



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, September 21, 2021

The County Council for Montgomery County, Maryland convened via video conference at 9:05 A.M. on Tuesday, September 21, 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. Katz recognizing Peace Day in honor of Mattie J.T. Stepanek's life and legacy.
- B. Hispanic Heritage Month Commemoration by the Full Council led by Councilmember Navarro.

GENERAL BUSINESS

- A. **Announcements** – Agenda and Calendar Changes
There were no announcements or agenda changes.
- (1) B. **Acknowledgement** – [Receipt of Petitions](#)
No petitions were received this week.
- C. **Action** – Approval of Minutes

Approved the minutes of May 19, 20, 27, June 15, 17, 22, 29, and July 13, 2021; and the closed session minutes of April 13, 2021, without objection.

(2) **INTERVIEW - [County Executive's appointee for Assistant Chief Administrative Officer: Earl Stoddard](#)**

Interviewed Dr. Earl Stoddard, the County Executive's appointee for Assistant Chief Administrative Officer. Action is scheduled for September 28, 2021.

(3) **DISTRICT COUNCIL SESSION**

A. **Worksession – [Subdivision Regulation Amendment \(SRA\) 20-02, Subdivision Ordinance - Revisions, Clarifications, and Corrections](#)**

Mr. Riemer, Chair of the Planning, Housing, and Economic Development (PHED) Committee, and Legislative Attorney Ndou, reviewed the intent of the SRA, which is to make corrections and clarifications and to add necessary missing provisions.

Council action is scheduled for September 28, 2021.

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

Mr. Riemer explained the purpose of the ZTA, as contained in the staff report. Mr. Friedson and Mr. Katz, co-sponsors of the ZTA, said the ZTA would allow more diverse housing options and senior-specific housing, and keeps zoning up to date as the County grows and changes.

Enacted **Ordinance 19-20**, approving draft #4 of ZTA 21-02.

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

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

C. **Worksession/Action** - [Zoning Text Amendment \(ZTA\) 21-03, Charitable, Philanthropic Institution - Kitchens](#)

Mr. Riemer and Mr. Friedson reviewed the purpose of the subject ZTA, which would allow charitable and philanthropic institutions to have kitchens under certain circumstances to prepare food on-site for off-site consumption.

Enacted **Ordinance 19-21**, approving draft #4 of ZTA 21-03.

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

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

(4) **WORKSESSION** - [Ten Year Solid Waste Plan Update](#)

Mr. Ortiz, Director, and Ms. Bubar, Deputy Director, Department of Environmental Protection (DEP), participated in the discussion.

Mr. Hucker, Chair of the Transportation and Environment (T&E) Committee, and Mr. Levchenko, Senior Legislative Analyst, reviewed the Plan and the recommendations of the Committee.

Supported the text changes recommended by T&E Committee, as shown pages ©28-31 of the staff report. Acknowledged that more analysis by DEP is needed before the Council can consider closure of the Resource Recovery Facility (RRF).

In a straw vote, the Council supported the recommendations of the T&E Committee, without objection. Council staff will work with DEP staff on final updates to the Plan prior to final action by the Council, tentatively scheduled for October 12, 2021.

(4.5) **Update** - [COVID-19 Rent Relief Program \(Department of Treasury Emergency Rental Assistance Program \(ERAP\)\)](#)

Participating in the discussion were Dr. Crowel, Director, and Ms. Harris, Chief, Services to End and Prevent Homelessness, Department of Health and Human Services (DHHS). Mr. Hucker stated a broader update on the ERAP is scheduled for October 5, 2021.

Received an update on ERAP expenditures, noting that last week over \$2 million in rent relief was distributed to 200 households, for a total to-date of \$28.6 million; commitment letters can be provided and they are adding staff to process

applications, ten percent of the fund can be used toward administrative costs, 50% of applications have been closed out and 30% are active with a caseworker. Informed that less than 10% of applications are denied because they are unable to reach the applicant, the applicant resides outside Montgomery County, or fails to meet the income requirements and noted that denials can be appealed.

Ms. Harris stated that the priority is to help the most at-risk residents, as not enough funding is available to help everyone. The Department of Housing and Community Affairs (DHCA) is taking the lead for outreach efforts and includes partnering with minority health initiatives.

Reviewed the evictions process. Less than eight percent of eviction filings result in actual evictions and the anticipated surge in evictions resulting from the lifting of the moratorium has not been realized. Noted that most people in need are not applying for assistance.

Councilmembers commented on the need to invest in technology so residents can easily find the status of their applications, suggested DHHS work with the County's federal delegation to urge them to streamline the process to make it easier, and noted that additional resources may be needed so that families can receive follow-up service from case managers.

