



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, July 12, 2022

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville Maryland at 1:01 P.M. on Tuesday, July 12, 2022.

PRESENT

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

The President in the Chair.

PRESENTATIONS

- A. Proclamation presented recognizing Teacher of the Year, by Councilmember Jawando

GENERAL BUSINESS

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

Ms. Tenenbaum, Deputy Clerk, announced that the proclamation recognizing the Maryland/Israel Development Center by Council President Albornoz and County Executive Elrich was removed from the agenda; the addition of agenda item number 18C, introduction of a resolution to Define and Address Antisemitism has been updated to be sponsored by the full Council; the addition of agenda item number 18O, the introduction of supplemental appropriation #23-10 to the FY23 Operating Budget, Montgomery College Ignite hub, in the amount of \$260,000. A public hearing and action is scheduled for July 26, 2022, at 1:30 p.m. Finally, the County Executive added Ms. Vivian Yao to be appointed to the County's Early Care and Education

Coordinating Entity. The confirmation of Ms. Yao is tentatively scheduled for July 26, 2022.

(1) **B. Acknowledgement - Receipt of Petitions**

There were no petitions received this week.

C. **Action** - Approval of Minutes: There are no minutes for approval.

(2) **PUBLIC HEARING - Bill 10-22, Personnel and Human Resources - Paid Parental Leave**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on July 8, 2022. A joint Government Operations and Fiscal Policy/Health and Human Services (GO/HHS) Committee worksession is tentatively scheduled for July 14, 2022.

(3) **PUBLIC HEARING - Bill 11-22, Buildings - Lactation Rooms in County Buildings - Required**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on July 8, 2022. A joint GO/HHS Committee worksession is tentatively scheduled for July 14, 2022.

(4) **PUBLIC HEARING - Bill 12-22, Electricity - Board of Electrical Examiners - Licenses - Permit Requirements**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on July 19, 2022. A Transportation and Environment (T&E) Committee worksession will be scheduled for a later date.

(5) **PUBLIC HEARING - Bill 14-22, Police - Private Security Camera Incentive Program - Established**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on July 22, 2022. A Public Safety (PS) Committee worksession is tentatively scheduled for July 28, 2022.

(6) **PUBLIC HEARING - Expedited Bill 19-22, Bond Authorization**

The public hearing was conducted and the record closed. Action is scheduled for later in the meeting.

(7) **PUBLIC HEARING - 2022-2031 Comprehensive Water Supply and Sewerage Systems Plan**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on July 19, 2022. A Transportation and Environment (T&E) Committee worksession is tentatively scheduled for July 25, 2022.

(8) **PUBLIC HEARING/ACTION - Supplemental Appropriation and Amendments to the County Government's FY23 Capital Budget and FY23-28 Capital Improvements Program (CIP), Montgomery County Public Schools, Major Capital Projects - Secondary, \$12,000,000**

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1321**, approving the subject supplemental appropriation and CIP amendments. Mr. Rice made the motion which carried without objection.

(9) **PUBLIC HEARING/ACTION - Special Appropriation to the County Government's FY23 Capital Budget and Amendment to the FY23-28 Capital Improvements Program (CIP), Montgomery County Public Schools, Technology Modernization, \$2,077,854.96 (Source of Funds: Federal E-Rate Reimbursement)**

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1322**, approving the subject special appropriation and CIP amendment. Mr. Rice made the motion which carried without objection among those present. Mr. Riemer was temporarily absent.

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND
IN LEGISLATIVE SESSION - Day #19**

(10) **INTRODUCTION OF BILLS**

A. **Expedited Bill 21-22, Weapons - Firearms in or Near Places of Public Assembly**

Introduced draft #1 of **Bill 21-22**, sponsored by the Council President. Mr. Friedson, Mr. Riemer, Mr. Katz, Mr. Glass, Ms. Navarro, Mr. Jawando, Mr. Rice, and Mr. Hucker requested to be added as co-sponsors. A public hearing is scheduled for July 26, 2022, at 1:30 P.M.

B. **Expedited Bill 22-22, Landlord - Tenant Relations - Limitations on Rent Increases**

Introduced draft #1 of **Bill 22-22**, sponsored by the Council President at the request of the County Executive. A public hearing is scheduled for July 26, 2022, at 1:30 P.M.

