



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Tuesday, July 14, 2020

The County Council for Montgomery County, Maryland convened via video conference at 9:04 A.M. on Tuesday, July 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.

- (1) **INTERVIEW** - [County Executive's appointment to Housing Opportunities Commission \(HOC\): Jeffrey Merkowitz](#)

Interviewed Mr. Jeffrey Merkowitz, the County Executive's appointee to HOC.

### GENERAL BUSINESS

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

Ms. Singleton, Clerk of the Council, announced an addendum to the agenda, correcting the title of the Resolution to Support the Renaming of the Washington Redskins; deferring action on a special appropriation to the County Government's FY21 Operating Budget, Department of Health and Human Services (DHHS) - \$592,202 for Mobile Crisis Response; adding introduction of the following items: a resolution to place an amendment to Section 305 of the County Charter on the 2020 election ballot; a resolution to urge the Maryland state lawmakers to change "Maryland, My Maryland" as the state song and urge against the song being played at official Montgomery County events; a supplemental appropriation to the County Government's FY21 Operating Budget, Office of the County Executive - \$550,000 to support a Police audit, Fire and Rescue Service audit, and consulting funds for community

engagement support; a supplemental appropriation to the County Government's FY 21 Operating Budget, Office of Racial Equity and Social Justice - \$260,961 for staffing and operating expenses; a special appropriation to the County Government's FY21 Operating Budget, COVID-19 Human Services and Community Assistance Non-Departmental Account (NDA) - \$2,025,000 for Short-Term Assistance to Distressed, Affordable Common Ownership Communities; and a special appropriation to the County Government's FY21 Operating Budget, DHHS - \$355,000 for Permanent Supportive Housing for Veterans and Unsheltered Adults. Also, on the addendum, introducing the County Executive Recommended FY21 Savings Plan - Amendments to the Maryland-National Capital Park and Planning Commission's (M-NCPPC) FY21-26 Capital Improvements Program (CIP); introducing a resolution to adopt a proposed amendment to the County Charter - Property Tax Limit - Limit on Taxable Value of Owner-Occupied Residential Property; Limit on Tax Rate Increases; and adding introduction of a resolution to adopt a Board of Health Regulation requiring enhanced testing strategy for COVID-19.

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

No petitions were received this week.

C. **Action - Approval of Minutes**

Approved the minutes of April 23 and 28, 2020, without objection.

(3) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.

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

A. **[Introduced](#)** a resolution to **[Support the Renaming of the Washington Redskins](#)**. Action is scheduled for July 21, 2020.

B. **[Introduced](#)** a special appropriation to Montgomery County Public School's (MCPS) FY21 Operating Budget - \$250,000 for **[Mental Health Program to Support Schools \(General Fund Reserves\)](#)**. A public hearing is scheduled for July 21, 2020 at 1:30 P.M.

C. **[Introduced](#)** for approval of a **[Certain Refunding Plan of the Washington Suburban Sanitary Commission \(WSSC\) for the Issuance of Refunding Bonds](#)**. Action will be scheduled at a later date.

- D. **Introduced** a special appropriation to the County Government's FY21 Operating Budget, Department of Police, Department of Correction and Rehabilitation, and Sheriff's Office - FY20 Bureau of Justice Assistance (BJA) - \$431,707 for Byrne Coronavirus Emergency Supplemental Grant Funding (Source of Funds: Federal Grant). A public hearing and action are scheduled for July 28, 2020.
- E. **Introduced** a resolution to approve the FY21 schedule of revenue estimates and appropriations. Action is scheduled for July 21, 2020.
- F. **Action** - Special appropriation to the County Government's FY21 Operating Budget, Department of Health and Human Services - \$592,202 for Mobile Crisis Response (Source of Funds: General Fund Reserves). This item was deferred to July 21, 2020.
- G. Adopted **Resolution 19-525**, to Petition the State for Grant for Montgomery College's FY21 Capital Budget - \$1,742,000 for construction of the Takoma Park/Silver Spring Math and Science Center Project.
- H. Adopted **Resolution 19-526**, confirming the County Executive appointments to the Alcohol and Other Drug Abuse Advisory Council: Katrina Busk, Carmen Rabadan-Diehl, Nicholas Albaugh.
- I. Adopted **Resolution 19-527**, confirming the County Executive appointments to the Commission on Common Ownership Communities: Terry Anderson, Philip Giza, Brian Gruber, Linda Smoling Moore, Mr. Kris Murthy.
- J. Adopted **Resolution 19-528**, confirming the County Executive appointments to the Historic Preservation Commission: Karen Burditt, Mark Andre Clements, James Doman, Julie Pelletier.
- K. **Introduced** a resolution to place an amendment to Section 305 of the County Charter on the 2020 general election ballot. A public hearing is scheduled for July 21, 2020 at 7:30 P.M.
- L. **Introduced** a special appropriation to the County Government's FY21 Capital Budget and amendment to the FY21-26 Capital Improvements Program (CIP), Department of Recreation - \$218,000 for Public Arts Trust (Source of Funds: General Fund Reserves). A public hearing is scheduled for September 15, 2020 at 1:30 P.M.

