



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, January 12, 2021

The County Council for Montgomery County, Maryland convened via video conference at 9:02 A.M. on Tuesday, January 12, 2021.

PRESENT

Councilmember Tom Hucker, President	Councilmember Gabe Alborno, Vice President
Councilmember Andrew Friedson	Councilmember Evan Glass
Councilmember Will Jawando	Councilmember Sidney Katz
Councilmember Nancy Navarro	Councilmember Craig Rice
Councilmember Hans Riemer	

The President in the Chair.

PRESENTATIONS

- A. Proclamation was presented by Mr. Rice and County Executive Marc Elrich recognizing Radon Awareness Month.

The Council recessed at 9:16 A.M. and reconvened at 9:31 A.M.

GENERAL BUSINESS

- (1) **Announcements** - Agenda and Calendar Changes

Ms. Singleton, Clerk of the Council, announced an addendum to the agenda, stating that the public hearing on **Bill 46-20**, Police - School Resource Officers - Prohibited, originally scheduled for January 12, 2021, and has been postponed and will be held on February 4, 2021, at 7:30 P.M.; correcting the title of the public hearing on Proposed Amendments to the Ten-Year Comprehensive Water Supply and Sewerage System Plan: Six Category Change Request; and correcting the title for introduction in District Council Session, Shady Grove Sector Plan Minor Master Plan Amendment.

- (2) **Acknowledgement** - There were no petitions received this week.

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

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

Participating in the discussion were Dr. Bridgers, Deputy Public Health Officer, and Dr. Crowel, Director, Department of Health and Human Services (DHHS); and Dr. Stoddard, Director, Office of Emergency Management and Homeland Security (OEMHS).

Dr. Bridgers reported that yesterday, there were 460 new cases and a positivity rate of 7.1%. Community transmission rates remain high with the post-holiday surge, four of six hospitals are in the red zone, with more emergency room visits and longer stays for patients. On January 10th, 639 cases were reported, the highest single-day number for the County. Widespread testing continues and Dr. Bridgers noted efforts by the African American Health Program (AAHP) to encourage and provide testing in highly impacted communities. Point-of-care testing is being initiated, and they are investigating the possible distribution of home test kits.

Regarding vaccination capacity, Pfizer and Moderna have begun distribution, and Johnson & Johnson is entering phase three trials. All hospitals, nursing homes, and assisted living communities have received their allotment of doses. All doses received by the County are from Moderna. Local Health Departments received 100 doses to test their distribution strategies, with the amount scheduled to increase to 500 as a base. The County requested 12,000 doses this week, with only 6,700 received and clarification from the State was requested as to why the County did not receive the additional doses. Providers were requested to contact the State about receiving doses directly, as is done with the flu vaccine. Dr. Bridgers said the limited availability of doses is the constraint that is keeping the County in Phase 1A for the next several weeks. He stated that as of January 8th, 8,939 shots were given which is 83% of the doses received, and all available doses will be administered within a few days. The target is 2,500 to 3,500 doses given per day, in collaboration with hospitals, Kaiser, and community providers. Strategies are being developed to get people to vaccination sites and to set up vaccination “pods” at senior communities. Dr. Crowel added that it is unknown how many doses would be received from the State next week, noting that approximately 15,000 healthcare workers have not yet been vaccinated.

Dr. Stoddard said 28,000 residents have signed up for alerts in both English and Spanish. Information on the website will be translated into seven languages and communications will go out to diverse communities. He indicated clinic space is based on the number of doses available, and

currently the County may run out of doses this week before the State provides more. They are ramping up the partnerships to provide the vaccinations, but private providers are needed to increase the number of vaccinations given. Dr. Crowel said weekend clinics would be scheduled when doses become available. Preregistration would be adjusted soon to allow expansion of the eligibility group and for residents to be scheduled based on their priority group.

Mr. Albornoz commented on the need for accountability at the State level, stating that more doses must be provided to the County as it has the highest concentration of cases and the greatest number of fatalities.

Mr. Rice questioned whether plans to begin to reopen schools should be paused based on current metrics, and said at some point, a strategy for opening schools must be determined. Dr. Crowel said vaccinating teachers and school staff is a priority, MCPS has developed physical distancing plans, but a vaccine for children under age 16 would not be available for several months. Dr. Stoddard noted strong advocacy on both sides of the issue of reopening schools and said that the data is complex. Mr. Rice said the Education and Culture (E&C) Committee would schedule a discussion with DHHS on reopening schools and associated data.

Mr. Glass said residents are frustrated and angry that other jurisdictions are rolling out vaccines more quickly than the County. He reiterated that the State must do more and should provide vaccinations to highly impacted areas.

Mr. Jawando received confirmation from Dr. Bridgers that the County has the capacity to administer higher numbers of doses as soon as they are received. He commented on the stark disparities regarding the number of deaths among people of color. Dr. Bridgers indicated a meeting is scheduled with the Chief Equity Officer on ensuring that access to the vaccine is available in those communities.

