



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Tuesday, December 4, 2018

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland, at 9:36 A.M on Tuesday, December 4, 2018.

### PRESENT

Councilmember Nancy Navarro, President	Councilmember Sidney Katz, Vice President
Councilmember Gabe Albornoz	Councilmember Andrew Friedson
Councilmember Evan Glass	Councilmember Tom Hucker
Councilmember Will Jawando	Councilmember George Craig Rice
Councilmember Hans Riemer	

The President in the Chair.

The invocation was given by Rabbi Rachel Ackerman, Temple Shalom.

### COMMENTS BY COUNCIL PRESIDENT HANS RIEMER

Mr. Riemer welcomed the four new Councilmembers and thanked staff and fellow Councilmembers for their dedication and hard work. He spoke to the top 10 accomplishments by the Council over the past year, notably fully funding the Board of Education's request for Montgomery County Public Schools (MCPS) without raising taxes, and expanding preK programs; enacting legislation to increase affordable housing; supporting major capital investments in the Washington Metropolitan Area Transit Authority (WMATA) and successfully advocating to expand rush hour service from Grosvenor to the Shady Grove Station; approving a zoning change to support 5G wireless structure in commercial areas; adopting the Bicycle Master Plan; and approving zoning changes for the Agricultural Reserve to support wineries, breweries and distilleries.

## **ELECTION OF COUNCIL OFFICERS**

Mr. Riemer called for nominations for Council President. Mr. Hucker nominated Ms. Navarro for Council President. There were no other nominations.

Unanimously elected Ms. Navarro as the first Council President of the nineteenth Council.

Ms. Navarro in the Chair.

Ms. Navarro called for nominations for Council Vice President. Mr. Rice nominated Mr. Katz for Council Vice President. There were no other nominations.

Unanimously elected Mr. Katz as the first Council Vice President of the nineteenth Council.

Adopted **Resolution 19-01**, naming Ms. Navarro to serve as the first President of the nineteenth Council, and Mr. Katz to serve as the first Vice President of the nineteenth Council.

On behalf of the Council, Ms. Navarro presented a commemorative gavel to Mr. Riemer in recognition of his service as President of the Council.

## **COMMENTS BY COUNCIL PRESIDENT NANCY NAVARRO**

Ms. Navarro spoke about her priorities for the coming year, including closing the opportunity gap in academic achievement; expanding early childcare and early childhood education; implementing a senior agenda for the County's aging population; redeveloping and revitalizing areas of the county and creating more jobs; expanding civic engagement; and making the County more business friendly. She also plans to continue to work on equity in the County while recognizing and embracing the differences among the citizens of Montgomery County, noting all share the same need for a sound, responsive government.

The Council recessed at 10:22 A.M. and reconvened at 10:36 A.M.

### **(1) GENERAL BUSINESS**

#### **A. Announcements - Agenda and Calendar Changes**

[Ms. Limarzi, Clerk of the Council, announced that the Council is seeking applicants for the Board of Appeals.](#) The application deadline is Friday, January 4, 2019, at 5:00 P.M.

(2) B. **Acknowledgement** – [Receipt of Petitions](#)

There were no petitions received this week.

C. **Approved** the minutes of November 13 and 15, 2018, and the Closed Session minutes of November 13 and 15, 2018, without objection.

(3) **DISCUSSION** - [State Legislative Program](#)

Participating in the discussion were, Ms. Wenger, Director, Ms. Boucher, Ms. Morningstar, Ms. Samman, Office of Intergovernmental Relations (OIR); and Ms. Frey, Department of Health and Human Services (DHHS).

Ms. Navarro announced that Amanda Mihill, Legislative Attorney, will be the County Council's liaison with OIR, and noted that if Councilmembers have follow-up questions on legislation, to email them to Ms. Mihill.

Reviewed the following local and bi-county bills that will be introduced in the 2019 session of the Maryland General Assembly.

Supported without objection MC1-19, Montgomery County - Gaming - Bingo Games.

