



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, June 15, 2021

The County Council for Montgomery County, Maryland convened via video conference at 9:02 A.M. on Tuesday, June 15, 2021.

PRESENT

Councilmember Tom Hucker, President
Councilmember Andrew Friedson
Councilmember Will Jawando
Councilmember Nancy Navarro

Councilmember Gabe Albornoz, Vice President
Councilmember Evan Glass
Councilmember Sidney Katz
Councilmember Craig Rice
Councilmember Hans Riemer

The President in the Chair.

PRESENTATIONS -

- A. Proclamation was presented by Mr. Rice recognizing Chesapeake Bay Awareness Week.
- B. Proclamation was presented by Mr. Friedson celebrating 75 years of the Kiwanis Club of Bethesda.
- C. Proclamation was presented by the Education and Culture (E&C) Committee honoring Dr. Pollard, President of Montgomery College.
- D. Proclamation was presented by Mr. Jawando and Mr. Rice commemorating Juneteenth.

GENERAL BUSINESS

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

There were no announcements or calendar changes.

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

No petitions were received this week.

C. **Action** - Approved the minutes of March 2, 4, 8, 9, 11, and 12, 2021, without objection.

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

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

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

Dr. Bridgers reviewed current COVID-related statistics, noting the very low rate of transmission in the County, which has one of the lowest case rates in the State. By the Centers for Disease Control and Prevention's (CDC) estimate, 63% of the County's eligible population has been fully vaccinated, and the demand for the vaccine is decreasing. School-based vaccination opportunities are being planned and the Department is looking at ways to address hesitancy issues.

Dr. Stoddard reported that the mass vaccination site at Montgomery College currently remains open and its status will be reevaluated on June 19. He anticipates that both the Pfizer and Moderna vaccines will receive FDA approval in early fall for dissemination to children ages 5 to 11. OEMHS is focusing on the ramp-up of recovery efforts as libraries, recreation, and senior centers begin to reopen. He noted the focus on getting the vaccine to younger and Black and African American and other highly impacted communities, noting that the gap has lessened for Latinos. A town hall meeting on the economic impact of COVID on women in the workplace was held and an after-action report featuring lessons learned regarding the County's response to COVID-19 will be completed for future reference.

Mr. Hucker requested data on dissemination of the vaccine by race/ethnicity for children aged 12 to 18 and plans for clinics to be held at MCPS locations over the summer.

Mr. Albornoz requested more detailed data on vaccination efforts and hesitancy issues in the County's minority communities in order to better serve them.

Ms. Navarro requested a robust briefing on recovery strategies be scheduled for a future Council meeting.

Mr. Jawando suggested a joint HHS/Planning Housing and Economic Development (PHED) Committee meeting be held to discuss the Office of Legislative Oversight's report on the impact of the pandemic on women.

(3) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.

Mr. Rice made the motion, which carried without objection.

- A. **Introduced** a supplemental appropriation to the County Government's FY21 Operating Budget, Department of General Services (DGS) - \$48,478,989 for COVID-19 Response (Source of Funds: General Fund Undesignated Reserves). A public hearing and action are scheduled for June 22, 2021, at 1:30 P.M.
- B. **Introduced** a supplemental appropriation to the County Government's FY21 Operating Budget, DHHS - \$75,441,056 for COVID-19 Emergency Expenses (Source of Funds: General Fund Undesignated Reserves). A public hearing and action are scheduled for June 22, 2021, at 1:30 P.M.
- C. **Introduced** a supplemental appropriation to the County Government's FY21 Operating Budget, OEMHS - \$250,299 for COVID-19 Response (Source of Funds: General Fund Undesignated Reserves). A public hearing and action are scheduled for June 22, 2021, at 1:30 P.M.
- D. **Introduced** a supplemental appropriation to the County Government's FY21 Operating Budget, Public Information Office - \$455,911 for COVID-19 Response (Source of Funds: General Fund Undesignated Reserves). A public hearing and action are scheduled for June 22, 2021, at 1:30 P.M.
- E. **Introduced** a supplemental appropriation to the County Government's FY21 Operating Budget, Montgomery County Fire and Rescue Service (MCFRS) - \$12,356,000 for General Personnel and Operating Costs (Source of Funds: Undesignated Fire Fund Reserve). A public hearing and action are scheduled for June 22, 2021, at 1:30 P.M.
- F. **Introduced** a resolution to authorize filing an Application for FY22 Annual Transportation Grant.
- G. **Introduced** a resolution to Grant a Franchise to New Cingular Wireless PCS, LLC to Use Public Right-of-Way. A public hearing and action are scheduled for June 29, 2021, at 1:30 P.M.

