



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, October 11, 2022

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland at 9:16 A.M. on Tuesday, October 11, 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	

The President in the Chair.

PRESENTATIONS

- A. Proclamation presented by Council Vice President Glass recognizing World Homeless Day.

GENERAL BUSINESS

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

Ms. Rupp, Clerk of the Council, announced the following agenda changes:

- a. Action has been added today to item #3, Amendment to the County Government's FY23-28 Capital Improvements Program (CIP) and Supplemental Appropriation #23-13 to the FY23 Capital Budget Montgomery County Government Department of Recreation, Cost Sharing: MCG (CIP No. 720601), \$5,000,000 (Source of Funds: Current Revenue General)
- b. The introduction of item #4A, Executive Regulation No. 12-22, Amendment to the Montgomery County Personnel Regulations - Extension of the Sunset Date, has been postponed.

- c. Mr. James Hopkins has withdrawn from appointment to the Human Rights Commission, item #4G.
- d. Item #4J, Introduction of Special Appropriation #23-27 to the County Government's FY23 Operating Budget, Montgomery County Government Department of Health and Human Services - Food Staples Program, \$8,150,000 (Source of Funds: Undesignated Reserves), has been added to the agenda.
- e. The subject of the proposed closed session this afternoon has changed to the topic of a personnel matter concerning one or more specific appointees, employees, or officials.

- (1) **B. Acknowledgement - [Receipt of Petitions](#)**
Recognized a petition received from residents of Montgomery County opposing Thrive Montgomery 2050 Plan.

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

- (2) **WRAP-UP WORKSESSION - [Thrive 2050](#)**

Participating in the discussion were Ms. Dunn, Senior Legislative Analyst; Dr. Orlin, Senior Legislative Analyst; and Ms. Stern, Acting Director, Montgomery County Planning Department.

Ms. Dunn reviewed the comments received from the Department of Housing and Community Affairs (DHCA). Supported the staff recommendations, as contained in the staff report, without objection.

Reviewed feedback from the Office of Agriculture and supported the continued support of agriculture tourism and outdoor recreation in the Agriculture Reserve.

Dr. Orlin discussed the feedback received from the Department of Transportation (MCDOT). Supported without objection, the staff recommendations as contained in the staff report, unless noted below:

Supported without objection, Mr. Friedson's amendment to change the following text in the Equity chapter:

“Improve [upon and achieve greater parity with] travel times and travel costs of transit services [as compared to automotive travel] to achieve greater parity with automotive travel.”

Supported without objection, Mr. Rice's amendment to include the following language in the *Build a world-class transit system* section:

“[Increase or otherwise] Support efforts to increase Amtrak and MARC access, services, and utilization, including additional trains, infrastructure, off-peak service, and bidirectional service.”

Reviewed the proposed changes to the Environment chapter. Supported without objection the staff recommendations, as contained in the staff report.

Reviewed the proposed changes to the Racial Equity Social Justice (RESJ) chapter, as contained in the staff report. Supported without objection, Mr. Riemer’s request that a date citation be added to the data included in this chapter. Mr. Jawando requested that the data includes more specific information.

Supported without objection, Mr. Katz and Mr. Friedson’s request to revise the following language:

“As the County plans for the future, it ~~should~~ needs to continue to [pay [special] attention to] support the specific needs of the vulnerable populations impacted by [to be paid to] the hidden costs of poverty and determine more ways to design communities to reduce problems associated with public health, crime, housing instability, food insecurity, and segregation.”

Supported without objection, Ms. Navarro’s request to include additional language to reflect the connection between the availability of housing of all types throughout the County to equity access to education. Mr. Friedson added that there should also be information included on how to accomplish this.

Supported without objection changing the wording related to County programs and efforts to preserve naturally affordable housing as follows:

“Identifying and [preempting] preventing the potential loss of naturally occurring affordable housing continues to be a priority for the County.”

Reviewed the changes made by the Council to the Planning, Housing, and Economic Development (PHED) Committee’s draft of the Plan thus far.

Supported without objection maintaining the decision to remove the term “urban” in the phrase “urban heat islands” throughout the Plan.

Supported without objection the following update to the Compact Growth chapter:

“Develop a policy framework to ensure that businesses owned or operated by Black, Indigenous or People of Color are accessing opportunities in new development, or redevelopment.”

Mr. Katz requested that Councilmembers receive a clean copy of the final document for review before October 25, when action is scheduled for the Plan.

The Council recessed at 10:40 A.M and reconvened at 11:00 A.M.

- (3) **WORKSESSION/ACTION-** [Amendment to the County Government's FY23-28 Capital Improvements Program \(CIP\) and Supplemental Appropriation #23-13 to the FY23 Capital Budget Montgomery County Government Department of Recreation, Cost Sharing: MCG \(CIP No. 720601\), \\$5,000,000 \(Source of Funds: Current Revenue General\)](#)

Participating in the discussion were Ms. Chen, Legislative Analyst, and Mr. Ossont, Deputy Director, Department of General Services (DGS).

Mr. Ossont discussed the disposition requirements of the CASA Workforce Development and Citizenship facility.

Adopted **Resolution 19-1400**, approving the subject CIP amendment and supplemental appropriation. Mr. Katz made the motion, which carried without objection.

