



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Wednesday, May 6, 2020

The County Council for Montgomery County, Maryland convened via video conference at 9:36 A.M. on Wednesday, May 6, 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.

Ms. Singleton, Clerk of the Council, announced an addendum to the agenda, changing the time of the discussion on the status of special appropriations to 9:30 A.M. and the proposed closed session to 10:30 A.M., and adding a second closed session at 2:30 P.M. to consider matters that relate to collective bargaining negotiations, pursuant to Maryland Code, General Provisions Article §3-305 (b)(9). The topic is collective bargaining negotiations with County employee unions.

Mr. Katz expressed appreciation to Ms. Navarro who agreed to serve as the Council liaison to the collective bargaining negotiations.

(1) **UPDATE/DISCUSSION - [Status of Special Appropriations](#)**

Ms. Michaelson, Council Executive Director, and Mr. Madaleno, Director, Office of Management and Budget (OMB), participated in the discussion.

Ms. Michaelson stated that in the past two months, the Council has appropriated approximately \$50 million in special appropriations related to COVID-19, in amounts ranging from \$100,000 to several million dollars.

Mr. Madaleno reviewed the status of COVID-19 special appropriations, as shown in the chart included in the staff report, and said the Executive Branch is working

to get money and supplies, including personal protective equipment (PPEs), to those who need it as quickly as possible.

Ms. Navarro said Council staff would be meeting with Mr. Madaleno regarding the disposition of grant funds. She commented that there have been reports of scammers telling residents they must provide their personal information before funds would be made available and cautioned that residents should not give out their personal information.

Mr. Friedson requested a cumulative running list of appropriations (total authorized and amount spent to-date) be provided to Councilmembers on a weekly basis. He urged the County Executive to keep the lines of communication open with the Council so that needed legislation may proceed quickly, and said a plan should be developed collaboratively regarding the spending of federal funds toward COVID-19 expenses. Ms. Michaelson indicated a draft resolution regarding the expenditure of funds would be shared with Councilmembers for review before it is introduced.

Mr. Rice requested that the chart showing special appropriations include the date the resolution was approved, and that causes of delays, such as staffing or legislative issues, be identified so that funds can be distributed quickly.

Mr. Katz requested a column be added to the chart to show the planned rollout date of the special appropriation and the person/group responsible, and a listing of how much of the \$183 million in federal funds received have been used toward reimbursable COVID-19 expenses and the remaining amount of available funds. Mr. Madaleno stated that they are aggressively pursuing other sources of federal funds for COVID-19-related expenses.

Mr. Albornoz suggested looking at potential technology solutions to develop a platform to allow employees to be more productive, noting recent bandwidth and other issues that have arisen with people working from home.

Mr. Jawando suggested a separate document on distribution of grant funds be provided to include information on the type of business or industry, location (zip codes) and whether it is minority or woman-owned.

### **Motion to Close**

Agreed to meet in closed session to consult with counsel to obtain legal advice, pursuant to Maryland Code, General Provisions Article §3-305(b)(7). The topic was application of Charter Section 305.

Mr. Hucker made the motion, which carried without objection.

The Council adjourned the open session at 10:29 A.M. and reconvened in closed session from 10:32 A.M. to 12:38 P.M.

### **Report of Closed Session of May 6, 2020**

In compliance with §3-306(c)(2), General Provisions Article, Maryland Code, the following is a report of the County Council's closed session of Wednesday, May 6, 2020. The Council convened in closed session at 10:32 A.M. via video conference call to obtain legal advice, pursuant to Maryland Code, General Provisions Article §3-305 (b)(7). The topic was application of Charter Section 305.

The meeting was closed on a motion by Mr. Hucker, which carried unanimously. The following persons were present: Councilmembers Katz, Hucker, Albornoz, Friedson, Glass, Jawando, Navarro, Rice, and Riemer; Confidential Aides Mandel-Trupp, Carranza, Gibson, Ikheloa, Nurmi, and Ledner; Mr. Smith, Legislative Analyst; Mr. Heyboer, Aide to Councilmember Riemer; Ms. Michaelson, Council Executive Director; Mr. Howard, Deputy Director; Mr. Drummer, Senior Legislative Attorney; Ms. Wellons and Ms. Mihill, Legislative Attorneys; Mr. Trombka, Senior Legislative Analyst, Office of Legislative Oversight (OLO); Mr. Tibbitts, County Executive's Office; Mr. Hansen, County Attorney; Mr. Markovs, County Attorney's Office; Mr. Coveyou, Mr. Hagedoorn, and Mr. Platt, Department of Finance; Mr. Madaleno, Ms. Bryant and Mr. Mullins, Office of Management and Budget; and Ms. Singleton, Clerk of the Council.

