a corresponding reduction to the labor negotiations contract funding

CEX Chief Equity Officer - Approximate cost of up to \$210,000, covered through savings from abolished FIN M1

DTS Chief Broadband Officer - Current funded position - approximate cost of up to \$210,000 is covered

DTS Chief Data Officer - Current funded position - approximate cost of up to \$210,000 is covered

DGS Deputy Director - Current funded position - approximate cost of up to \$210,000 is covered

DOT Deputy Director of Operations - Current funded position - approximate cost of up to \$210,000 is covered

DOT Transportation Policy Officer - Current funded position - approximate cost of up to \$210,000 is covered

Abolished Positions

FIN M1 ~\$250k savings, applied to Chief Equity Officer

DLC M1 ~\$250k savings

OHR M1 ~\$250k savings

PRO M1 ~\$250k savings

General Questions

1. Why should these positions be non-merit? The transmittal memorandum states:

“Designating these positions as non-merit serves to improve the efficiency, accountability and effectiveness of County government because the positions being submitted for consideration involve the development of policy or the implementation of important programs impacting the public. Furthermore, the non-merit designation of these positions allows for regular innovation at the senior management level across strategic areas in large departments within County government”.

This explanation, however, does not provide a rationale as to why these positions should be non-merit as opposed to merit positions. How does converting these positions to non-merit “improve efficiency, accountability and effectiveness of County government”?

Our goal is to provide an environment where County government is agile and able to proactively respond to changes in the direction of policy and in the community. Many of these positions, which are housed in large departments, have full authority and accountability in the absence of the Director, have an external focus, and/or serve to develop important policies. By designating them as non-merit, we can help the County be better able to respond to challenges and to be nimble and innovative as both the Countywide landscape and technology continue to change. These appointments will assist the directors to revitalize our departments where needed, empower our employees, and focus on outcomes for our continually changing community.

Converting these positions to non-merit increases the possibility of appointing a diverse set of candidates that more accurately reflect the County’s changing population. The County’s population today is considerably more diverse than 20 years ago.

Designating these positions as non-merit provides an opportunity to regularly refresh the talent pool, ideas, and perspectives that are brought into the County government. Should the need arise in the future, we believe that changing the culture of an underperforming department often requires more than changing only the person at the top of the organization chart.

In addition, to improve efficiency, accountability and the effectiveness of the County government, converting the identified positions to non-merit and the abolishment of other positions supports a clear delineation of the roles and responsibilities and minimizes redundancy or overlap of leadership. This provides the County with a framework for flexibility in the appointment of critical leadership roles as well as promotes a lean, yet effective and sustainable government. The Council recently recognized the need for similar flexibility in their staff hires.

As mentioned by the County Executive in a recent interview, “Basically the only people you [the county executive] appoint are department heads, but they’re really important people... we want to have more positions where if we’re trying to get something done, there’s more accountability to get things done,” he said. “With an appointed position, if something’s not getting done, you have the ability to find someone to do what you expect.”

2. We have heard rumors of a forthcoming “reorganization plan” in the next several months (over the summer perhaps). Why is it necessary to make these changes now instead of waiting until decisions are made regarding the re-organization?

We are committed to examining the way we run the departments, administer our programs and provide services. However, this commitment does not necessarily mean that departments will be reorganized. Instead, we will generally be looking at existing practices and policies, and we will be focused on business process improvement, innovation, and accountability for results. Rather than a general “reorganization plan,” we intend to better use existing positions to meet our priorities. Allowing more non-merit positions is part of the effort to make sure that these positions are as useful as possible. Additionally, the administration will be reviewing department practices in partnership with the workforce. That effort will be complementary to this current initiative.

3. Can you please provide position descriptions for the abolished positions? Are these abolished positions vacant? Occupied?

Senior information Technology Specialist in CEX (vacant): This position has been vacant for two and a half years and CEX will continue to permanently rely on DTS staff and the IT Help Desk to provide IT support.

MI in Finance (vacant): The position was filled in October 2018. The incumbent had not yet attained merit status in the position and returned to his former position. Other than the supervisory responsibilities, no responsibilities were redistributed.

MI in DLC (occupied): This position has a variety of responsibilities, including managing the DLC retail store incentive, employee giving campaign, and employee of the year programs, implementing audit recommendations, serving as the Director’s representative on the ABAB committee, approving of travel requests, coordinating matters with Finance on DLC business plan, and managing the DLC emergency management plan.

This MI position was established when the department had substantial operational needs that no longer exist. This MI position was created in 2015 due to DLC’s need for increased management and oversight relating to the implementation of a new warehouse management program. That program has since been successfully implemented. Any remaining assignments/tasks will be fully integrated into DLC’s existing four divisions.

MI in Procurement (occupied): This position advises the Director on how to help small and minority businesses deliver services and products to Montgomery County Government, including contacts and communications with organizations and business leaders. This position is a transfer from the eliminated Department of Economic Development.

