



Montgomery County, Maryland

COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · (MD Relay) Dial 711 or 800-201-7165 · FAX (240)777-7989

www.montgomerycountymd.gov/council

*The Council Agenda is subject to change any time after printing or during the Council meeting.
Please contact the Council Office or visit our website to obtain updates.*

Tuesday, September 17, 2019

9:30 **INVOCATION** - Mr. John F. Mahoney, Bethesda Friends Meeting

9:35 **PRESENTATIONS** - Proclamation recognizing Constitution Week, by Councilmembers Rice and Council Vice President Katz

9:45 **GENERAL BUSINESS** (Lauer)

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

(1) **The Council is seeking applicants for the Merit System Protection Board**
Application deadline is September 25, 2019, at 5 pm.

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

C. **Action** - Approval of Minutes: July 30, 2019

(3) 9:45 **INTERVIEWS** - **Applicants for Board of Appeals** (Brown)

(4) 10:30 **CONSENT CALENDAR**

A. **Action** - **Resolution to Approve Categorical Transfers of \$2,650,000 for the Montgomery County Public Schools FY19 Operating Budget, and Categorical Transfers of \$665,000 for FY19 Grant Funds in the Provision for Future Supported Projects** (Howard)
E&C Committee recommends approval.

B. **Action** - **Resolution to Designate a Road Code Urban Area in Chapter 49 of the County Code for the Intersection of Veirs Mill Road and Randolph Road** (Orlin)

C. **Action** - **Confirmation of County Executive appointment to the Alcohol and other Drug Abuse Advisory Council: Edwin Rich, Jr.** (Medrano-Rivera)

D. **Action** - **Confirmation of County Executive appointment to the County-Wide Recreation and Parks Advisory Board: Isaac Osei Asare** (Medrano-Rivera)

E. **Action** - **Confirmation of County Executive appointments to the Glen Echo Park Partnership, Inc. Board of Directors: Mara Mayor, Samir Paul, Thalia Washington** (Medrano-Rivera)

(4) 10:30 **CONSENT CALENDAR** *(continued)*

- F. **Action** - Confirmation of County Executive appointment to the Committee Against Hate Violence: Kenneth Kellner (Medrano-Rivera)
- G. **Action** - Confirmation of County Executive appointment to the Board of Investment Trustees and Consolidated Retiree Health Benefits Trust Board of Trustees: Berke Attila (Medrano-Rivera)
- H. **Action** - Confirmation of County Executive appointment to the Pedestrian, Bicycle and Traffic Safety Advisory Committee: Kristy Daphnis (Medrano-Rivera)
- I. **Receipt and Release** - Office of Legislative Oversight Report 2019-13: Abandoned Property Receivership (Carrizosa/DeFazio)
- J. **Action** - Supplemental appropriation to MCPS' FY19 Operating Budget, Entrepreneurial Activities Fund - \$3,500,000 for School Bus Safety Camera Program (Source: School Bus Safety Camera Program Citation Fines Revenue, General Fund) (Howard)
E&C Committee recommends approval with amendments.
- K. **Introduction** - Resolution to Consolidate Previously Authorized Notes for Sale and Issuance as a Single Issue (Smith)
Action is tentative scheduled for 10/1/19.

10:35 **LEGISLATIVE SESSION Day #21**

(5) **Introduction of Bills:**

- A. **Expedited Bill 25-19** Contracts and Procurement - Local Business Preference Program - Established (Drummer)
Lead Sponsor: Council President at the request of the County Executive
Public Hearing is scheduled for 10/15/19 at 1:30 pm.
- B. **Expedited Bill 26-19**, Bond Authorization (Smith)
Lead Sponsor: Council President at the request of the County Executive
Public Hearing/Action is scheduled for 10/1/19 at 1:30 pm.
- C. **Bill 27-19**, Administration - Human Rights - Office of Racial Equity and Social Justice - Racial Equity and Social Justice Advisory Committee - Established (Drummer)
Lead Sponsor: Council President Navarro
Co-Sponsors: Councilmembers Jawando, Rice, Hucker, Riemer, Katz, Albornoz, Friedson and Glass
Public Hearing is scheduled for 10/22/19 at 1:30 pm. and 7:00 pm.
- D. **Expedited Bill 28-19**, Technical Corrections (Mihill)
Lead Sponsor: County Council
Public Hearing/Action is scheduled for 10/1/19 at 1:30 pm.

