



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Monday, April 8, 2019

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland, at 9:34 A.M. on Monday, April 8, 2019.

### 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 Craig Rice
Councilmember Hans Riemer	

The President in the Chair.

Ms. Navarro noted the regretful passing of Michael E. Busch, the longest serving Speaker of the Maryland House of Delegates, and held a moment of silence.

### GENERAL BUSINESS

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

There were no changes.

(1) B. **Acknowledgement** - [Receipt of Petitions](#)

There were no petitions received this week.

C. **Approved** the minutes of March 21, 25 and 26, 2019, without objection. Mr. Jawando, Mr. Riemer and Mr. Katz were temporarily absent.

(2) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.

Mr. Rice made the motion, which carried without objection. Mr. Jawando, Mr. Riemer and Mr. Katz were temporarily absent. Later in the meeting, Mr. Katz and Mr. Reimer stated that had they been present, they would have voted in the affirmative.

- A. **Introduced** a resolution to indicate the Council's intention to approve or reject provisions of the Collective Bargaining Agreement with the Fraternal Order of Police (FOP), Lodge 35. A Council worksession is tentatively scheduled for April 23, 2019.
- B. **Introduced** a resolution to indicate the Council's intention to approve or reject provisions of the Collective Bargaining Agreements with the Municipal & County Government Employees' Organization (MCGEO), Local 1994. A Council worksession is tentatively scheduled for April 23, 2019.
- C. **Introduced** a resolution to indicate the Council's intention to approve or reject provisions of the Collective Bargaining Agreement with the Montgomery County Career Fire Fighters Association of the International Association of Fire Fighters (IAFF), Local 1664. A Council worksession is tentatively scheduled for April 23, 2019.
- D. **Introduced** a resolution to indicate Council's intention to approve or reject provisions of the Collective Bargaining Agreement with the Montgomery County Volunteer Fire and Rescue Association (MCVFRA). A Public Safety (PS) Committee worksession is tentatively scheduled for April 24, 2019.
- E. **Introduced** a special appropriation and amendment to Montgomery County Public Schools' (MCPS) FY19-24 Capital Improvements Program (CIP) - \$7,500,000 for Current Replacements/Modernizations (Seneca Valley High School). A public hearing is scheduled for April 20, 2019, at 1:30 P.M.
- F. Adopted **Resolution 19-69**, confirming the County Executive's appointment to the Montgomery County Economic Development Corporation Board: Jerome Fletcher.
- G. Adopted **Resolution 19-70**, adopting the County's Hazard Mitigation Plan.

(3) **ACTION** - Special appropriation to MCPS' FY19 Capital Budget - \$5,000,000 for Relocatable Classrooms

Mr. Levchenko, Senior Legislative Analyst, noted that the source of the funds include recordation tax revenue, as recommended by the County Executive, and as contained in the staff report. With that recommendation, adopted **Resolution 19-71**, approving the subject special appropriation to MCPS' FY19 Capital Budget.

Mr. Rice made the motion, which carried without objection. Mr. Jawando, Mr. Riemer and Mr. Katz were temporarily absent.

(4) **DISTRICT COUNCIL SESSION**

A. **Action** – Zoning Text Amendment (ZTA) 19-03, Commercial/Residential Zones - Animal Boarding and Care

Enacted **Ordinance 19-05**, approving draft #2 of ZTA 19-03.

The Planning, Housing and Economic Development (PHED) Committee made the motion, and the Ordinance was enacted by a roll call vote:

YEAS: Glass, Hucker, Riemer, Albornoz, Rice, Friedson, Katz, Navarro  
ABSENT: Jawando (temporarily).

(5) **OVERVIEW** - FY20 Operating Budget

Received an overview of the FY20 Operating Budget from Council President Navarro, Ms. Michaelson, Council Executive Director, Mr. Howard, Ms. McMillan, Ms. Price, Council staff; and Mr. Trombka, Office of Legislative Oversight (OLO) staff, as contained in the staff report.

Ms. Navarro requested additional information comparing agencies' benefits structures, and also requested a chart showing property and tax revenue projections versus budgets over the past five years.