This MI position was established at a time when the department had operational needs which no longer exist. This MI position was created in 2015 to handle minority business assistance and outreach programs previously assigned to the County's Department of Economic Development. Those activities will now be handled by the Division of Business Relations and Compliance (DBRC).

MI in OHR (occupied): This position is currently acting as the OHR Director and is responsible for delivery of the department's services and programs in the areas of Recruitment and Selection, Health and Welfare, Training and Organizational Development and Labor Relations. This position is a transfer from DTS as a result of the full implementation of the ERP system.

This MI position was established at a time when the department had ERP related operational needs that no longer exist. This position was transferred from DTS to OHR to handle the appropriate integration of operational tasks to ERP and a few other duties such as collaborating with other senior managers throughout the County to ensure effective delivery of services and guiding stakeholders in the application of policies and procedures. ERP is fully implemented, and any remaining assignments/tasks will be distributed and fully integrated into OHR's six divisions. Currently, there are 9 MII and 5 MIII positions that will absorb any remaining responsibilities under the soon to be hired permanent OHR director. In addition, as soon as the new non-merit Chief Labor Relations Officer position is approved, all the labor relations related responsibilities will be transferred to a new, soon to be created, Office of Labor Relations which is currently a division within OHR.

4. Do you have any document that identifies all of the non-merit positions in the Executive branch? If so, please provide it.

Please see attached.

Specific Positions

5. 3 Technology-related positions (Chief Broadband Officer, Chief Data Officer, and Chief Digital Officer) - why these positions be non-merit? Given that these positions are

strategic in nature and require long-range planning, is it not preferable to have continuity in these positions that should survive administration changes?

These are emerging, leading-edge positions found only in the most progressive institutions and governments. Therefore, the creation of these positions as non-merit allows the County maximum flexibility to meet the objectives of each specific program and to have the ability to assign, reassign and replace incumbents based on knowledge of the latest technology and increasing program maturity and sophistication. The creation of these positions as non-merit also allows the County Executive to work with County Council in the assessment and governance of the critical, technology-driven functions and programs these positions are designed to lead. The incumbent must demonstrate a continued ability to succeed as the program is redirected to address new community priorities, as well as a current understanding of how to use technology to improve customer service, reduce cost, and deliver outcomes.

6. Deputy Director (DHCA) – Given the rumors of a forthcoming reorganization of DHCA, is this is appropriate time to make this change? Also, is it an appropriate time to make the change given that a director has yet to be appointed? Without a director in place, it is difficult to judge the need for a non-merit deputy director.

As discussed in question #2, we are committed to reviewing the way we run the departments, administer our programs and provide services. However, this commitment does not necessarily mean that DHCA, or other departments, will be reorganized. The County Executive does intend to refocus on the departments' core missions - housing and community development. The Deputy Director will focus on affordable housing finance and production, enabling the Director to focus on economic and community development, which have not been a priority for DHCA in recent years. Returning this important mission to the department requires that the Deputy Director have a breadth of experience in the housing field. The DHCA Director position will be filled before the Deputy Director position. Making the Deputy Director position an appointed position helps ensure that the new DHCA Director has a deputy who can lead in the critical area of affordable housing.

7. Deputy Director of Results (OMB) – Given its importance in budgeting for the County, isn't continuity and long range planning an important consideration for leadership in this office? Additionally, Council staff's understanding is that there are 2 M1 positions in OMB. Is there an equity issue in converting 1 M1 to non-merit while the other continues to be a merit position?

Originally, MI positions were intended to act as Deputy Directors in large or complex departments or head of a non-principal office such as CUPF. The MIIs and MIIs are generally the subject matter experts. The approach we have taken is to retain all MIIs, all MIIs and one MI in each department as merit and convert the remaining MIs to appointed positions. These appointments will assist the directors to revitalize our departments where needed, empower our employees, focus on outcomes for our continually changing community and assist Directors to implement County Executive and County Council's major initiatives such as equity, results-based accountability, innovation, outcome budgeting and many more. Please note that many departments with a single MI retained those positions as MI merit.

8. Deputy Director (DGS) – Similar to the question regarding the MIs in OMB, Council staff's understanding is that there are 2 M1 positions in DGS. Is there an equity issue in converting 1 M1 deputy to non-merit while the other deputy continues to be a merit position?

Please refer to the above response, under question #7.

