



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, May 11, 2021

The County Council for Montgomery County, Maryland convened via video conference at 9:06 A.M. on Tuesday, May 11, 2021.

PRESENT

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

The President in the Chair.

PRESENTATIONS -

- A. Proclamation was presented by Mr. Rice, Mr. Katz and County Executive Elrich recognizing ALS Awareness Month
- B. Proclamation was presented by Council President Hucker recognizing National Tourism Week by Council President
- C. Proclamation presented by Mr. Rice recognizing the winner of Councilmember for a Day.

GENERAL BUSINESS

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

Ms. Singleton, Clerk of the Council, announced an addendum to the agenda, adding introduction of a special appropriation to the County Government's FY21 Operating Budget, Montgomery County Economic Development Corporation (MCEDC) Non-Departmental Account (NDA), Support for COVID-19 Response - Restaurant Relief Program, \$3,826,998; and amendment to the FY21 Operating Budget Resolution 19-472, Section G, Designation of Entities for Non-Competitive Contract

Award Status: MCEDC; and introduction of a special appropriation to the County Government's FY21 Operating Budget, Office of the County Executive, Support for COVID-19 Response - Hotel Relief Program, \$1,739,544 and Online Sales Program, \$86,977 - totaling \$1,826,521.

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

No petitions were received this week.

C. **Action – Approval of Minutes**

Approved the minutes of February 11, 12, and 23, 2021, and the closed session minutes of April 20, 2021, without objection. Mr. Jawando was temporarily absent.

(2) **COUNCIL SITTING AS BOARD OF HEALTH**

A. Update - [Novel Coronavirus \(COVID-19\) and County Public Health Planning](#)

Participating in the discussion were Dr. Gayles, County Health Officer and Chief of Public Health Services, Dr. Bridgers, Deputy County Health Officer, Department of Health and Human Services (DHHS); and Dr. Stoddard, Director, Office of Emergency Management and Homeland Security (OEMHS).

Dr. Gayles reported that transmission levels of the virus continue to drop as the number of residents vaccinated increases. Currently, 56% of eligible residents have received at least one dose, with 43% fully vaccinated. The Pfizer vaccine has been approved by the FDA for use in 12- to 15-year-olds and approval by the CDC is expected shortly. The Department is working with Montgomery County Public Schools (MCPS) and non-public schools regarding dissemination of the vaccine, including evening clinics. Focus is also on those individuals aged 21 to 35, and they are working with Federal Emergency Management Agency (FEMA) strike teams to provide additional support to those areas most impacted by the virus. Dr. Gayles also noted they are continuing outreach to homebound individuals and their caretakers to provide the vaccine.

Dr. Stoddard reported that they have gotten through the entire pre-registration list, except for those people who are not County or State residents. Currently, approximately 250,000 of eligible County residents have not received the vaccine. He noted targeted outreach efforts in areas with low vaccination rates, and that the CDC continues to recommend the wearing of face coverings indoors, especially in large gatherings. Six

libraries will reopen on June 1, and senior centers, unless being used for other purposes, will also begin to reopen. The Department is currently reviewing Treasury Department guidance for the use of American Rescue Plan Act (ARPA) funds, which will be distributed in two tranches - one this May and one in May 2022.

Dr. Bridgers commented on efforts to contact and vaccinate the homebound, the homeless, and those in correctional facilities.

Regarding the expected opening of schools at full capacity in the fall, Dr. Gayles indicated federal guidance regarding social distancing is expected and they are working to get children back in schools safely and to minimize transmission of the virus.

Mr. Friedson suggested the County's website be updated to reflect current data and how this information impacts residents' lives.

Mr. Jawando, noting that the communities in the East County have higher levels of unvaccinated residents, requested information on strategies to increase the vaccination rate in those areas and what community factors are being taken into consideration.

