



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Monday, December 12, 2022

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland at 12:30 p.m. on Monday, December 12, 2022.

### PRESENT

Councilmember Evan Glass, President  
Councilmember Gabe Alborno  
Councilmember Natali Fani-González  
Councilmember Sidney Katz  
Councilmember Kristin Mink

Councilmember Andrew Friedson, Vice President  
Councilmember Marilyn Balcombe  
Councilmember Will Jawando  
Councilmember Dawn Luedtke  
Councilmember Laurie-Anne Sayles

Councilmember Kate Stewart

The President in the Chair.

**SUBJECT:** **Discussion - State Legislation Program - Local and Bi-County Bills**

**Reference:** 12/12/22 staff report from Legislative Attorney McCartney-Green and Senior Legislative Attorney Wellons.

Participating in the discussion were Legislative Attorney McCartney-Green; Mr. Silverman, Director of Government Relations, Housing Opportunities Commission (HOC); State Senator Kramer; Ms. Chiang-Smith, Executive Director, Maryland-National Capital Park and Planning Commission (M-MCPPC); and Mr. Zyontz, Acting Planning Board Chair.

Supported without objection **MC 3-23**, Montgomery County - Voting Methods. Ms. Stewart noted that the City of Takoma Park has had ranked choice voting since 2007.

Supported without objection **MC 7-23**, Voting Systems, Ranked Choice Voting and Inclusion of City of Takoma Park Municipal Elections on the State Ballot. Ms. Mink noted that the State would cover the cost of the voting machines. Mr. Alborno expressed support for the Bill but had questions regarding implementation and its potential fiscal impacts, and reserved the right to revisit the legislation when more information is available.

Regarding **MC/PG 106-23**, Montgomery County - Off-Street Parking Requirements Near Mass Transit Stations, Mr. Friedson expressed concern regarding the preemption provision and restriction of County authority. Ms. Mink said she would support similar or stronger County-led legislation in order to maintain local authority and Ms. Luedtke noted the Bill specifically only applies to Montgomery County when referencing the Purple Line, and noted language in Section 22-109 (c ) refers to “present or planned” expansion in transit. She expressed opposition to the Bill but support for restricting new off-street parking within the .25 mile radius near transit. Mr. Jawando noted his support for eliminating off-street parking requirements, preferring to hold or to take no position on this legislation and to work on similar legislation at the local level. Ms. Stewart preferred to take no position on this legislation in order to learn how this type of legislation would impact future planning and to take the time to do this at the County level. Mr. Glass preferred to take no opinion on this legislation so that work can continue on the goal of the legislation, expressing the view that with the State- mandated planning commission, it is not out of line for the State to weigh in on planning decisions. Councilmembers Katz, Albornoz, Sayles, and Luedtke supported opposing the legislation; the majority of the Council supported taking no position - Councilmembers Jawando, Stewart, Balcombe, Mink, Fani-González, Friedson, and Glass.

Supported without objection **MC/PG 101-23**, Washington Suburban Sanitary Commission - Minority Business Enterprise Utilization Program - Revisions and Extension.

Discussed **MC 10-23**, Montgomery County Housing Opportunities Commission (HOC) - Collective Bargaining Agreement Implementation - Impasse Arbitration. Ms. Mink noted that the Municipal and County Government Employees Organization (MCGEO) supports this measure. Ms. Luedtke noted as drafted, the legislation does not include a time requirement or trigger before a declaration of an impasse, and requested staff obtain more information. Ms. Sayles supported the staff recommendation to hold until more information is available. Ms. Stewart noted the importance of distinguishing “mediation” from “arbitration”. Received comments from Mr. Silverman that HOC believes the current system is working well and is opposed to this legislation; and from State Senator Kramer, sponsor of the legislation, on the intent of the legislation to apply to HOC and M-NCPPC bargaining provisions currently already in place in the County. Mr. Jawando requested Council staff follow-up on whether under County negotiation, an impasse can be declared at any time and a mediator or arbitrator requested. A majority of Councilmembers voted to hold the legislation; Councilmembers Sayles and Mink voted to support **MC 10-23** with technical amendments.

Considered **MC/PG 103-23**, Maryland-National Capital Park and Planning Commission - Collective Bargaining Agreement Implementation - Dispute Resolution, which is the same language as the above Bill, but applies to

M-NCPPC. Received background information and comments from Ms. Chiang-Smith on M-NCPPC's opposition to the legislation. The Council majority agreed to hold for additional information; Councilmembers Sayles and Mink supported the legislation with technical amendments.

Councilmembers spoke in opposition to **MC/PG 104-23**, Montgomery County - Maryland-National Capital Park and Planning Commission Restructuring Task Force - Establishment, noting the need to support M-NCPPC staff and expressing the view that the County could review the structure of the Commission and other ways to address legitimate concerns with M-NCPPC. They noted the need for a more balanced contribution from the Council regarding selecting and overseeing Commission members; the need to consider the utility of the 96-year-old agency; and expressing concern about the makeup of the proposed task force. Ms. Sayles indicated her support for the legislation with an opportunity to further review and propose amendments to provide for better oversight of M-NCPPC; Councilmembers Alborno, Balcombe, Fani-González, Jawando, Katz, Luedtke, Mink, Friedson, and Glass were opposed to the legislation.

Unanimously opposed **MC/PG 105-23**, Montgomery County - Maryland-National Capital Park and Planning Commission - Commissioner Requirements and Open Meetings (Montgomery County Planning Trust and Transparency Act of 2023). Ms. Luedtke noted that the Bill imposes certain restrictions only on Montgomery County members of the Commission.

Took no position on **MC/PG 107-23**, Prince George's County - Maryland - Washington Regional District - Standing to Request Review of Zoning and Land Use Decisions, without objection.

Supported without objection **MC/PG 109-23**, Maryland-National Capital Park and Planning Commission - Members, with a recommendation that language be added to enumerate the types of diversity, including geographic diversity, being sought to reflect the diversity in the County.

The meeting adjourned at 2:18 p.m.

This is a correct copy of Council action:

  
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Judy Rupp  
Clerk of the Council