2

Montgomery County Council Hearing March 5, 2019

Questions Regarding Bill 3-19 – Chief Labor Relations Officer

1. Of the three proposed positions in Bill 3-19, why is there a reference to "part-time" only in the case of the Chief Labor Relations Officer (CLRO). Under what circumstances, would the position be designated part-time?
2. What is the County Executive's vision for achieving "positive and effective labor-management relations," and how would the CLRO fit within that vision?
3. The draft Position Description states that the CLRO would have supervision over a "small number" of employees. What is meant by "small number" and how will it be ensured that staffing and resources will be sufficient to ensure an effective program?
4. The list of "Major Duties" is very specific and while "Contract Administration" is listed under the Major Duties, there are no specific references to what is meant by "Contract Administration." Does this include day-to-day labor-management relations, such as, grievance processing, representing management in joint labor-management and meetings, coordinating joint labor-management activities, etc.?
5. The Position Description refers to "Litigation" as being a Major Duty of the CLRO's and includes a reference to a "Litigation Unit." Please specify as to how that responsibility would be implemented.
6. What would the relationship be between the CLRO and the OHR Director as to OHR matters that are affected by collective bargaining, e.g., benefits, compensation, and staffing?
7. Why is the CLRO reporting to the Chief Administrative Officer that has historically been a huge problem in the past. The position should report directly to the County Executive to avoid any potential obstruction or filtering of information getting to the County Executive.






Montgomery County Career Fire Fighters Association
International Association of Fire Fighters – Local 1664, AFL-CIO, CLC
932 Hungerford Drive Suite 33A Rockville, Maryland 20850
Phone – (301) 762-6611 Fax – (301) 762-7390

4

MEMORANDUM

DATE: March 5, 2019

TO: Nancy Navarro, President
Montgomery County Council

FROM: Jeffrey Buddle, President 
IAFF Local 1664

SUBJECT: Expedited Bill 3-19, Administration - Executive Branch - Non-Merit Positions

The Montgomery County Career Fire Fighters Association presents the following questions regarding the proposed Chief Labor Relations Officer (CLRO):

1. Of the three proposed positions, why is there a reference to "part-time" only in the case of the CLRO. Under what circumstances, would you see it as a PT position?
2. What is the County Executive's vision for achieving "positive and effective labor-management relations," and how would the CLRO fit within that vision?
3. The draft description states that the CLRO would have supervision over a "small number" of employees. What is meant by "small number" and how will it be ensured that staffing and resources will be sufficient to ensure an effective program?
4. The list of "Major Duties" is very specific and while "Contract Administration" is listed under the Major Duties, there are no specific references to what is meant by "Contract Administration." Does this include day-to-day labor-management relations, such as, grievance processing, representing management in joint labor-management and meetings, coordinating joint labor-management activities, etc?
5. The description refers to "Litigation" as being a Major Duty of the CLRO's and includes a reference to a "Litigation Unit." Please elaborate as to how that responsibility would be implemented.
6. What would the relationship be between the CLRO and the OHR director as to OHR matters that are affected by collective bargaining, e.g., benefits, compensation, and staffing?
7. CLRO reporting to the Chief Administrative Officer has historically been a huge problem in the past. The position should report directly to the CE to avoid any potential obstruction or filtering of information getting to the CE.

3

Edgar Gonzalez's Testimony on Expedited Bill 3-19

Good afternoon members of the Council.

My name is Edgar Gonzalez and I am currently the Deputy Director of the Department of Liquor Control.

I have been continuously employed with the Montgomery County Government since February 22, 1979. That is 40 years and 15 days ago. Some of you had not even been born when I started working for the County

I have bachelor's degree in Civil Engineering from the "Universidad Nacional de Colombia". A master's degree in Civil Engineering with specialty in Transportation Planning and Traffic Engineering from the University of Maryland, which I attended as a Fulbright Scholar; and a master's degree in Public Policy as a Mid-Career Fellow at the University of Maryland. I graduated at the top of my class.

I have played significant roles in the development of transportation policy and in the implementation of transportation projects in the County for at least 36 years.

In April 2015 I was assigned as the Deputy Director for the Department of Liquor Control, at a time when the Department was experiencing major management challenges, numerous licensee and customer complaints and the imminent threat of elimination. My resume is shown in Circles 3 to 6.

Let me now directly address the proposed Expedited Bill.

The Executive's memo to Council indicates the commitment to ***bolster the fiscal health and the needs of the diverse communities in the County***. I fully support those goals.

But are these goals really being met by the proposed Bill, as written?

The Bill re-names one position, converts several positions to non-merit status when the incumbents retire, adds a few new positions, and abolishes three currently occupied MLS I positions. The Bill does not explain how those actions result in bolstering the fiscal health of the County. History shows that the added positions will in fact cost more than the abolishment of three occupied MLS positions.

MLS I is the highest merit system position in the County. According to the latest DATA Montgomery website, there are 26 of these positions in the Executive and two at Council. The three positions called for abolishment are currently occupied by a Female, an African American and a Latino; all three of us have served this County for over 40 years. (See Circle 7). So, the Bill does not bolster the needs of the diverse community in the County. In fact, it abolishes three positions occupied by minorities in the County at the MLS I level; including the only Latino.

On April 24, 2018 the Council unanimously passed Resolution 18-1095: "Resolution to Develop an Equity Policy Framework in County Government". (See Circles 8-9). Nine members of the Council expressed their commitment "***...to develop an equity policy framework that would require the County to question how budget and policy decisions impact equity...***" The proposed Expedited Bill is contrary to that commitment.

