



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, September 14, 2021

The County Council for Montgomery County, Maryland convened via video conference at 9:00 A.M. on Tuesday, September 14, 2021.

PRESENT

Councilmember Tom Hucker, President	Councilmember Gabe Albornoz, 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. Albornoz recognizing MSI's 50 years in Montgomery County.
- B. Proclamation was presented by Mr. Jawando recognizing Prostate Cancer Awareness Month.
- C. Proclamation was presented by Mr. Hucker, Mr. Glass, and Mr. Rice recognizing National Month 2021.

GENERAL BUSINESS

- A. Announcements – Agenda and Calendar Changes
A public hearing on WSSC Water's FY23 Spending Control Limits is scheduled for September 28, 2021, at 1:30 P.M.
- (1) B. **Acknowledgement** – [Receipt of Petitions](#)

No petitions were received this week.

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

A. **Acknowledgement** – Recognizing Montgomery County Health Officer and Chief of Public Health Services Dr. Travis Gayles by Full Council

A video featuring an interview with Dr. Gayles was presented.

Councilmembers expressed appreciation to Dr. Gayles for his commitment, leadership, and tireless efforts to help safely navigate the County during this incredibly challenging time, noting that by providing public health guidance based on science and data, the County is a leader in the nation for its vaccination rates and response to COVID. Councilmembers offered their thanks and best wishes to Dr. Gayles in his future endeavors.

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

Participating in the discussion were Dr. Crowel, Director, and Mr. O'Donnell, Public Health and Emergency Preparedness Manager, Department of Health and Human Services (DHHS); and Dr. Stoddard, Acting Assistant Chief Administrative Officer.

Dr. Crowel informed the Council that a national search firm was hired to recruit the County's new Public Health Officer and that until the position is filled, the Prince George's County Public Health Officer will sign Montgomery County's public health orders should the need arise. He noted that Dr. Bridgers is serving as Acting Public Health Officer, but because he is not a Medical Doctor (M.D.) as required by State and County requirements, he cannot sign off on public health orders.

Mr. O'Donnell reviewed the County's latest Covid-related statistics, which show a positivity rate of 2.6% and a substantial transmission level, which is lower than that at the end of August. Vaccination and testing are ongoing in the County and have increased in recent weeks. They are continuing to monitor guidance from the Centers for Disease Control and Prevention (CDC) regarding booster shots and are working with local pharmacies and the Primary Care Coalition to have agreements in place when authorization is given to administer the shots to support smaller group homes and Developmental Disabilities Administration (DDA) facilities.

Dr. Stoddard discussed employee vaccination reporting and noted that to date, 5,666 of 9,566 County employees (60%) have provided their vaccination status and of those, 95% are fully vaccinated. A meeting is scheduled with union representatives to discuss rollout of a COVID-19 testing mechanism. It is anticipated that vaccination would be approved

for children ages 5 to 11 in late October or early November, and DHHS is preparing to initiate a vaccination program for children in that age range. He indicated the County has a robust stockpile of PPEs and they are reviewing ways to suppress any surge in cases.

Some Councilmembers expressed support for requiring all County employees to be vaccinated and noted that the County Executive has not yet expressed a position on this issue.

C. **Briefing** – Montgomery County Public Schools ([MCPS](#)) **Protocols for Vaccination and Quarantine Requirements**

Participating in the discussion were Dr. McKnight, Interim Superintendent of Schools; Ms. Dublinske, Coordinator, Office of the Districtwide Supports and Services, Mr. D’Andrea, Chief of Staff, Office of the Superintendent of Schools, Ms. Reuben, Chief, Office of Teaching, Learning, and Schools, and Ms. Dawson, Chief, Finance and Operations, MCPS; Dr. Crowel and Dr. Stoddard.

In his introductory remarks, Mr. Hucker thanked everyone who reached out to Councilmembers to express their concerns regarding the quarantining of students, noting that MCPS’s COVID policy is determined by the Board of Education and the Council has no formal role in setting that policy, and that the BOE receives guidance from the County’s DHHS, which reports to the County Executive. MCPS draws its authority to set policy from State law and the BOE.

Received a briefing from the panel on how vaccination and quarantine protocols were determined, prevention and mitigation strategies, quarantine instructional plans; availability of rapid testing in schools and efforts to increase staffing to provide those tests, contact tracing, testing protocols. Noted the five-point plan from Dr. McKnight to appoint a Chief Health Officer for MCPS, establish a COVID-19 Operations Advisory Committee, create a COVID-19 dashboard, launch an outreach campaign to increase the number of students and outreach efforts to increase the number of students who “opt-in” for COVID screening, and provide additional support to help with schools’ COVID-19 response efforts. The panel responded to questions from Councilmembers.

Mr. Friedson requested MCPS provide information on how it would recruit for the COVID-19 Operations Advisory Committee.

Mr. Albornoz suggested another discussion be held on the status of the school nurse program.

