



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, April 5, 2022

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland at 9:00 A.M. on Tuesday, April 5, 2022.

PRESENT

Councilmember Gabe Albornoz, President	Councilmember Evan Glass, Vice President
Councilmember Andrew Friedson	Councilmember Tom Hucker (<i>virtual</i>)
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 Councilmembers Rice, Albornoz, Jawando, and Katz recognizing Autism Acceptance Month.
- B. Proclamation was presented by Council President Albornoz recognizing Arab Heritage Month.
- C. Proclamation was presented by Council President Albornoz recognizing National Fair housing Month.

GENERAL BUSINESS

Announcements – Agenda and Calendar Changes

Ms. Singleton, Clerk of the Council, announced that public hearings on the FY23 Operating Budget will be held on April 19 and April 20, 2022, at 1:30 P.M., and

on April 19, 20, and 21, 2022, at 7:00 P.M.; and that the [Council is seeking applicants for the vacancy on the Montgomery County Board of Appeals](#).

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

No petitions were received this week.

C. **Action** – Approval of Minutes

Approved the minutes of March 1, 8, and 15, 2022, without objection.

(3) **ACTION** - [Resolution to appoint Clerk of the Council: Judy Rupp](#)

Adopted **Resolution 19-1205**, appointing Judy Rupp as Clerk of the Council, effective April 25, 2022.

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

(4) **ACTION** - [Supplemental Appropriation #22-56 to the County Government's FY22 Operating Budget, Department of Health and Human Services \(DHHS\) - \\$69,691,000 for COVID-19 Emergency Response \(Source of Funds: County General Reserves\)](#)

Dr. Stoddard, Assistant Chief Administrative Officer; and Mr. Howard, Council Deputy Director, participated in the discussion.

Ms. Navarro, Chair of the Government Operations and Fiscal Policy (GO) Committee, reviewed the recommendations of the Joint GO/Health and Human Services (HHS) Committee, noting that the County Executive, in his memorandum dated March 2, 2022, recommended an increase to the supplemental appropriation of \$8,436,154 for COVID-19 pandemic emergency expenses related to an extension of emergency procurements with three labs used by the Department of Health and Human Services (DHHS) for COVID testing. She requested a GO Committee worksession be scheduled regarding the status of Federal Emergency Management Agency (FEMA) reimbursements.

Mr. Howard noted that approval of the supplemental appropriation would not impact any decisions the Council needs to make regarding the FY23 Operating Budget because these expenditures are already assumed into the County Executive's budget recommendation.

Adopted **Resolution 19-1206**, approving the subject supplemental appropriation in the amount of \$78,127,154.

The GO/HHS committee made the motion, which carried without objection.

LEGISLATIVE SESSION - Day #10

(5) Call of Bills for Final Reading:

A. [Expedited Bill 49-21, Police - Police Accountability Board Administrative Charging Committee - Established](#)

Participating in the discussion were Dr. Stoddard, Ms. Roberts, Associate County Attorney, Division of Labor Relations and Public Safety, Office of the County Attorney; and Senior Legislative Attorney Wellons.

Received information from Ms. Wellons that the legislation pending in the General Assembly could potentially change the relevant effective date for establishment of the Policing Advisory Board (PAB) and Administrative Charging Committee (ACC) and could also affect the scope of the types of complaints that could be addressed by the PAB and the ACC. The issue of whether to provide compensation to PAB members remains for Council decision.

Mr. Rice expressed his certainty that the General Assembly would extend the deadline for compliance with the State legislation. Mr. Alborno requested that the Office of Intergovernmental Relations (OIR) convey the Council's preference to extend the deadline to October 1, 2022.

Agreed to amend the Expedited Bill to provide compensation to PAB members (with the exception of the Chair) at a rate of \$10,000 per year. Mr. Jawando made the motion, which carried by a vote of 8 to 1 with Mr. Friedson voting in the negative.