A review of Expedited Bills in the County dealing with matters of position abolishment and retirement benefits indicates that the Council has approved two Expedited Bills in the past 11 years: in 2008 and 2010. Each of the two Bills provided incentives for retirement to individuals that met eligibility

requirements or were near it. But those Bills did not specifically target individual merit system positions, as this Bill does. The 2008 and 2010 Expedited Bill also created an Incentive Program for employee retirement for those individuals who elected their positions to be abolished. The results are shown in Section 33-42A of the County Code. (Circles 10 – 13). This Bill does not provide such an incentive.

Each of the three individuals specifically targeted with the abolishment of their positions must make decisions that affect the rest of their lives. We have given to the County more than half of our lives, and now the three of us are faced with the possibility of losing the jobs we worked so hard for, involuntarily.

The proposed Expedited Bill offers protection for incumbents in certain positions that are either vacant or currently occupied. But the legislation offers no additional protections or options for the three individuals whose positions are targeted for abolishment.

Consistent with actions taken by the County Council and the Executive in 2008 and 2010, I am urging the Council to amend the proposed Bill by adding the proposed language attached to my testimony under Section 3 of the Expedited Bill, entitled "Transition – Certain Incumbents". See Circle 14.

The proposed language in the amendment would be consistent with previous actions by the Council in 2010, while recognizing the services provided by these individuals to the government and residents of the County.

Each one of the affected individuals must make decisions as to what to do if the Bill passes. But, if all three individuals elect to retire with the proposed additional incentive, the entire legislation would still save the taxpayers \$650,000 in FY20 and the same \$ 750,000 mentioned in the Bill annually, starting in FY 21.

Edgar A. Gonzalez, P.E.
14804 Soft Wind Drive
North Potomac, Maryland 20878
Home: 301-294-8035 Work: 240-777-1923
Edgar.Gonzalez@MontgomeryCountyMd.gov

EDUCATION:

- BS Civil Engineering, Universidad Nacional de Colombia, 1972
- MS Civil Engineering, University of Maryland, 1974 (Fulbright Scholar)
- Master's in Public Policy, University of Maryland, 1984-1985 (Mid-Career Fellow)

EMPLOYMENT HISTORY

April 2015 to Present:

Deputy Director

Montgomery County Department of Liquor Control

- Led the development of a comprehensive Improvement Action Plan to respond to numerous complaints, and performance and management weaknesses in the delivery of services to more than 1,100 holders of liquor licenses in the County.
- Presented and obtained approval of the actions in the Plan from the Executive, CAO and other affected agencies and elected officials.
- Monitored the implementation of the Action Plan, provided timely updates for presentations with the CountyStat unit, the CAO and selected Department Directors.
- Led the preparation and write up of the first "DLC Business Plan" and the "Retail Strategic Plan" for the Department.
- Developed innovative programs to address employee morale, including an Employee of the Year Program, periodic summer picnics and the Performance Incentive Program
- Assist the Director and Division Chiefs on major personnel matters, including selection of key management positions; internal, state and federal EEO issues; and sensitive disciplinary actions.
- Provided input and reviewed the preparation and submission of the Operating Budget for the Department.
- Implement one-time assignments in support of the Director, including development of selected Departmental Policy positions, Charity Campaign, liaison with the Alcoholic Beverages Advisory Board (ABAB), etc.
- Act on behalf of the Director in his/her absence.
- Lead the Procurement process and negotiations for the Department in activities such as build out of new stores and office space in our headquarters office; negotiations for the acquisition of customer satisfaction kiosks; Marketing and Concept Design Services for Retail Stores, etc.

2000 to April 2015

**Deputy Director for Transportation Policy
Montgomery County Department of Transportation**

- Research, develop and present policy, technical and management guidance and advice on transportation matters to the Department Director and County Executive. Present and justify adopted policies in front of the County Council.
- Provide oversight for the planning and implementation of capital projects for transportation (roads, transit, pedestrian and bicycle facilities, parking, maintenance, bridges and storm drains); provide policy and technical direction to implementing Divisions on controversial and unusual issues; direct public-private partnership negotiations for project implementation; and lead the resolution of unusual problems with regulatory agencies and utilities; present testimony in front of the County Council in support of the Department's programs.
- Lead the County's efforts in coordination of major transportation projects with the Maryland DOT (SHA, MTA), incorporated municipalities and WMATA; implementation of improvements for BRAC at the Navy Medical Center in Bethesda; and development of the Transportation Policy Area Review for subdivisions in the County.
- Represent the County on matters associated with the design and construction of the ICC.
- Recommend to the Executive and Council the transportation priorities for State and Federal funding and develop partnerships with the funding agencies.
- Coordinate and ensure policy consistency for the delivery of transportation services of the five Divisions of the Department (Engineering, Transit, Highway Operations, Traffic and Parking Services), consisting of more than 1,200 employees.
- Represent the Department, coordinate activities and develop partnerships with State and Regional transportation organizations.