- H. **Introduced** a resolution to endorse a Maryland Economic Development Assistance Authority and Fund Loan to conduct a feasibility study for a Pandemic Prevention Center (\$300,000).
- I. **Introduced** a supplemental appropriation to the County Government's FY21 Capital Budget and Amendment to the FY21-26 Capital Improvements Program (CIP) - \$81,622 for Facility Planning: Storm Drains (River Falls Neighborhood Storm Drain Assessment) (Source of Funds: Federal Aid). A public hearing and action are scheduled for June 29, 2021, at 1:30 P.M.
- J. **Introduced/Suspended rules/Adopted Resolution 19-890**, resolution acknowledging election returns from Village of Drummond.
Approved Mr. Katz's motion to suspend the rules to allow immediate action, without objection.
- K. **Introduced** a resolution to approve the Tax Supported Fiscal Plan Summary for the FY22-27 Public Services Program.
- L. **Introduced** a supplemental appropriation to the County Government's FY21 Operating Budget, Department of Finance, Economic Development Fund - \$500,000 for the Fox Television Stations, LLC (Source of Funds: Undesignated balance in the Economic Development Fund). A public hearing and action are scheduled for June 29, 2021, at 1:30 P.M.
- M. **Introduced** a special appropriation to Montgomery County Public Schools' (MCPS) FY21 Capital Budget and Amendment to the FY21-26 CIP - \$1,815,267 for the Technology Modernization Project (Source of Funds: Federal E-Rate Reimbursement). A public hearing and action are scheduled for June 29, 2021, at 1:30 P.M.
- N. **Introduced** a special appropriation to Montgomery College's FY21 Operating Budget - \$2,325,789 for the Federal, State, and Private Contract Fund (Source of Funds: Federal/State grants). A public hearing and action are scheduled for June 22, 2021, at 1:30 P.M.
- O. **Introduced/Adopted Resolution 19-891**, amending Resolution 19-881, Tax Levy Resolution - Fiscal Year 2022, Correction to the Village of Drummond's Personal Property Tax Rate.
- P. **Adopted Resolution 19-892**, supporting continuation of the Open Streets Program.
- Q. **Adopted Resolution 19-893**, approving Montgomery County Planning Board Regulation No. 3-21 on Forest Conservation - Trees.

- R. Adopted **Resolution 19-894**, recognizing **Bill 51-20**, Landlord-Tenant Relations - Window Guards as “Ezechiel’s Law.”
- S. Adopted **Resolution 19-895**, confirming the County Executive’s appointment to the Commission on Common Ownership Communities: Marvin Holmes.
- T. **Acknowledged/Received** - Council acknowledges receipt of the following Inspector General report: Follow-Up Review to Publication #OIG-19-002, A Review of Management Control Deficiencies Contributing to the Misappropriation of Montgomery County Economic Development Funds, OIG Publication #OIG-21-012.
- U. **Introduced** a supplemental appropriation to the County Government’s FY21 Operating Budget, Department of Transportation (DOT) - \$554,821 (Source of Funds: Federal: Enhanced Mobility of Seniors and Individuals with Disabilities Program Grant) and \$138,705 (Source of Funds: Transportation Services Improvement Fund). A public hearing and action are scheduled for June 29, 2021, at 1:30 P.M.
- V. **Introduced** a supplemental appropriation to the County Government's FY21 Operating Budget, Montgomery County Fire and Rescue Service (MCFRS), Montgomery County Volunteer Fire and Rescue Association (MCVFRA), \$1,746,190 (Source of Funds: Undesignated Fire Fund Reserves). A public hearing is scheduled for June 22, 2021, at 1:30 P.M.

The Council recessed at 11:30 A.M and reconvened at 11:31 A.M.

PRESENTATION - Proclamation was presented by Council Vice President Albornoz recognizing Lyme Disease Awareness Month.

The Council recessed at 11:40 P.M and reconvened at 1:31 P.M.

- (4) **PUBLIC HEARING - Bill 20-21, Swimming Pools - Lifeguard Requirement - Amendments**

The public hearing was conducted. Mr. Albornoz was temporarily absent.

Additional material for the Council’s consideration should be submitted by the close of business on June 22, 2021. A Health and Human Services (HHS) Committee worksession will be scheduled at a later date.

- (5) **PUBLIC HEARING - Expedited Bill 21-21, Fire and Rescue Services - Length of Service Awards Program for Volunteers - Amendments**

The public hearing was conducted. Action is scheduled for later in the meeting. Mr. Albornoz was temporarily absent.

- (6) **PUBLIC HEARING/ACTION - Supplemental Appropriation to Montgomery College's FY21 Capital Budget and Amendment to the FY21-26 CIP - \$1,000,000 for the Capital Renewal: College project**

The public hearing was conducted and the record closed.

Adopted **Resolution 19-896**, approving the subject supplemental appropriation and CIP amendment.

Mr. Rice made the motion which carried without objection. Mr. Albornoz was temporarily absent.

