



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Monday, May 11, 2020

The County Council for Montgomery County, Maryland convened via video conference at 10:46 A.M. on Monday, May 11, 2020.

### PRESENT

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

The President in the Chair.

Ms. Singleton announced an addendum to the agenda, adding introduction of a special appropriation to the County Government's FY20 Operating Budget, Department of Housing and Community Affairs (DHCA) COVID-19 Response: \$4,393,899 for CDBG-CV and ESG-CV HUD CPD Funding; and deferring discussion on Community Grants and MCG: Cost Sharing until May 12, 2020.

### (.5) **CONSENT CALENDAR**

Approved the consent calendar item listed below.

Ms. Navarro made the motion, which carried without objection.

- A. **Introduced** a special appropriation to the County Government's FY20 Operating Budget, DHCA COVID-19 Response: \$4,393,899 for CDBG-CV and ESG-CV HUD CPD Funding. A public hearing and action is tentatively scheduled for May 14, 2020.

### **WORKSESSION - FY21 Operating Budget**

#### (1) [Department of Health and Human Services \(DHHS\)](#)

Dr. Crowel, Director, DHHS, participated in the discussion. Mr. Albornoz, Chair of the Health and Human Services (HHS) Committee, expressed appreciation to

DHHS staff for their work during the pandemic. Senior Legislative Analyst McMillan reviewed the recommendations for DHHS, as included in the staff report.

Mr. Albornoz noted that consideration of the increase in payment to eligible providers of services to the developmentally disabled, which was not included in the continuity of services budget, would be revisited later this summer.

Approved without objection Mr. Albornoz's motion to restore funding for school health nurses in the amount of \$887,761.

Approved the FY21 operating budget for DHHS as recommended by Council staff, as amended, with the understanding that the Council would revisit the issue of payment to providers of services to the developmentally disabled and adult daycare as soon as possible. Mr. Albornoz made the motion, which carried unanimously.

(2) [Early Care and Education Nondepartmental Account \(NDA\)](#)

Mr. Albornoz and Mr. Rice, Chair of the Education and Culture (E&C) Committee, commented on the importance of the Early Care and Education Initiative. Dr. Crowel and Ms. Otero, DHHS, participated in the discussion.

Approved the subject operating budget, as recommended by Council staff. Mr. Albornoz made the motion, which carried unanimously.

(3) [Children's Opportunity Fund NDA](#)

Dr. Crowel; Ms. Rusnak, Director, Children's Opportunity Fund Project; and Ms. Yao, Legislative Analyst, participated in the discussion.

Ms. Navarro stated that, at this time, she wants to expand current programs rather than start new programs, noting the importance of providing quality childcare.

Approved the subject operating budget, as recommended by Council staff, with the caveat that funding would be used to enhance existing programs and no new programs would be pursued at this time. Ms. Navarro made the motion, which carried unanimously.

(4) Community Grants and MCG: Cost Sharing

This item was deferred.

(5) [Utilities NDA - Follow-up](#)

Mr. Dise, Director, Department of General Services (DGS), participated in the discussion.

Senior Legislative Analyst Levchenko said that during the Council's discussion on April 28, 2020, DGS staff was asked to review the impact of COVID-19 on utilities usage. The staff report includes the revised recommendation.

Approved the revised staff recommendation for the Utilities NDA. Mr. Hucker made the motion, which carried unanimously.

Due to technical difficulties, the meeting recessed at 12:33 P.M. and reconvened at 2:03 P.M.

(6) **DISCUSSION:** [Setting Real Property Tax Revenues - Charter Limit Calculation](#)

Mr. Smith, Legislative Analyst; Mr. Madaleno, Director, Office of Management and Budget (OMB); and Mr. Drummer, Senior Legislative Attorney, participated in the discussion.

Ms. Navarro stated that the Council at its May 7, 2020, worksession supported setting real property tax revenues at the Charter Limit. The calculation method has remained constant for the past 30 years, but this year, the County Executive has proposed changes to the Charter Limit calculation. She noted that the Charter gives the Council ultimate authority to set the levy on revenues. She read the following statement:

“The Council should set real property tax revenues at the Charter Limit, using the same methodology the County has used for the last 30 years. As the Council has reiterated time and time again, during the budget process, our residents and businesses deserve continuity in our budget. This is particularly important when it comes to proposed changes to such an important item as the County's tax revenues. Alterations to the Charter Limit methodology require detailed review and thorough public discourse, possibly even a Charter amendment. Before the Council adopts a change like this, I believe we should take our time to deliberate.”

Mr. Drummer expressed the opinion that, if the methodology were challenged, the courts would rule the County should base the calculation on actual revenue, not potential revenue, as has been done for the last 30 years.

Approved without objection Ms. Navarro's motion to set real property tax revenues using the same methodology the County has used for the last 30 years.

The meeting adjourned at 2:46 P.M.

This is a correct copy of Council action.

*Approved/Signed by Clerk of the Council*

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Selena Mendy Singleton, Esq.  
Clerk of the Council