

Montgomery County, Maryland

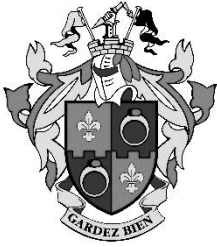
COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · (MD Relay) Dial 711 or 800-201-7165 · FAX (240)777-7989

www.montgomerycountymd.gov/council

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REVISED #5

Tuesday, November 30, 2021

9:30 **GENERAL BUSINESS**

(Singleton)

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

(1) [The Council is seeking applicants for the Board of Appeals](#)

Application deadline is December 3, 2021, at 5:00 pm.

(1.5) The Council will hold a public hearing on a Special Appropriation to the County Government's FY22 Capital Budget and Amendment to the FY21-26 Capital Improvements Program (CIP), Department of General Services - \$3,600,000 for Council Office Building Renovations on December 7, 2021, at 1:30 pm.

(Rodriguez-Hernandez/Mia)

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

C. **Action** - Approval of Minutes: There are no minutes for approval this week.

(3) 9:30 **DISCUSSION** - [Economic Development Panels](#)

(Smith)

Moved from consent calendar to be considered separately:

(3.5)[4W]11:30 Introduction - Revised Supplemental Appropriation to the Montgomery County FY22 Operating Budget, Merit System Protection Board Grievances, Montgomery County Fire and Rescue Service, \$602,159 (Source of Funds: Undesignated Fire Fund Reserves), Montgomery County Sheriff's Office, \$223,757, (Source of Funds: General Fund Undesignated Reserves); Montgomery County Police Department, \$626,039 (Source of Funds: Source of Funds: General Fund Undesignated Reserves)

(Howard)

Lead Sponsor: Council President at the request of the County Executive

Public Hearing is scheduled for 12/7/21 at 1:30 pm.

New Time Change:

(4) [11:30] 12:25 **CONSENT CALENDAR**

- A. **Introduction** - Special Appropriation to the County Government's FY22 Operating Budget, Office of the County Executive - \$231,000 for Purple Line Light Rail Project Business Grant Program (Source of Funds: State Aid) (Smith)
Lead Sponsor: Councilmember Glass
Public Hearing is scheduled for 12/14/21 at 9:30 am.
- B. **Introduction** - Special Appropriation to the County Government's FY22 Operating Budget, Department of Health and Human Services (DHHS) - \$34,486,514 for United States Department of Treasury Emergency Rental Assistance Program 2 (Source of Funds: Federal Funds) (McMillan)
Lead Sponsor: Council President at the request of the County Executive
Public Hearing/Action is scheduled for 12/7/21 at 1:30 pm.
- C. **Introduction** - Special Appropriation to the County Government's FY22 Operating Budget, COVID-19 Human Services and Community Assistance Non-Departmental Account (NDA) - \$3,163,910 for African American Health Program COVID Response (Source of Funds: Federal Funds) (McMillan)
Public Hearing/Action is scheduled for 12/7/21 at 1:30 pm.
- D. **Introduction** - Special Appropriation to the County Government's FY22 Operating Budget, COVID-19 Human Services and Community Assistance Non-Departmental Account (NDA); \$4,437,390 for *Por Nuestra Salud y Bienestar* (For Our Health and Wellbeing) (Source of Funds: Federal Funds) (McMillan)
Public Hearing/Action is scheduled for 12/7/21 at 1:30 pm.
- E. **Introduction/Action** - Amendment to the FY22 Operating Budget Resolution 19-872, Section G, and the FY22 Designation of Entities for Non-Competitive Contract Award Status: The Primary Care Coalition of Montgomery County, Maryland, Inc. and Non-Profit Montgomery, Inc. (McMillan)
- F. **Introduction** - Supplemental Appropriation to Montgomery County Public Schools' FY22 Operating Budget - \$2,721,577 for the Summer School Grant (Source of Funds: Federal Funds) (McGuire/Rodriguez-Hernandez)
Public Hearing/Action is scheduled for 12/14/21 at 9:30 am.
- G. **Introduction** - Supplemental Appropriation to Montgomery County Public Schools' FY22 Operating Budget - \$1,205,690 for the School Reopening Grant (Source of Funds: Federal Funds) (McGuire/Rodriguez-Hernandez)
Public Hearing/Action is scheduled for 12/14/21 at 9:30 am.

