



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Tuesday, October 19, 2021

The County Council for Montgomery County, Maryland convened via video conference at 9:01 A.M. on Tuesday, October 19, 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 Recognizing Stacy Spann by Councilmember Riemer  
*(Postponed)*
- B. Proclamation was presented by Ms. Navarro recognizing Breast Cancer Awareness Month.
- C. Proclamation was presented by Mr. Hucker recognizing White Cane Awareness Day.

### GENERAL BUSINESS

- A. Announcements – Agenda and Calendar Changes

Ms. Singleton, Clerk of the Council, announced that a public hearing on the FY22 Capital Budget and Amendments to the FY21-26 Capital Improvements Program - Transfer of Funds for the Charles W. Woodward High School Reopening Project is scheduled for October 26, 2021, at 1:30 P.M.; and that the public hearing on the FY22 Supplemental Appropriations and Amendments to the FY21-26 Capital Improvements

Program Transfer of Funds - Capital Projects is scheduled for October 26, 2021, at 1:30 P.M.

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

No petitions were received this week.

C. **Action** – Approval of Minutes

Approved the minutes of September 14, 2021, and the closed session minutes of July 20, 26, and September 28, 2021, without objection. Councilmembers Glass, Jawando, and Riemer were temporarily absent.

(2) **DISTRICT COUNCIL SESSION**

A. **Introduction** - [Zoning Text Amendment \(ZTA\) 21-08, Landscape Contractor Use Standards](#)

Introduced draft #1 of ZTA 21-08, sponsored by Councilmember Hucker. A public hearing is scheduled for November 30, 2021, at 1:30 P.M.

B. **Action** - [ZTA 21-04, Overlay Zone - Germantown-Churchill Village](#)

Legislative Attorney Ndou reviewed the purpose of the ZTA, as contained in the staff report.

Enacted **Ordinance 19-23**, approving draft #1 of ZTA 21-04.

The Planning, Housing, and Economic Development (PHED) Committee made the motion and the Ordinance was enacted by a roll call vote:

YEAS: Glass, Riemer, Navarro, Rice, Friedson, Katz, Albornoz, Hucker  
ABSENT: Jawando (temporarily).

Later in the meeting, Mr. Jawando indicated had he been present, he would have voted in the affirmative.

C. **Worksession/Action** - [Sectional Map Amendment \(SMA\) H-139 to implement the Approved and Adopted Germantown Plan for the Town Sector Zone](#)

Ms. Ndou reviewed the purpose of the subject SMA, as contained in the staff report.

Adopted **Resolution 19-1020**, approving SMA H-139.

Mr. Riemer made the motion and the Resolution was adopted by a roll call vote:

YEAS: Glass, Riemer, Navarro, Rice, Friedson, Katz, Albornoz, Hucker  
ABSENT: Jawando (temporarily).

Later in the meeting, Mr. Jawando indicated had he been present, he would have voted in the affirmative.

D. **Briefing:** [Great Seneca Science Corridor Minor Master Plan Amendment](#)

Participating in the discussion were Ms. Sanders Chief, Mid-County Planning and Ms. Hill, Planning staff, Montgomery County Planning Department.

Mr. Riemer, PHED Committee Chair, and Mr. Rice, District 2 Councilmember, noted that this area is the epicenter of life sciences in the County and that in order to move forward, certain restrictions adopted in the 2010 Great Seneca Science Corridor Master Plan may need to be adjusted.

Received a briefing on the proposed subject Minor Master Plan Amendment, which recommends certain adjustments to staging requirements included in the 2010 Plan to address barriers to development and economic growth.

A public hearing is scheduled for later in the afternoon.

E. **Introduction** - [ZTA 21-09, Office and Professional - Biohealth Priority Campus](#)

Introduced draft #1 of ZTA 21-09, sponsored by Councilmember Friedson. A public hearing is scheduled for November 30, 2021, at 1:30 P.M.

