



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, January 19, 2021

The County Council for Montgomery County, Maryland convened via video conference at 9:07 A.M. on Tuesday, January 19, 2021.

PRESENT

Councilmember Tom Hucker, 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.

PRESENTATIONS

- A. Proclamation was presented by Mr. Hucker and County Executive Marc Elrich Celebrating David Gamse's Retirement.

The Council recessed at 9:22 A.M. and reconvened at 9:35 A.M.

GENERAL BUSINESS

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

- (1) [The Council is seeking applicants to serve as the Council representative on the Board of Investment Trustees for the Montgomery County Employee Retirement Plans and the Board of Trustees for the Consolidated Retiree Health Benefits Trust. The deadline for applications is January 25, 2021, at 5:00 p.m.](#)

Ms. Singleton, Clerk of the Council, announced an addendum to the agenda, postponing action on a resolution to appoint members to the Commission on Redistricting, and noting that a Planning, Housing, and Economic Development

(PHED) Committee worksession on Zoning Text Amendment (ZTA) 20-08, Residential Care Facility: Continuing Care Retirement Community, would be scheduled at a future date; and noting a time change for the County Fiscal Update scheduled for later in the afternoon.

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

[There were no petitions received this week.](#)

C. **Action - Approval of Minutes**

Approved the minutes of October 20 and 27, 2020, without objection.

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

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

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

Dr. Gayles stated that the number of cases in the County continues to be elevated, along with total cases in the State, but that it is too early to determine if the post-holiday surge in cases is over. He expressed concern over the more contagious mutant variants of the virus, noting that three cases have been identified in the State. Three of six hospitals are in the red zone, and continued testing and monitoring of trends is of vital importance. Regarding vaccines, Dr. Gayles indicated that three percent of the County population has been vaccinated, with 19,800 Moderna vaccine doses received and 18,861 administered to date. The maximum number of doses is requested from the State each week, and 7,300 will be received from the State next week. The County has the capacity to administer 2,500 to 3,500 doses daily. They are working to ramp up operations in anticipation of getting an increased number of doses in the future, noting the need to provide parking and room for post-vaccination observation space at designated sites. He also noted that mass vaccination sites limit chances to reach small niches in certain communities, and they are working to address equity issues. They are waiting for information concerning local pharmacies offering the vaccine.

Dr. Crowel said the webpage was updated to invite residents 75 years of age and older to preregister for the vaccine, and so far 52,950 have signed up. Information is being distributed through County portals, the faith-based community, minority health initiatives, the Parks and Recreation

Departments, and Regional Services Centers. Discussions are underway with community partners on how to provide assistance to residents who need help with the preregistration process. He pointed out that it is unknown how many doses the State will provide to the County weekly, making it difficult to set appointment schedules.

Dr. Stoddard commented that Giant Food is getting 50 doses daily, and appointments are required. Police Chief Jones is working with the store to ensure adequate security is provided. Dr. Stoddard noted that because doses are limited, it would be several weeks before all ages 75 and over are vaccinated, but said the County has been the most efficient in the State in getting the vaccine into arms. Hospitals are setting up as vaccine sites, and additional sites will be available in areas of greatest need. Front-facing licensed social workers have been added to Tier 3 Phase 1A for preregistration.

Mr. Hucker noted a Town Hall is scheduled tonight to provide information concerning vaccines.

Mr. Glass questioned State leadership regarding distribution of the vaccine, noting that the federal government distributes the vaccine to the State, which then provides it to the County. He said questions have been received regarding an online form to preregister to obtain a vaccine in Prince George's County. Dr. Gayles said the number of doses distributed is based on population and utilization, and that they have been requesting the maximum number. Residents can currently sign up for vaccines in other counties if slots are available, and that because Montgomery has administered almost all doses received, no appointments are currently available. Dr. Stoddard said questions remain regarding who is responsible to provide the second dose if the first dose was received in another jurisdiction.

Mr. Riemer expressed concern about the equitable rollout of vaccines, and said distribution of the vaccine to residents over age 75 should be a priority.

Mr. Friedson asked if healthcare workers and dentists could be sent to hospitals to receive the vaccine, noting that it would free up doses to provide to seniors. Dr. Gayles said they are working on a strategy to schedule clinics at hospitals, and that they hope to soon announce preregistration for available slots. Dr. Crowel cautioned that because it is unknown what number of doses would be received each week, it is difficult to schedule appointments weeks in advance.

