



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, April 23, 2019

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland, at 9:32 A.M. on Tuesday, April 23, 2019.

PRESENT

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

The President in the Chair.

REFLECTION - Reflection given by Mr. Russell Corbin, Senior from Richard Montgomery High School.

PRESENTATIONS

- A. Proclamation was presented by Ms. Navarro and County Executive Elrich recognizing National Arab American Heritage Month.
- B. Proclamation was presented by Mr. Rice, Mr. Katz and Mr. Albornoz recognizing Autism Awareness Month.

GENERAL BUSINESS

- A. **Announcements** - Agenda and Calendar Changes
 - (1) Ms. Limarzi, Clerk of the Council, announced that [the County Executive transmitted an additional set of amendments to the FY20 Operating and Capital Budgets and amendments to FY19-24 Capital Improvements](#)

Program (CIP) on Thursday, April 11, 2019. The public hearing on these amendments is scheduled for May 7, 2019, at 1:30 pm.

The amendments are available on the Council website in the analyst packet for this announcement.

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

There were no petitions received this week.

C. **Approved** the minutes of April 2, 2019, without objection.

(3) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.

Mr. Rice made the motion, which carried unanimously.

- A. **Adopted Resolution 19-72**, extending time for Council action until December 31, 2019, on the Declaration of No Further Need: Disposition of the former Silver Spring Library site located at 8901 and 8907 Colesville Road in Silver Spring.
- B. **Introduced** a resolution to amend the 2016-2020 Subdivision Staging Policy in association with blighted/condemned buildings or affordable housing. A public hearing is tentatively scheduled for June 11, 2019, at 1:30 P.M.
- C. **Adopted Resolution 19-73**, approving an abandonment of a portion of Waters Road right-of-way in Germantown.
- D. **Acknowledge Receipt** – The Council acknowledged receipt of the Office of Inspector General Report 19-003, Montgomery County Public School’s (MCPS) Workers’ Compensation Program.
- E. **Introduced** a supplemental appropriation to the County Government’s FY19 Operating Budget, Department of Health and Human Services (DHHS), \$291,473 for the Kresge Foundation Opportunity Ecosystem Grant. A public hearing is scheduled for May 7, 2019, at 1:30 P.M.
- F. **Introduced** a supplemental appropriation to the County Government’s FY19 Capital Budget and amendment to the FY19-24 CIP, Department of Transportation (DOT) - \$3,885,000 for Resurfacing: Residential/Rural Roads. A public hearing is scheduled for May 7, 2019, at 1:30 P.M.
- G. **Adopted Resolution 19-74**, approving an extension until October 23, 2019, of the appointment of Acting Chief of Aging and Disability at the Department of Health and Human Services: Odile Brunetto.

- H. **Adopted Resolution 19-75**, amending Resolution 18-1144, Section G, FY19 Designation of Entities for Non-Competitive Award Status: Nonprofit Montgomery, Inc.
- I. **Introduced** a special appropriation to the FY19 Operating Budget, MCPS', \$369,520 for Safety Survey Grant. A public hearing is scheduled for May 7, 2019, at 1:30 P.M.
- J. **Introduced** a supplemental appropriation to the County Government's FY19 Operating Budget, DOT - \$11,584,423 and Department of General Services (DGS) - \$3,641,663 for Snow Removal/Wind and Rain Storm Cleanup. A public hearing is scheduled for May 7, 2019, at 1:30 P.M.

(4) **DISTRICT COUNCIL SESSION**

A. **Action - Veirs Mill Master Plan**

Participating in the discussion were Ms. Wright, Director, Planning Department; and Mr. Anderson, Chair, Montgomery County Planning Board; Mr. Zyontz, Senior Legislative Analyst; Dr. Orlin, Council Deputy Director; and Ms. Dunn, Senior Legislative Analyst.

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

Mr. Jawando's motion to amend lines 356 to 362 of the Plan to eliminate the specific reference to the Halpine View property and its owner failed for lack of a second.

Approved unanimously Mr. Rice's motion to amend the first sentence of the fourth paragraph of the Plan as follows:

[Consistent with the previous master plans, the] The Veirs Mill Corridor Master Plan [continues to support the abandonment of] supports the return of the Aspen Hill Road extension [to further facilitate the synergistic redevelopment of Halpine View, Parkway Woods and Halpine Hamlet be returned to Halpine View LLC] to the Halpine View property through Montgomery County's disposition process in exchange for the requirement to provide a minimum of 30 percent of the dwelling units attributable to the density of the 1.9 acre parcel in the form of MPDUs.

Approved without objection Mr. Friedson's motion to add, beginning on line 240 of the draft resolution, the words and/or consider the implementation of no right turn on red restrictions before the words "to improve safety for pedestrians and

bicyclists crossing the turn lane”; and to amend lines 453-455 of the draft resolution to read: Consolidate open space, as site constraints allow, to create [significant] the largest practicable open spaces totaling a minimum of 4.5 acres in size that may include play structures, shaded seating and/or flexible lawn areas.

Approved without objection Dr. Orlin’s technical amendment to line 520 of the draft resolution to add the word DON’T before the word WALK.

Adopted **Resolution 19-76**, approving the Veirs Mill Master Plan, as amended.

The PHED Committee made the motion, which carried unanimously.

President Navarro offered condolences to the family and friends of Montgomery County Police Officer Kyle Olinger, who passed away recently after succumbing to complications from a gunshot wound sustained in 2003 while making a traffic stop.

Items 5, 6 and 7 were discussed en bloc.

