



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, April 25, 2023

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland at 1:02 p.m. on Tuesday, April 25, 2023.

PRESENT

Councilmember Evan Glass, President	Councilmember Andrew Friedson, Vice President
Councilmember Gabe Albornoz	Councilmember Natali Fani-González
Councilmember Marilyn Balcombe	Councilmember Sidney Katz
Councilmember Laurie-Anne Sayles	Councilmember Kristin Mink
Councilmember Dawn Luedtke	Councilmember Kate Stewart
Councilmember Will Jawando	

The President in the Chair.

PRESENTATIONS

- A. Proclamation was presented by Councilmember Stewart recognizing AFI's 20th Anniversary.
- B. Proclamation was presented by Councilmember Jawando and Councilmember Albornoz and County Executive Elrich recognizing Autism Acceptance Month.

GENERAL BUSINESS

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

Ms. Rupp, Clerk of the Council, announced that a public hearing on additional amendments to the FY23-28 Capital Improvements Program received from the County Executive and from the Maryland-National Capital Park and Planning Commission is scheduled for Tuesday, May 9, 2023, at 1:30 p.m.

B. **Action** - Approval of Minutes

There were no minutes for approval.

- (1) **PUBLIC HEARING** - [Planning Board Draft Amendment to the Master Plan for the Historic Preservation for the Edward U. Taylor Elementary School and Weller's Dry Cleaning.](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on June 5, 2023. A Planning, Housing, and Parks (PHP) Committee worksession is scheduled for June 12, 2023.

- (2) **PUBLIC HEARING** - [Expedited Bill 19-23, Department of Police - Pension and DSRP Adjustments.](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on May 2, 2023. A Government Operations and Fiscal Policy (GO) Committee worksession will be scheduled at a later date.

- (3) **PUBLIC HEARING** - [Expedited Bill 20-23, OPT/SLT Bargaining Units - Pension and Retirement Adjustments.](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on May 2, 2023. A Government Operations and Fiscal Policy (GO) Committee worksession will be scheduled at a later date.

- (4) **PUBLIC HEARING** - [Expedited Bill 21-23, Fire and Rescue Services - Credited Service For Group G Members.](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on May 2, 2023. A Government Operations and Fiscal Policy (GO) Committee worksession will be scheduled at a later date.

- (5) **PUBLIC HEARING** - [Supplemental Appropriation to the County Government's FY23 Operating Budget, Montgomery County Public Schools, Individuals with](#)

Disabilities Education Act Part B Grant, \$1,629,727 (Source of Funds: Federal Grant).

The public hearing was conducted. The Council accepted additional materials for consideration through April 19, 2023. An Education and Culture (EC) Committee worksession is scheduled for April 26, 2023.

- (6) **PUBLIC HEARING** - [Supplemental Appropriation to the County Government's FY23 Operating Budget Montgomery County Public Schools, American Rescue Plan Elementary and Secondary Schools Emergency Relief Fund - Homeless Children and Youth Grant, \\$1,065,736 \(Source of Funds: Federal Grant\)](#).

The public hearing was conducted. The Council accepted additional materials for consideration through April 19, 2023. An Education & Culture (EC) Committee worksession is scheduled for April 26, 2023.

- (7) **PUBLIC HEARING** - [Supplemental Appropriation to the County Government's FY23 Operating Budget Montgomery County Public Schools, Maryland Department of the Environment Volkswagen Environmental Mitigation Trust Grant, \\$349,393 \(Source of Funds: State Grant\)](#).

The public hearing was conducted. The Council accepted additional materials for consideration through April 19, 2023. An Education & Culture (EC) Committee worksession is scheduled for April 26, 2023.

- (8) **INTERVIEW** - [Board of Investment Trustees](#)

Interviewed Barry Kaplan and Joseph Rinaldi for a vacancy on the Board of Investment Trustees for the Montgomery County Employee Retirement Plans and the Board of Trustees for the Consolidated Retiree Health Benefits Trust (BIT).

WORKSESSION/ACTION: FY24 Operating Budget

- (9) • [Compensation and Benefits for All Agencies](#)

Mr. Howard, Deputy Director of the Council; Mr. Trombka, Senior Legislative Analyst, Office of Legislative Oversight; and Ms. Harling, Chief Labor Relations Officer, participated in the discussion.

Ms. Stewart, GO Committee Chair, reviewed the Committee's recommendations on the compensation packages.

Mr. Howard and Mr. Trombka provided a summary of the County Executive's proposed FY24 compensation packages, as contained in the staff report. Noted that the proposed FY24 compensation packages exceed the FY23 compensation packages by 7.9 percent.

Mr. Glass noted that compensation and cost of living are major factors in making the County a desirable employer. He highlighted a recent memo sent to the County Executive on behalf of the Council requesting that the County Executive provide non-recommended personnel reductions related to vacant positions – noting that there are approximately 1,500 vacancies including some that have not been filled for multiple years.

Ms. Balcombe shared her view that the proposed FY24 budget, as submitted by the County Executive, would result in a significant structural deficit for the FY25 operating budget, creating the need to increase taxes, and would result in further deficits to future operating budgets. She also shared her concern for the lack of transparency in the vacancy rate, noting that some positions have been vacant for over ten years. Ms. Balcombe also questioned adding additional Emergency Communications employees to the County's defined benefit retirement plan.