Delegate Luedtke participated in the discussion on MC6-19, Montgomery County - County Executive and County Council Candidates - Petitions. Requested more information on MC6-19 and deferred taking a position until after the Delegation's public hearing on December 17.

There was general support for MC7-19, Montgomery County - Authority of County Council Over Inspector General - Housing Opportunities Commission, and MC12-19, Montgomery County - Authority of County Council Over Inspector General - Montgomery College, but a number of questions were raised about broadening the legislation to MCPS as well. Deferred taking a position on MC7-19 and MC12-19 until possible amendments and the best strategy have been determined. Ms. Wenger stated she will gather more information and get back to Councilmembers on possible options going forward. Options could include amending MC7-19 and/or MC12-19; introducing a late-filed local bill; or introducing a Statewide enabling law.

Delegate Carr gave an overview on MC8-19, Montgomery County - State Highways - Toll Facilities. Ms. Navarro noted that there appeared to be a general sense of support but a number of questions were still outstanding and required response. Requested more information on MC8-19 and deferred taking a position until after the Delegation's public hearing.

Delegate Carr participated in the discussion on MC10-19, Montgomery County - Vehicle Laws - Prohibited Acts at Intersections (Don't Block the Box). There

was general support of MC10-19 if amended. Suggested amendments include eliminating the one point penalty and reducing the fine below \$500.

Delegate Moon gave an overview on MC11-19, Montgomery County - Uniformity of Property Tax Assessments - Use of Pesticides by Country Clubs and Golf Courses, and MC27-19, Montgomery County - Country Clubs and Golf Courses - Rate of Assessment and Term of Agreements. Discussed MC11-19 and MC27-19, which will be reconsidered after the Delegation's public hearings.

Delegate Wilkins gave an overview on MC22-19, Montgomery County - Residential Leases - Just Cause Eviction. Ms. Wilkins noted that several amendments were forthcoming. Ms. Navarro indicated that the Council would wait to take a position on MC22-19 until the amendments could be reviewed and discussed.

Because of time constraints, Ms. Wenger will work with Ms. Mihill and follow-up with Councilmembers on the remaining bills in the analyst packet that were not reviewed, including the four bills related to the Washington Suburban Sanitary Commission (WSSC).

The Council recessed at 12:26 P.M. and reconvened at 1:30 P.M.

(4) **PUBLIC HEARING - [Bill 36-18, Transportation Management - Transportation Demand Management Plan - Amendments](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on January 18, 2019. A Transportation, Infrastructure, Energy & Environment Committee (T&E) worksession is tentatively scheduled for January 31, 2019.

(5) **PUBLIC HEARING - [Expedited Bill 37-18, Transient Housing - Short Term Rental License - Appeals](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on January 14, 2019. A Planning, Housing, & Economic Development (PHED) Committee worksession is tentatively scheduled for January 17, 2019.

(6) **PUBLIC HEARING - [Expedited Bill 38-18, Weapons - Urban Area - Boundary](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on January 14, 2019. A Public Safety (PS) Committee worksession is tentatively scheduled for January 17, 2019. However, following the meeting, the Council President decided to bring the bill before the Council on December 11, 2018 for consideration & action.

- (7) **PUBLIC HEARING - Expedited Bill 39-18, Domestic Violence Council - Membership -Amendments**

The public hearing was held and the record closed.

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND  
IN LEGISLATIVE SESSION - Day #28**

- (8) **Call of Bills for Final Reading:**

- A. **Expedited Bill 39-18, Domestic Violence Council - Membership - Amendments**

Mr. Katz, Lead Sponsor of the expedited bill, reviewed its purpose, as contained in the analyst packet.

Enacted draft #2 of **Expedited Bill 39-18**.

Mr. Katz made the motion and the expedited bill was enacted by a roll call vote:

**YEAS:** Glass, Jawando, Hucker, Riemer, Albornoz, Rice, Friedson, Katz, Navarro.

The Council adjourned at 2:08 P.M.

This is a correct copy of Council action.

*Approved/Signed by the Clerk*

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Megan Davey Limarzi, Esq.  
Clerk of the Council