WORKSESSION - FY20 Operating Budget

- (5) [Compensation and benefits for all agencies](#)
- (6) [FY19 Operating Budget Savings Plan - CHRB Trust](#)
- (7) [Collective bargaining agreements \(MCGEO, FOP, IAFF\)](#)

Ms. Navarro announced that a worksession would take place today and that final votes would be taken next week on April 30. She remarked that this was the new Council’s first budget and noted that the previous Council had hard choices to make during the Great Recession but employee layoffs were avoided. She stressed that it is important to begin formalizing a structure for the annual review of compensation costs sustainability and providing information to the County Executive to be used in the collective bargaining process to develop compensation recommendations that take the County’s fiscal future into account.

Participating in the discussion were Mr. Madaleno, Director, Office of Management and Budget (OMB); Mr. Trombka, Senior Legislative Analyst, Office of Legislative Oversight (OLO); and Mr. Howard, Senior Legislative Analyst.

Ms. Navarro, Chair of the Government Operations and Fiscal Policy (GO) Committee, Mr. Trombka and Mr. Howard summarized the staff's sustainability-orientated recommendations, as contained in the staff report, covering FY20 County Government pay adjustments, FY20 group insurance, FY19 recommended Other Post-employment Benefits (OPEB) Savings Plan, and other compensation issues.

Discussed different aspects of the Executive's budget recommendations such as adding 90 Full Time Equivalent (FTE) positions rather than reducing the County Government workforce through restructuring and efficiencies; and possibly reducing the \$90 million amount recommended in the FY19 OPEB Savings Plan.

The meeting recessed at 12:24 P.M. and reconvened at 1:30 P.M.

- (8) **PUBLIC HEARING** - Supplemental appropriation to the FY19 Operating Budget, Montgomery County Fire and Rescue Service (MCFRS) - \$1,963,432 to expend the proceeds of the FY19 State of Maryland Senator Amoss Fire, Rescue and Ambulance Fund grant

The public hearing was conducted. Mr. Friedson, Mr. Hucker, Mr. Jawando, Mr. Katz, Mr. Rice and Mr. Riemer were temporarily absent. Additional material for the Council's consideration should be submitted by the close of business on April 23, 2019. A Public Safety (PS) Committee meeting is tentatively scheduled for Wednesday, April 24, 2019.

- (9) **PUBLIC HEARING** - Intent to consider increasing FY20 General Fund tax rate above the Constant Yield Tax Rate (CYTR)

The public hearing was conducted. Mr. Hucker and Mr. Jawando were temporarily absent.

- (10) **PUBLIC HEARING** - Resolution to set amount of Property Tax Credit for Income Tax Offset

The public hearing was conducted. Mr. Hucker and Mr. Jawando were temporarily absent. Additional material for the Council's consideration should be submitted by the close of business on April 30, 2019. A Government Operations and Fiscal Policy (GO) Committee worksession is tentatively scheduled for May 2, 2019.

(11) **PUBLIC HEARING** - [Resolution to establish FY20 Solid Waste Service Charges](#)

The public hearing was conducted. Mr. Huckler and Mr. Jawando were temporarily absent. Additional material for the Council's consideration should be submitted by the close of business on April 24, 2019. A Transportation and Environment (T&E) Committee meeting is tentatively scheduled for April 24, 2019.

(12) **PUBLIC HEARING** - [Resolution to establish FY20 Water Quality Protection Charge](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on April 24, 2019. A T&E Committee worksession is tentatively scheduled for April 24, 2019.

(13) **PUBLIC HEARING** - [Resolution to approve FY20 Transportation Fees, Charges, and Fares](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on April 24, 2019. A T&E Committee worksession is tentatively scheduled for April 24, 2019.

(14) **PUBLIC HEARING** - [Bill 8-19, Erosion, Sediment Control and Stormwater Management - High PAH Sealants](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on June 10, 2019. A T&E Committee worksession is tentatively scheduled for June 10, 2019.

(15) **PUBLIC HEARING** - [Resolution to approve the Enterprise Fund Stabilization Factor](#)

The public hearing was conducted. Action is tentatively scheduled for May 15, 2019.

(16) **PUBLIC HEARING** - [Amendment to the Maryland-National Capital Park and Planning Commission \(M-NCPPC\) FY19-24 CIP, Department of Parks, \\$2,500,000 for local parks acquisition](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on April 23, 2019.

A Planning, Housing and Economic Development (PHED) Committee worksession is tentatively scheduled for April 24, 2019.

- (17) **PUBLIC HEARING** - Supplemental appropriation to the MNCPPC FY19 Capital Budget and Amendment to the FY19-24 CIP, Department of Parks, \$2,853,000 for Acquisition of non-local parks

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on April 23, 2019. A PHED Committee worksession is tentatively scheduled for April 24, 2019.

- (18) **DISCUSSION** - OLO Report 2018-13, The Two-Generation Approach to Poverty in Immigrant Communities

Participating in the discussion were Ms. Gina Adams, Senior Fellow, Urban Institute; Ms. Margie McHugh, Director, National Center on Immigrant Integration Policy, Migration Policy Institute; Ms. Monica Martin, DHHS; Kylie McCleaf and Meredith Myers, Family Services, Inc.; and Senior Legislative Analysts Linda McMillan and Leslie Rubin.

Received an overview from the panel on strategies to lift the integration trajectories of immigrant and refugee families and on ways to help parents access child care while pursuing education and training during non-traditional working hours; services available, the need for culturally competent staff; and ongoing needs of the immigrant community.

The meeting adjourned at 3:57 P.M.

This is a correct copy of Council action.

Approved/Signed by the Clerk

Megan Davey Limarzi, Esq.
Clerk of the Council