



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, September 28, 2021

The County Council for Montgomery County, Maryland convened via video conference at 9:04 A.M. on Tuesday, September 28, 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 the full Council and led by Mr. Jawando Commemorating African Heritage Month
- B. Proclamation was presented by Mr. Rice and Mr. Katz recognizing Constitution Month

GENERAL BUSINESS

- A. Announcements - Agenda and Calendar Changes

Ms. Singleton, Clerk of the Council, announced that a public hearing on the Sectional Map Amendment to implement the approved and adopted Shady Grove Minor Master Plan Amendment will be held on November 9, 2021, at 1:30 P.M.

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

No petitions were received this week.

C. **Action** – Approval of Minutes

Approved the minutes of July 16, 19, 20, and 26, 2021; and the closed session minutes of July 19, 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, Acting Chief Public Health Officer, Mr. O'Donnell, Program Administrator, Public Health Preparedness and Response, and Dr. Crowel, Director, Department of Health and Human Services (DHHS); Mr. D'Andrea, Chief of Staff, Office of the Superintendent; Ms. Dublinske, Coordinator, Student Welfare and Compliance, Montgomery County Public Schools (MCPS); and Dr. Stoddard, Assistant Chief Administrative Officer.

Received an update on recent Covid-related statistics, noting that 89% of eligible residents are fully vaccinated, vaccination events are scheduled in neighborhoods with lower rates of vaccination, and testing continues to be available at both County and non-County sites. The Department is coordinating with community partners and minority health initiatives regarding distribution of vaccine booster shots and staff is being onboarded to expand capacity.

Approval of the vaccine for children ages 5 to 11 is expected in November, and the Department is working with MCPS and independent schools to coordinate vaccination sites and transportation, and to expand recruitment efforts for school nurses. Contact tracers are being hired within MCPS to identify close contacts to avoid the over-quarantining of students; parents are encouraged to opt-in to allow testing so that asymptomatic children identified as close contacts can remain in school (“test to stay”).

(3) **DISTRICT COUNCIL SESSION**

A. **Introduction** - [Zoning Text Amendment \(ZTA\) 21-06, Exemptions - Density Transfer and Historic Resources](#)

Introduced draft #1 of ZTA 21-06, sponsored by the Council President at the request of the Planning Board. A public hearing is scheduled for November 2, 2021, at 1:30 P.M.

B. **Action** - [Executive Regulation 12-20, Adoption of the 2018 International Green Construction Code](#)

Mr. Riemer, Chair of the Planning, Housing, and Economic Development (PHED) Committee, reviewed the Committee's recommendation, as contained in the staff report.

Adopted **Resolution 19-986**, approving Executive Regulation 12-20 as submitted by the County Executive.

The PHED Committee made the motion, which carried without objection.

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

Enacted **Ordinance 19-22**, approving SRA 20-02.

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.

(4) **ACTION** - [Appointment to the Board of Appeals](#)

Reappointed Ms. Caryn Hines to the Board of Appeals effective immediately until September 2025, or until a successor has qualified and been appointed.

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

(5) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.

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

- A. Adopted **Resolution 19-988**, confirming the County Executive's appointment to the Commission on Child Care: Laurie Moran.
- B. Adopted **Resolution 19-989**, confirming the County Executive's appointment to the Early Childhood Coordinating Council: Laurie Moran.
- C. Adopted **Resolution 19-990**, confirming the County Executive's appointment to the Ethics Commission: Jennifer Collins, Mary Ann Keefe.
- D. Adopted **Resolution 19-991**, confirming the County Executive's appointment to the Fire and Emergency Services Commission: Mark Dempsey.
- E. Adopted **Resolution 19-992**, confirming the County Executive's appointments to the Commission on Juvenile Justice: Kimberly Alfriend, Bonnie Beavers, Donald Chisholm, Carol Cichowski, Bruce Clarke, Eddie Ellis, Tracey Friedlander, Gerda Gallop-Goodman, Melissa Goemann, Christopher Jennison, Ijeoma Okoro, Joshua Pestaner, Michael Pinard, Kevin Redden, C Jonathan Scriven, Thomas Smith, Thomas Squire, Ebony Stoutmiles, Heather Sweren, Shuaa Tajammul, Erin Whaley.
- F. Adopted **Resolution 19-993**, confirming the County Executive's appointment to the Commission on People with Disabilities: Jeneva Stone.
- G. Adopted **Resolution 19-994**, confirming the County Executive's appointments to the Commission on Rustic Roads Advisory Committee: Barbara Hoover, Dan Seamans, Charles Mess.
- H. Adopted **Resolution 19-995**, confirming the County Executive's appointments to the Strathmore Hall Foundation Board of Directors: John Tyler Anthony, Gregory Dyson.
- I. **Introduced** a resolution to authorize the issuance of taxable limited obligation certificates to finance the Affordable Housing Acquisition and Preservation Project.

- J. **Introduced** a resolution to amend FY22 Transportation Fees, Charges, and Fares. A public hearing and action is scheduled for later in the meeting.