(11) **CALL OF BILLS FOR FINAL READING**

A. **Expedited Bill 19-22, Bond Authorization**

Enacted draft #1 of **Bill 19-22**, as introduced.

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

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

B. **Expedited Bill 20-22, Office of Food Systems Resilience - Established**

Enacted draft #1 of **Bill 20-22**, as introduced.

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

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

C. **Bill 3-22, Legislative Branch - Climate Assessments - Required**

Enacted draft #6 of **Bill 3-22**, as shown at the end of these minutes.

The T&E Committee made the motion and the Bill was enacted by a roll call vote:

YEAS: Katz, Jawando, Navarro, Rice, Friedson, Glass, Albornoz
ABSENT: Riemer (temporarily)

Mr. Riemer was temporarily absent but noted later in the meeting that he would have voted in the affirmative.

- (12) **ACTION** - [Resolution to consolidate previously authorized notes for sale and issuance as a single issue](#)

Mr. Smith, Legislative Analyst, provided an overview of the resolution.

Adopted **Resolution 19-1323**, approving the consolidation of previously authorized notes for sale and issuance as a single issue.

Mr. Katz made the motion which carried without objection among those present. Mr. Riemer was temporarily absent.

- (13) **INTRODUCTION/SUSPENSION OF RULES/ACTION** on the following:
Request to suspend Rules of Procedure (Rule 7.(c)) to allow immediate action.
[Resolution to designate the Children's Opportunity Alliance of Montgomery County as the County's Early Care and Education Coordinating Entity](#)

Supported without objection Mr. Glass's motion to suspend Rules of Procedure (Rule 7 (c)), among those present. Mr. Riemer was temporarily absent.

Adopted **Resolution 19-1324**, designating the Children's Opportunity Alliance of Montgomery County as the County's Early Care and Education Coordinating Entity.

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

- (14) **INTRODUCTION** - [Resolution to adopt a Proposed Amendment to County Charter General Provisions - Conflicting Charter Amendments](#)

Introduced the subject resolution, sponsored by the Council President at the request of the Charter Review Commission. A public hearing/action is scheduled for July 26, 2022, at 1:30 P.M.

- (15) **INTRODUCTION** - [Resolution to adopt a Proposed Amendment to County Charter - County Attorney - Removal Procedures](#)

Introduced the subject resolution, sponsored by the Council President. A public hearing/action is scheduled for July 26, 2022, at 1:30 P.M.

- (16) **INTRODUCTION** - Supplemental Appropriation #23-9 to the County Government's FY23 Operating Budget, Department of Health and Human Services, Assistance to Access Abortion, Reproductive Health, and Related Services, \$1,000,000 (Source of Funds: General Fund Undesignated Reserves)

Introduced the subject supplemental appropriation, sponsored by the Council President at the request of the County Executive. A public hearing/action is scheduled for July 26, 2022, at 1:30 P.M.

Mr. Riemer requested that Council staff prepare language to provide incentives to health care providers that can perform and support abortion access to relocate to Montgomery County.

Mr. Glass requested that Council staff prepare a proposal to guarantee abortion access for low-income individuals.

Mr. Rice requested the addition of consideration for protection for those providing and seeking abortions.

- (17) **DISTRICT COUNCIL SESSION**

- A. **Action** - Resolution to extend time for Council Action on the Thrive Montgomery 2050 Plan from July 18, 2022, to close of business on September 16, 2022

Adopted **Resolution 19-1325**, approving the extension of time for Council action on the Thrive Montgomery Plan from July 18, 2022, to close of business on September 16, 2022.

- (18) **CONSENT CALENDAR**

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

- A. **Introduced** a resolution to approve the Office of Legislative Oversight's (OLO) FY23 Work Program. Action is scheduled for 7/26/22 at 1:30 P.M.
- B. **Introduced** a supplemental appropriation #23-4 to the County Government's FY23 Operating Budget, Department of Health and Human Services, \$316,840 for Extended IFSP Infants and Toddlers Grant. A public hearing/action is scheduled for 7/26/22 at 1:30 P.M.
- C. **Introduced** a resolution to Define and Address Antisemitism. Action is scheduled for 7/26/22 at 1:30 P.M.