1991 to 2000:

**Chief, Division of Engineering Services
Montgomery County Department of Transportation**

- Provided general leadership, management and administration for the Division with personnel complement of 112 employees, with an operating budget of \$8 million dollars per year. In charge of the delivery of a Capital Improvements Program ranging from \$40 to \$75 million and 80 to 120 different individual projects per year.
- In charge of all engineering design; property acquisition; construction and inspection services of all Transportation Capital Improvements Program in the County.
- In charge of all aspects of the subdivision review and approval process related to transportation and issuance of permits; interaction with the sureties and utility companies; interact and negotiate agreements with developers, elected officials and regulatory agencies.
- Developed and directed all efforts associated with public participation from planning, through the design and construction phases of the projects.

1984 to 1991

**Engineering Services Specialist, Division of Engineering Services
Montgomery County Department of Transportation. (MC DOT)**

- Prepared and managed the Capital and Operating Budgets for the Division for seven years.
- In charge of consultant selection, negotiation of scope of services and compensation for design and construction inspection of the transportation program, in accordance with the County's Procurement Regulations.
- Developed guidelines to initiate the Facility Planning Process of new transportation projects, prior to final programming. The process eliminated false starts, improved citizen participation and adherence to budget and schedules.

1979 to 1984

**Senior Transportation Planner and Planning Program Coordinator
Montgomery County Department of Transportation**

- In charge of transportation planning studies to prioritize future transportation projects in the Capital Improvements Program.
- Conducted several Environmental Impact Statements and reviewed and prepared comments for the County on all State projects.
- Managed several major programs, including the Commuter Rail Station Improvements, the prioritization methodology for pedestrian and bikeway projects and the site selection for Park and Ride Facilities.

1978

Senior Transportation Engineer, Kaiser Transit Group, Miami, FL

- In charge of traffic and transit forecasting for the Dade County Rapid Rail System.
- Transportation Planner / Traffic Engineer in charge of analysis and preliminary design of traffic circulation in transit stations and affected intersections.
- Participated in the Community Outreach program for the Metro System, including simultaneous bilingual presentations to citizens.

1974-1978

Transportation Engineer, DeLeuw, Cather and Company, Washington D.C.

- Performed engineering design of roads and intersection improvements in Virginia, Maryland and the District of Columbia.
- Performed computer modeling and research for the U.S. EPA, FHWA and Urban Mass Transit Administration (now FTA).
- Directed the development of the transportation component of the first comprehensive Master Plan of Highways for Howard County, Maryland.

- Performed economic and feasibility analysis for several transportation projects in the United States, Mexico and Sweden.
- Participated in, designed and directed the implementation and analysis of several major transportation surveys.
- Conducted independent transportation studies for parking authorities, transit companies, plus local, state and federal agencies.
- Provided traffic engineering support for circulation and access to the Metro Rail system stations in the District of Columbia and the Maryland Suburbs.

OTHER SKILLS AND ACHIEVEMENTS

- Chair, Advisory Committee for the 2009 Annual Attainment Report on Transportation System Performance, for the Maryland DOT.
- Founder member and member of the Board of Directors of the Suburban Maryland Transportation Alliance.
- Awarded the 2007 Community Transportation Award, by the Washington DC ITE Chapter.
- President, County Engineers Association of Maryland, 2003.
- Leadership Montgomery Graduate, Class of 2005.
- Guest speaker at major international, national, state and local technical and political organizations. Special invitation to lecture professional staff at IDU, Bogota, Colombia.
- Good communicator and writer. Certified Toastmaster, by Toastmasters International. Published by the National Transportation Research Board.
- Trained, knowledgeable and consummate negotiator with the County's Employee Union; private developers and attorneys; representatives of local, state and national regulatory agencies; and civic groups and individuals.
- Innovative:
 - Introduced to the County the use of 3D and 4D transportation modeling.
 - Developed processes to ease the review of wetland and water quality issues involving federal, state, bi-county and county agencies.
 - Introduced the use of community newsletters to keep citizens involved and up to date on development of our transportation projects.
 - Developed a new Policy for area-wide Transportation Impact of new subdivision activity in the County, involving the testing of transit and auto adequacy.
- Strong and experienced Leader. Very well respected and trusted by the Director and Division Chiefs of DOT, by elected officials and by Department Directors I have interacted with.