**Action:** None.

The Council recessed at 12:38 P.M. and reconvened in open session at 1:35 P.M.

### **WORKSESSION - FY21 Operating Budget**

(2) [Alcohol Beverage Services \(ABS\)](#)

Participating in the discussion were Mr. Dorfman, Director, ABS; and Mr. Dise, Director, Department of General Services (DGS). Council Deputy Director Howard reviewed the proposed continuity of services budget, as contained in the staff packet, and noted that for this department, the Council only makes recommendations with the County Executive having final approval authority.

Mr. Riemer requested Councilmembers be provided a copy of data on retail store profitability. Mr. Katz asked about the subtract out wholesale side charging its own ABS stores, to see how the independent beer and wine stores are doing.

Recommended approval of the subject operating budget, as recommended by Council staff. Mr. Hucker made the motion, which carried unanimously.

(3) [Community Use of Public Facilities \(CUPF\)](#)

Ms. Bell-Pearson, Director, and Ms. Vitale, CUPF, participated in the discussion.

Mr. Rice, Chair of the Education and Culture (E&C) Committee, stated that because currently it is unknown what Montgomery County Public Schools (MCPS) will do for the remainder of the year and through the summer and post COVID-19, he recommended a continuity of services budget for CUPF, noting that future discussions on additional funding may be necessary.

Legislative Analyst Yao reviewed the continuity of services budget, as included in the staff report. She noted that as an Enterprise fund, CUPF does not receive General Fund contributions, and that due to reduced revenue because of COVID-19 social distancing restrictions, recommended not budgeting \$600,000 from CUPF Enterprise funding until the full impact of the reduction in revenue is known.

Approved the subject operating budget as recommended by Council staff, as amended to consider the budgeting of \$600,000 in CUPF revenue toward ballfield renovations during the Ballfield Initiative Capital Improvement Program (CIP) discussion.

Mr. Rice made the motion, which carried unanimously.

(4) [FY21-26 CIP Program: Montgomery Parks Ballfield Initiative Project](#)

Mr. Riemer stated that there are 24 ballfields that must be renovated before they are put into the Parks Department maintenance program and questioned whether Government Obligation (GO) bond funds were appropriate, as suggested by Council staff.

Approved Mr. Riemer's motion to designate \$300,000 per year for six years from CUPF Enterprise funding for the Ballfield Initiative project CIP, without objection.

(5) [General Services: Facilities](#)

Legislative Analyst Rodriguez-Hernandez reviewed the continuity of services budget, as contained in the staff packet. Mr. Dise participated in the discussion.

Mr. Rice requested information be provided by DGS staff on the budget impact of increased cleaning in County facilities due to COVID-19.

Approved the subject operating budget, as recommended by Council staff.  
Ms. Navarro made the motion, which carried unanimously.

(6) [General Services: Fleet Management and Non-Departmental Account \(NDA\): Motor Pool Fund](#)

Legislative Analyst Farag reviewed the proposed budget, as contained in the staff report. Mr. Dise participated in the discussion.

Mr. Rice suggested that the Council revisit the Apprentice Training Program and its partnership with MCPS at a future date.

Approved the subject operating budget, as recommended by Council staff.  
Ms. Navarro made the motion, which carried unanimously.

**Motion to Close**

Agreed to meet in closed session to conduct collective bargaining negotiations or consider matters that relate to the negotiations, pursuant to Maryland Code, General Provisions Article §3-305(b)(9). The topic was collective bargaining negotiations with County employee unions.

Mr. Riemer made the motion, which carried without objection.

The Council adjourned the open session at 3:24 P.M. and reconvened in closed session from 3:28 P.M. to 4:58 P.M.

The meeting adjourned at 4:58 P.M.

**Report of Closed Session of May 6, 2020**

In compliance with §3-306(c)(2), General Provisions Article, Maryland Code, the following is a report of the County Council's closed session of Wednesday, May 6, 2020. The Council convened in closed session at 3:28 P.M. via video conference to obtain legal advice, pursuant to Maryland Code, General Provisions Article §3-305 (b)(9). The topic was collective bargaining negotiations with County employee unions.

The meeting was closed on a motion by Mr. Riemer, which carried unanimously. The following persons were present: Councilmembers Katz, Hucker, Albornoz, Friedson, Glass, Jawando, Navarro, Rice, and Riemer; Confidential Aides

Mandel-Trupp, Kunes, Carranza, Gibson, Ikheloa, Nurmi, Silverman, Ledner, and Thorne; Mr. Drummer, Senior Legislative Attorney; Ms. Michaelson, Executive Director; Mr. Howard, Deputy Director; and Ms. Singleton, Clerk of the Council.

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