Ms. Navarro stated that it is critical to request the Governor to provide more assistance to Montgomery County. She noted the challenge in getting the vaccine to developmental disability (DD) providers, and that the County must provide support. She requested a briefing be scheduled on how the County is preparing to distribution the vaccine when it is more widely available, noting that the vaccine plays a pivotal role in addressing economic challenges.

Mr. Katz noted the improvements to the COVID website, and suggested it include instructions for how to sign up for the vaccine when a person is eligible. He said vaccines should be made available at senior communities.

Responding to a question from Mr. Friedson, Dr. Bridgers said capacity is available now to administer 2,500 to 3,500 doses daily, and that a request was put in for additional support from the National Guard. Dr. Stoddard commented that hesitancy to get the vaccine applies to all categories, but that as more tiers open up, those in earlier tiers can still obtain the vaccine. Mr. Friedson suggested a daily running count of the number of vaccines distributed should be included on the website.

Mr. Riemer said a pre-registration system would be extremely helpful and agreed that the Governor must revise the vaccine distribution plan and provide more doses to the County. Hospitals should get doses out faster, as they are receiving 50 to 60 percent of the County's allotment, and he suggested moving to an age-based distribution. Dr. Crowel said having private healthcare providers eligible to vaccinate would greatly improve the overall number of doses given.

B. Update - [Coronavirus Relief Fund \(CRF\)](#)

Mr. Madaleno, Chief Administrative Officer, participated in the discussion.

Mr. Madaleno stated the deadline for the County to apply for Federal Emergency Management Administration (FEMA) reimbursement of COVID-related expenditures has been extended to the end of calendar year 2021, which provides greater flexibility on how to use the CRF during the year. Most special appropriation funding has been spent, and all \$20 million authorized for the Rental Relief Fund has been awarded but has not yet been distributed to residents. FEMA reimbursement requests to date total \$71 million, with another \$40.3 million to be submitted by the end of the month. Mr. Madaleno expressed the hope that the Biden administration will expand the eligibility requirements for FEMA reimbursements. Federal funding of \$30 million for rental relief is expected, as well as funding for childcare. Funding for public schools should be known when the Governor releases his budget. \$31 million for transit programs was included in the first round of CARES Act funding, and Mr. Madaleno cautioned that funding for transit in the second round would be less substantial.

Mr. Friedson commented that the extension of CARES Act funding takes pressure off the County, but does not result in new money, stating that more rental relief is needed for residents. Regarding restaurant relief grants, Mr. Madaleno said the first tranche has been expended. Mr. Friedson requested information on the timing of and eligibility for the \$10,000 restaurant relief grants. Regarding re-opening grants,

Mr. Madaleno said \$7,394,000 was approved. Mr. Friedson, noting that differential pay was still in effect for the current pay period, expressed concern about spending funds that may not be reimbursed by FEMA.

Ms. Navarro commented that it is critical for the Council, and Central and Executive Branch staff to lay out options to address the needs of residents, employees, and businesses; and to think comprehensively about the FY22 operating budget.

(4) **CONSENT CALENDAR**

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

- A. **Introduced** Spending Affordability Guidelines for FY22 Operating Budget. A public hearing is scheduled for January 26, 2021 at 1:30 P.M.
- B. Adopted **Resolution 19-702**, confirming the County Executive's appointments to the Agricultural Advisory Board: James Allnut, Amanda Cather, Jordan Cissel, Doug Lechliden, John Brewer, Aliza Silver, Debra Tropp.
- C. Adopted **Resolution 19-703**, confirming the County Executive's appointments to the Commission on Landlord-Tenant Affairs: Michele Witherow-Williams, Stefanie Milovic.
- D. Adopted **Resolution 19-704**, confirming the County Executive's appointments to the Solid Waste Advisory Committee: Sudhir Bastola, Kelly Doordan, Frederick Kranz, Jelena Krstic, Srinivasamohan Narayanan.
- E. Adopted **Resolution 19-705**, confirming the County Executive's appointments to the Wheaton Urban District Advisory Committee: Crystal Myers, Chelsea Andrews, Ali Oliver-Krueger.
- F. Adopted **Resolution 19-706**, confirming the County Executive's appointments to the Alcoholic Beverages Advisory Board: Christopher Maravilla, Nkemjika Ofodile-Carruthers.
- G. Adopted **Resolution 19-707**, confirming the County Executive's appointment to the Community Action Board: Agnes Leshner.
- H. Adopted **Resolution 19-708**, confirming the County Executive's appointments to the County-Wide Recreation and Parks Advisory Board: Marcus Coleman, Otto Gonzalez, Melanie Stickle, Alison Gillespie, Michael Shimoff, Felecia Wilson, Donald Hawkins, Helaine Resnick.

The meeting recessed at 12:33 P.M. and reconvened at 1:37 P.M.

- (5) **PUBLIC HEARING** - 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

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on January 19, 2021. A Planning, Housing and Economic Development (PHED) committee worksession will be scheduled at a future date.

- (6) **PUBLIC HEARING** - Special appropriation to the County Government's FY21 Operating Budget - \$2,500,000 for Conference Center Non-Departmental Account (NDA)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on January 19, 2021. Action is scheduled for Tuesday, January 19, 2021.

