



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Tuesday, July 23, 2019

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland, at 9:51 A.M. on Tuesday, July 23, 2019.

### PRESENT

Councilmember Nancy Navarro, President  
Councilmember Gabe Albornoz  
Councilmember Evan Glass  
Councilmember Will Jawando

Councilmember Sidney Katz, Vice President  
Councilmember Andrew Friedson  
Councilmember Tom Hucker  
Councilmember Craig Rice

Councilmember Hans Riemer

The President in the Chair.

The invocation was given by Reverend Tim Simpson, Greenridge Baptist Church.

**PRESENTATIONS** - Proclamation was presented by Mr. Riemer recognizing the Celebration of Michael Bobbitt, Artistic Director at Adventure Theatre.

### GENERAL BUSINESS

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

There were no agenda or calendar changes.

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

Acknowledged receipt of a petition from residents and non-residents of Montgomery County opposing passage of Zoning Text Amendment (ZTA) 19-01, Accessory Residential Uses - Accessory Apartments.

(2) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.  
Mr. Katz made the motion, which carried without objection.

- A. **Received and Released** the Office of Legislative Oversight (OLO) Report 2019-8, Social Business Partnerships.
- B. Adopted **Resolution 19-173**, approving the OLO FY20 Work Program.
- D. Adopted **Resolution 19-174**, approving Executive Regulation 17-19, Small Business Assistance Program.
- E. Adopted **Resolution 19-175**, confirming the County Executive appointments to the Commission on Aging: Karon Phillips, Janice Zalen.
- F. Adopted **Resolution 19-176**, confirming the Executive appointments to the Agricultural Advisory Board: Jane Evans, Lori Larson, Eleanor Leak, Angela McNally, Aliza Silver, Debra Tropp, Leonard Yourman.
- G. Adopted **Resolution 19-177**, confirming the County Executive appointment to the Alcoholic Beverages Advisory Board: Juliana Levitt.
- H. Adopted **Resolution 19-178**, confirming the County Executive appointments to the Animal Matters Hearing Board: Herman Cohen, Stuart Rick, Marlene Schooler.
- I. Adopted **Resolution 19-179**, confirming the County Executive appointment to the Cable Compliance Commission: Theo Nicholas.
- J. Adopted **Resolution 19-180**, confirming the County Executive appointments to the Commission on Common Ownership Communities: Donald Perper, Galia Steinbach, Gordon Young, Mark Fine, Philip Giza, John Smith.
- K. Adopted **Resolution 19-181**, confirming the County Executive appointment to the Community Action Board: Jeffrey Johnson.
- L. Adopted **Resolution 19-182**, confirming the County Executive appointment to the Board of Electrical Examiners: Yen-Ming Chen.
- M. Adopted **Resolution 19-183**, confirming the County Executive appointments to the Human Trafficking Prevention Committee: Wendy Stickle, Janice Freeman.

- N. Adopted **Resolution 19-184**, confirming the County Executive appointment to the Commission on Juvenile Justice: Nathaniel Tipton.
- O. Adopted **Resolution 19-185**, confirming the County Executive appointment to the Commission on Landlord-Tenant Affairs: Michael Rosenzweig.
- P. Adopted **Resolution 19-186**, confirming the County Executive appointments to the Library Board: Elizabeth Angerman, Daniel Melnick, Antoinette Negro, Sonja Roberts, Carrie Villar, Robyn Watts.
- Q. Adopted **Resolution 19-187**, confirming the County Executive appointments to the Mental Health Advisory Committee: K. Dietrich Curran, Jamie Gu, Helga Luest, Jennifer Grinnell, Jeannette Bjorklund, Ziva Azhdam.
- R. Adopted **Resolution 19-188**, confirming the County Executive appointments to the Commission on People with Disabilities: Karen Goss, Tom Liniak, Richard Shermanski, James Dean, Teri Roe, Luis Hurtado, Seth Morgan.
- S. Adopted **Resolution 19-189**, confirming the County Executive appointment to the Sign Review Board: Robert Meck.
- T. Adopted **Resolution 19-190**, confirming the County Executive appointment to the Silver Spring Transportation Management District Advisory Committee: Dar Maxwell.
- U. Adopted **Resolution 19-191**, confirming the County Executive appointments to the Strathmore Hall Foundation Board of Directors: Deborah Smith, James Young.
- V. Adopted **Resolution 19-192**, confirming the County Executive appointments to the Taxicab Services Commission: David Mohebbi, Belay Teklehayimanot, Elizabeth Ellis.
- W. Adopted **Resolution 19-193**, confirming the County Executive appointments to the Victim Services Advisory Board: Brian Koosed, Kathryn Pontzer, Neda Bolourian, Quintaria Brunson, Ronald Cohen, Amos Hicks III, Jessica Leslie, Juanita Rogers, Reem Sharaf.
- X. Adopted **Resolution 19-194**, confirming the County Executive appointment to the Water Quality Advisory Group: Robert Buglass.

- Y. Adopted **Resolution 19-195**, confirming the County Executive appointments to the White Flint Downtown Advisory Committee: David Child, Sarah Crisafulli, Charles Crerand, Michael Krauthamer, Matthew Herrmann, Eric Grosse.
- Z. Adopted **Resolution 19-196**, confirming the County Executive appointments to the Washington Suburban Sanitary Commission: Fausto Bayonet, Howard Denis.
- AA. Adopted **Resolution 19-197**, confirming the County Executive appointments to the Board of License Commissioners: Chung Pak, Victoria Virador.