Councilmembers Riemer, Hucker, Albornoz, Navarro, Katz, Glass, and Jawando requested to be added as co-sponsors of the ZTA.

(3) **BRIEFING:** [State Police Reform Legislation \(Provisions effective 10/1/21\)](#)

Participating in the discussion were Assistant Chief Francke, Montgomery County Police Department (MCPD); and Dr. Stoddard, Assistant Chief Administrative Officer.

In his opening remarks, Mr. Hucker said certain provisions of the Maryland Police Accountability Act (PAA) went into effect on October 1, 2021, and that County actions are limited by State law.

Received a briefing from Assistant Chief Francke, who stated that implementation of PAA reforms are staggered across 2021 and 2022, and reviewed the bills that have been implemented in the County as of October 1 which include SB156, Retired Canine Care; HB 240, Forensic Genealogy; HB1248, Governor's Office of Crime Control and Prevention (GOCCP) Notifications; SB178, Maryland Public Information Act (MPIA)/Personnel Records; and SB178, Search Warrants; and SB 600 Death Investigations. He noted that internal workgroups have been established to work on implementation of reforms included in the PAA.

Responding to questions from Councilmembers, Assistant Chief Francke discussed how MPIA requests are handled by the Department, processes and requirements related to search warrants, protocols regarding body-worn cameras and death investigations; creation of the Police Accountability Board; and the availability of COVID testing for Police officers.

Mr. Jawando requested additional information on reporting requirements for no-knock warrants, and stated he wants his office involved in the creation of the Police Accountability Board and requested information on how public input would be obtained.

Mr. Albornoz requested follow-up by the State's Attorney General's Office on the protocols for death investigations, and noted the need for culturally appropriate communications.

(4) **CONSENT CALENDAR**

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

- A. Adopted **Resolution 19-1021**, confirming the County Executive's appointment to the Bethesda Urban Partnership, Inc. Board of Directors: Jane Fairweather.
- B. Adopted **Resolution 19-1022**, confirming the County Executive's appointments to the Commission on Child Care: L'Ornya Bowie, Gearline Bryan, William Hegwood, Millard Howard, Nagwa Rizk, Allison Fialkov, Elka Forbes, Tara Phillips, Lesley Romanoff.
- C. Adopted **Resolution 19-1023**, confirming the County Executive's appointment to the Silver Spring Transportation Management District Advisory Committee: Lydia Shackelford.
- D. **Introduced/Adopted Resolution 19-1024**, amendment to FY22 Operating Budget; Resolution 19-872, Section G, FY22 Designation of Entities for Non-Competitive Contract Award Status: Silver Spring Village, Inc., Catholic Charities of the Archdioceses of Washington, Inc., and Identity, Inc.

The Council recessed at 11:30 A.M. and reconvened at 1:36 P.M.

(5) **PUBLIC HEARING - Great Seneca Science Corridor Minor Master Plan Amendment**

The public hearing was conducted. Mr. Rice was temporarily absent. Additional material for the Council's consideration should be submitted by the close of business on October 22, 2021. A Planning, Housing and Economic Development (PHED) Committee worksession will be scheduled at a later date.

(6) **PUBLIC HEARING - Expedited Bill 34-21 - Personnel and Human Resources - COVID-19 Vaccination Required**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on October 22, 2021. A joint Government Operations & Fiscal Policy (GO) and Health & Human Services (GO/HHS) Committee worksession will be scheduled at a later date.

- (7) **PUBLIC HEARING** - [Supplemental Appropriation to the County Government's FY22 Operating Budget, Department of Transportation - \\$720,300 for COVID-19 Research Demonstration Grant \(Source of Funds: \\$450,000 Federal: COVID-19 Research Demonstration Grant; \\$270,300 Mass Transit Fund\)](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on October 22, 2021. A Transportation & Environment (T&E) Committee worksession will be scheduled on October 28, 2021.

- (8) **PUBLIC HEARING** - [Resolution to amend FY22 Transportation Fees, Charges, and Fares based on Fare Equity Study](#)

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on October 22, 2021. A T&E Committee worksession will be scheduled on October 28, 2021.