- (7) **PUBLIC HEARING** - **Bill 47-20**, Ethics, Ethics Commission - Conflicts of Interest - Financial Disclosure - Amendments

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on January 20, 2021. A Government Operations and Fiscal Policy (GO) committee worksession is scheduled on January 27, 2021.

- (8) **PUBLIC HEARING** - **Bill 49-20**, Human Rights and Civil Liberties - Discrimination in Rental Housing - Fair Criminal History and Credit Screenings ("Housing Justice Act")

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on January 29, 2021. A joint Public Safety (PS)/PHED Committee worksession is tentatively scheduled for February 4, 2021.

- (9) **PUBLIC HEARING** - **Bill 51-20**, Landlord-Tenant Relations - Window Guards

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on February 22, 2021. A PHED Committee worksession is tentatively scheduled for March 1, 2021.

- (10) **PUBLIC HEARING** - [Amendments to FY21-26 CIP: Parking - Bethesda and Wheaton Facility Renovations, Facility Planning: Bethesda and Wheaton Parking Lot Districts](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on January 19, 2021. A joint Transportation and Environment (T&E)/PHED Committee worksession will be scheduled at a later date.

- (11) **PUBLIC HEARING** - [Proposed Amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: Six Category Change Requests](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on January 25, 2021. A T&E Committee worksession is tentatively scheduled for February 1, 2021.

- (12) **BRIEFING** - [Maryland - National Capital Park and Planning Commission \(M-NCPPC\) Streets and Parks Renaming Effort](#)

Participating in the briefing were Mr. Anderson, Chair, Montgomery County Planning Board (MCPB); Ms. Stern, Deputy Director, Planning Department, and Ms. Figueredo, Deputy Director, Parks Department, M-NCPPC; and Ms. Dunn, Senior Legislative Analyst.

Mr. Reimer, Chair of the PHED Committee, gave brief remarks on the ongoing efforts by MCPB to rename streets and park facilities that currently have names associated with the Confederacy. He also commented on the appalling act of waiving a Confederate flag inside the U.S. Capitol when it was stormed during the January 6 insurrection.

Mr. Dunn reviewed the highlights of the first phase of the Renaming Project.

Chair Anderson pointed out some of the complexity in ensuring that a public street was named after someone involved in the Confederacy and, for example, was not a result of property adjacent to the named street being owned by an individual that happened to have the same name as a Confederate soldier.

Ms. Figueredo reviewed the research methodology and database development, noting that the database currently contains 709 known Confederates, 5,826 local slaveholders, and the names of over 3,300 enslaved individuals held in bondage in the County. There are over 950 street names matching a Confederate surname or slaveholder.

Ms. Stern reviewed the naming policies and procedures and provided a summary of the existing street and renaming processes.

Reviewed the next steps for the project and noted that the Planning Board is scheduled to take action on January 14, 2021, on a resolution to rename J.E.B. Stuart Court, J.E.B. Stuart Road, and Jubal Early Court.

Councilmembers raised various questions such as the financial impact to residents that have their street address changed, such as the need to update records involving their mailing address, including their driver's license. Mr. Katz suggested that the County should help with the cost.

Mr. Jawando suggested that the expertise of the Remembrance and Reconciliation Commission could be tapped to assist with the Renaming Project.

Ms. Navarro commented on the importance of the work being done on the Renaming Project and the need to keep moving forward expeditiously while also working on other issues that are interconnectedness with racial equity and social justice.

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND
IN LEGISLATIVE SESSION - Day #2**

(13) **Introduction of Bills:**

A. [Expedited Bill 1-21, Growth and Infrastructure Policy - Renamed - Expedited Development Approval Excise Tax - Repealed](#)

Introduced draft #5 of the subject expedited bill, sponsored by the County Council. A public hearing is scheduled for February 2, 2021, at 1:30 P.M.

B. [Expedited Bill 2-21, Taxation - Development Impact Taxes for Transportation and Public School Improvements - Amendments - Effective Date](#)

Introduced draft #1 of the subject expedited bill, sponsored by the County Council. A public hearing is scheduled for January 19, 2021, at 1:30 P.M.

C. [Bill 3-21, Special Taxing Area Laws - Silver Spring Business Improvement District - Established](#)

Introduced draft #6 of the subject bill, sponsored by Mr. Riemer and Mr. Hucker. A public hearing is scheduled for February 2, 2021, at 1:30 P.M.

Mr. Friedson, Mr. Katz, Ms. Navarro, and Mr. Rice requested to be added as co-sponsors of the bill.

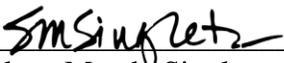
(14) **DISTRICT COUNCIL SESSION**

A. Introduction - [Shady Grove Sector Plan Minor Master Plan Amendment](#)

Introduced the Shady Grove Sector Plan Minor Master Plan Amendment. A public hearing is scheduled for February 23, 2021, at 1:30 P.M.

The meeting adjourned at 3:51 P.M.

This is a correct copy of Council action.



Selena Mendy Singleton, Esq.
Clerk of the Council