- M. **Introduced** a special appropriation to the County Government's FY21 Capital Budget and amendment to the FY21-26 CIP, Department of Recreation - \$250,000 for Cost Sharing (Source of Funds: General Fund Reserves). A public hearing is scheduled for September 15, 2020 at 1:30 P.M.
- N. **Introduced** a resolution to urge the Maryland state lawmakers to change "Maryland, My Maryland" as the state song and urge against the song from being played at official Montgomery County events. A public hearing is scheduled for July 21, 2020 at 1:30 P.M.
- O. **Introduced** a supplemental appropriation to the County Government's FY21 Operating Budget, Office of the County Executive - \$550,000 to support a Police audit, Fire and Rescue Service audit, and consulting funds for community engagement support (Source of Funds: General Fund Undesignated Reserves). A public hearing is scheduled for July 21, 2020 at 1:30 P.M.
- P. **Introduced** a supplemental appropriation to the County Government's FY21 Operating Budget, Office of Racial Equity and Social Justice - \$260,961 for staffing and operating expenses (Source of Funds: General Fund Undesignated Reserves). A public hearing and action are scheduled for July 28, 2020.
- Q. **Introduced** a special appropriation to the County Government's FY21 Operating Budget, COVID-19 Human Services and Community Assistance NDA - \$2,025,000 for Short-Term Assistance to Distressed, Affordable Common Ownership Communities (Source of Funds: Federal Grant). A public hearing is scheduled for July 21, 2020 at 1:30 P.M.
- R. **Introduced** a special appropriation to the County Government's FY21 Operating Budget, Department of Health and Human Services (DHHS) - \$355,000 for Permanent Supportive Housing for Veterans and Unsheltered Adults (Source of Funds: Federal Grant (\$118,335) and General Fund Reserves (\$236,665)). A public hearing and action are scheduled for July 28, 2020 at 1:30 P.M.
- S. **Introduced** County Executive's Recommended FY21 Savings Plan - Amendments to the Maryland-National Capital Park and Planning Commission's (M-NCPPC) FY21-26 CIP. A public hearing and action are scheduled for September 15, 2020.
- T. **Introduced** a resolution to adopt a Proposed Amendment to County Charter - Property Tax Limit - Limit on Taxable Value of Owner-Occupied Residential Property; Limit on Tax Rate Increases. A public hearing will be scheduled at a future date.

(4) **DISCUSSION - [FY21 Revenues](#)**

Mr. Coveyou, Director, Department of Finance; and Mr. Madaleno, Director, Office of Management and Budget (OMB), participated in the discussion.

Received an overview of revenue assumptions and noted Mr. Coveyou's comment that the main concern is income tax revenue and that the November distribution would reveal if the County is on track; and that by October, it should be known if property tax revenues are holding steady. He stated that the main issue repressing property tax revenues is the Charter Limit, as inflation is expected to remain very low for the foreseeable future.

Mr. Madaleno noted that all departments and agencies were asked to submit a six percent savings plan, but acknowledged that not all cuts would be taken, and that MCPS was not asked to submit a savings plan because a plan for the new fall school year was not finalized. Each department was asked to submit a list of COVID-19-related expenses to be submitted for possible reimbursement from the federal government, for a total of \$65 million so far. The goal is to avoid furloughs and layoffs, and a workgroup is being formed to review the possible elimination of vacant positions.

Councilmembers commented on the need to review steps taken during the Great Recession to reduce expenses and to increase employee productivity, and to focus on a long-term vision to modernize County government.

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

A. **Update - [Novel Coronavirus \(COVID-19\) and County Public Health Planning](#)**

Participating in the discussion were Dr. Gayles, County Health Officer and Chief of Public Health Services, DHHS; Dr. Stoddard, Director, Office of Emergency Management and Homeland Security (OEMHS); and Dr. Crowel, Director, DHHS.

Dr. Gayles said a pop-up testing event was being held today at the Silver Spring Civic Center; and a testing strategy plan, driven by data, was provided to the Council and released to the public. He indicated that the County's positivity rates have improved significantly and the number of cases per day has dropped below 100; 11.2% of the County's population has been tested (about 114,000 people) with a 4.2% positivity rate. They are working to understand what social determinants are impacting the number of persistent cases in the black and Hispanic communities. Increased testing is being made available in the top ten most impacted Zip codes, with an increase in the number of permanent testing sites and mobile testing centers. Four Montgomery Cares clinics will also provide testing. Dr. Gayles indicated they

are partnering with Prince George's County for additional assistance from the CDC.

Dr. Gayles stated they have met with representatives from parochial schools, the Universities at Shady Grove, and Montgomery College to discuss strategies for reopening, assuming the County reaches a stage where this would be possible. Schools are charged with developing contingency plans if they can't open as usual. Mr. Rice stated it is important to insure consistency among private and public schools.