(3) **CONSENT CALENDAR**

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

- A. **Introduced** amendment No. 3 to the Intergovernmental Agreement between Montgomery County Government and Northeast Maryland Waste Disposal Authority.
- B. **Introduced** resolution to approve FY22 System Development Charge.
- C. **Introduced/Adopted Resolution 19-831**, amending Resolution 19-472, Section G, FY21 Designation of Entities for Non-Competitive Contract Award Status: National Lead for America, Inc.
- D. **Introduced/Adopted Resolution 19-832**, amendment to Resolution 19-611, Early Care and Education NDA - COVID 19 - School-Age Child Care During Distance Learning.
- E. **Approved** the appointment of Wilmer Cutler Pickering Hale and Dorr LLP to assist the Office of the County Attorney in seeking review by the U.S. Supreme Court of a decision of the U.S. Court of Appeals in Reyazuddin v. Montgomery County.

- F. Adopted **Resolution 19-833**, confirming the County Executive's appointment to the Bethesda Urban Partnership, Inc. Board of Directors: Marian Block.
- G. Adopted **Resolution 19-834**, confirming the County Executive's appointments to the Commission on Common Ownership Communities: Jennifer Bennett, Erik Herron, Susan Nerlinger.
- H. Adopted **Resolution 19-835**, confirming the County Executive's appointments to the Criminal Justice Coordinating Commission: Debra Grandy, Kurt Van Der Walde, Marielsa Bernard.
- I. Adopted **Resolution 19-836**, confirming the County Executive's appointments to the Firearm Safety Advisory Committee: Richard Clement, Charles James III, Jesse-Thomas Lim, Matthew Mehlhaff, Kathleen O'Connor, Anthony Shore, Hans Varmer.
- J. Adopted **Resolution 19-837**, confirming the County Executive's appointments to the Mental Health Advisory Committee: Michelle Grigsby, Helga Luest, Robert Tettelbach, Garrett Mannchen, Michael Chindblom, Kyle Potter, Susan Kerin, Elizabeth Nealis, Heather Thompson, Saher Rizvi, Stephanie Joseph.
- K. Adopted **Resolution 19-838**, confirming the County Executive's appointments to the Western Montgomery County Citizens Advisory Board: Brendan McKay, Linda Kohn, Katharine Manning, Jennifer Rostami, Grace Soderberg.
- L. Adopted **Resolution 19-839**, confirming the County Executive's appointments to the White Flint Downtown Advisory Committee: Michael Papillon, Michael Krauthamer.
- M. Adopted **Resolution 19-840**, confirming the County Executive's appointments to the Racial Equity and Social Justice Advisory Committee: Isaac Cudjoa, Tasnuva Kahn, Jordan Neal.
- N. **Introduced** a special appropriation to the County Government's FY21 Operating Budget, MCEDC NDA, Support for COVID-19 Response - Restaurant Relief Program, \$3,826,998 (Source of Funds: State Grant); and Amendment to FY21 Operating Budget Resolution 19-472, Section G, Designation of Entities for Non-Competitive Contract Award Status: MCEDC. A public hearing and action are scheduled for May 18, 2021, at 1:30 P.M.

- O. Introduced a special appropriation to the County Government's FY21 Operating Budget, Office of the County Executive, Support for COVID-19 Response - Hotel Relief Program, \$1,739,544 and Online Sales Program - \$86,977 - totaling \$1,826,521 (Source of Funds: State Grant). A public hearing/action is scheduled for 5/18/21 at 1:30 P.M.

The meeting recessed at 11:21 A.M. and reconvened at 1:32 P.M.

- (4) **PUBLIC HEARING - Expedited Bill 14-21, Finance - Working Families Income Supplement - Amendments**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on May 18, 2021. A Government Operations and Fiscal Policy (GO) Committee worksession will be scheduled at a later date.

PUBLIC HEARING - Bill 15-21, Solicitation of Vehicle Occupants in High-Speed Roadways - Permit Requirement

The public hearing was postponed and will be rescheduled at a future date.