(4) [11:30] 12:25 **CONSENT CALENDAR** (*continued*)

- H. **Introduction** - Supplemental Appropriation to Montgomery County Public Schools' FY22 Operating Budget - \$251,233 for the Early Childhood High-Quality Inclusion Policies and Practices Grant (Source of Funds: Federal Funds) (McGuire/Rodriguez-Hernandez)
Public Hearing/Action is scheduled for 12/14/21 at 9:30 am.
- I. **Introduction** - Supplemental Appropriation to the County Government's FY22 Operating Budget, DHHS - \$1,016,026 to Increase Somatic and Mental Health Services at Montgomery County Public Schools (Source of Funds: Maryland State Department of Education) (Yao)
Public Hearing/Action is scheduled for 12/14/21 at 9:30 am.
- J. **Introduction** - Special Appropriation to Montgomery College's FY22 Operating Budget - \$22,320,815 for the Federal, State, and Private Grants and Contract Fund (Source of Funds: Federal Funds) (Rodriguez-Hernandez)
Public Hearing/Action is scheduled for 12/14/21 at 9:30 am.
- K. **Introduction** - Special Appropriation to the FY22 Capital Budget and Amendment to the FY21-26 Capital Improvements Program (CIP), Department of Technology and Enterprise Business Solutions (TEBS) - \$7,200,000 for FiberNet (Source of Funds: Current Revenue, General Fund) (Toregas)
Public Hearing/Action is scheduled for 12/7/21 at 1:30 pm.
- L. **Introduction** - Special Appropriation to the County Government's FY22 Operating Budget, Office of the County Executive - \$250,000; and Amendment to the FY22 Operating Budget Resolution 19-872, Section G, FY22 Designation of Entities for Non-Competitive Contract Award Status: Effective Law Enforcement for All, Inc. (ELE4A) (Source of Funds: General Fund Undesignated Reserves) (Frag/Camacho)
Public Hearing is scheduled for 12/7/21 at 1:30 pm.
- M. **Introduction** - Resolution to approve Optional Procedure for Condemnation of Land Advance Taking CIP Project No. 508000 (Orlin)
Action will be scheduled at a later date.
- N. **Introduction** - Special Appropriation to the County Government's FY22 Operating Budget, COVID-19 Human Services and Community Assistance Non-Departmental Account (NDA) - \$6,919,000 for COVID-19 Response - Montgomery County Food Security Fund (Source of Funds: \$6,250,000 General Fund Undesignated Reserves and \$669,000 American Rescue Plan Act Funds) (Mia)
Public Hearing/Action is scheduled for 12/7/21 at 1:30 pm.

(4) [11:30] 12:25 **CONSENT CALENDAR** (*continued*)

O. **Introduction** - Special Appropriation to the County Government's FY22 Operating Budget, Department of Health and Human Services (DHHS), Behavioral Health and Crisis Prevention - \$350,000 for Crisis Prevention and Intervention Services - Montgomery County Hotline; and Amendment to the FY22 Operating Budget Resolution 19-872, Section G, FY22 Designation of Entities for Non-Competitive Contract Award Status: EveryMind (Source of Funds: General Fund Reserves) (Yao)

Public Hearing/Action is scheduled for 12/14/21 at 9:30 am.

P. **Action** - Resolution to approve the Office of Legislative Oversight's FY22 Workplan Program Supplement (Cihlar)

Q. **Action** - Council nominees to the Bethesda Urban Partnership Board of Directors (Singleton)

R. **Action** - Executive Regulation 11-21, Landlord Tenant Relations - Obligations of Landlord - Window Guards (McMillan)

PHED Committee recommends approval.

Postponed: S. **Action** - Special Appropriation to the County Government's FY22 Operating Budget, Guaranteed Income Non-Departmental Account (NDA) - \$1,992,832 for Guaranteed Income Pilot Program (Source of Funds: General Fund Reserves) (McMillan)

T. **Action** - Confirmation of County Executive's appointments to the Bethesda Urban Partnership, Inc. Board of Directors: Susan E. Lennon, Christopher J. Smith (Medrano-Rivera)

U. **Action** - Confirmation of County Executive's appointment to the Commission on Children and Youth: Kirsten Andersen (Medrano-Rivera)

V. **Action** - Confirmation of County Executive's appointment to the County-Wide Recreation and Parks Advisory Board: Kendell Matthews (Medrano-Rivera)

Removed from consent calendar to be considered separately as item 3.5:

