



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Tuesday, April 14, 2020

The County Council for Montgomery County, Maryland convened via video conference at 9:42 A.M. on Tuesday, April 14, 2020.

### PRESENT

Councilmember Sidney Katz, President  
Councilmember Gabe Albornoz  
Councilmember Evan Glass  
Councilmember Nancy Navarro

Councilmember Tom Hucker, Vice President  
Councilmember Andrew Friedson  
Councilmember Will Jawando  
Councilmember Craig Rice  
Councilmember Hans Riemer

The President in the Chair.

### GENERAL BUSINESS

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

- (1) [The Council is seeking applicants for the Montgomery County Planning Board. The deadline to apply has been extended to Friday, April 17, 2020, at 5 p.m.](#)

Ms. Singleton, Clerk of the Council, announced that the Council is seeking applicants for the Planning Board; deadline to apply has been extended to Friday, April 17, 2020, at 5:00 P.M. She also announced an addendum to the agenda, correcting the sponsorship of the \$5,000,000 special appropriation for the Economic Development Fund Public Health Emergency Grant Program to the County Council; deleting introduction, public hearing, and action on a resolution to adopt a Board of Health Regulation concerning the use of face coverings and other social distancing measures; adding introduction of **Expedited Bill 23-20**, Contracts - Management and Disposal of Goods - Emergency Procedures; and deleting action on **Expedited Bill 17-20**, Carryout Bay Tax - Suspension.

Councilmembers noted that the resolution concerning the use of face coverings was removed from the agenda because a public health order requiring the use of masks or other face coverings was issued by Dr. Gayles, the County's Health Officer.

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

No petitions were received this week.

C. **Action - Approval of Minutes**

Approved the minutes of March 11, 2020, without objection.

(3) **CONSENT CALENDAR**

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

- A. **Introduced** a resolution to indicate the Council's intent to approve or reject provisions of the Collective Bargaining Agreement with the Fraternal Order of Police (FOP), Lodge 35. A Council worksession is tentatively scheduled for April 23, 2020.
- B. **Introduced** a resolution to indicate the Council's intent to approve or reject provisions of the Collective Bargaining Agreement with the Municipal and County Government Employees' Organization (MCGEO), Local 1994. A Council worksession is tentatively scheduled for April 23, 2020.
- C. **Introduced** a resolution to indicate the Council's intent to approve or reject provisions of the Collective Bargaining Agreement with the Montgomery County Career Fire Fighters Association of the International Association of Fire Fighters (IAFF), Local 1664. A Council worksession is tentatively scheduled for April 23, 2020.
- D. **Introduced** a resolution to indicate the Council's intent to approve or reject provisions of the Collective Bargaining Agreement with the Montgomery County Volunteer Fire and Rescue Association (MCFVRA). A Council worksession is tentatively scheduled for April 23, 2020.
- E. **Adopted Resolution 19-412**, confirming the County Executive appointments to the Alcoholic Beverages Advisory Board: Brett Allen Robison, Scott Maravilla.

- F. Adopted **Resolution 19-413**, approving a special appropriation to Montgomery County Public School's (MCPS) FY20 Capital Budget and amendment to the FY19-24 Capital Improvements Program (CIP) - \$6,000,000 for Relocatable Classrooms.
- G. Adopted **Resolution 19-414**, approving the Council contract for audit services.
- H. **Approved** the recommendation to the County Executive for appointment of Council representative to the Board of Investment Trustees for the Montgomery County Employee Retirement Plans and the Board of Trustees for the Consolidated Retiree Health Benefits Trust: Mr. Barry Kaplan.
- I. **Introduced** a special appropriation to the County Government's FY20 Operating Budget, Department of Finance - \$5,000,000 for Economic Development Fund, Public Health Emergency Grant Program. A public hearing and action are tentatively scheduled for April 21, 2020.

- (4) **INTERVIEWS** - County Executive's appointees as Assistant Chief, Montgomery County Police Department: Dinesh Patil, Ronald Smith, Willie Parker-Loan, and Thomas Didone

Interviewed the County Executive's appointees for Assistant Chief, Montgomery County Police Department.

(6) **COUNCIL SITTING AS BOARD OF HEALTH**

- A. **Introduction** - Resolution to adopt a Board of Health Regulation concerning the use of face coverings and other social distancing measures  
Lead Sponsors - Councilmembers Riemer and Albornoz  
Co-sponsors - Council President Katz and Councilmembers Navarro and Hucker

This item was deleted from the agenda.