10:35 **LEGISLATIVE SESSION Day #21 (continued)**

(5) **Introduction of Bills: (continued)**

- E. **Bill 29-19, Health and Sanitation - Electronic Cigarettes - Distribution** (Mihill)
Co-Lead Sponsors: Councilmembers Alborno and Rice
Co-Sponsors: Councilmembers Jawando, Navarro, Hucker, Riemer, Friedson and Katz
Public Hearing is scheduled for 11/5/19 at 7:30 pm.

(6) **Call of Bills for Final Reading:**

- A. **Action - Bill 20-19, Landlord-Tenant Relations - Licensing of Rental Housing - Fee Exemption** (Wellons)
PHED Committee recommends approval with amendments.

(7) 10:55 **DISTRICT COUNCIL SESSION**

- A. **Introduction - Zoning Text Amendment 19-06, Vape Shops** (Mihill)
Co-Lead Sponsors: Councilmembers Alborno and Rice
Co-Sponsors: Councilmembers Jawando, Navarro, Hucker, Riemer, Friedson and Katz
Public Hearing is scheduled for 11/5/19 at 7:30 pm.

- (7.1) B. **Action - Veirs Mill Corridor Master Plan Sectional Map Amendment (H-132)** (Dunn)

(8) 10:55 **BOARD OF HEALTH**

- A. **Introduction - Resolution to adopt Bill 29-19, Health and Sanitation - Electronic Cigarettes - Distribution as a Board of Health Regulation** (Mihill)
Co-Lead Sponsors: Councilmembers Alborno and Rice
Co-Sponsors: Councilmembers Jawando, Navarro, Hucker, Riemer, Friedson and Katz
Public Hearing is scheduled for 11/5/19 at 7:30 pm.

11:00 **RECESS**

- (9) 1:30 **PUBLIC HEARING - Resolution regarding Spending Affordability Guidelines for FY21 Capital Budget and FY21-26 Capital Improvements Program** (Orlin)
GO Committee worksession tentatively scheduled for 9/24/19.

- (10) 1:45 **INTERVIEW - County Executive's appointee, Director, Montgomery County Public Libraries: Anita Vassallo** (Brown)
Confirmation is tentatively scheduled for 9/24/19

ADJOURN

This meeting will be televised live on CCM Channels Comcast HD 996 and SD 6, RCN HD 1056 and SD 6, and Verizon 30 and repeated on 9/20/19 at 9:00 pm.

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on September 24, 2019.

Alcohol and other Drug Abuse Advisory Council: Evelyn Saim-Lobos, Elyse Grossman

Citizens Review Panel for Children: Laura Coyle, George Gabel, Jane Steinberg

Dickerson Area Facilities Implementation Group: Paula Jenson

Domestic Violence Coordinating Council: Spencer Cantrell, Laurie Duker, Izola Shaw, Lilah Katz

Early Childhood Coordinating Council: Kimberly Rusnak, Taniesha Myles

Fire and Emergency Services: Scott Emmons

Committee Against Hate Violence: Patricia Alexander, Pablo Blank, Kelly Cooper, Sanjeet Dey, Samantha Jones, Stephanie Troyer

Human Trafficking Prevention Committee: Patricia Polimadei, Marirose Ungerman

Rustic Roads Advisory Committee: Kamran Sadeghi

Solid Waste Advisory Committee: Adam Diamond, Gina Angiola, Paula Jenson, Jelena Krstic, Ellen Ryan, Candy Schimming, Sara Bixby

Commission for Women: Adrienne Prentice

Board of Education Compensation Commission: Ting Chau, Jennifer Sawin, Mark Spradley, Jaye Espy, Jason Washington

NOTICE OF UPCOMING COUNCIL MEETINGS

Council meeting notices are posted on the bulletin board in the fourth floor lobby of the Council Office Building in Rockville, and on the Council's website at <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FutureMtgs.pdf>