~~W.~~ **Introduction** - Revised Supplemental Appropriation to the Montgomery County FY22 Operating Budget, Merit System Protection Board Grievances, Montgomery County Fire and Rescue Service, \$602,159 (Source of Funds: Undesignated Fire Fund Reserves), Montgomery County Sheriff's Office, \$223,757, (Source of Funds: General Fund Undesignated Reserves); Montgomery County Police Department, \$626,039 (Source of Funds: Source of Funds: General Fund Undesignated Reserves) (Howard)

*Lead Sponsor: Council President at the request of the County Executive
Public Hearing is scheduled for 12/7/21 at 1:30 pm.*

Time Change:

[11:35] 12:30 **RECESS**

PRESENTATION - Presentation Recognizing Remembrance & Reconciliation Month by Councilmember Riemer

Deleted:

- (5) 1:30 **PUBLIC HEARING - Zoning Text Amendment (ZTA) 21-08, Landscape Contractor Use** (Ndou)
PHED Committee worksession will be scheduled at a later date.
- (6) 1:30 **PUBLIC HEARING - ZTA 21-09, Office and Professional - Biohealth Priority Campus** (Ndou)
PHED Committee worksession will be scheduled at a later date.
- (7) 1:30 **PUBLIC HEARING - Subdivision Regulation Amendment (SRA) 21-02, Administrative Subdivision - Biohealth Priority Campus** (Ndou)
PHED Committee worksession will be scheduled at a later date.
- (8) 1:30 **PUBLIC HEARING - Bill 40-21, Individual Water Supply and Sewerage Disposal Systems - Amendments** (McCartney-Green)
T&E Committee worksession will be scheduled at a later date.
- (9) 1:30 **PUBLIC HEARING - Bill 42-21, Child Care - Early Care and Education Coordinating Entity - Established** (Drummer)
E&C/HHS Committee worksession will be scheduled at a later date.
- (10) 1:30 **PUBLIC HEARING - Expedited Bill 43-21, Health - Advisory Board for Montgomery Cares Program - Amendments** (Drummer)
Action is tentatively scheduled for 12/7/21.
- (11) 1:30 **PUBLIC HEARING - Resolution to Reduce and Simplify Certain Taxicab Fees** (Orlin)
T&E Committee worksession will be scheduled at a later date.
- (12) 1:30 **PUBLIC HEARING - Special Appropriation to the County Government's FY22 Capital Budget and Amendment to the FY21-26 CIP, Department of General Services (DGS) - \$3,600,000 for Acquisition of 260 East Jefferson Street (Source of Funds: General Obligation Bonds)** (Mia)
GO Committee worksession will be scheduled at a later date.
- (13) 1:30 **PUBLIC HEARING - Declaration of No Further Need - Disposition of a portion of Warner Circle Special Park** (Mia)
GO/PHED Committee worksession will be scheduled at a later date.
- (14) 1:30 **PUBLIC HEARING/ACTION - Declaration of No Further Need - Disposition of the Brookeville Communications Tower at 4301 Brookeville Road** (Mia)
- (15) 1:30 **PUBLIC HEARING/ACTION - Declaration of No Further Need - Disposition of 14900 Broschart Road** (Mia)
- (16) 1:30 **PUBLIC HEARING/ACTION - Amendment to the FY21-26 Capital Improvements Program and Special Appropriation to the FY22 Capital Budget; Montgomery County Government; Department of Health and Human Services for Emergency Homeless Shelter - \$2,455,000 (Source of Funds: General Obligation Bonds)** (Yao/McMillan)