Mr. Albornoz, noting that 52,000 individuals have preregistered, asked how it is determined when and where an appointment would be scheduled. Dr. Gayles said they are striving to provide an equitable system and are

looking for higher risk individuals in highly impacted areas. Regarding the possibility of providing additional first vaccinations with doses set aside for second doses, Dr. Stoddard said there are good arguments for both sides and they are waiting to hear policy information from the Biden administration.

Ms. Navarro stated that currently there is a limited number of doses available and asked how distribution may ramp up with the new administration, noting the need to continually update residents and be transparent about where the County is in the process. Dr. Gayles noted the goal of providing 100 million doses in the first 100 days of the new administration, and the anticipation of approval of the Johnson and Johnson and Astra Zeneca vaccines. He encouraged the State to set up networks to support local health departments.

Mr. Katz asked if preregistration on the County website limited appointments to County sites. Currently, the State has multiple venues for preregistration, but does not distinguish between the prioritization tiers. Dr. Stoddard said in the future, it would be unlikely other jurisdictions would allow non-residents to schedule appointments. Dr. Gayles acknowledged discrepancies in access to healthcare and that they are working to ensure the majority of doses received go to County residents.

Mr. Jawando commented on disparities in preregistration, noting that 77 percent were White people, and that steps must be taken to increase the numbers of non-Whites registering. Dr. Crowel said they are messaging through all portals and targeting specific communities directly and sending invitations to preregister in an equitable manner. Dr. Gayles also noted that educators have been prioritized to receive the vaccine in anticipation of schools reopening.

- (4) **INTERVIEW** - [County Executive's appointment for Deputy Director, Department of Transportation, Hannah Henn](#)

Interviewed Ms. Hannah Henn, the County Executive's appointee as Deputy Director, Department of Transportation.

- (5) **ACTION** - [Special appropriation to the County Government's FY21 Operating Budget - \\$2,500,000 for Conference Center Non-Departmental Account \(NDA\) \(Source of Funds: General Fund Undesignated Reserves\)](#)

Ms. Semple, Office of the County Executive, participated in the discussion. Mr. Friedson noted that there are ongoing conversations about using space at the site to provide vaccinations in partnership with local hospitals.

Approved the subject special appropriation, as submitted by the County Executive. Mr. Riemer made the motion, which carried without objection.

(6) **CONSENT CALENDAR**

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

- A. **Introduced** a special appropriation to the County Government's FY21 Operating Budget, Montgomery County Economic Development Corporation (MCEDC) Non-Departmental Account (NDA), Support for COVID-19 Response - \$4,938,298 for Restaurant Relief Grant Program. A public hearing and action are scheduled for January 26, 2021, at 1:30 P.M.
- B. **Introduced** a special appropriation to the FY21 Operating Budget, Office of the County Executive, Support for COVID-19 Response - \$6,232,666 for Hotel Relief Grant Program. A public hearing and action are scheduled for January 26, 2021, at 1:30 P.M.
- C. **Introduced** a supplemental appropriation to the County Government's FY21 Capital Budget and amendment to the FY21-26 Capital Improvements Program (CIP), Department of Environmental Protection (DEP) - \$93,773 for Stormwater Management Retrofit: Countywide Management. A public hearing and action are scheduled for February 9, 2021, at 1:30 P.M.
- D. **Introduced** a supplemental appropriation to the County Government's FY21 Capital Budget and amendment to the FY21-26 CIP, DEP - \$67,509 for Facility Planning: Stormwater Management. A public hearing and action are scheduled for February 9, 2021, at 1:30 P.M.
- E. **Introduced** a supplemental appropriation to the County Government's FY21 Capital Budget and amendment to the FY21-26 CIP, DEP - \$600,000 for Stormwater Management Facility Major Structural Repair. A public hearing and action are scheduled for February 9, 2021, at 1:30 P.M.
- F. **Received and Released** the Office of Legislative Oversight (OLO) Report 2021-1, Labor Agreements with Montgomery County Police Officers.
- G. **Action** - Resolution to appoint members to Commission on Redistricting.
Action has been postponed until 1/26/21.
- H. **Approved** appointment of David M. Schoenfeld as special counsel to represent Montgomery County and members of the County's Self-Insurance Fund in workers' compensation cases.

- I. **Introduced** a special appropriation to the County Government's FY21 Operating Budget, Office of the County Executive - \$500,000 for Connected DMV Contract, Global Pandemic Prevention Center. A public hearing is scheduled for January 26, 2021, at 1:30 P.M.