- (4) **CONSENT CALENDAR**

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

- A. **Introduction** - Executive Regulation No. 12-22, Amendment to the Montgomery County Personnel Regulations - Extension of the Sunset Date
This item has been postponed.
- B. **Introduced** a Special Appropriation to the County Government's FY23 Capital Budget and Amendment to the FY23-28 Capital Improvements Program (CIP) - \$750,000 for Montgomery County Public Schools (MCPS) Technology Modernization (Source of Funds: Undesignated Reserves). An Education and Culture (E&C) Committee worksession is scheduled for October 24, 2022, and a public hearing is scheduled for October 25, 2022, at 1:30 P.M.
- C. Adopted **Resolution 19-1401**, confirming the County Executive's appointments to the Building Performance Improvement Board: Lindsey Shaw, Daniel McHugh, Michael Yambrach, Bryan Bomer

- D. Adopted **Resolution 19-1402**, confirming the County Executive's appointments to the Commission on Children and Youth: Jose Luis Diaz, Nikhita Bhatt, Kimberly McLurkin-Harris, Smrithi Chakravarthy, Michael Jimenez, Gretchen Gilmore, Johnnie Peace, Tatiana Holland, Greg Tucker, Rishi Nixon, Corrine Yourman, Sami Saeed, Jackie Wang
- E. Adopted **Resolution 19-1403**, confirming the County Executive's appointments to the Advisory Committee on Consumer Protection: Caya Cagri, Phillip Robinson
- F. Adopted **Resolution 19-1404**, confirming the County Executive's appointment to the County-Wide Recreation and Parks Advisory Board: Tonya Gilchrist
- G. Adopted **Resolution 19-1405**, confirming the County Executive's appointments to the Human Rights Commission: Rachel Breslin, Janie Freeman, Suzanne Lofhjelm. The appointment of James Hopkins has been withdrawn.
- H. Adopted **Resolution 19-1406**, confirming the County Executive's appointment to the Board of Registration for Building Contractors: William Biron
- I. Adopted **Resolution 19-1407**, confirming the County Executive's appointments to the Western Montgomery County Citizens Advisory Board: Angela Bradley, Gary Fahle, Timur Edib, Matthew Herrmann, Stacey Kohl, Katya Marin, Troy Murtha, Adam Roberts, Janet Shatz, Nancy Abeles, Vashti Van Wyke, Michael Chiswick-Patterson, George Wolfand, Elizabeth Kellar
- J. **Introduced** Special Appropriation #23-27 to the County Government's FY23 Operating Budget, Montgomery County Government Department of Health and Human Services - Food Staples Program, \$8,150,000 (Source of Funds: Undesignated Reserves). A Health and Human Services (HHS) Committee worksession is scheduled for October 20, 2022, and a public hearing/action is scheduled for October 25, 2022, at 1:30 P.M.

The Council recessed at 11:10 A.M and reconvened at 11:30 A.M.

- (5) [Presented Commemoration Celebrating Hispanic Heritage Month, by Council President Alborno, Councilmember Navarro and the full Council](#)

The Council recessed at 12:43 P.M. and reconvened at 1:34 P.M.

LEGISLATIVE SESSION - DAY #28

(6) Introduction of Bills:

A. [Bill 27-22, Administration - Inspector General - Powers and Duties](#)

Ms. Wellons, Senior Legislative Attorney, participated in the discussion and summarized the purpose of the Bill.

Introduced draft #1 of **Bill 27-22**, sponsored by Ms. Navarro, Mr. Friedson, and Mr. Katz. A public hearing is scheduled for November 1, 2022, at 1:30 P.M.

(7) DISTRICT COUNCIL SESSION

A. [Worksession/Action - Zoning Text Amendment \(ZTA\) 22-07, Residential Multi-Use Low Density, R-30 - Optional Method Development](#)

Ms. Ndou, Legislative Attorney, participated in the discussion.

Mr. Riemer, Chair of the PHED Committee, summarized the background of the ZTA and the Committee's discussions related to this item.

Ms. Ndou reviewed the amendments made by the PHED Committee.

Enacted **Ordinance 19-35**, approving draft #2 of **ZTA 22-07**. The PHED Committee made the motion, which carried without objection.

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

B. [Worksession/Action - Zoning Text Amendment \(ZTA\) 22-08, Commercial/ Residential Zones - MPDU's](#)

Ms. Ndou participated in the discussion and reviewed the ZTA's purpose and provided a summary of amendments made by the PHED Committee.

Enacted **Ordinance 19-36**, approving draft #2 of **ZTA 22-08**. The PHED Committee made the motion, which carried without objection.

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

C. **Worksession/Action - Zoning Text Amendment (ZTA) 22-09, Accessory Structures - Use Standards**

Ms. Ndou participated in the discussion and reviewed the ZTA's purpose and provided a summary of amendments made by the PHED Committee.

Enacted **Ordinance 19-37**, approving draft #2 of **ZTA 22-09**. The PHED Committee made the motion, which carried without objection.

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

Motion to Close

Agreed to meet in closed session to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction, pursuant to Maryland Code, General Provisions Article §3-305(b)(1)(i). Topic is a personnel matter concerning one or more specific appointees, employees, or officials.

Mr. Glass made the motion, which carried unanimously among those present.

The Council adjourned the open session at 2:00 P.M. and reconvened in the Capital Crescent Trail Conference Room in closed session at 3:31 P.M.

The meeting adjourned at 5:03 P.M.

Report of Closed Session of October 11, 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 October 11, 2022. The Council convened in closed session pursuant to Maryland Code, General Provisions Article §3-305(b)(1)(i); to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction. The topic was a personnel matter concerning one or more specific appointees, employees, or officials.

The following persons were present: Councilmembers Albornoz, Friedson, Glass, Hucker, Jawando, Katz, Navarro, Rice, and Riemer; Ms. Michaelson, Council Executive Director; Mr. Howard, Deputy Director; Ms. Wellons, Senior Legislative Attorney; Mr. Markovs, Acting County Attorney; and Ms. Rupp, Clerk of the Council.

The meeting adjourned at 5:03 P.M.

This is an accurate account of the meeting:

A handwritten signature in black ink, appearing to read "Judy Rupp", written over a horizontal line.

Judy Rupp
Clerk of the Council