



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Tuesday, May 4, 2021

The County Council for Montgomery County, Maryland convened via video conference at 9:03 A.M. on Tuesday, May 4, 2021.

### PRESENT

Councilmember Tom Hucker, President  
Councilmember Andrew Friedson  
Councilmember Will Jawando  
Councilmember Craig Rice

Councilmember Gabe Albornoz, Vice President  
Councilmember Evan Glass  
Councilmember Nancy Navarro  
Councilmember Hans Riemer

### ABSENT

Councilmember Sidney Katz

The President in the Chair.

Noted that Mr. Katz was absent due to a death in the family.

### PRESENTATIONS

- A. Proclamation was presented by Mr. Friedson and Mr. Rice recognizing Teacher Appreciation Day.
- B. Proclamation was presented by Mr. Katz recognizing the Montgomery County Police Department (MCPD) officers who responded to the insurrection at the U.S. Capitol on January 6<sup>th</sup>.
- C. Proclamation was presented by Council President Hucker celebrating Asian American and Pacific Islander Heritage Month.

## GENERAL BUSINESS

A. **Announcements** - Agenda and Calendar Changes  
Ms. Singleton, Clerk of the Council, announced an addendum to the agenda, noting that the public hearing on **Bill 15-21**, Solicitation of Vehicle Occupants in High-Speed Roadways - Permit Requirement, originally scheduled for May 11, 2021, at 1:30 P.M. has been postponed and will be rescheduled at a future date; deleting introduction of a supplemental appropriation to the County Government's FY21 Operating Budget, Montgomery County Fire and Rescue Service - \$956,513 to provide a COVID-19 nominal fee stipend for active volunteer members, and to restore association support, nominal fee, and Length of Service Award Program adjustment; correcting the introduction/suspension of rules/action on a resolution to indicate the Council's intent to approve or reject provisions of the Collective Bargaining Agreement with the Montgomery County Volunteer Fire and Rescue Association (MCVFRA) by adding Legislative Attorney Wellons as staff and adding action on a request to suspend Rules of Procedure (Rule 7.(c)) to allow immediate action; and deleting action on a resolution to indicate Council's intent to approve or reject provisions of the Collective Bargaining Agreement with MCVFRA.

(1) B. **Acknowledgement** – [Receipt of Petitions](#)

No petitions were received this week.

C. **Action** – **Approval of Minutes**

Approved the minutes of January 25, 26, 29, February 2, 4, 8, and 9, 2021, without objection. Mr. Katz was absent.

(2) **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, and Dr. Bridgers, Deputy Health Officer, Department of Health and Human Services (DHHS); and Dr. Stoddard, Director, Office of Emergency Management and Homeland Security (OEMHS).

Dr. Gayles provided an update on current COVID-related statistics, noting they are continuing to monitor transmission numbers, which are currently at a moderate level, and the impact of variant strains of the virus. To date,

54% of the eligible County population has received at least one dose of the vaccine, with 38% fully vaccinated. In anticipation of the Pfizer vaccine being approved for use in children ages 12 to 17, they are working with community partners and Montgomery County Public Schools (MCPS) to provide vaccination opportunities. He said strategies are needed to encourage those aged 20 to 30 to get the vaccine; most of those on the preregistration list have been accommodated and they are pivoting to a new type of scheduling to provide walk-up vaccinations. The level of disparities by ethnicity in obtaining the vaccine has dropped, and they are working with Aging and Disability Services staff to provide vaccinations to homebound residents. Dr. Bridges indicated they are reaching out to the 211 homebound individuals identified who have not yet received the vaccine.

Dr. Stoddard noted vaccination hesitancy among some residents regarding the safety of the J&J vaccine and for other reasons, and that there is a reduction in the number of vaccines given nationwide. They are shifting to a walk-up model to remove as many obstacles as possible to encourage people to get the vaccine while focusing on areas where there is still demand. Regarding opening of libraries, Dr. Stoddard said they are working on a plan and libraries should begin to reopen soon.

- (3) **ACTION** - [Amendments to the County Government's FY21-26 Capital Improvements Program, Certain White Flint projects; and a resolution to amend Resolution 16-1570 - White Flint Sector Plan Implementation Strategy and Infrastructure Improvement List](#)

Ms. Navarro, Chair of the Government Operations and Fiscal Policy (GO) Committee, reviewed the recommendations of the joint GO/Transportation and Environment (T&E) Committee, as contained in the staff report, which differed from the County Executive's recommended approach. The joint Committee recommended amending the White Flint West Workaround project and amending Resolution 16-1570 to allow the project to proceed without interruptions; to approve the other White Flint project description forms (PDFs) as recommended by the Committee; and supported continued efforts to identify acceptable repayment plans for the White Flint Special Taxing District.

