



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Thursday, November 12, 2020

The County Council for Montgomery County, Maryland convened via video conference at 4:44 P.M. on Thursday, November 12, 2020.

### PRESENT

Councilmember Sidney Katz, President  
Councilmember Gabe Alborno  
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

- (.5) The Council is seeking applicants for 11 positions on the County's 11-member Commission on Redistricting. The deadline to apply for consideration has been extended to Tuesday, November 17, 2020, at 5:00 P.M.

(1) **WORKSESSION:**

- A. 2020-2024 Subdivision Staging Policy (SSP)

(2) **WORKSESSION:**

- A. **Bill 37-20, Subdivision - Preliminary Plan - Adequate Public Facilities Amendments**
- B. **Bill 38-20, Taxation - Development Impact Taxes for Transportation and Public School Improvements - Amendments**
- C. **Expedited Bill 39-20, Taxation - Recordation Tax - Amendments**

Participating in the discussion were Ms. Beck, Capital Budget Manager, Office of Management and Budget (OMB); Ms. Wright, Director, and Mr. Sartori, Chief, Division of Countywide Planning, Planning Department; Ms. Dunn Senior Legislative Analyst; and Dr. Orlin, Senior Analyst.

Ms. Dunn began the discussion noting that the Council has taken straw votes on all recommendations, as shown in the staff report, and reviewed the potential fiscal impact of those decisions. Ms. Beck cautioned that utilization premium payments (UPP) can't be programmed until the funds are in hand, and that revenues are likely to be less than anticipated due to the grandfathering of projects currently in the pipeline and not subject to the new requirements.

Mr. Jawando discussed his proposal to offer a credit, instead of a total exemption, from impact taxes in certain areas while further incentivizing growth in certain areas and phasing out the Silver Spring Central Business District (CBD) as an Opportunity Zone by 2025, for a savings of \$2.5 million annually. Mr. Hucker expressed concern about removing Silver Spring as an Opportunity Zone, noting that it has become a vibrant urban center due to the exemption from impact taxes as an encouragement for development. Ms. Navarro expressed the view that Enterprise and Opportunity Zones are an important tool to attract jobs and redevelopment to certain areas of the County. Councilmembers commented on the benefits gained as a result of the waiver of impact taxes, and the need to continue support for Silver Spring. Mr. Katz stated he would recuse himself from voting on the proposal because he owns property in a current Enterprise and Opportunity Zone.

Defeated Mr. Jawando's motion to offer a 40 percent impact tax credit in Opportunity Zones, instead of a total impact tax exemption, and to phase out the Silver Spring CBD as an Opportunity Zone by 2025, by a vote of 2 to 6 to 1:

YEAS: Jawando, Glass

NAYS: Navarro, Friedson, Rice, Riemer, Albornoz, Hucker

ABSTAIN: Katz.

Supported without objection Mr. Riemer's motion to add transition language to the SSP for applications already approved for projects within the Silver Spring CBD but not within the Opportunity Zone.

Supported, without objection, Mr. Friedson's motion to delay the vote on the recordation tax. Councilmembers commented on the need for more fiscal analysis and additional information on the County's overall revenue situation and the real estate market before reaching a decision.

Councilmembers expressed appreciation to staff for their many hours of hard work in developing the SSP.

The meeting adjourned at 5:52 P.M.

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