Mr. Rice requested a breakdown on the actual cost of the recommended pay adjustments for each bargaining unit, as well as figures on incremental adjustments to each component. He also requested additional information on Montgomery College's operating budget, including Full-Time Equivalent (FTE) positions, programs, and its compensation contract.

Mr. Friedson requested information on The Maryland-National Capital Park and Planning Commission's (MNCPPC) operating budget, including personnel costs, cost of the move to its new headquarters, and any decrease in Park services

funding. He also requested analysis on what the future cost would be if approved Other Post-Employment Benefits (OPEB) pre-funding were reduced by \$89.6 million, which the County Executive has recommended in an FY19 savings plan.

In relation to the increase in FTE positions, Councilmembers expressed interest in seeing the County Executive's plans to restructure and rightsize County Government. Related to that issue, Ms. Navarro stated that she would like to create a strategic planning committee, that would perhaps meet quarterly, to tackle tough questions such as sustainability goals, positioning funding to get the best return on investments, targeting the County's resources, and boosting economic development.

(6) **BRIEFING - Dockless E-Scooter Pilot Program**

Participating in the discussion were Mr. Roshdieh, Director, Mr. Conklin, Deputy Director, and Mr. Erenrich, Special Assistant to the Director, Department of Transportation (DOT).

Received a briefing on new personal mobility options, the dockless vehicle pilot program and plans for its expansion, safety concerns and data, County regulations, parking policies, and vendor responsibilities.

Councilmembers commented on safety issues, and Mr. Rice suggested the speed limit for e-scooters be reduced from 20 to 15 miles per hour, that users under age 18 be required to wear helmets, and that the County partner with hospital emergency rooms to aid in the reporting of crashes. He also suggested that user payment options should not be limited to credit cards. Mr. Jawando suggested that vendors require users to have a driver's license, and Mr. Glass stressed the importance of public education regarding the presence of e-bikes and e-scooters on County roads.

**Motion to Close**

The Council adjourned the open session at 11:41 A.M. and reconvened in closed session from 11:45 A.M. to 12:29 P.M. in the Council Conference Room. Mr. Riemer made the motion, which carried without objection.

The Council recessed from closed session at 12:29 P.M. and reconvened in open session in the Council Hearing Room at 1:31 P.M.

**PUBLIC HEARING - FY20 Operating Budget and proposed amendments to the FY19-24 Capital Improvements Program**

The public hearing was conducted.

The Council recessed at 3:03 P.M. and reconvened in the Council Hearing Room at 7:00 P.M.

**PUBLIC HEARING - FY20 Operating Budget and proposed amendments to the FY19-24 Capital Improvements Program**

The public hearing was conducted.

The meeting adjourned at 8:30 P.M.

**Report of Closed Session of April 8, 2019**

In compliance with Section 3-306(c)(2), General Provisions Article, Maryland Code, the following is a report of the County Council's closed session of Monday, April 8, 2019. The Council convened in closed session at 11:45 A.M. in the 3rd floor Council Conference Room to consider matters that concern the proposal for a business or industrial organization to locate, expand, or remain in the State, pursuant to Maryland Code, General Provisions Article §3-305 (b)(4). The topic was retention of a business in the County.

The meeting was closed on a motion by Mr. Riemer, which carried without objection. The following persons were present: Councilmembers Navarro, Katz, Alborno, Friedson, Glass, Hucker, Jawando, Rice and Riemer; Confidential Aides Ikheloa, Kunes, Mandel-Trupp, Nurmi, Gibson, Thorne, Carranza, Goldstein and Silverman; Mr. Smith, Legislative Analyst; Ms. Michaelson, Council Executive Director; Dr. Orlin, Deputy Director; Mr. Drummer, Senior Legislative Attorney; Ms. Marin, Legislative Services Coordinator; Mr. Elrich, County Executive; Ms. Benjamin, Mr. Tibbitts and Ms. Spielberg, Office of the County Executive; Ms. Beck, Office of Management and Budget; Ms. Limarzi, Clerk; and Ms. Brown, Deputy Clerk.

**Action:** No action was taken.

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