- (9) **PUBLIC HEARING/ACTION** - [Supplemental Appropriation to the County Government's FY22 Operating Budget, Department of Health and Human Services \(DHHS\); University of Maryland, Office of Research Administration, Short-Term Housing Assistance for Human Trafficking Survivors: A Path to Permanent Housing \\$300,000 \(Source of Funds: University of Maryland Grant\)](#)

The public hearing was conducted, and the record closed.

Adopted **Resolution 19-1025**, approving the subject supplemental appropriation.

The HHS Committee made the motion, which carried without objection.

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND  
IN LEGISLATIVE SESSION - Day #28**

- (10) **Introduction of Bills:**

- A. [Bill 36-21, Motor Vehicles and Traffic - E-Scooters - Operating Requirements and Registration](#)

Introduced draft #1 of **Bill 36-21**, sponsored by Councilmember Katz, co-sponsored by Mr. Albornoz. A public hearing is scheduled for November 9, 2021, at 1:30 P.M.

B. [Bill 37-21, Animal Control - Services Advisory Committee - Established](#)

Introduced draft #2 of **Bill 37-21**, sponsored by Councilmembers Alborno and Hucker. A public hearing is scheduled for November 9, 2021, at 1:30 P.M.

Councilmembers Navarro, Katz, Jwando, Rice, Riemer, Glass and Friedson requested to be added as co-sponsors of the Bill.

C. [Bill 38-21, Economic Development Fund - Local Business Child Care Grant Program - Established](#)

Introduced draft #1 of **Bill 38-21**, sponsored by Councilmembers Alborno and Navarro, co-sponsored by Councilmembers Katz, Friedson, Riemer and Hucker. A public hearing is scheduled for November 9, 2021, at 1:30 P.M.

Councilmembers Glass, Rice and Jawando requested to be added as co-sponsors of the Bill.

D. [Bill 39-21, Taxation - Public Safety Officers - Emergency Communications Specialists - Property Tax Credit - Established](#)

Introduced draft #3 of **Bill 39-21**, sponsored by Councilmembers Hucker and Alborno. A public hearing is scheduled for November 9, 2021, at 1:30 P.M.

Councilmembers Navarro, Katz, Friedson, Jawando, Glass, and Rice requested to be added as co-sponsors.

(11) **Call of Bills for Final Reading:**

A. [Expedited Bill 29-21, Contracts and Procurement - Minority Owned Businesses - Sunset Date - Amendments](#)

In his introduction, Mr. Hucker stated that this bill is a vital lifeline for minority, female, and persons with disabilities-owned businesses to be given priority in Montgomery County's procurement process. He noted that the last Disparity Study, required by law every five years, was completed in 2014. Because this was not completed by the County Executive as legally required, the bill is necessary to extend the deadline to allow the Department of Procurement and County Attorney to complete the legally required report.

Ms. Navarro shared that the 2014 study illustrated a clear need for and benefit from this program. She reiterated that this program supports economic activity in historically underserved communities and populations. To provide

historical context, Ms. Navarro also noted that the previous administration also failed to provide a report.

Mr. Rice reiterated the importance of this bill as the study will illustrate racial disparities. Business located in Montgomery County often do business outside of the County because of discrimination in the procurement process. He noted that recent rhetoric in politics and recent news regarding a National Football League (NFL) scandal illustrates the need to continue to work towards a more inclusive and welcoming community.

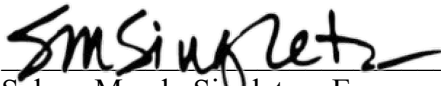
Enacted draft #3 of **Expedited Bill 29-21**, as introduced.

The GO Committee made the motion and the Expedited Bill was enacted by a roll call vote:

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

The meeting adjourned at 2:57 P.M.

This is a correct copy of Council action.



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Selena Mendy Singleton, Esq.  
Clerk of the Council