Adopted **Resolution 19-821**, approving amendments to the County Government's FY21-26 CIP, Department of Transportation, White Flint West Workaround; White Flint West Redevelopment Program; White Flint District East: Transportation; and White Flint District West: Transportation; and **Resolution 19-822**, amending Resolution 16-1570 with respect to the White Flint Infrastructure Plan Implementation Strategy and Infrastructure Improvement List.

The joint GO/T&E Committee made the motion, which carried without objection. Mr. Katz was absent.

- (4) **ACTION** - [Special appropriation to the FY21 Operating Budget, Office of the County Executive, Connected DMV Contract, Global Pandemic Prevention Center, \\$500,000 \(Source of Funds: General Fund Reserves\)](#)

Mr. Riemer, Lead Sponsor of the special appropriation, stated that establishment of a global pandemic center in Montgomery County would strengthen the County's role in global pandemic response and that in the coming months the County would work with its partners at the federal level to advance the project. Mr. Albornoz stated it is important for the County to be aggressive in attracting businesses and government agencies, and Ms. Navarro said this project is an example of the County acting proactively and leveraging assets in a worthwhile investment to plan for the future.

Adopted **Resolution 19-823**, approving the subject special appropriation.

Mr. Riemer made the motion, which carried without objection. Mr. Katz was absent.

- (5) **INTRODUCTION/Suspension of Rules/Action** [Resolution to indicate the Council's intent to approve or reject provisions of the Collective Bargaining Agreement with the Montgomery County Volunteer Fire and Rescue Association \(MCFVRA\)](#)

Introduced the subject resolution and approved Mr. Rice's motion to suspend the rules to allow immediate action, without objection.

Senior Legislative Attorney Drummer explained that the Agreement only covers those items that require a change in County law or regulation or requires an appropriation of funds in FY22. He noted that the Public Safety (PS) Committee approved all five items included in the Agreement, as contained in the staff report.

Adopted **Resolution 19-824**, approving the Memorandum of Agreement with MCFVRA.

Mr. Friedson made the motion, which carried without objection. Mr. Katz was absent.

(6) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.

Mr. Friedson made the motion, which carried without objection. Mr. Katz was absent.

- A. **Introduced/Adopted Resolution 19-825**, amending Resolution 19-782 and amending FY21 Operating Budget Resolution 19-472, Section G, FY21 Designation of Entities for Non-Competitive Contract Award Status: Latino Economic Development Corporation of Washington, D.C.
- B. **Introduced/Adopted Resolution 19-826**, amending FY21 Operating Budget Resolution 19-472, Section G, FY21 Designation of Entities for Non-Competitive Contract Award Status: White Bird Clinic.
- C. **Introduced/Adopted Resolution 19-827**, amending FY21 Operating Budget Resolution 19-472, Section G, FY21 Designation of Entities: Catholic Charities of the Archdioceses of Washington, Inc., and Harvest Intercontinental Ministries Unlimited d/b/a Harvest Intercontinental Church (previously Bethel World Outreach Church).
- D. **Adopted Resolution 19-828**, extending time until September 28, 2021 for Council action on Executive Regulation 12-20, Adoption of the 2018 International Green Construction Code.
- E. **Adopted Resolution 19-829**, confirming the County Executive's Appointment for Director, Department of Alcohol Beverage Services: Katherine Durbin.
- F. **Approved** recommendation to the County Executive for appointment of Council representative to the Board of Investment Trustees for the Montgomery County Employee Retirement Plans and the Board of Trustees for the Consolidated Retiree Health Benefits Trust: Christine Kelleher.
- G. **Adopted Resolution 19-830**, confirming the County Executive's appointment to the White Flint Downtown Advisory Committee: Andrew Stern.
- H. **Introduced** a supplemental appropriation to the County Government's FY21 Operating Budget, Montgomery County Fire and Rescue Service - \$956,513 to provide a COVID-19 nominal fee stipend for active volunteer members, and to restore association support, nominal fee, and Length of Service Award Program adjustment (Source of Funds: Fire Fund Undesignated Reserves).

The meeting recessed at 11:06 A.M. and reconvened at 1:37 P.M.

