



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, October 1, 2019

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland, at 1:01 P.M. on Tuesday, October 1, 2019.

PRESENT

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

The President in the Chair.

The invocation was given by Reverend Kenneth Nelson, Seneca Community Church, Germantown.

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND IN LEGISLATIVE SESSION - Day #23

(1) **Call of Bills for Final Reading**

A. **Expedited Bill 19-19, Economic Development - Workforce Development - Amendments**

Mr. Riemer, Chair of the Planning, Housing, and Economic Development (PHED) Committee, reviewed the recommendation of the joint PHED and Education and Culture (E&C) Committee, as contained in the staff report.

Enacted draft #3 of **Expedited Bill 19-19**, as introduced.
The PHED/E&C Committee made the motion and the expedited bill was enacted by a roll call vote:

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

- (2) **PUBLIC HEARING/ACTION** - Declaration of No Further Need - Disposition of Land on Hawkins Creamery Road, Gaithersburg (Davis Airport/Laytonville Airport, LLC)

The public hearing was held and the record closed.

Adopted **Resolution 19-250**, approving the subject Declaration of No Further Need.

The joint Government Operations and Fiscal Policy (GO) and PHED Committee made the motion, which carried unanimously.

- (3) **PUBLIC HEARING** - Expedited Bill 28-19, Technical Corrections

The public hearing was held and the record closed.

- (4) **PUBLIC HEARING** - Expedited Bill 26-19, Bond Authorization

The public hearing was held and the record closed.

- (5) **ACTION** - Resolution regarding Spending Affordability Guidelines for FY21 Capital Budget and FY21-26 Capital Improvements Program (CIP)

Ms. Navarro, Chair of the GO Committee, reviewed the Committee's recommendations, as contained in the staff report.

Adopted **Resolution 19-251**, approving spending affordability guidelines for the FY21 Capital Budget and FY19-26 CIP.

The GO Committee made the motion, which carried without objection.

GENERAL BUSINESS

A. Announcements - Agenda and Calendar Changes

Ms. Lauer, Office of the Clerk of the Council, announced an addendum to the agenda adding action on an Amendment to the FY20 Operating Budget; Resolution 19-128, Section G, FY20 Designation of Entities for

Non-Competitive Contract Award Status: Educacion Para Nuestro Futuro, aka Edu-Futuro, Inc.

(6) B. **Receipt of Petitions** - [Receipt of Petitions](#)

There were no petitions received this week.

C. **Approved** the minutes of September 10, 2019, and the closed session minutes of September 10 and 16, 2019, without objection.

(7) **CONSENT CALENDAR**

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

- A. [Adopted Resolution 19-252](#), approving Executive Regulation 22-19AM - Adoption Schedule of Fees for Fire Safety Code Permits, Code Modifications, Inspections and Licenses.
- B. [Adopted Resolution 19-253](#), approving the transfer of funds within the Montgomery County Public School's (MCPS) FY20 Capital Budget - \$295,000 from the North Bethesda Middle School Addition project to the Capital Budget Unliquidated Surplus Account.
- C. [Adopted Resolution 19-254](#), approving the transfer of funds within the MCPS' FY20 Capital Budget - \$295,000 from MCPS' Unliquidated Surplus Account to the Bethesda-Chevy Chase High School Addition project.
- D. [Adopted Resolution 19-255](#), confirming the County Executive appointment to the Montgomery County Economic Development Corporation Board: Matthew Lee.
- E. [Adopted Resolution 19-256](#), confirming the County Executive appointments to the Cable and Communications Advisory Committee: Careen Carlton, Vincent Doring.
- F. [Adopted Resolution 19-257](#), confirming the County Executive appointment to the Community Action Board: Danette Lawrence.
- G. [Adopted Resolution 19-258](#), confirming the County Executive appointment to the Fire and Emergency Services Commission: Tony Coleman.

- H. Adopted **Resolution 19-259**, confirming the County Executive appointments to the Human Rights Commission: William England, Jeremiah Floyd, Candace Groudine, Kenneth Kellner, Leslie Milano, William Oakcrum, Nina Weisbroth.
- I. Adopted **Resolution 19-260**, confirming the County Executive appointments to the Wheaton Urban District Advisory Committee: Chris Pyon, James Mensah.
- J. Adopted **Resolution 19-261**, approving an amendment to the FY20 Operating Budget; Resolution 19-128, Section G, FY20 Designation of Entities for Non-Competitive Contract Award Status: Educacion Para Nuestro Futuro, aka Edu-Futuro, Inc.