- B. **Update** - **Novel Coronavirus (COVID-19) and County Public Health Planning**

Participating in the discussion were Dr. Gayles, Dr. Stoddard, Director, Office of Emergency Management and Homeland Security (OEMHS); Mr. Hartman, Director, Bethesda-Chevy Chase Regional Services Center; and Ms. Parker, County Executive's Office.

Dr. Gayles updated the Council on the new Health Order that went into effect on April 13, requiring face coverings and other safety measures that offer protection for business employees and customers, noting that he is in contact with the State regarding other spaces that may potentially benefit from similar

requirements. A third COVID-19 testing site has opened at the Germantown Vehicle Emissions Inspection Program (VEIP) facility to increase testing capacity within the County; other options for potential testing sites are being explored as well as ways to create access for residents without a primary healthcare provider. The State's chief epidemiologist has completed a map of COVID-19 incidents by zip code, with data broken out by gender and age. Dr. Gayles commented that in the rush to release information, no data on race or ethnicity was included, and steps are being taken to determine causal relationships between housing, race, and infection rates to be able to take steps to address the situation. He noted that there is support from the County's non-profit agencies in assisting communities of color. He said that some models anticipate the peak number of cases within the next week.

Responding to Mr. Jawando's question concerning the use of reusable shopping bags, Dr. Gayles expressed the view that the risks associated with reusable bags are minimal, and that consumers can bag their own groceries, use self-checkout, and clean their reusable bags at home to minimize potential exposure to the virus.

Mr. Riemer suggested that the Department of Transportation (DOT) consider requiring bus riders to wear face coverings.

Ms. Navarro requested a separate discussion on disparities be scheduled to look into both health and financial issues for communities of color associated with COVID-19.

Dr. Stoddard stated that Montgomery County Fire and Rescue Services (MCFRS) activated Phase 2 of the pandemic surge plan in preparation for the expected surge this week in the number of cases. He commented on the large number of donations of personal protective equipment (PPE) and that an online request form is posted on the County website. Face coverings were provided to County employees. The Food Security Task Force is meeting to address food access issues and the safety of food service providers. The vast majority of calls to 311 are COVID-19-related. Regarding the \$183 million the County is expected to receive from the CARES Act for support for non-budgeted items related to COVID-19, Dr. Stoddard said guidance on use of the funds is expected on April 24.

Responding to questions from Mr. Rice, Dr. Gayles said residents with concerns related to face covering compliance should call 311 and that questions would be forwarded to the Licensing and Regulatory Compliance Team. Regarding the reopening of schools, Dr. Gayles expressed the view that it not realistic for schools to open in the near future even if the number of COVID-19 cases declines, given the need to continue social distancing measures to ensure the number of cases continues to decline.

Ms. Parker provided an update on the work of the COVID-19 Communications Team, stating that press releases are translated into Spanish, and a COVID-19 newsletter (formerly the Paperless Airplane) is emailed to approximately 380,000 residents and is updated twice a week. The COVID-19 communications page is available on the County's website. Mr. Hartman said there is a growing number of community partnerships, and a translation team is providing relevant information in six languages. Ms. Navarro suggested the team look at the MCPS translation unit for ways to enhance service.

The meeting recessed at 12:34 P.M. and reconvened at 1:39 P.M.

(7) **PUBLIC HEARING - Supplemental appropriation to the FY20 Capital Budget and amendment to the FY19-24 CIP, DOT - \$2,100,000 for Bridge Renovation**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on April 16, 2020. Action is tentatively scheduled for April 21, 2020.

(8) **PUBLIC HEARING - Expedited Bill 17-20 - Carryout Bag Tax - Suspension**

The public hearing was conducted. Action has been postponed to a future date.

(9) **PUBLIC HEARING/ACTION - Supplemental appropriation to the FY20 Operating Budget, MCPS - \$3,424,109 for the Title 1- Part A Grant**

The public hearing was conducted and the record closed.

Adopted **Resolution 19-415**, approving the subject supplemental appropriation.

Mr. Rice made the motion, which carried unanimously.

(10) **PUBLIC HEARING - Supplemental appropriation to the FY20 Capital Budget and amendment to the FY19-24 CIP, Department of General Services (DGS) - \$1,140,000 for Men's Emergency Homeless Shelter Addition**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on April 16, 2020. Action is scheduled for April 21, 2020.

**PUBLIC HEARING - FY21 Operating Budget**

The public hearing was postponed until April 16, 2020.

**PUBLIC HEARING - Bill 14-20, Human Rights and Civil Liberties  
Discriminatory Employment Practices - Workplace Harassment**

The public hearing was postponed to a future date.