	A	B	F	G	J
1	Full Name	Gender	Dpt.	Department Name	Employee Position Title
2	Boucher, Kathleen M.	F	IGR	Office of Intergovernmental Relations Department	Manager I
3	Bubar, Patrice M.	F	DEP	Department of Environmental Protection	Manager I
4	Buckland, Victoria J.	F	HHS	Department of Health and Human Services	Manager I
5	Drummer, Robert H.	M	CCL	County Council	Manager I
6	Finkelstein, Jodi	F	CEC	Community Engagement Cluster	Manager I
7	Gong, Ginny	F	CUS	Community Use of Public Facilities	Manager I
8	Gonzalez, Edgar A.	M	DLC	Department of Liquor Control	Manager I
9	Hawkins, Karen Q.	F	FIN	Department of Finance	Manager I
10	Herman, Linda A.	F	NDA	Non-Departmental Account	Manager I
11	Hibbert, Daniel D.	M	DOT	Department of Transportation	Manager I
12	Johnston, Bruce E.	M	DOT	Department of Transportation	Manager I
13	Jurgensen, Margaret A.	F	BOE	Board of Elections	Manager I
14	Kalarestaghi, Hadi K.	M	DPS	Department of Permitting Services	Manager I
15	Kassiri, Fariba	F	CEX	Offices of the County Executive	Manager I
16	Klinger, Dieter	M	DTS	Department of Technology Services	Manager I
17	Knuppel, Michael H.	M	DTS	Department of Technology Services	Manager I
18	Markovs, John P.	M	CAT	County Attorney's Office	Manager I
19	Matthews, Catherine E.	F	CEC	Community Engagement Cluster	Manager I
20	Newton, Jelani A.	M	OMB	Office of Management and Budget	Manager I
21	Orlin, Glenn S.	M	CCL	County Council	Manager I
22	Ossont, Gregory	M	DGS	Department of General Services	Manager I
23	Plucinski, Karen J.	F	DTS/OHR	Department of Technology Services / OHR	Manager I
24	Stoddard, Earl P. III.	M	DHS	Office of Emergency Management and Homeland Security	Manager I
25	Stowe, James L.	M	HRC	Office of Human Rights	Manager I
26	Walker, Devance JR..	M	PRO	Office of Procurement	Manager I
27	Wolanin, Emil J.	M	DOT	Department of Transportation	Manager I
28					
29	Source: https://data.montgomerycountymd.gov/Human-Resources/Employee-Salaries-2018/kdqy-4wzv/data				
30					
31					
32					

Resolution No.: 18-1095
Introduced: April 17, 2018
Adopted: April 24, 2018

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsors: Council Vice President Navarro and Councilmember Elrich
Cosponsors: Councilmembers Floreen, Leventhal, Katz, Berliner, Council President Riemer,
Hucker, and Rice

SUBJECT: Resolution to Develop an Equity Policy Framework in County Government

Background

1. Montgomery County is a community with a strong economy and public services that embraces its residents and the future. Our strong public services include awarding-winning public schools, community college, and park systems, vibrant performing and fine arts, and essential safety net programs in housing, public health, and other social services.
2. Montgomery County is a diverse and welcoming community. No one race or origin is a majority of Montgomery County's population. Almost one-third of the population is foreign-born. Our diversity is our strength and is key to our continued success as a community.
3. While we embrace our diversity, disparities exist by ethnicity, income, disability, gender, sexual identity, and other factors that can impede our future prosperity. These disparities in education, employment, health, and housing result from institutional and individual biases that undermine opportunities for vital members of our community.
4. Furthermore, the aforementioned disparities can be exacerbated by **racial and linguistic diversity** that intersect with and compound the effects of additional disparities and inequities based on racial background and limited English language proficiency.
5. Eliminating disparities by promoting equity - the fair treatment of individuals and diverse groups - is an economic imperative. The Urban Institute's *Racial Inequities in Montgomery County, 2011-15* report shows that a more equitable Montgomery County would increase the number of immigrants, Latinos, African Americans, and Asians with some college education, and would also increase employment and homeownership rates among people of color. A more equitable Montgomery County would enhance opportunities for all residents, thereby improving the economy.

6. The Montgomery County Government is responsible for all of its residents, and is in a position to address both unconscious and overt bias, to advance equity, and to address disparities based on race, ethnicity, national origin, English language proficiency, gender, gender identity, sexual orientation, religion, age, differing abilities, and income.
7. As part of the Government Alliance on Race and Equity (GARE), a growing number of jurisdictions are undertaking the work needed to operationalize equity, and integrate it into the decision-making process. These include the use of an "equity lens" to determine who benefits from public policies, regulations and practices and the development of equity tools and plans to inform local decision-making.
8. It is time for Montgomery County to move beyond disjointed efforts to reduce disparities, and commit to advancing the actions necessary to intentionally develop strong equity policies and create a strategic plan.

Action

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

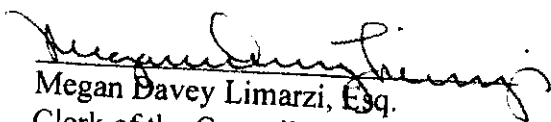
The Council is committed to examining the data needed to develop an equity policy framework that would require the County to question how budget and policy decisions impact equity.

This effort must be a partnership between the County Council, County Executive, County Government, county agencies, institutions, and our community. The County Government must challenge itself to bring new and different partners to the table. Partnering with other jurisdictions as members of the Government Alliance on Race and Equity (GARE) will also enhance the County's effort and commitment to fostering equity.