- (17) 1:30 **PUBLIC HEARING/ACTION** - Special Appropriation to Montgomery County Public School's (MCPS) FY22 Operating Budget - \$252,242,245 for the Elementary and Secondary School Emergency Relief Fund III (Source of Funds: Federal Relief Grant - American Rescue Plan Act of 2021) (McGuire/Rodriguez-Hernandez)
- (18) 1:30 **PUBLIC HEARING/ACTION** - Special Appropriation to Montgomery County Public School's FY22 Operating Budget-\$1,205,690 for the Trauma and Behavioral Health Grant (Source of Funds: Federal Relief Grant - American Rescue Plan Act of 2021 Supplemental Aid Grant) (McGuire/Rodriguez-Hernandez)
- (19) 3:00 **INTERVIEW** - County Executive's appointment for Labor Relations Administrator: Sara Espinosa (Singleton)
Action is tentatively scheduled for 12/7/21.
- (20) 3:20 **ACTION** - Resolution to amend FY22 Transportation Fees, Charges, and Fares based on Fare Equity Study (Orlin)
- (21) 3:35 **DISTRICT COUNCIL SESSION**
- A. **Introduction** - Rules of Procedure for Conditional Uses and Waivers for Certain Telecommunication Towers and Objections to Applications for Waivers for Certain Telecommunications Towers before the Office of Zoning and Administrative Hearings (Ndou)
Public Hearing is scheduled for 1/18/22 at 1:30 pm.
- (21) 3:35 **DISTRICT COUNCIL SESSION** (*continued*)
- B. **Introduction** - Additions to the Office of Zoning and Administrative Hearings' Fee Schedule (Ndou)
Public Hearing is scheduled for 1/18/22 at 1:30 pm.
- 3:45 **LEGISLATIVE SESSION - Day #33**
- (22) **WORKSESSION** - Redistricting, **Expedited Bill 41-21**, Elections Council Districts - Boundaries (McCartney-Green/Dunn)
Action is tentatively scheduled for 12/7/21.
- (23) **Introduction of Bills:**
- A. **Bill 46-21**, Environmental Sustainability - Commercial Property Assessed Clean Energy Program - Amendments (McCartney-Green)
Public Hearing is scheduled for 1/11/22 at 1:30 pm.
- (24) **Call of Bills for Final Reading:**
- A. **Bill 5-21**, Agricultural Land Preservation - Solar Collection System - Dedication of Business Personal Property Tax Revenue (Drummer)
GO/PHED Committee recommends approval.

(25) **Miscellaneous Business:**

A. **Action** - [Withdrawal of Bill 11-21, Montgomery County Economic Development Corporation - Bylaws - Live Video Streaming of Open Meetings](#)

(Wellons)

ADJOURN

7:00 **LISTENING SESSION** - Thrive Montgomery 2050

This meeting will be televised live on CCM Channels Comcast HD 996 and SD 6, RCN HD 1056 and SD 6, and Verizon 30 and repeated 12/3/21 at 9:00 pm.

This meeting will also be live streamed on Facebook (@MontgomeryCountyMDCouncil) and YouTube(@MoCoCouncilMD)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on December 7, 2021.

- Commission on Child Care: Yvonne Iscandari
- County-Wide Recreation and Parks Advisory Board: Jeneva Stone
- Historic Preservation Commission: Jeffrey Hains, Julie Pelletier, Zara Naser
- Interagency Coordinating Board for Community Use of Public Facilities: Pravin Mistry

Dial-in access to Council and Committee meetings is temporarily unavailable due to ongoing construction in the Council Office Building.

NOTICE OF UPCOMING COUNCIL MEETINGS

Council meeting notices are posted on the bulletin board in the fourth floor lobby of the Council Office Building in Rockville, and on the Council’s website at

<http://www.montgomerycountymd.gov/content/council/pdf/agenda/FutureMtgs.pdf>

Dec 2, 2021	7:00 pm	Virtual Town Hall on Climate Change
Dec 7, 2021	9:00 am	Regular Session
Dec 14, 2021	9:00 am	Regular Session
Dec 15, 2021	7:00 pm	Virtual Thrive Montgomery 2050 Listening Session
Dec 20 - Jan 7		No Council Sessions

Future Public Hearings: To testify at a Council Public Hearing, please sign up online at <http://www.montgomerycountymd.gov/council/phsignup.html>, or call 240-777-7803.

Dec 7, 2021

- 1:30 pm Resolution to approve correct copy of Montgomery County Planning Board Regulation 3-21 on Forest Conservation - Trees
- 1:30 pm Approval of the lease (term) extension between M-NCPPC and Meadowbrook Foundation, Inc. (Meadowbrook Stables)
- 1:30 pm **Bill 44-21**, Montgomery County Green Bank - Funding - Fuel-energy Tax Revenue
- 1:30 pm **Expedited Bill 45-21**, Elections - Public Campaign Financing - Restrictions

Visit the Council website for other valuable resources: www.montgomerycountymd.gov/council



If you need accommodations to participate in any Council activity, please contact us as far in advance as possible: 240-777-7900 (MD Relay - Dial 711 or 800-201-7165) Email: County.Council@montgomerycountymd.gov.

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