Montgomery County Civic Federation Testimony on PG/MC 101-25
December 9, 2024

POSITION: Support with amendments

My name is Cheryl Gannon, and I am President of the Montgomery County Civic Federation (MCCF). For one hundred years, MCCF has represented neighborhood associations and individuals throughout Montgomery County, Maryland on issues of importance to the County's communities and neighborhoods.

Today, I am providing written testimony on behalf of MCCF regarding Bill PG/MC 101-25, which raises matters of significance to MCCF members that also should be significant to the State and County.

If enacted, the bill would limit requirements that the Montgomery County Planning Board stream live video or audio of its open meetings. Were it enacted, the Planning Board would only be required to live stream live video or live teleconference audio at open meetings of the Board held at the headquarters of the Board, or at a location where the Board held at least ten meetings during the immediately preceding calendar year.

The MNCPPC performs a central function in land use matters in the County, making far reaching and consequential decisions in this area. This fact is being demonstrated in real-time by the massive ongoing public attention to the Planning Board's deliberations and recommendations concerning "Attainable Housing," which are now pending before the County Council.

Open meetings of the Planning Board and other County agencies that provide video or audio transmissions make the proceedings more open and transparent to a much wider array of County residents than can participate in person. These media allow those who tune in to the proceedings of government bodies to determine whether they should raise concerns, offer support and, where warranted, provide additional information to County decision makers.

MCCF does not believe the Planning Board should simply be relieved of requirements to make its meetings accessible, simply based on the Board's choice of a meeting location. If the Board chooses to meet in venues other than its headquarters or a regular meeting location, the statute should at least require a finding and documentation by the Board that the meeting location was necessary.

Additionally, MCCF urges that beyond simply reducing video or audio requirements, legislation should address concerns with the Planning Board's process to facilitate meaningful public involvement.

Changes to the Planning Board's meeting agendas on the day before or the day of a meeting should not be allowed (unless there is a clear need to postpone an item). Legislation could require that agendas be frozen 48 hours before the meeting - which is the same rule that applies to 19 other State agencies. In addition, the Board should be required to post any materials they are considering online along with the agenda - which is also the same rule that applies to 19 State agencies.

Also, there was a recent change by the Planning Board to the long-standing witness signup deadline from Wednesday at noon to Tuesday at noon for Thursday meetings. This was said to be needed to allow the Board more time to read testimony and for the staff to perform outreach to arrange for online testimony. However, if this change is to be made, the staff reports and other materials for public meetings and hearings also should be required to be posted a day earlier to allow the public the same amount of time to review the information.

Finally, we note that in the Open Meetings Act, General Provisions Article §3–307 there is already a list of 19 State agencies that are required to stream their meetings. Del. Korman and Sen. Kagan built this list over time with a series of bills. The Montgomery Planning Board, and the WSSC, also addressed in the Bill, could be added to this list as agencies #20 and #21. The advantage of this approach is that it would bring Planning Board meetings under an existing set of requirements, including that staff packets be posted and agendas be frozen 48 hours before a meeting. The Act requires timely approval and posting of minutes. It also includes existing language about off-site meetings in which no organizational business is transacted.

Thank you for the opportunity to testify. We look forward to working with the Bill's sponsors to improve this legislation.