Agreed to postpone final action on **Expedited Bill 49-21** to a future date.

(6) ACTION - [I-270 Corridor Forward Plan](#)

Mr. Hucker, Chair of the Transportation and Environment (T&E) Committee, said the Plan lays out the transportation vision for the upcounty region, but cautioned that there is no guarantee of State funding for projects included in the Plan.

Adopted **Resolution 19-1207**, approving the I-270 Corridor Forward Plan, as recommended by the T&E Committee.

WORKSESSION - FY23-28 Capital Improvements Program (CIP):

(7) [Montgomery College](#)

Mr. Rice, Chair of the Education and Culture (E&C) Committee, and Legislative Analyst Hernandez-Rodriguez reviewed the recommendations of the E&C Committee, as contained in the staff report. Dr. Williams, President, Montgomery College, participated in the discussion.

Approved the subject CIP, as recommended by the E&C Committee.

(8) [Police](#)

Mr. Katz, Chair of the Public Safety (PS) Committee, and Legislative Analyst Farag reviewed the recommendations of the PS Committee, as contained in the staff report. Assistant Chief Francke, Montgomery County Police Department (MCPD), participated in the discussion.

Approved the subject CIP, as submitted by the County Executive.

(9) [Fire & Rescue](#)

Ms. Farag reviewed the recommendation of the PS Committee, as contained in the staff report. Chief Goldstein, Montgomery County Fire and Rescue Services, participated in the discussion.

Approved the subject CIP, as submitted by the County Executive.

(10) [Public Safety Radio System Modernization](#)

Ms. Farag reviewed the recommendations of the joint PS/GO Committee, as contained in the staff report. Mr. Knuppel, Manager, Technology and Enterprise Business Solutions (TEBS), participated in the discussion.

Approved the subject CIP, as submitted by the County Executive.

(11) [Radio Replacement](#)

Ms. Navarro and Ms. Farag reviewed the recommendations of the joint PS/GO Committee, as contained in the staff report.

Approved the subject CIP, as submitted by the County Executive.

(12) [Health and Human Services](#)

Mr. Albornoz, Chair of the HHS Committee, and Legislative Analyst Yao, reviewed the Committee's recommendations as contained in the staff report. Dr. Crowel, Director, DHHS, participated in the discussion.

Mr. Katz requested a community meeting be held as soon as possible to discuss the Restoration Center on Seven Locks.

Approved the subject CIP, as submitted by the County Executive.

(13) [Culture and Recreation - Libraries](#)

Mr. Jawando, Lead for Libraries on the E&C Committee, and Legislative Analyst Chen, reviewed the recommendations of the E&C Committee, as contained in the staff report. Ms. Vassallo, Director, Montgomery County Public Libraries, and Ms. Beck, CIP Manager, Office of Management and Budget (OMB), participated in the discussion.

Approved the subject CIP, as submitted by the County Executive.

(14) [Public Arts Trust](#)

Mr. Rice and Ms. Chen reviewed the recommendations of the E&C Committee, as contained in the staff report.

Approved the subject CIP, as submitted by the County Executive.

(15) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.

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

- A. [Introduced a special appropriation #22-79 to the County Government's FY22 Operating Budget, COVID-19 Human Services and Community Assistance Non-Departmental Account \(NDA\) - \\$1,710,000 for COVID-19 Response: Montgomery County Food Security Fund \(Source of Funds: American Rescue Plan Act Funds\)](#). A public hearing is scheduled for April 19, 2022, at 1:30 P.M.