- D. **Introduced** a resolution to approve the FY23 schedule of revenue estimates and appropriations. Action is scheduled for 7/26/22.
- E. **Introduced** a resolution to endorse a Maryland Economic Development Assistance Authority and Fund Loan to assist Novavax, Inc.'s retention and expansion in Montgomery County Action is scheduled for 7/26/22.
- F. **Introduced** a supplemental appropriation #23-1 to the County Government's FY23 Operating Budget, Department of Health and Human Services Screening, Brief Intervention, and Referral to Treatment for Montgomery County Emergency Departments, \$785,400. A public hearing/action is scheduled for July 26, 2022, at 1:30 P.M.
- G. **Introduced** supplemental appropriation #23-2 to the County Government's FY23 Operating Budget, Department of Health and Human Services National Suicide Prevention Hotline Transition to 988 Lifeline Call Center Grant, \$517,608. A public hearing/action is scheduled for July 26, 2022, at 1:30 P.M.
- H. **Introduced** supplemental appropriation #23-3 to the County Government's FY23 Operating Budget, Department of Health and Human Services Therapeutic Nursery Program, \$213,872. A public hearing/action is scheduled for July 26, 2022 at 1:30 P.M.
- I. **Introduced** supplemental appropriation #23-8 to the County Government's FY23 Operating Budget, Montgomery County Fire and Rescue Service Emergency Service Transporter Supplemental Payment Program, \$557,000. A public hearing/action is scheduled for July, 26, 2022, at 1:30 P.M.
- J. **Received and Released** - Office of Legislative Oversight Memorandum Report 2022-8, Prosecutorial Decisions in the State's Attorney's Office
- K. **Adopted Resolution #19-1326** confirming the County Executive's appointments to the Early Care and Education Coordinating Entity: Raymond Crowel, BB Otero, Dira Treadvance, Deborah Lambert, Sonia Pruneda-Hernandez, Wayne (Chris) Saxton, Chandra Curtis, Taniesha Myles, Theresa Ramsaroop, Vernessa Broddie, Myrna Peralta, Tiffany Jones, Sobia Qureshi, Kevin Beverly, Patricia Ruppert, Hannah Hahn, William Hegwood, Nora Morales.

- L. **Adopted Resolution #19-1327**, confirming the County Executive's appointments to the Silver Spring Urban District Advisory Committee: Teika Haymon, Juanita Stewart, Michael Bond.
- M. **Adopted Resolution #19-1328**, confirming the County Executive's appointments to the Montgomery County Economic Development Corporation Board: Cherlyn Freeman-Watkins, Esq., Jennifer J. Hsin, Mukesh Kumar, Alberto Lacaze, Gracelyn McDermott, Ken Mills.
- N. **Adopted Resolution #19-1329**, approving extension until January 28, 2023, of the appointment of Acting County Attorney in the Office of the County Attorney: John Markovs, Esq.
- O. **Introduced** supplemental appropriation #23-10 to the FY23 Operating Budget, Montgomery College ignITe Hub, \$260,000.
A public hearing is scheduled for July 26, 2022, at 1:30 P.M.

The meeting adjourned at 3:44 P.M.

This is an accurate account of the meeting:



Judy Rupp
Clerk of the Council

Bill No. 3-22
 Concerning: Legislative Branch –
Climate Assessments - Required
 Revised: 7/7/2022 Draft No. 6
 Introduced: February 1, 2022
 Enacted: July 12, 2022
 Executive: _____
 Effective: _____
 Sunset Date: _____
 Ch. _____, Laws of Mont. Co. _____

**COUNTY COUNCIL
 FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsors: Councilmember Hucker and Council President Alborno
 Co-Sponsors: Councilmember Friedson, Council Vice-President Glass, and Councilmembers Navarro, Katz,
 Riemer, Jawando, and Rice

AN ACT to:

- (1) require the Director of the Office of Legislative Oversight to prepare a climate assessment for each bill[[, zoning text amendment, master plan, and master plan amendment]];
- (2) require the Planning Board to prepare a climate assessment for each zoning text amendment, master plan, and master plan amendment;
- (3) specify the required contents of a climate assessment;
- [[(3)]] (4) require [[an annual report regarding climate assessments]] the publication of climate assessment templates; and
- [[(4)]] (5) generally amend the law governing the enactment of legislation.

By adding

Montgomery County Code
 Chapter 2, Administration
 Section 2-81D

By amending

Montgomery County Code
Chapter 33A, Planning Procedures
Section 33A-14

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

~~The County Council for Montgomery County, Maryland approves the following Act~~

Sec 1. Section 2-81D is added as follows:

2-81D. Climate Assessments.