(3) **DISTRICT COUNCIL SESSION**

A. **Action - ZTA 19-01, Accessory Residential Uses - Accessory Apartments**

Mr. Riemer, Chair of the Planning, Housing, and Economic Development (PHED) Committee, and Senior Legislative Analyst Zyontz reviewed the Council's decision points and Committee recommendations, as contained in the staff report. Mr. Zyontz noted that the Committee's recommendation to require additional setback for detached accessory dwelling units (ADUs) greater than 24 feet in length was inadvertently omitted from the summary of recommendations included in the staff report, but was included on lines 200 to 205 of the ZTA; and that a correction would be made to change the term accessory apartment to accessory dwelling unit where it was missed in the ZTA.

Defeated Mr. Albornoz's motion to amend the ZTA to require landscaping screening of any newly constructed detached ADU. Councilmembers Albornoz, Jawando, Rice, and Katz voted in the affirmative.

Mr. Friedson clarified that the companion legislation to the ZTA, Bill 22-19, Accessory Dwelling Units - Licensing - Requirements - Amendments, would become effective at the same time as the ZTA on December 31, 2019.

Enacted **Ordinance 19-06**, approving draft #6 of ZTA 19-01, as amended.

The PHED Committee made the motion and the Ordinance was enacted by a roll call vote:

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

Ms. Navarro spoke to the need create more affordable housing units to meet the growing demand, both regionally and in Montgomery County, noting that the ZTA is just one tool to increase the number of housing opportunities.

Mr. Albornoz expressed the view that overall the ZTA is a positive step and that his concerns regarding privacy and infrastructure issues were reasonably addressed, noting that the Council can revisit any issues that arise in the future regarding ADUs.

**B. Action - ZTA 19-05, Industrial Zones - Landscape Contractors**

Mr. Riemer and Mr. Zyontz reviewed the purpose of the ZTA and the PHED Committee's recommendation, as contained in the staff report.

Enacted **Ordinance 19-07**, approving draft #1 of ZTA 19-05.

The PHED Committee made the motion and the Ordinance was enacted by a roll call vote:

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

(4) **CONFIRMATION - County Executive's appointee, Office of Human Resources, Director: Berke Attila**

Adopted **Resolution 19-198**, confirming the County Executive's appointment of Mr. Berke Attila as Director, Office of Human Resources.

Mr. Katz made the motion, which carried unanimously.

(5) **BRIEFING - Strategies for Community-Police Relations**

Participating in the discussion were Acting Police Chief Jones, Assistant Chiefs Anderson, Patil, Liquorie, and Captains Pruitt and Cokinos, Montgomery County Police Department (MCPD); and Legislative Analyst Farag.

Ms. Navarro stated that today's briefing was in response to two publicized incidents of inappropriate behavior by MCPD officers, and for a discussion on the meaning of "community policing." She expressed the view that the County is a microcosm of the nation and the world; and collaboration among police, the community, and the schools is needed to prevent crime in the community. She further announced her intention to initiate legislation that defines what is meant by community policing that can guide future MCPD efforts.

Chief Jones discussed MCPD's community engagement efforts, community policing as an organizational philosophy, organizational alignment, and training of officers. He highlighted community activities and events undertaken by police officers on their own time involving youth, senior citizens, and communities of color; and efforts to develop partnerships and mutual trust to provide services to the immigrant community. He suggested an external audit be conducted to review arrest data and whether arrests are in response to reports from crime victims or by police.

Received comments on the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) best practices, noting that it reviews all MCPD policies. Chief Jones discussed de-escalation strategies and noted that the policy on use of force is currently being revised.

Mr. Katz, Chair of the Public Safety (PS) Committee, acknowledged that additional resources would be needed to further support the Department's community policing efforts.

Mr. Jawando, referring to a letter of May 14, 2019, signed by all Councilmembers expressing dismay over the actions taken by police officers during an incident at the White Oak McDonald's restaurant and requesting the release of additional information, noted that the Department was unable to track people given "no trespass" warnings. Chief Jones said the Department would need additional resources in order to track the data. Mr. Jawando suggested that value be assigned to what officers are doing in the community and that officers should not be subject to an arrest quota.

Assistant Chief Anderson commented that the Department is looking into how to address reports of excessive use of force and the duty to report such incidents.

Mr. Hucker requested and received information on de-escalation strategies, use of gauge impact projectiles, TASER policies, and chemical restraints.

Mr. Albornoz suggested that there was a need for more training on positive youth interactions and a means to track such interactions, and tools to engender trust among undocumented residents.

Mr. Riemer commented on the creation of the Policing Policy Advisory Board, and expressed appreciation to the Department for embracing the concept. Chief Jones noted that it is a more formal method to obtain feedback from the community regarding its police force, which has been done through informal means in the past.

(6) **INTERVIEW - County Executive's appointee, Department of Correction and Rehabilitation (DOCR): Angela Talley**

Interviewed Ms. Angela Talley, the County Executive's appointee for the position of Director of DOCR. Confirmation of Ms. Talley's appointment is tentatively scheduled for July 30, 2019.

The meeting adjourned at 1:01 P.M.

This is a correct copy of Council action.

***Approved/Signed by the Clerk***

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Mary Anne Paradise  
Acting Clerk of the Council