- B. [Adopted Resolution 19-1208, approving the Economic Development Strategic Plan.](#)
- C. [Adopted Resolution 19-1209, Support for Application to the State for Re-Designation of Bethesda and Silver Spring Arts and Entertainment Districts in Montgomery County.](#)
- D. [Adopted Resolution 19-1210, approving a special appropriation to the County Government's FY22 Operating Budget, Department of Health and Human Services \(DHHS\) - \\$2,539,747 for Centers for Disease Control and Prevention Crisis Cooperative Agreement, COVID-19 Public Health Workforce Supplemental Funding Grant \(Source of Funds: State Funds\).](#)
- E. [Adopted Resolution 19-1211, approving a special appropriation to the FY22 Operating Budget, Montgomery County Government, Department of Health and Human Services - \\$450,000 for Pediatric Mobile Medical Vehicle \(Source of Funds: General Fund Reserves\) and Amendment to FY22 Designation of Entities for Non-Competitive Contract Award Status: Casa Ruben, Inc.](#)
- F. [Adopted Resolution 19-1212, confirming the County Executive's appointments to the Advisory Board for the Montgomery Cares Program: Mark Foraker, Peter Lowet, Melanie Bunting, Melinda Hite, Yuchi Huang, Denise Kishel, and Wayne Swann.](#)
- G. [The Council acknowledges receipt of the following Inspector General reports: 1\) Performance Audit of the Montgomery County Public Libraries Collection Management Program, OIG Publication #OIG-22-012; and 2\) Light-Duty Fleet Vehicles and Driver Suitability Inspection, OIG Publication #OIG-22-013.](#)
- H. [Adopted Resolution 19-1213, Abandonment - Portions of Westbard Avenue and Ridgfield Road Bethesda, 7th Election District.](#)

Motion to Close

Agreed to meet in closed session to discuss public security and cybersecurity, pursuant to Maryland Code, State Government Article, §3-305(b)(10) and (15), on the grounds that public discussion would constitute a risk to public security, including the development and implementation of emergency plans, and a risk to security assessments and deployments relating to information resources technology. Topic is potential threats to public security and cybersecurity and recommended preparations. Mr. Rice made the motion, which carried unanimously.

The Council recessed at 12:48 P.M. and reconvened in closed session from 1:32 P.M. to 2:33 P.M. The Council reconvened in open session at 2:40 P.M.

(16) [M-NCPPC Semi-Annual presentation to the Council](#)

Participating in the discussion were Mr. Anderson, Chair; Mr. Cichy, Ms. Rubin, and Mr. Verma, Commissioners, Montgomery County Planning Board; Mr. Riley, Director, Department of Parks; and Ms. Wright, Director, Planning Department.

Received updates on Montgomery Parks staff vaccination rates, job opportunities and growth, census-based neighborhood change analysis, new housing construction, noted the distribution of the Existing Conditions Pedestrian Plan report, Park activation program, diversity of the workforce, status of the Parks, Recreation, and open Space Plan (PROS) 2022 Plan, park acquisitions, capital project delivery progress, Park Refreshers program progress, grants and special funding awards received, Roots to Rocks program and trail programs, school field renovations and maintenance, award from the Mid-Atlantic Sports Turf Associations DMV MVP for Wheaton Regional field #2, baseball diamond infield renovations, Untold Stories added to the Park's website, special events and programs, enterprise facilities, and the FY23 operating budget.

Received an update from Ms. Wright on the Planning Department's work on urban, suburban, and rural plans adopted since 2013, plans and project progress, upcoming plans, projects, and studies, equity agenda for the Planning Department, regulatory review, Master plan and major projects progress.

Mr. Glass noted residents' demand for pickleball facilities and Mr. Riley confirmed that Parks is adding additional pickleball capacity at Park facilities.

Mr. Katz requested that the Lakeforest Mall tract development plans be developed in consultation with the City of Gaithersburg. Ms. Wright confirmed that the Planning Department meets regularly with the City of Gaithersburg Planning Department and will maintain that coordination.

Based on the data presented, Mr. Riemer noted the PHED Committee will emphasize the need for more affordable housing and more housing overall when discussing the Silver Spring Master Plan.

Mr. Albornoz requested data to determine if improved field conditions are increasing use.