Equity analyses should be part of capital and operating budget reviews, appropriation requests, and legislation. Program and process oversight should be undertaken viewing programs and processes through an equity lens. Equity targets and measures of progress must be put in place.

The Council will provide additional FY19 Operating Budget resources for the Office of Legislative Oversight to develop a baseline report describing current disparities in education, employment, housing, health, employment, land use, and other measures of opportunity by May 31, 2019. Following the transmittal of the baseline report, the Council will introduce legislation for the County to develop an equity policy framework to inform the delivery of all County services.

This is a correct copy of Council action.


Megan Davey Limarzi, Esq.
Clerk of the Council

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Montgomery County Code

Published by Order of the County Council

Under the Supervision of
Marc P. Hansen
County Attorney

American Legal Publishing Corporation
Editor

Chapter 33. Personnel and Human Resources. Division 3. Benefits.

Sec. 33-42. Amount of pension at normal retirement date or early retirement date.

- (a) *Average final earnings.*
- (b) *Amount of pension at normal retirement date.*
- (c) *Amount of pension at early retirement date and early retirement reduction factors.*
- (d) *Adjustment for pension payments previously paid.*
- (e) *Early retirement on full benefits.*
- (f) *Pension limitation.*
- (g) *Maximum annual contribution to elected officials' plan.*
- (h) *Maximum annual benefit.* Despite any other provision governing the retirement system,

the annual benefit of a member must not exceed the limits of Internal Revenue Code Section 415 that apply to the plan. The Chief Administrative Officer must freeze or reduce a member's annual benefit to comply with this subsection. Effective for limitation years after December 31, 2008, amounts required to be included under Section 414(u)(12) of the Internal Revenue Code must be included in compensation for purposes of Section 415 of the Internal Revenue Code.

(i) **Retirement Incentive Program.**

(1) **Eligibility.**

(A) A Group A or H member may participate in the Retirement Incentive Program if the member is eligible for normal retirement as of **July 1, 2008** or if the member is eligible for early retirement and within two years of meeting the criteria for normal retirement as of July 1, 2008

(B) An elected or appointed official is not eligible to participate.

(C) A member who wishes to participate must notify the Office of Human Resources in writing by May 21, 2008. Any member chosen to participate must complete all required forms and retire as of July 1, 2008.

(D) Any member employed by a participating agency is not eligible to participate.

(E) A member who retires on a disability retirement under Section 33-43 or a discontinued service retirement under Section 33-45(d) is not eligible to participate.

(2) **Early Retirement Reduction.**

(A) A member who is eligible for early retirement and within one year of meeting the criteria for normal retirement must not have any early retirement reduction applied to the member's pension benefit.

(B) A member who is eligible for early retirement and within two years of meeting the criteria for normal retirement must have an early retirement reduction factor of 2% applied to the member's pension benefit.

(3) **Additional Retirement Benefit.**

In addition to a member's pension benefit calculated under this Section, the member must receive an additional \$25,000 retirement benefit. The member may elect to receive the additional \$25,000 retirement benefit as follows:

- (A) When the member retires, the additional \$25,000 retirement benefit must be paid:
- (i) to the member in one lump sum;
 - (ii) as a direct rollover to an eligible retirement plan (as defined in the Internal Revenue Code); or
 - (iii) a combination of (i) and (ii);
- (B) Beginning on the member's retirement date, 12 monthly installment payments must be paid:
- (i) to the member;
 - (ii) as a direct rollover to an eligible retirement plan (as defined in the Internal Revenue Code); or
 - (iii) a combination of (i) and (ii); or
- (C) as an additional retirement benefit paid over the member's lifetime in the pension option elected by the member under Section 33-44.

(4) **Cost of Living.**

Cost of living adjustments do not apply to this benefit. A cost of living adjustment under section 33-44(c) must not include the \$25,000 additional retirement benefit.

(5) **Approval.**

The Chief Administrative Officer must approve a request to participate in the program from a member employed in the Executive Branch. The Executive Director of the Office of the County Council must approve a request to participate in the program from a member employed in the Legislative Branch. If more than 20% of members eligible to participate in the Executive Branch, either Countywide or by department, apply to participate in the program, the Chief Administrative Officer may limit the number of participants, either on a Countywide or department basis. If more than 20% of members eligible to participate in the Legislative Branch apply to participate in the program, the Executive Director of the Office of the County Council may limit the number of participants. The Chief Administrative Officer and the Executive Director of the Office of the County Council must base any limits on the number of participants on years of service with the County. Years of service with the County must not include service with a participating agency, purchased service, or sick leave.

Sec. 33-42A. **2010 Retirement Incentive Program.**

(a) **Definitions.**

Affected class means an occupational class or a group of occupational classes in a department, including all classes in an occupational series at and below the budget level class, if:

- (1) the class includes a position that the department director intends to eliminate; and
- (2) eliminating the position may cause an employee in the class to be demoted or terminated.

Affected employee means an employee assigned to a position in an affected class who has received a notice of intent or notification of a Reduction in Force (RIF).