- (4) **ACTION - Confirmation of County Executive's appointees as Assistant Chief, Montgomery County Police Department: Dinesh Patil, Ronald Smith, Willie Parker-Loan, and Thomas Didone**

Adopted en bloc **Resolution 19-416** for Dinesh Patil, **Resolution 19-417** for Ronald Smith, **Resolution 19-418** for Willie Parker-Loan, and **Resolution 19-419** for Thomas Didone, confirming the County Executive's appointments of the Assistant Police Chiefs.

Mr. Albornoz made the motion, which carried unanimously.

- (11) **INTERVIEW - County Executive's appointee as Director, Department of Permitting Services (DPS): Mitra Pedoeem**

Interviewed Ms. Mitra Pedoeem, the County Executive's appointee as Director, DPS. Confirmation is tentatively scheduled for April 21, 2020.

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND  
IN LEGISLATIVE SESSION - Day #13**

- (5) **Introduction of Bills**

- A. **Expedited Bill 18-20, Landlord-Tenant Relations - Rent Stabilization During Emergencies**

Introduced draft #4 of the subject expedited bill, sponsored by Councilmembers Jawando, Katz, Rice and Navarro. A public hearing is scheduled for April 21, 2020, at 1:30 P.M.

(12) **INTERVIEW - Applicant for Board of Appeal (BOA)**

Interviewed Mr. Richard Melnick, applicant for the BOA.

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND  
IN LEGISLATIVE SESSION - Day #13 (continued)**

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

B. **Expedited Bill 19-20, Administration - County Executive - Office of Labor Relations - Established**

Introduced draft #2 of the subject expedited bill, sponsored by the Council President at the request of the County Executive. A public hearing is tentatively scheduled for May 5, 2020, at 1:30 P.M.

C. **Bill 20-20, Administration - Office of the County Executive - Business Advancement Team - Established**

Introduced draft #2 of the subject bill, sponsored by the Council President at the request of the County Executive. A public hearing is tentatively scheduled for May 5, 2020, at 1:30 P.M.

D. **Bill 21-20, Office of Animal Services - Established**

Introduced draft #1 of the subject bill, sponsored by the Council President at the request of the County Executive. A public hearing is tentatively scheduled for May 5, 2020, at 1:30 P.M.

E. **Expedited Bill 22-20, Position Creation and Position Alteration - Director of Strategic Partnerships and Director of Criminal Justice Coordinating Commission**

Introduced draft #1 of the subject expedited bill, sponsored by the Council President at the request of the County Executive. A public hearing is tentatively scheduled for May 5, 2020, at 1:30 P.M.

F. **Expedited Bill 23-20, Contracts - Management and Disposal of Goods - Emergency Procedures**

Introduced draft #2 of the subject bill, sponsored by the Council President at the request of the County Executive. Public hearing and action are scheduled for April 21, 2020, at 1:30 P.M.

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

A. **Expedited Bill 17-20 - Carryout Bag Tax - Suspension**

This item was deleted from the agenda.

(6) **COUNCIL SITTING AS BOARD OF HEALTH**

A. **PUBLIC HEARING/ACTION - Resolution to adopt a Board of Health Regulation concerning the use of face coverings and other social distancing measures**

This item was deleted from the agenda.

The meeting adjourned at 4:03 P.M.

**Motion to Close**

The Council adjourned the open session at 4:03 P.M. and reconvened remotely via video conference in closed session from 4:07 P.M. to 4:37 P.M. Mr. Riemer made the motion, which carried unanimously.

**Report of Closed Session of April 14, 2020**

In compliance with Section 3-306(c)(2), General Provisions Article, Maryland Code, the following is a report of the County Council's closed session of Tuesday, April 14, 2020. The Council convened in closed session via video conference at 4:07 P.M. to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction, pursuant to Maryland Code, General Provisions Article §3-305(b)(1)(i). The topic is interview for Hearing Examiner. The meeting was closed on a motion by Mr. Riemer, which carried without objection.



The following persons were present: Councilmembers Katz, Hucker, Albornoz, Friedson, Glass, Jawando, Navarro, Rice and Riemer; Chiefs of Staff Carranza, Kunes, Thorne, Silverman, Mandel-Trupp, Ikheloa, Ledner, Gibson and Nurmi; Ms. Michaelson, Council Executive Director; Mr. Howard, Deputy Director; Mr. Drummer, Senior Legislative Attorney; Ms. Mihill, Legislative Attorney; Ms. Parsons, IT Manager; Mr. Derek Baumgardner; Ms. Robeson-Hannan, Director, Office of Zoning and Administrative Hearings; and Ms. Singleton, Clerk of the Council.

**Action:** None taken.

This is a correct copy of Council action.

*Approved/Signed by Clerk of the Council*

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Selena Mendy Singleton, Esq.  
Clerk of the Council