(8) **ACTION - Appointment to the Board of Appeals**

Adopted **Resolution 19-262**, appointing Bruce Goldensohn to a second term and Mary Gonzales to a first term on the Board of Appeals. Mr. Riemer and Mr. Albornoz made the respective motions, which carried without objection.

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND
IN LEGISLATIVE SESSION - Day #23**

Introduction of Bills:

(9) A. **Bill 32-19, Health and Sanitation - Flavored Electronic Cigarettes**

Introduced draft #4 of the subject bill, sponsored by Councilmembers Riemer, Albornoz, and Hucker. A public hearing is scheduled for November 5, 2019, at 7:30 P.M.

Council President Navarro and Councilmembers Katz, Jawando, and Glass requested to be added as co-sponsors of the bill.

Call of Bills for Final Reading (continued)

(10) B. **Expedited Bill 15-19, Contracts and Procurement - Minority Owned Businesses - Sunset Date - Amendments**

Ms. Navarro reviewed the GO Committee recommendation, as contained in the staff report.

Enacted draft #1 of **Expedited Bill 15-19**, as introduced.

The GO Committee made the motion and the expedited bill was enacted by a roll call vote:

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

(11) C. **Bill 23-19, Cybersecurity Investment Incentive Tax Credit Supplement - Amendments**

Mr. Riemer reviewed the purpose of the bill and the PHED Committee's recommendation, as contained in the staff report.

Enacted draft #1 of **Bill 23-19**, as introduced.

The PHED Committee made the motion and the bill was enacted by a roll call vote:

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

(3) D. **Expedited Bill 28-19, Technical Corrections**

Legislative Attorney Mihill reviewed the purpose of the bill and two additional technical corrections, as shown on circle page 21 of the staff report.

Enacted draft #2 of **Expedited Bill 28-19**, as amended and shown at the end of these minutes.

Mr. Huckler made the motion and the expedited bill was enacted by a roll call vote:

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

(4) E. **Expedited Bill 26-19, Bond Authorization**

Legislative Analyst Smith reviewed the purpose of the expedited bill, as contained in the staff report.

Enacted draft #1 of **Expedited Bill 26-19**, as introduced.

Mr. Friedson made the motion and the expedited bill was enacted by a roll call vote:

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

- (12) **ACTION - Resolution to Consolidate Previously Authorized Notes for Sale and Issuance as a Single Issue**

Adopted **Resolution 19-263**, approving the consolidation of previously authorized notes for sale and issuance as a single issue.

Mr. Rice made the motion, which carried unanimously.

DISTRICT COUNCIL SESSION

- (13) A. **Announcement - The Planning Board has transmitted the Forest Glen/Montgomery Hills Sector Plan. The public hearing will be held on November 12, 2019, at 7:30 P.M.**

Ms. Navarro announced that the public hearing on the Forest Glen/Montgomery Hills Sector Plan is scheduled for November 12, 2019, at 7:30 P.M. at a location to be determined.

- (14) B. **Introduction - Historic Preservation Amendment 19-1 - Historic Resources Preservation Commission - Technical Corrections**

Introduced draft #1 of Historic Preservation Amendment 19-1, sponsored by the District Council. A public hearing is scheduled for November 12, 2019, at 1:30 P.M.

- (15) C. **Introduction - Zoning Text Amendment (ZTA) 19-07, Telecommunications Towers - Limited Use**

Introduced draft #1 of ZTA 19-07, sponsored by Councilmembers Riemer, Albornoz, and Rice. A public hearing will be scheduled at a later date.

BOARD OF HEALTH

- (16) A. **Introduction - Resolution to adopt **Bill 31-19**, Health and Sanitation - Electronic Cigarettes - Distribution, Use, and Possession as a Board of Health Regulation**

Introduced the subject resolution, sponsored by Councilmembers Hucker, Albornoz, Rice, Katz, Riemer, Glass, Jawando and Navarro. A public hearing is scheduled for November 5, 2019, at 7:30 P.M.

- (9) B. **Introduction - Resolution to adopt **Bill 32-19**, Health and Sanitation - Flavored Electronic Cigarettes as a Board of Health Regulation**

Introduced the subject resolution, sponsored by Councilmembers Riemer, Albornoz, and Hucker. A public hearing is scheduled for November 5, 2019, at 7:30 P.M.

The meeting adjourned at 1:45 P.M.

This is a correct copy of Council action.

Approved/Signed by the Clerk

Mary Anne Paradise
Acting Clerk of the Council