Sept 24, 2019	9:30 am	Regular Session
Oct 1, 2019	9:30 am	Regular Session
Oct 11, 2019	9:00 am	Council Retreat (<i>4th fl. Capital Crescent Trail Room</i>)
Oct 15, 2019	9:30 am	Regular Session
Oct 22, 2019	9:30 am	Regular Session
Oct 23, 2019	6:30 pm	Meeting with County Delegation (<i>Wheaton Library/Rec Center</i>)

Future Public Hearings: To testify at a Council public hearing, please sign up online at <http://www.montgomerycountymd.gov/council/phsignup.html>, or call 240-777-7803.

Sept 24, 2019 - Sign up to testify by 9/23/19 at 5 pm

- 1:30 pm FY21 Washington Suburban Sanitary Commission Spending Control Limits
- 1:30 pm Supplemental appropriation - DOT - \$98,150 for Streets and Roads - Roadside Trees – Protection

Oct 1, 2019 - Sign up to testify by 9/30/19 at 5 pm

- 1:30 pm Declaration of No Further Need - Disposition of Land on Hawkins Creamery Road, Gaithersburg
- 1:30 pm **Expedited Bill 26-19**, Bond Authorization
- 1:30 pm **Expedited Bill 28-19**, Technical Corrections

Visit the Council website for other valuable resources: www.montgomerycountymd.gov/council



If you need services to participate in any Council activity, please contact us as far in advance as possible: 240-777-7900 (MD Relay - Dial 711 or 800-201-7165) Email: County.Council@montgomerycountymd.gov.

This document is available in alternative formats upon request.

Montgomery County Seeks Applicants for Merit System Protection Board

Deadline to Submit Applications is September 25 at 5:00 pm

ROCKVILLE, Md., September 6, 2019 - The Montgomery County Council is accepting applications from qualified voters in the County for appointment to a three-year term on the Merit System Protection Board. The 2nd term of Michael Kator (Democrat) will expire on December 31. Letters of application must be received in the Council office by 5 p.m. on Wednesday, September 25.

Generally, the Board oversees the Merit System and protects employee and applicant rights guaranteed under the County Merit System. The Board processes appeals by issuing written decisions following review of written records or after conducting appropriate hearings.

In addition to Mr. Kator, current members of the Board are Harriet Davidson (Democrat) and Angela Franco (Republican). By law, no more than two of the three members of the Merit System Protection Board may be of the same political party. The appointee for this position may be from any party officially recognized by the Board of Elections.

The Board, on a periodic basis, also conducts special studies, audits, or inquiries of the administration of the merit and retirement pay systems and, in this effort, may compel the attendance of witnesses. The Board also provides comments on any proposed changes in Merit System law or regulations.

The Board normally meets once per month during the day for approximately two hours, additional time is also required for preparatory work. Hearings are scheduled with consideration given to Board availability and held during the day. Duration of hearings are dependent upon issues of a given case and may last more than one day.

Members of the Board currently receive \$8,009 per year, which is adjusted annually to reflect 50 percent of the percentage change in the Washington Area Consumer Price Index. The Chair receives \$10,272 per year.

Boardmembers are restricted in political activity while serving. Section 403 of the County Charter states, in part: "No member shall hold political office or participate in any campaign for any political or public office during the member's term of office."

Members of County Boards, Committees and Commissions may not serve on more than one such group at a time.

Letters expressing interest, including a resume (no more than 4 pages in length) listing professional and civic experience, political party affiliation, home and office telephone numbers, and an email address should be addressed to: Council President Nancy Navarro, County Council Office, 100 Maryland Avenue, Rockville, Maryland 20850, or emailed to county.council@montgomerycountymd.gov. Letters of application must be received no later than 5 p.m. on September 25, 2019. It is the Council's policy not to consider applications received after the deadline. After the application closing date, Councilmembers will review the letters of application and select applicants to be interviewed.

Letters of application and resumes are made public as part of the appointment process. Any interviews held are open to the public and will be televised. A financial statement of assets, debts, income, and family property interests will be required of all applicants. Only the appointed candidate will be required to make the financial statement available for public review.