Requested specific options for outreach to those residents who have little interaction with the government, a list of all available funding sources, possible technology enhancements for discussion at the October 5 worksession.

(5) **CONSENT CALENDAR**

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

- A. **Introduced** a resolution to approve Lease of Property at Sligo Creek Golf Course to Renovacion Media Group Corp. A public hearing and action is scheduled for October 5, 2021, at 1:30 pm.
- B. **Introduced** a resolution to approve Categorical Transfers for Montgomery County Public School's (MCPS) FY21 Operating Budget. A public hearing and action is scheduled for October 12, 2021, at 1:30 pm.
- C. **Introduced** a supplemental appropriation to Montgomery College's FY22 Operating Budget - \$17,082,886 for the Federal, State, and Private Contract Fund. A public hearing and action is scheduled for October 5, 2021, at 1:30 pm.
- D. **Adopted Resolution 19-982**, approving Executive Regulation 9-21 regarding pricing of for-sale MPDUs.

- E. Adopted **Resolution 19-983**, confirming the County Executive's appointment to the Commission on Aging: Mona Grieser.
- F. Adopted **Resolution 19-984**, confirming the County Executive's appointment to the Commission on Landlord-Tenant Affairs: Clover Baker-Brown.
- G. Adopted **Resolution 19-985**, confirming the County Executive's appointments to the Mid-County Citizens Advisory Board: Aggie Alvez, Philip Ardanuy, Margaret Farrell, Gary Fellman, Robert Fox, Robert Hardie, Debra Liverpool, Tameka Nicholson, Arquilla Ridgell, Alan Sachs, Simone Walton.

The Council recessed at 12:37 P.M. and reconvened at 1:32 P.M.

(6) **PUBLIC HEARING** - [Spending Affordability Guidelines for the FY23 Capital Budget and the FY23-28 Capital Improvements Program](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on September 24, 2021. A Government Operations & Fiscal Policy (GO) Committee worksession is tentatively scheduled for September 30, 2021.

(7) **BRIEFING** - [Climate Action Plan \(CAP\)](#)

Participating in the discussion were Ms. Hochberg, Climate Change Officer, Office of the County Executive; Mr. Ortiz, Director, Mr. Weisburger, Senior Planning Specialist, and Mr. Edwards, Chief, Division of Energy, Climate, and Compliance, Department of Environmental Protection (DEP).

Received an overview of the CAP, which is the strategic plan to cut greenhouse gas (GHG) emission 80% by 2027 and 100% by 2035 compared to 2005 levels.

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND
IN LEGISLATIVE SESSION - Day #24**

(8) **Call of Bills for Final Reading:**

A. [Expedited Bill 28-21, Technical Corrections](#)

Legislative Attorney Wellons reviewed the purpose of the expedited bill, as contained in the staff report.

Enacted draft #2 of **Expedited Bill 28-21**, as introduced.

Mr. Riemer made the motion and the Expedited Bill was enacted by a roll call vote:

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

Motion to Close

The Council adjourned the open session at 3:32 P.M. and reconvened remotely via video conference in closed session from 3:33 P.M. to 5:23 P.M. Mr. Katz made the motion, which carried unanimously.

Report of Closed Session of September 21, 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, September 21, 2021. The Council convened in closed session via video conference at 3:33 P.M. to consult with counsel to obtain legal advice pursuant to Maryland Code, General Provisions Article §3-305(b)(7) and to consult with staff, consultants, or other individuals about pending or potential litigation pursuant to Maryland Code, General Provisions Article §3-305(b)(8). Topic was proposed settlement agreement of a grievance filed by a group of employees.

The following persons were present: Councilmembers Hucker, Albornoz, Friedson, Glass, Jawando, Katz, Navarro, Rice, and Riemer; Chiefs of Staff Kunes, Gibson, Thorne, Silverman, Mandel-Trupp, Ledner, and Nurmi; Ms. Cerzosimo, Aide to Councilmember Navarro; Mr. Murillo, Aide to Councilmember Hucker; Ms. Cruz, Aide to Councilmember Albornoz; Ms. Michaelson, Council Executive Director; Mr. Howard, Deputy Director; Mr. Drummer, Senior Legislative Attorney; Mr. Hansen, County Attorney; Mr. Nunley, Assistant County Attorney; Ms. Kinch, County Attorney's Office; Mr. Hartman, Office of Strategic Partnerships; and Ms. Singleton, Clerk of the Council.

Action: Requested an additional closed session to continue discussion.

The meeting adjourned at 5:23 P.M.

This is a correct copy of Council action.



Selena Mendy Singleton, Esq.
Clerk of the Council