WORKSESSION - FY23-28 CIP *(continued)*:

(17) • [Parks](#)

Participating in the discussion were Ms. Dunn, Senior Legislative Analyst; Mr. Anderson and Mr. Riley; and Ms. Beck, OMB.

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

Supported without objection Mr. Riemer's motion to amend the ballfield initiative to include language that indicates that the ballfield fund and other funds will pay for upgrades, including historical interpretation, to improve and upgrade the baseball field at Johnson's Local Park.

Approved the subject CIP, as recommended by the PHED Committee.

(18) • [Housing Opportunities Commission](#)

Participating in the discussion were Mr. Goetzinger, Chief Development Funds Officer and Acting Chief Information Officer, Ms. Fowler, Budget Officer, and Mr. Marks, Chief Real Estate Officer, Housing Opportunities Commission (HOC).

Mr. Riemer summarized the PHED Committee's recommendations, as contained in the staff report.

Approved the subject CIP, as submitted by the County Executive.

(19) • [Housing and Community Affairs](#)

Participating in the discussion were Mr. Nigam, Director, Mr. Stanley, Chief, Neighborhood Revitalization Section, Ms. Salem, Chief, Division of Finance and Administration, Department of Housing and Community Affairs (DHCA).

Mr. Riemer summarized the PHED Committee's recommendations, as contained in the staff report.

Approved the subject CIP, as recommended by the PHED Committee.

(20) • [Revenue Authority](#)

Participating in the discussion was Mr. Miller, Chief Executive Officer, Montgomery County Revenue Authority (MCRA).

Mr. Riemer summarized the PHED Committee's recommendations, as contained in the staff report.

Approved the subject CIP, as submitted by the County Executive.

(21) • Conservation of Natural Resources - Agricultural Land Preservation

This item was postponed to a later date.

(22) • Recreation

Participating in the discussion were Ms. Riley, Director, Department of Recreation; and Mr. Dise, Director, Department of General Services (DGS).

Mr. Riemer summarized the PHED Committee's recommendations, as contained in the staff report.

Approved the subject CIP, as submitted by the County Executive.

(23) • Montgomery County Public Schools

Participating in the discussion were Ms. Silvestre, Vice President, Board of Education; Dr. McKnight, Acting Superintendent, and Mr. Adams, Director, Department of Facilities Management, Montgomery County Public Schools (MCPS).

Mr. Rice summarized the E&C Committee's recommendations as contained in the staff report.

Mr. Albornoz requested a symposium this fall with the Council, Board of Education, MCPS, the Planning Department, the community, and other stakeholders to partner in creatively addressing the MCPS shortfalls and use of available commercial space.

Approved the subject CIP, as recommended by the E&C Committee.

The meeting adjourned at 6:05 P.M.

Report of Closed Session of April 5, 2022

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, April 5, 2022. The Council convened in closed session in the 4th floor Council Conference Room at 1:32 P.M. pursuant to Maryland Code, State Government Article, §3-305(b)(10) and (15). Topic was potential threats to public security and cybersecurity, and recommended preparations.

The following persons were present: Councilmembers Albornoz, Glass, Friedson, Jawando, Katz, Rice, Riemer, and Navarro; Chiefs of Staff Carranza, Ikheloa, Ledner, Murillo, Silverman, and Thorne; Mr. Higgins, Legislative Aide to Councilmember Friedson; Ms. Michaelson, Council Executive Director; Mr. Howard, Deputy Director; Ms. Wellons, Senior Attorney; Ms. Souders, Director, Department of Emergency Management; Ms. Komer, Ms. Anderson, and Ms. Sparklin, Federal Bureau of Investigation; and Mr. Ryan, Mr. Schaum, and Mr. Johnston, Cybersecurity and Infrastructure Security Agency; Ms. Singleton, Clerk of the Council; and Ms. Tenenbaum, Deputy Clerk.

Action: None.

This is an accurate account of the meeting:



Judy Rupp, Clerk of the Council