The meeting recessed at 12:29 P.M. and reconvened at 1:35 P.M.

- (7) **PUBLIC HEARING - Zoning Text Amendment (ZTA) 20-05, Commercial/Residential Zones - Additional Height**

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 Planning, Housing and Economic Development (PHED) Committee worksession will be scheduled at a future date.

- (8) **PUBLIC HEARING - ZTA 20-06, Surface parking - Residential Zones**

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 PHED committee worksession will be scheduled at a future date.

- (9) **PUBLIC HEARING - ZTA 20-08, concerning: Residential Care Facility: Continuing Care Retirement Community**

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 PHED committee worksession will be scheduled at a future date.

- (10) **PUBLIC HEARING - Expedited Bill 2-21, Taxation - Development Impact Taxes for Transportation and Public School Improvements - Amendments - Effective Date**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on January 27, 2021. Action is tentatively scheduled for February 2, 2021.

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND
IN LEGISLATIVE SESSION - Day #3**

(11) **Introduction of Bills:**

A. [Bill 4-21, Weapons - Protection of Minors and Public Places - Restrictions Against Ghost Guns and Undetectable Guns](#)

Introduced draft #4 of **Bill 4-21**, sponsored by Mr. Albornoz and co-sponsored by Councilmembers Hucker, Katz, Jawando, Navarro, Friedson, Rice, Riemer, and Glass. A public hearing is scheduled for February 9, 2021, at 1:30 P.M.

B. [Bill 5-21, Agricultural Land Preservation - Solar Collection System - Dedication of Business Personal Property Tax Revenue](#)

Introduced draft #2 of **Bill 5-21**, sponsored by Mr. Friedson. A public hearing is scheduled for February 9, 2021, at 1:30 P.M. Mr. Rice and Mr. Katz requested to be added as co-sponsors of the bill.

(12) [County Fiscal Update](#)

Participating in the discussion were Ms. Michaelson, Council Executive Director; Mr. Smith, Legislative Analyst; Mr. Howard, Council Deputy Director; Mr. Madaleno, Chief Administrative Officer; Mr. Coveyou, Director, Department of Finance; Ms. Bryant, Acting Director, and Mr. Watters, Office of Management and Budget (OMB).

Ms. Michaelson, Mr. Smith and Mr. Howard reviewed the fiscal update, as contained in the staff report, noting that the County is projected to have sizeable fiscal gaps in the remainder of FY21 and FY22 unless there are significant changes in revenues or expenditures, including federal funding. The estimated current FY21 gap is \$143.4 million, and a potential FY22 gap of \$90.7 million.

The review included fiscal policies for reserves, debt service, other post-employment benefits (OPEB), compensation sustainability, and fund balance policies; the Council's fiscal plan; defining the FY21 gap; fiscal pressures or relief; and expenditure (short-term and long-term) and revenue options to address budget gaps.

Mr. Hucker stated that, hopefully, more funding will be received at the federal level, and also noted efforts to persuade the Governor to release "Rainy Day" funds.

Ms. Navarro noted that during the Great Recession, the Council and Executive worked collaboratively and were proactive in protecting the County's fiscal health and preserve its AAA bond rating, and adopted a resolution with a blueprint to strengthen the County's fiscal health to lessen the impact from future recessions. She also noted the interconnectedness of items in the budgets.

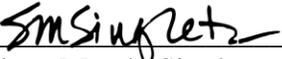
Councilmembers commented on items in the Executive's latest FY21 Savings Plan of \$25 million, which was received on January 15. Noted that a careful review of recommended savings needs to be completed, especially for DHHS as there were savings that were not supported by the Council in the previous plan that were put back into this Savings Plan. Noted that the current Savings Plan may not be robust enough in certain areas and that it will be necessary to come together with a fiscal policy blueprint going forward.

Discussed reserve levels; the COVID pay differential and the amount of Federal Emergency Management Agency (FEMA) reimbursements; the need to be proactive in addressing the growing needs of our most vulnerable residents; the importance of the student "summer slide" program; and possibly collaborating with nonprofits to address systemic issues.

In response to Mr. Friedson's inquiry about the status of the restructuring plan to eliminate 100 vacancies, Mr. Madaleno stated that a report will be forthcoming soon.

The meeting adjourned at 3:59 P.M.

This is a correct copy of Council action.



Selena Mendy Singleton, Esq.
Clerk of the Council