Mr. Albornoz expressed concern that the number of Hispanic cases does not accurately reflect reality, due to fear among some residents regarding their immigration status, and difficulty in isolating due to living and working conditions. He noted the need to holistically address this issue and said the lack of a federal response could result in an increase in the number of cases. Mr. Albornoz commented on the increase use of telemedicine and that he wants to work to move it forward.

Mr. Jawando expressed concern about testing turnaround times. Mr. Gayles noted that due to the significant increase in testing, laboratories need to ramp up to increase their capacity even further. He noted that delays in receipt of testing results effect contact tracing efforts.

Mr. Hucker requested and received clarification that anyone who wants to get tested in Silver Spring can go to one of the pop-up sites.

Dr. Stoddard said targeted messaging, including Facebook and Telemundo, would be used to advertise the availability of testing locations. He commented that currently, the data does not support the reopening of schools in September. He discussed the need for additional non-DHHS staff (approximately 250) for logistical support in expanding the County's testing and tracing capabilities. Regarding enforcement of public health orders, Dr. Stoddard stated that the County is already following the Governor's public health orders, and that a few businesses were shut down for non-compliance this past Saturday night.

- B. [Introduced a resolution to adopt Board of Health Regulation requiring enhanced testing strategy for COVID-19.](#) A public hearing and action are scheduled for July 21, 2020 at 1:30 P.M.

The meeting recessed at 12:01 P.M. and reconvened at 1:35 P.M.

- (6) **PUBLIC HEARING** - [Resolution to authorize Montgomery County to procure lines of credit for the purpose of providing funds for the payment of operating expenses](#)

The public hearing was conducted. Mr. Glass and Mr. Riemer were temporarily absent. Additional material for the Council's consideration should be submitted by the close of business on July 14, 2020. A Government Operations and Fiscal Policy (GO) Committee worksession is tentatively scheduled for July 20, 2020.

- (7) **PUBLIC HEARING** - [Special appropriation to the County Government's FY21 Operating Budget, Department of Health and Human Services - \\$371,761 for Support Payment to Organizations Directly Serving Developmentally Disabled Persons \(Source of Funds: General Fund Reserves\)](#)

The public hearing was conducted. Mr. Riemer was temporarily absent. Additional material for the Council's consideration should be submitted by the close of business on July 15, 2020. Action is scheduled for July 21, 2020.

- (8) **PUBLIC HEARING** - [Special appropriation to the County Government's FY21 Operating Budget, COVID-19 Human Services and Community Assistance NDA - \\$3,000,000 for Assistance to Community Clinics, Medical and Dental Practices \(Source of Funds: Federal Grant\)](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on July 14, 2020. A Health and Human Services (HHS) Committee worksession is tentatively scheduled for July 16, 2020.

- (9) **PUBLIC HEARING/ACTION** - [Special appropriation to the County Government's FY21 Operating Budget, Department of Housing and Community Affairs \(DHCA\) - \\$4,847,976 for Emergency Solutions Grant COVID-19 \(ESG-CV\) \(Source of Funds: Grant Fund\)](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-529**, approving the subject special appropriation.

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

- (10) **INTERVIEW** - [Planning Board](#)

The interview was cancelled.

**Motion to Close**

The Council adjourned the open session at 1:51 P.M. and reconvened in closed session at 2:00 P.M. to discuss, before a contract is awarded or bids are opened, a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process, pursuant to Maryland Code, General Provisions Article §3-305(b)(14). The topic was contract negotiations with banks for line of credit. Mr. Riemer made the motion, which carried unanimously.

The closed session adjourned at 2:18 P.M. and the Council reconvened in open session at 7:05 P.M.

(11) **INTERVIEWS - [Applicants to serve on the Policing Advisory Commission](#)**

Interviewed Ms. Caroline Fredrickson, Ms. Jenn Lynn, Ms. Ana Martinez, and Ms. Shabab Ahmed Mirza, applicants for appointment to the Policing Advisory Commission.

The meeting adjourned at 8:28 P.M.

**Report of Closed Session of July 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, July 14, 2020. The Council convened in closed session at 2:00 P.M. to discuss, before a contract is awarded or bids are opened, a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process, pursuant to Maryland Code, General Provisions Article §3-305(b)(14). The topic was contract negotiations with banks for line of credit.

The meeting was closed on a motion be Mr. Riemer, which carried without objection. The following persons were present: Councilmembers Katz, Hucker, Albornoz, Friedson, Glass, Jawando, Navarro, Rice, and Riemer; Confidential Aides Mandel-Trupp, Ikheloa, Kunes, Ledner, Silverman, and Gibson; Ms. Michaelson Executive Director; Mr. Howard, Deputy Director; Ms. Mihill, Legislative Attorney; Mr. Trombka, Senior Legislative Analyst, Office of Legislative Oversight; Mr. Smith, Legislative Analyst; Mr. Hanson, County Attorney; Mr. Madaleno, Director, Ms. Carter, and Ms. Hawkins, Office of Management and Budget; Mr. Shelton, McKennon, Shelton, Henn, LLC;



Mr. Coveyou, Director, Department of Finance; Ms. Parsons, Council IT Manager; and Ms. Singleton, Clerk.

**Action: None.**

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