- (a) Definitions. In this Section, the following terms have the meanings indicated.

Director means the Director of the Office of Legislative Oversight or the

Director's designee.

Planning Board means the Montgomery County Planning Board.

- (b) Climate assessments required.

(1) The Director must submit an assessment to the Council describing the climate impact, if any, of each bill[[, zoning text amendment, master plan, and master plan amendment]] under consideration by the Council.

(2) The Planning Board must submit an assessment to the District Council describing the climate impact, if any, of each zoning text amendment, master plan, and master plan amendment under consideration by the District Council.

- (c) Time for submission.

(1) A climate assessment should be submitted to the Council, [[no more than 21 days after]] or the District Council, at least 7 days prior to a public hearing on a bill, zoning text amendment, master plan, or master plan amendment [[is introduced]].

(2) If the Director or the Planning Board is unable to submit the assessment within the time required [[by]] under paragraph (1), the Director or the Planning Board must notify the Council President in writing of the delay, the reason for the delay, and the revised delivery date.

(3) If the Council President finds that the revised delivery date is unreasonable, the Council President may set a different delivery date.

(d) Contents of climate assessment.

(1) Each climate assessment must include:

(A) the sources of information, assumptions, and methodologies used;

(B) a description of variables that could affect the assessment; and

(C) if a bill, zoning text amendment, master plan, or master plan amendment is likely to have no climate impact, why that is the case.

(2) Each climate assessment must include:

(A) the potential positive or negative effects, if any, of the bill, zoning text amendment, master plan, or master plan amendment upon climate change~~], including greenhouse gas emissions, sequestration, and carbon drawdown];~~
~~[[and]]~~

(B) quantitative or qualitative evaluations of the identified effects upon greenhouse gas emissions, sequestration, and carbon drawdown; and

~~[[B]]~~ (C) quantitative or qualitative evaluations of the of the identified effects upon community resilience and adaptative capacity.

(3) Each climate assessment must identify amendments or other recommendations, if any, that would reduce or eliminate any anticipated negative effects of the bill, zoning text amendment,

master plan, or master plan amendment upon carbon dioxide removal, sequestration, drawdown, community climate resilience, and adaptive capacity.

(e) Compliance. Council action on a bill, zoning text amendment, master plan, or master plan amendment that is otherwise valid is not invalid because of any failure to follow the requirements of this Section.

[(f) Annual report.

(1) The Director annually must submit to the Council a report that compiles and analyzes the climate assessments provided during the preceding year.

(2) The annual report must include findings and recommendations of the Director regarding the climate impacts of enacted or pending bills, zoning texts amendments, master plans, and master plan amendments.]

(f) Templates for climate assessments - required.

(1) Templates for the assessment of bills.

(A) The Director must develop and publish online a climate assessment template to guide the development of climate assessments for bills under this Section.

(B) At least once every 2 years, the Director must review the template and update the template as needed.

(2) Templates for the assessment of zoning text amendments and master plans.

(A) The Planning Board must develop and publish online a climate assessment template to guide the development of climate assessments for zoning text amendments, master plans, and master plan amendments under this Section.

- (B) At least once every 2 years, the Planning Board must review the template and update the template as needed.

33A-14. Greenhouse Gas Emissions and Racial Equity and Social Justice.

As part of the factors and conditions outlined in Section 21-104 of the Regional District Act and Section 1-201 of the Land Use Article of the Maryland Code in preparing the Plan, the Planning Board must:

- (a) ~~[[assess the Plan’s potential impact on greenhouse gas emissions in the County, including a carbon footprint analysis]]~~ conduct a climate assessment under Section 2-81D; and
- ~~[[~~(b) consider ways to reduce vehicle miles traveled in the County;
- (c) consider options that would minimize greenhouse gas emissions; and]]
- ~~[[~~(d)]] (b) consider the impact of the plan on racial equity and social justice in the County, as defined in Section 2-64A.

Section 2. Transition. The Director of the Office of Legislative Oversight must begin providing climate assessments under Section 1 of this Act beginning January 1, 2023. The Planning Board must begin providing climate assessments under Section 1 of this Act beginning March 1, 2023.

Approved:

/s/ 7/13/2022

Gabriel Albornoz, President, County Council Date

Approved:

Marc Elrich, County Executive Date

This is a correct copy of Council action.

Judy Rupp, Clerk of the Council Date