11

Enhanced retiree life insurance benefit means no reduction in any provided basic life insurance benefit for the first 10 years after the employee's retirement date.

Enhanced retiree health plan cost sharing benefit means a County contribution of 90% of the premium for individual coverage for any health insurance plan provided by the County for the first 5 years after the employee's retirement date.

(b) Eligibility.

(1) A Group A, E or H member who is employed in a part time or full time position may apply to participate in the 2010 Retirement Incentive Program if the member:

(A) is eligible for:

(i) normal retirement on or before June 1, 2010; or

(ii) early retirement, and is within 2 years of meeting the criteria for normal retirement on June 1, 2010; and

(B) is an affected employee.

(2) A member is not eligible to participate in the 2010 Retirement Incentive Program if the member:

(A) receives a disability retirement under Section 33-43;

(B) receives a discontinued service retirement under Section 33-45(d);

(C) is an elected or appointed official; or

(D) is employed by a participating agency.

(3) A member must apply to participate in the 2010 Retirement Incentive Program, must complete all required forms by May 14, 2010, and must retire on June 1, 2010.

(4) A member who applies for a disability retirement under section 33-43 must not receive any benefit under this Section unless the member's application for disability retirement is denied and all appeals from that denial are exhausted.

(c) Early retirement reduction. A member's pension benefit must not be reduced for early retirement if the member is eligible for early retirement and within 2 years of eligibility for normal retirement.

(d) **Additional Retirement Benefit.** In addition to the pension benefit calculated under this Section, a participant must elect one of the following additional retirement benefits. A part time participant must receive a pro-rata portion of the applicable retirement benefit, based on that participant's percent of budgeted full time employment.

(1) \$35,000 pension benefit;

(2) \$30,000 pension benefit and an enhanced retiree life insurance benefit; or

(3) \$28,000 pension benefit and an enhanced retiree health plan cost sharing benefit.

(e) The participant must elect to receive the cash portion of the additional pension benefit paid under Subsection (d) as:

(1) a single lump sum on July 1, 2010:

(A) to the member or the member's designated beneficiary if the member dies before receiving the lump sum payment;

(B) as a direct rollover to an eligible retirement plan (as defined in the Internal Revenue Code); or

(C) a combination of (A) and (B);

(2) 12 equal monthly payments beginning on July 1, 2010:

(A) to the member or the member's designated beneficiary if the member dies before receiving all 12 payments;

(B) as a direct rollover to an eligible retirement plan (as defined in the Internal Revenue Code); or

(C) a combination of (A) and (B);

(3) a contribution to an account established for the member under the guaranteed retirement income plan. A member must receive the member's guaranteed retirement income plan account balance when the member attains the Social Security retirement age; or

(4) an additional pension benefit paid over the member's lifetime in the pension option elected by the member under Section 33-44, beginning on July 1, 2010.

(f) Cost of Living. Any cost of living adjustment does not apply to this benefit. A cost of living adjustment under Section 33-44(c) must not include the additional pension benefit paid

Editor's note—2010 L.M.C., ch 13, § 3, states: Reports. By July 1, 2010, the Executive must submit a report to the Council that lists the number of employees in each affected class within each department or office who, due to the abolishment of positions in the approved FY11 operating budget, either:

(a) retired with a discontinued service pension; or

(b) participated in the retirement incentive program.

The Executive's Recommended Budgets for FY12, FY13, and FY14 must compare the number of positions in each class of positions eligible for the retirement incentive program approved for funding in FY11 with the number of positions in the same class recommended for funding in the recommended budget.

80 **Sec. 3 Transition -Certain Incumbents.**

81 If, on the effective date of this Act, an employee who (1) has obtained merit
82 system status and (2) is not in a promotional probationary period, occupies a position
83 that this Act converts to a non-merit position:

84 (a) that employee retains all merit system rights; and

85 (b) the position does not become a non-merit position until that employee
86 leaves the position through transfer, promotion, demotion, retirement, or other
87 separation from service.

88 *If on the effective date of this Act, an employee*

89 *(1) has obtained merit system status, and*

90 *(2) has served the County for more than 40 continuous years, and*

91 *(3) occupies a position that this Act proposes for abolishment, and*

92 *(4) elects to retire by July 1, 2019,*

93 *Then, that employee must be granted \$ABC as additional retirement benefit.*

94

95

96 **Notes:**

97 **1.** **Bold and underlined** language would be added to the Act on page Circle (5) of the
98 County Council packet. The language is consistent with the 2010 addition to the County
99 Code under Section 33-42A

100 **2.** Replace \$ABC by one of the following options:

101 a. One-year's pay based on current salary.

102 b. Six-months pay based on current salary.

103 c. Three-months pay based on current salary.

104 d. \$ 35,000 compounded at 3.5 percent per year between 2010 and 2019 (\$ 47,700)

105 e. \$35,000 the same amount offered as an additional benefit in 2010.

106

107