- (7) **PUBLIC HEARING/ACTION - Special Appropriation to Montgomery County Public Schools' (MCPS) FY21 Operating Budget - \$995,984 for Governor's Emergency Education Relief II Fund**

The public hearing was conducted and the record closed.

Adopted **Resolution 19-897**, approving the subject special appropriation.

Mr. Rice made the motion which carried without objection. Mr. Albornoz was temporarily absent.

- (8) **PUBLIC HEARING/ACTION - Special Appropriation to MCPS' FY21 Operating Budget - \$251,233 for the Early Childhood High-Quality Inclusion Policies and Practices Grant under the Individuals with Disabilities Education Act, Part B Grant**

The public hearing was conducted and the record closed.

Adopted **Resolution 19-898**, approving the subject special appropriation.

Mr. Rice made the motion which carried without objection. Mr. Albornoz was temporarily absent.

- (9) **PUBLIC HEARING/ACTION** - [Special Appropriation to MCPS' FY21 Operating Budget - \\$3,964,162 for the Title I, Part A Grant](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-899**, approving the subject special appropriation.

Mr. Rice made the motion which carried without objection. Mr. Albornoz was temporarily absent.

- (10) **PUBLIC HEARING/ACTION** - [Special Appropriation to the County Government's FY21 Operating Budget, DHHS - \\$6,704,931 for FEMA Emergency Protective Measures Grant](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-900**, approving the subject special appropriation.

Mr. Riemer made the motion which carried without objection. Mr. Albornoz was temporarily absent.

- (11) **PUBLIC HEARING/ACTION** - [Special Appropriation to the County Government's FY21 Operating Budget, DHHS - \\$28,145,367 for Maryland Department of Housing and Community Development Emergency Rental Assistance Program](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-901**, approving the subject special appropriation.

Mr. Riemer made the motion which carried unanimously.

- (12) **PUBLIC HEARING/ACTION** - [Special Appropriation to the County Government's FY21 Operating Budget, DHHS - \\$2,109,403 for COVID Mass Vaccination CARES Grant](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-902**, approving the subject special appropriation.

Mr. Albornoz made the motion which carried unanimously.

- (13) **PUBLIC HEARING/ACTION** - [Special Appropriation to the County Government's FY21 Operating Budget, Department of Housing and Community Affairs \(DHCA\) - \\$2,900,000 for Montgomery Housing Initiative \(Housing Initiative Fund\)](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-903**, approving the subject special appropriation.

Mr. Friedson made the motion which carried unanimously.

- (14) **PUBLIC HEARING/ACTION** - [Supplemental Appropriation to the County Government's FY21 Capital Budget and Amendment to the FY21-26 CIP, Department of General Services \(DGS\) - \\$7,600,000 for Reacquisition of Larchmont Elementary School Property](#)

The public hearing was conducted and the record closed.

After discussion, agreed to postpone action until Mr. Ossont, Deputy Director, Department of General Services, is available to provide Councilmembers with the latest information on the reacquisition of the Larchmont Elementary School property. Action will tentatively be scheduled for June 22, 2021.

- (15) **INTERVIEW** - [County Executive's Appointee for Director of Strategic Partnerships: Ken Hartman](#)

Interviewed Mr. Ken Hartman, County Executive's appointee for Director of Strategic Partnerships.

- (16) **DISTRICT COUNCIL SESSION**

A. **Introduction** - [Zoning Text Amendment \(ZTA\) 21-02, Independent Living Facility for Seniors or Persons with Disabilities - Residential Zone Standards](#)

Introduced draft #1 of ZTA 21-02, sponsored by Mr. Friedson and Mr. Katz, and co-sponsored by Mr. Hucker. A public hearing is scheduled for July 20, 2021, at 1:30 P.M.

Councilmembers Riemer and Navarro requested to be added as co-sponsors of the ZTA.

B. Introduction - [ZTA 21-03, Charitable, Philanthropic Institution - Kitchens](#)

Introduced draft #1 of ZTA 21-03, sponsored by Mr. Friedson and co-sponsored by Ms. Navarro. A public hearing is scheduled for July 20, 2021, at 1:30 P.M.

Councilmembers Glass, Katz, Albornoz, Riemer, and Jawando requested to be added as co-sponsors of the ZTA.

C. Action - [Ashton Village Center Sector Plan Resolution](#)

Mr. Riemer, Chair of the PHED Committee, provided a summary of what is before the Council today for action. The Plan takes into account concerns raised by the community and strives to maintain the rural look and feel of the community, while recognizing the need for more housing and amenities.

Ms. Dunn, Senior Legislative Analyst, reviewed the decisions from the Council's May 4, 2021, worksession, as contained in the resolution in the staff report.

Adopted **Resolution 19-904**, approving the Ashton Village Center Sector Plan. Mr. Riemer made the motion, which carried unanimously.