The Council recessed at 11:51 A.M. and reconvened at 1:32 P.M.

- (7) **PUBLIC HEARING** - [Washington Suburban Sanitary Commission's \(WSSC\) Water FY23 Spending Control Limits](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on October 5, 2021. A Transportation & Environment (T&E) committee worksession will be scheduled at a future date.

- (7.5) **PUBLIC HEARING/ACTION** - [Resolution to amend FY22 Transportation Fees, Charges, and Fares](#)

The public hearing was conducted and the record closed.

Senior Analyst Orlin participated in the discussion.

Mr. Hucker, Chair of the T&E Committee, stated that the resolution, sponsored by the full Council, extends the Ride On fare holiday to January 1, 2022. The Fare Equity study, which was received yesterday from the County Executive, will be analyzed to improve the future trajectory of Ride On service.

Adopted **Resolution 19-997**, amending FY22 Transportation Fees, Charges, and Fares.

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

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND
IN LEGISLATIVE SESSION - Day #25**

- (8) **Miscellaneous Business**

- A. [Consideration of County Executive's veto of **Bill 3-21**, **Special Taxing Area Laws - Silver Spring Business Improvement District - Established**](#)

Mr. Riemer stated that the override of the County Executive's veto would allow Business Improvement Districts (BIDs) to form and is one step in a

longer process to focus on economic development in Silver Spring. Councilmembers spoke in support of **Bill 3-21**, noting that Silver Spring is one of the top ten most diverse communities in the United States, that professional marketing of the area is needed to reverse the decline in jobs, restaurants, and retail and to promote further economic development in the area.

Mr. Jawando spoke in opposition to the override of the County Executive's veto, noting that some African and Black-owned business owners do not support BIDs because of their inequitable structure which would negatively impact racial equity and social justice. He supported allowing the State's District 20 delegation a few months to develop a bill that allows for more inclusivity and equitable voting distribution.

Supported, by a vote of 8 to 1, Mr. Riemer's motion to override the County Executive's veto. The subject bill was overridden by a roll call vote:

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

NAYS: Jawando.

(10) **INTRODUCTION/SUSPENSION OF RULES/ACTION - [Resolution to Support Changes to State Legislation Enabling the Creation of Business Improvement Districts \(BIDs\) in Montgomery County](#)**

Introduced the subject resolution.

Mr. Glass said this resolution signifies the Council's commitment to working with the District 20 delegation and any other State lawmakers to continue to work to improve upon BID legislation to make it more equitable and cognizant of economic and equity issues.

Suspended the rules and adopted **Resolution 19-998**, in support of changes to State legislation enabling the creation of Business Improvement Districts (BIDs) in Montgomery County.

Mr. Glass made the motion, which carried unanimously.

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND
IN LEGISLATIVE SESSION - Day #25 (continued)**

(9) **Introduction of Bills:**

A. [Expedited Bill 34-21 - Personnel and Human Resources - COVID-19 Vaccination Required](#)

Introduced draft #3 of **Expedited Bill 34-21**, sponsored by Councilmembers Riemer and Jawando. A public hearing is scheduled for October 19, 2021, at 1:30 P.M.

Mr. Albornozy requested to be added as a co-sponsor of the expedited bill.

Motion to Close

The Council adjourned the open session at 3:11 P.M. and reconvened remotely via video conference in closed session from 3:18 P.M. to 5:22 P.M. Mr. Katz made the motion, which carried unanimously.

Report of Closed Session of September 28, 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 28, 2021. The Council convened in closed session via video conference at 3:33 P.M. to discuss public security, including the deployment of fire and police services and staff; and the development and implementation of emergency plans pursuant to Maryland Code, General Provisions Article §3-305(b)(10). Topic was ongoing investigation of criminal activity and Police deployment and tactics.

The following persons were present: Councilmembers Hucker, Albornozy, Friedson, Glass, Jawando, Katz, Navarro, Rice, and Riemer; Chiefs of Staff Kunes, Gibson, Carranza, Thorne, Silverman, Mandel-Trupp, Ledner, and Nurmi; Ms. Wolf, Aide to Councilmember Hucker; Mr. Wilson, Aide to Councilmember Navarro; Mr. Murillo, Aide to Councilmember Hucker; Ms. Cruz, Aide to Councilmember Albornozy; Mr. Camacho, Legislative Analyst; Ms. Farag, Legislative Analyst; Ms. Michaelson, Council Executive Director; Mr. Howard, Deputy Director; Mr. Drummer, Senior Legislative Attorney; Ms. Wellons, Legislative Attorney; Police Commander McBain; Assistant Police Chief Parker Loan; Mr. Newman, Silver Spring Regional Services Center Director; Mr. Hartman, Office of Strategic Partnerships; Dr. Stoddard, Assistant Chief Administrative Officer; and Ms. Singleton, Clerk of the Council.

Action: None.

The meeting adjourned at 5:22 P.M.

This is a correct copy of Council action.

Handwritten signature of Selena Mendy Singleton in black ink.

Selena Mendy Singleton, Esq.
Clerk of the Council