(3) **DISTRICT COUNCIL SESSION**

- A. **Announcement** - Public Hearing on the Great Seneca Science Corridor Minor Master Plan Amendment is scheduled for October 19, 2021, at 1:30 pm
- B. **Worksession** - Subdivision Regulation Amendment (SRA) 20-02, Subdivision Ordinance - Revisions, Clarifications, and Corrections

This item was postponed to September 21, 2021.

(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 the FY23 Capital Budget and FY23-28 Capital Improvements Program (CIP). A public hearing is scheduled for September 21, 2021, at 1:30 pm.
- B. **Introduction** - Supplemental Appropriation to Montgomery College's FY22 Operating Budget - \$17,082,886 for the Federal, State, and Private Contract Fund (Source of Funds: Federal/State grants)
This item was postponed.
- C. **Introduced/ Adopted Resolution 19-976**, amendment to the FY22 Operating Budget Resolution 19-872; Section G, FY22 Designation of Entities for Non-Competitive Contract Awards: Corporation for Supportive Housing; YMCA of Metropolitan Washington; Montgomery County Collaboration Council for Children, Youth, and Families; and Family Services, Inc.
- D. **Approved** appointment of Sterne, Kessler, Goldstein & Fox, P.L.L.C. as special counsel to represent Montgomery County in connection with intellectual property rights issues, including securing, as necessary, copyright and trademark proprietary rights with the U.S. Patent and Trademark Office.
- E. **Adopted Resolution 19-977**, reappointing the Council representative to Nominating Committee for the Board of Trustees of Montgomery College: Dr. Ken Jones
- F. **Adopted Resolution 19-978**, confirming the County Executive's appointment to the Fire and Emergency Services: Robert Ford.

- G. Adopted **Resolution 19-979**, confirming the County Executive's appointment to the Commission on Landlord-Tenant Affairs: Shirley Steinbach.
- H. Adopted **Resolution 19-980**, confirming the County Executive's appointment to the Racial Equity and Social Justice Advisory Committee: Troy Boddy.

The Council recessed at 1:39 P.M. and reconvened at 2:04 P.M.

(5) **PUBLIC HEARING - Expedited Bill 28-21, Technical Corrections**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on September 14, 2021. Action is tentatively scheduled for September 21, 2021.

(6) **PUBLIC HEARING - Expedited Bill 30-21, Landlord-Tenant Relations - Restrictions During Emergencies - Extended Limitations Against Rent Increases and Late Fees**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on September 21, 2021. A Planning, Housing & Economic Development (PHED) committee worksession will be scheduled at a later date.

(7) **PUBLIC HEARING - Expedited Bill 31-21, Property Tax Credits - Energy Conservation Devices and Energy Efficient Buildings - Amendments**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on September 21, 2021. A joint Government Operations & Fiscal Policy and Transportation & Environment (GO/T&E) committee worksession will be scheduled at a later date.

(8) **PUBLIC HEARING - Bill 32-21, Personnel - Employee Settlement Agreements with No-Rehire Clause - Prohibited**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on September 21, 2021. A GO committee worksession will be scheduled at a later date.

- (9) **PUBLIC HEARING - Expedited Bill 33-21, Personnel - Employee's Retirement System - Group E - Amendments**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on September 21, 2021. A GO committee worksession will be scheduled at a later date.

- (10) **PUBLIC HEARING - Zoning Text Amendment (ZTA) 21-04, Overlay Zone Germantown-Churchill Village**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on September 14, 2021. A PHED committee worksession will be scheduled at a later date.

- (11) **PUBLIC HEARING - ZTA 21-05, Rural Village Center (RVC) Overlay Zone - Vehicle Repair**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on September 14, 2021. A PHED committee worksession will be scheduled at a later date.

- (12) **PUBLIC HEARING - Resolution to approve Amendments to the Comprehensive Water Supply and Sewerage Systems Plan: Water and Sewer Category Change Requests**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on September 21, 2021. A T&E committee worksession will be scheduled at a later date.

- (13) **PUBLIC HEARING/ACTION - Special Appropriation to the County Government's FY22 Operating Budget, Community Grants Non-Departmental Account (NDA) - \$197,500 for Commission of Dominique Dawes Sculpture and Amendment to Fiscal Year 2022 Operating Budget Resolution 19-872 Section G, FY22 Designation of Entities for Non-Competitive Contract Award Status: Hanlon Sculpture Studio LLC**

The public hearing was conducted and the record closed.

Adopted **Resolution 19-981**, approving the subject special appropriation and amendment to FY22 Operating Budget Resolution 19-872 Section G, FY22 Designation of Entities for Non-Competitive Contract Award Status: Hanlon Sculpture Studio LLC.

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

The meeting adjourned at 3:04 P.M.

This is a correct copy of Council action.

Handwritten signature of Selena Mendy Singleton in black ink.

Selena Mendy Singleton, Esq.
Clerk of the Council