D. Overview - [Presentation by the Planning Board - Overview of Thrive Montgomery 2050](#)

Participating in the discussion were Chair Anderson, Montgomery County Planning Board; Ms. Wright, Director, Planning Department, Maryland-National Capital Park and Planning Commission (M-NCPPC).

Received an update on Thrive Montgomery 2050, a framework to guide planning for land use, housing, the economy, equity, transportation, parks and open space, the environment, historic resources, urban design, and the arts and culture over the next 30 years. These recommendations are intended to guide future master plans, County and State capital improvement processes, and other public and private initiatives that influence land use and planning in Montgomery County. Noted that with 85 percent of the land already developed or otherwise constrained, accommodating growth in the County will be a challenge.

Ms. Wright stated that they have been working on Thrive Montgomery for 3 years, noted that a lot of successful outreach was done, commented on changes to the County's demographic characteristics since the General Plan Refinement of the Goals and Objectives was completed in 1993, and stated

that the objectives of the plan are to achieve economic health, equitable communities and environmental resilience.

Councilmembers provided comments on the need to be innovative and strategic as the Council reviews this generational undertaking, expressed a desire to not rush the process and to get input from as many people as possible, possibly going back to an earlier version of plan in which issues such as the “missing middle” were covered more in depth.

Noted that the Council will hold public hearings on June 17 and 29, 2021, and that the PHED Committee will begin taking up the plan in July. It was noted that the Council should be reaching out to all communities for their input and participation.

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND
IN LEGISLATIVE SESSION - Day #15**

(17) Introduction of Bills:

A. [**Expedited Bill 22-21, Eating and Drinking Establishments - Itinerant Food Service Facilities - Amendments**](#)

Introduced draft #1 of the subject expedited bill sponsored by Mr. Katz. A public hearing and action are scheduled for June 29, 2021, at 1:30 P.M.

B. [**Expedited Bill 23-21, Special Capital Improvements Project - Full Upgrade of Existing Recycling Center Complex**](#)

Introduced draft #1 of the subject expedited bill sponsored by the Council President at the request of the County Executive. A public hearing and action are scheduled for June 29, 2021, at 1:30 P.M.

(18) Call of Bills for Final Reading:

A. [**Expedited Bill 14-21, Finance - Working Families Income Supplement \(WFIS\) - Amendments**](#)

Mr. Alborno, Chair of the HHS Committee, reviewed the purpose of the subject expedited bill to expand program eligibility to more families, as contained in the staff report.

Support from the leadership of Montgomery County's State Delegation was noted with the enactment of Senate Bill 218, Child Tax Credit and Expansion of the Earned Income Credit.

Enacted draft #2 of **Expedited Bill 14-21**, as shown at the end of these minutes.

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

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

B. [Expedited Bill 21-21, Fire and Rescue Services - Length of Service Awards Program for Volunteers - Amendments](#)

Brief comments were provided by Mr. Bernard, Executive Director, Montgomery County Volunteer Fire and Rescue Association (MCVFRA) on the purpose of the legislation.

Enacted draft #2 of **Expedited Bill 21-21**, as shown at the end of these minutes.

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

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

Motion to Close

Agreed to meet in closed session to discuss appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, pursuant to Maryland Code, [State Government Article, §10-508 (a)(1)(i) General Provisions Code] [General Provisions Article §3-305\(b\)\(1\)\(i\)](#). The topic was Inspector General interview. Mr. Katz made the motion, which carried without objection.

The Council adjourned the open session at 4:13 P.M. and reconvened remotely via video conference at 4:19 P.M.

Report of Closed Session of June 15, 2021

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 Tuesday, June 15, 2021.

The Council convened in closed session via video conference at 4:19 P.M. to discuss appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, pursuant to Maryland Code, General Provisions Article §3-305(b)(1)(i). The topic was Inspector General interview. The meeting was closed on a motion by Mr. Katz, which carried without objection.

Mr. Drummer noted a revision to the agenda was made deleting [State Government Article, §10-508 (a)(1)(i) General Provisions Code] and inserting General Provisions Article §3-305(b)(1)(i).

The following persons were present: Councilmembers Hucker, Albornoz, Friedson, Glass, Jawando, Katz, Navarro, Rice and Riemer; Chiefs of Staff Kunes, Gibson, Thorne, Mandel-Trupp, Ikheloa, and Ledner; Ms. Michaelson, Council Executive Director; Mr. Howard, Deputy Director; Mr. Drummer, Senior Legislative Attorney; Mr. Heyboer, Aide to Councilmember Riemer; and Ms. Singleton, Clerk of the Council.

Action: None taken.

The meeting adjourned at 5:11 P.M

This is a correct copy of Council action.


Selena Mendy Singleton, Esq.
Clerk of the Council