- (5) **INTERVIEW – Montgomery County Planning Board (MCPB) Candidate**

Interviewed Ms. Tina Patterson for reappointment to the MCPB.

- (6) **DISTRICT COUNCIL SESSION**

- A. **Action - Zoning Text Amendment (ZTA) 20-08, concerning: Residential Care Facility: Continuing Care Retirement Community**

Mr. Reimer, Chair of the Planning, Housing and Economic Development (PHED) Committee reviewed the purpose of ZTA 20-08. Ms. Ndou, Senior Legislative Analyst, reviewed the Committee recommendations, as contained in the staff report.

Enacted **Ordinance 19-16**, approving ZTA 20-08. The PHED Committee made the motion and the Ordinance was enacted by a roll call vote:

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

(6.5) **UPDATE** - [Budget Status](#)

Participating in the discussion were Ms. Michaelson, Council Executive Director, and Mr. Howard, Deputy Director.

Now that the Committees have completed their review of the FY22 operating budget, Ms. Michaelson and Mr. Howard provided a status review on Committees' recommendations on the operating budget, which identified reductions and additions to the Executive's recommended FY22 budget, as contained in the staff report. Additions were put in Category 1 to be considered for ARPA funding during FY22; or Category 2 to be considered for funding after the adoption of the FY22 budget either when more information is available or when the revenue picture becomes clearer; or Category 3 of critical expenditures that should be added to the budget before adoption of the budget tentatively on May 27. Noted that the Category 3 additions plus County Executive budget amendments that were recommended by the Committees are \$758,157 more than the reductions, requiring the full Council to limit the additions or identify offsetting reductions to ensure that the budget is in balance. The Committees identified a total of \$8.5 million in reductions, made \$8.6 million in Category 3 additions, and added \$660,000 from County Executive amendments.

Discussed FEMA and ARPA funding. Ms. Michaelson noted that as additional information is received that affects the operating budget, the Council will be updated.

WORKSESSION - FY22 Operating Budget and FY21-26 Capital Improvements Program (CIP) Amendments

(7) [CIP: Libraries](#)

Mr. Jawando, Lead for Libraries on the Education and Culture (E&C) Committee, reviewed the Committee recommendations for libraries, as contained in the staff report.

Ms. Chen, Legislative Analyst, provided an update on the Noyes Library for Young Children.

Councilmembers noted the importance to the community of reopening libraries, which are used for so much more than just borrowing books, as soon as possible.

Supported, unanimously, the E&C Committee recommended FY21-26 CIP amendments for Libraries.

(8) [CIP: Public Arts Trust](#)

Participating in the discussion was Ms. Jenkins, Chief Executive Officer, Arts and Humanities Council of Montgomery County.

Mr. Rice, Chair of the E&C Committee, reviewed the Committee recommendation for the Public Arts Trust, as contained in the staff report.

Supported, unanimously, the E&C Committee recommended FY21-26 CIP amendment for the Public Arts Trust, as recommended by the County Executive.

(9) [CIP: Cost Sharing: Montgomery County Government \(MCG\)](#)

Mr. Rice, Chair of the E&C Committee, reviewed the Committee recommendations for Cost Sharing: MCG, as contained in the staff report.

Supported, unanimously, the E&C Committee recommended FY21-26 CIP amendments for Cost Sharing: MCG.

(10) [Community Grants NDA](#)

Mr. Rice, Chair of the E&C Committee, reviewed the Committee recommendations for Community Grants, as contained in the staff report.

Mr. Friedson stated that he serves of the Board of Bethesda Green and would abstain from voting on the grant for Bethesda Green.

Mr. Rice made a motion, which carried 8 to 0 with Mr. Friedson abstaining, in support of the grant for Bethesda Green.

Mr. Jawando made a motion, which carried without objection, in support of the FY22 Community Grants NDA, as recommended by the County Executive.

The meeting adjourned at 2:58 P.M.

This is an accurate account of the meeting:



Selena Mendy Singleton, Esq.
Clerk of the Council