



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Tuesday, December 15, 2020

The County Council for Montgomery County, Maryland convened via video conference at 1:00 P.M. on Tuesday, December 15, 2020.

### PRESENT

Councilmember Tom Huckler, President  
Councilmember Andrew Friedson  
Councilmember Will Jawando  
Councilmember Nancy Navarro

Councilmember Gabe Albornoz, Vice President  
Councilmember Evan Glass  
Councilmember Sidney Katz  
Councilmember Craig Rice

Councilmember Hans Riemer

The President in the Chair.

Ms. Singleton, Clerk of the Council, announced an addendum to the agenda, correcting the title of the Executive Order being introduced and acted on today to Executive Order 139-20AM2; and adding introduction of a Supplemental Appropriation to the County Government's FY21 Capital Budget and Amendment to the FY21-26 Capital Improvements Program (CIP), Department of Housing and Community Affairs (DHCA) - \$8,000,000 for Affordable Housing Opportunity Fund; adding action on an Amendment to FY21 Budget Resolution 19-472, Section G, FY21 Designation of Entities for Non-Competitive Contract Awards: FIRN, Inc., and HIAS, Inc.; and adding introduction and action on an Amendment to Resolution 19-683, Special Appropriation to the County Government's FY21 Operating Budget, Department of Health and Human Services (DHHS), Children Youth, and Family Services - \$312,455 for Therapeutic Recreation Services for School-Age Youth.

### (1) COUNCIL SITTING AS BOARD OF HEALTH

- A. **Introduced** a Board of Health Regulation to adopt Executive Order 139-20AM2, COVID-19 Local Order - Amending and Restating Order dated November 10, 2020

and **Public Hearing** - Board of Health Regulation to adopt Executive Order 139-20AM2, COVID-19 Local Order - Amending and Restating Order dated November 10, 2020

The public hearing was held and the record closed.

(2) **INTRODUCTION/ACTION** - Resolution to approve Executive Order 139-20AM2, COVID-19 Local Order - Amending and Restating Order dated November 10, 2020 as the County Council

Introduced the resolution to approve Executive Order 139-20AM2, COVID-19 Local Order - Amending and Restating Order dated November 10, 2020, as the County Council.

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

Dr. Gayles discussed the need for the additional restrictions included in the Executive Order and acknowledged the economic plight facing residents and businesses. The County now has a record number of cases, and information from a Johns Hopkins University study regarding hospitalization projections shows that closure of restaurants and bars would lead to a 20 to 30 percent reduction in hospital utilization. He stated that the restrictions put in place have been across the board measures and are not limited to a particular activity. Recognizing the importance of sports activities, he said opportunities remain to conduct drills and other games in a limited capacity. Big box stores must adhere to policies and practices set forth in order to keep residents safe. Dr. Gayles cautioned there is no optimistic scenario if further restrictions are not put in place, citing that as of noon today, three of six hospital intensive care units are at capacity and one had no available acute care beds. Dr. Stoddard stated that the Johns Hopkins model shows that if no interventions are taken, there would be no available hospital beds by January 15, 2021, and would continue into February.

Ms. Navarro said it is a concern if hospitals are too full to address non-COVID illnesses, and Mr. Albornoz said funeral homes are backed up, and if the surge in hospitalizations continues it could impact the entire public health system. They agreed that it is critical to take steps now to lower the transmission rate so businesses can reopen and children can return to schools.

Mr. Rice commented that some retailers are adhering to the guidelines to limit capacity and enforce mask wearing, and some are not. He said testing is still needed, even with the vaccine coming, and especially in communities of color. He expressed the view that the retightening of restrictions is in the best interest of health and safety.

Mr. Jawando expressed the view that it would be better to have a Statewide stay-at-home order over the holidays to address the surge of cases. He noted that small businesses are struggling, but that profits for big box stores are up significantly. He said steps must be taken to ensure compliance with the Executive Order.

Regarding the reopening of schools, Dr. Gayles said there is no consensus that having children in schools leads to higher levels of transmission. He said the restrictions put forth to drive the level of community transmission down will allow kids back in school sooner and for residents to return to their normal activities. Dr. Stoddard indicated that the measures put forth today are the best way to improve the chances of reopening schools on MCPS' schedule.

Mr. Friedson requested information on how restaurants are involved in contact tracing, and requirements for restaurants to operate tents for outdoor dining. Dr. Stoddard said the Department of Permitting Services (DPS) regulates the use of the tents and a permit must be obtained. Mr. Friedson expressed the view that the executive order process is flawed and should allow for more Council input. He said more support is needed from the State and Federal government to help address the needs in the County.

Adopted **Resolution 19-698**, adopting Executive Order 139-20AM2, Amending and Restating Order dated November 10, 2020, as the County Council.

Ms. Navarro made the motion and the Resolution was adopted by a roll call vote:

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

(1) **COUNCIL SITTING AS BOARD OF HEALTH** (*continued*)

B. Adopted **Resolution 19-699**, adopting Executive Order [139-20AM2](#), Amending and Restating Order dated November 10, 2020 as a Board of Health Regulation.

Mr. Albornoz made the motion and the resolution was adopted by a roll call vote:

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

(3) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.

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

- A. **Introduced** a supplemental appropriation to the County Government's FY21 Capital Budget and Amendment to the FY21-26 CIP, DHCA - \$8,000,000 for Affordable Housing Opportunity Fund (P762101). A public hearing and action are scheduled for January 12, 2021, at 1:30 P.M.
- B. Adopted **Resolution 19-700**, amendment to FY21 Operating Budget Resolution 19-472, Section G, FY21 Designation of Entities for Non-Competitive Contract Awards: FIRN, Inc. and HIAS, Inc.
- C. **Introduced/Adopted Resolution 19-701**, amendment to Resolution 19-683, Special Appropriation to the County Government's FY21 Operating Budget, DHHS Children Youth and Family Services - \$312,455 for Therapeutic Recreation Services for School-Age Youth.

The meeting adjourned at 2:35 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