In response to Ms. Sayles's question regarding the funded ratio of the pension plan, Mr. Trombka noted that the funded ratio will be closer to approximately 90% and the fiscal impact of the package of retirement enhancements will have an approximate \$10 million cost per year for the next 20 years. Ms. Harling confirmed that there was no Racial Equity Impact Study conducted nor was the Racial Equity Tool used to evaluate the compensation packages. However, she noted that feedback from union members was considered in developing the compensation packages.

Mr. Albornoz expressed his opinion that the County cannot diminish the services offered by the County and that staff should be paid appropriately for their contributions. He cautioned, however, that future contracts should reflect the reality of the fiscal situation and also proposed that labor contracts be negotiated for multi-year contracts to help reduce the workload and better manage the fiscal impact.

Mr. Friedson supported restructuring in departments to support a reduction in the overall budget, and shared that the labor partners have confirmed their willingness to discuss this. He also expressed his frustration that a consultant's recommendation to reduce the labor force, citing ten management level positions that could be eliminated, as well as other recommendations that have been disregarded thus far. He noted that of the 1500 vacancies, only 552 are under active recruitment, yet funds are being allocated for this in this budget. He also echoed concerns that the fiscal deficit is a significant concern

and future concern and reiterated the need for partnership with the Executive Branch to address the structural deficit.

Ms. Luedtke advocated for greater scrutiny of procurement, tighter restrictions on funds being moved from one line item to fund another, and limiting the amount of dollars a department may use on contractual services to help bridge the gap in the budget deficit.

Ms. Fani-González supported the compensation packages as recommended by the GO Committee to provide a living wage for employees. She also expressed her support for restructuring departments and suggested addressing this in the fall.

Approved the compensation packages as recommended by the GO Committee en bloc. Ms. Stewart made the motion, which carried without objection.

(10)

- [Collective bargaining agreements:](#)

Action - Request to suspend Rules of Procedure (Rule 7.(d)) to allow immediate action

Supported the suspension of the Rules of Procedure to allow immediate action. Mr. Katz made the motion, which carried without objection.

- **Action - [Resolution to Approve Provisions of a Collective Bargaining Agreement with the Montgomery County Career Fire Fighters Association of the International Association of Fire Fighters \(IAFF\) - Fiscal Year 2024](#)**

Ms. Wellons, Senior Legislative Attorney, participated in the discussion and provided a summary of the three bargaining agreements.

Adopted **Resolution 20-126**, approving the subject Collective Bargaining Agreement. Mr. Katz made the motion, which carried without objection.

- **Action - [Resolution to Approve Provisions of a Collective Bargaining Agreement with Fraternal Order of Police - Fiscal Year 2024](#)**

Adopted **Resolution 20-127**, approving the subject Collective Bargaining Agreement. Mr. Katz made the motion, which carried without objection.

- **Action - [Resolution to Approve Provisions of a Collective Bargaining Agreement with Municipal and County Government Employees Organization \(MCGEO\) - Fiscal Year 2024](#)**

Adopted **Resolution 20-128**, approving the subject Collective Bargaining Agreement. Ms. Stewart made the motion, which carried without objection.

(11) **CONSENT CALENDAR**

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

- A. **Introduced** a Resolution to amend Council's contract for audit services.
- B. **Introduced** a Resolution to endorse a Maryland Economic Development Assistance Authority and Fund (MEDAAF) loan: Aurinia Pharma U.S., Inc.
- C. Adopted **Resolution 20-129**, confirming the County Executive's appointments to the Adult Public Guardianship Review Board: Barbara Mulitz, Lynn Nover, JoAnn Sperber, Margarita Matamoros, Robin Peters.
- D. Adopted **Resolution 20-130**, confirming the County Executive's appointment to the Early Childhood Coordinating Council: Vivian Yao.
- E. Adopted **Resolution 20-131**, confirming the County Executive's appointments to the Human Trafficking Prevention Committee: Deborah Feinstein, Dawn Luedtke.
- F. Adopted **Resolution 20-132**, confirming the County Executive's appointments to the Wheaton Urban District Advisory Committee: Dave Jarrett, Catherine (Kit) Wood, Riana Cole.
- G. Adopted **Resolution 20-133**, confirming the County Executive's appointment to the White Flint Downtown Advisory Committee: Kate Stewart.
- H. Adopted **Resolution 20-134**, an amendment to the FY23-28 Capital Improvements Program and Supplemental Appropriation to the County Government's FY23 Capital Budget, Department of Recreation, Wheaton Arts and Cultural Center (No. 0722106), \$75,000 (Source of Funds: Current Revenue General).
- I. **Introduced** a Supplemental Appropriation to the FY23 Capital Budget and Amendment to the FY23-28 Capital Improvements Program: Burtonsville Crossing Shopping Center

The meeting recessed at 3:49 p.m. and reconvened at 7:00 p.m.

(12) **PUBLIC HEARING - [Bill 12-23, Police - Traffic Stops - Limitations \(The S.T.E.P. Act\)](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on July 10, 2023. A Public Safety (PS) Committee worksession is scheduled for July 17, 2023.

The meeting adjourned at 8:58 p.m.

This is a correct copy of Council action:



Judy Rupp
Clerk of the Council