(7) **PUBLIC HEARING - [Resolution to set FY22 Property Tax Credit for Income Tax Offset](#)**

The public hearing was conducted. Mr. Rice was temporarily absent, and Mr. Katz was absent. Additional material for the Council's consideration should be submitted by the close of business on May 11, 2021. Council consideration is scheduled for May 17, 2021.

(8) **DISTRICT COUNCIL SESSION**

A. **Worksession - [Ashton Village Center Sector Plan](#)**

Participating in the discussion were Senior Legislative Analyst Dunn and Senior Analyst Orlin; Mr. Anderson, Planning Board Chair; Ms. Wright, Director, and Mr. Pratt, Senior Planner, Planning Department.

Mr. Riemer, Chair of the Planning, Housing and Economic Development (PHED) Committee, in his opening remarks said the Plan takes into account concerns raised by the community and strives to maintain the rural look and feel of the community while recognizing the need for more housing and amenities.

Regarding the areawide land use and zoning recommendations, the Council concurred with the Planning Board's recommendations for modifying the Sandy Spring/Ashton Rural Village (SSA) Overlay zone, as recommended by the PHED Committee and shown on page 2 of the staff packet.

For the community design recommendations, the Council concurred with the Planning Board's areawide community design recommendations, except for the reference to Figure 4. The Council supported the PHED Committee's recommendation to remove the right side of Figure 4 on page 39 of the Plan and the reference to Figure 4 under the eighth bullet above be deleted.

Mr. Alborno received assurance from Ms. Wright that the design guidelines are detailed and specific enough to achieve outcomes as described in the Plan.

Concurred with the PHED Committee's recommendations concerning transportation, including the recommendation from Council staff to include a "Target Speed" column and assign each road in the table a target speed of 25 mph; and furthermore, Table 1: Road Classifications on page 41 of the Plan should include a footnote to the "ROW Width" column that states: "\*Reflects minimum right-of-way and may not include right-of-way needed for on-street parking and pedestrian, bicycle, transit, and stormwater management facilities."

Mr. Albornoza cautioned that traffic patterns at the intersection of Route 650 and Route 108 would need to be closely followed, and solutions for increased future traffic be considered moving forward. Ms. Wright noted that the Intercounty Connector (ICC) runs parallel to Route 108 and currently is not heavily used and would become an alternative route should traffic on Route 108 increase substantially. Mr. Riemer commented that the projected increase in traffic in this area is marginal.

Concurred with the PHED Committee's recommendations for Open Space, Trails and Public Facilities, Environmental, and for Historic Preservation, as shown on pages 6 through 9 of the staff report.

Discussed local and property-specific recommendations by neighborhood and the recommendations for the Village Core, Southwest, Northwest, Northeast and Southeast Quadrants, the Rural Buffer and Residential Edge Neighborhoods, as shown on pages 9 through 13 of the staff packet. Concurred with all PHED Committee recommendations.

Regarding the PHED Committee recommendation for Connection Guidelines shown on Page 15 of the staff report, Dr. Orlin noted that not all roads have curbs on both sides and suggested the wording be modified. Approved, without objection, Mr. Riemer's motion to revise the first sentence in the second paragraph on page 98 of the Plan, under Section 5.4.1.1 Connection Elements, to read:

The [size] width of existing [public rights-of-way] roadway pavements should not be expanded, ensuring that crossing distances are minimized for pedestrians and that drivers do not speed.

Supported the PHED committee's recommendations to include design guidelines in the Plan and for the implementation of the Plan.

In a straw vote, approved the Ashton Village Sector Plan, as amended (8 to 0; Mr. Katz was absent). Final action is scheduled for June 15, 2021.

**B. Announcement** – The [Public Hearing on the Thrive Montgomery 2050 Planning Board Draft is scheduled for June 17, 2021 at 7:00 P.M.](#)

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND  
IN LEGISLATIVE SESSION - Day #11**

(9) **Introduction of Bills:**

A. [Bill 16-21, Environmental Sustainability - Building Energy Use Benchmarking and Performance Standards - Amendments](#)

Introduced draft #1 of **Bill 16-21**, sponsored by the Council President at the request of the County Executive. A public hearing is scheduled for June 15, 2021, at 1:30 P.M.

(10) **ACTION** - Resolution to indicate the Council's intent to approve or reject provisions of the Collective Bargaining Agreement with MCVFRA

This item was taken up under Item #5.

The meeting adjourned at 2:58 P.M.

This is a correct copy of Council action.

  
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Selena Mendy Singleton, Esq.  
Clerk of the Council