



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Tuesday, March 14, 2023

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland at 1:02 p.m. on Tuesday, March 14, 2023.

### PRESENT

Councilmember Evan Glass, President	Councilmember Andrew Friedson, Vice President
Councilmember Gabe Albornoz	Councilmember Natali Fani-González
Councilmember Marilyn Balcombe	Councilmember Sidney Katz
Councilmember Laurie-Anne Sayles	Councilmember Kristin Mink
Councilmember Dawn Luedtke	Councilmember Kate Stewart
Councilmember Will Jawando	

The President in the Chair.

### PRESENTATIONS

- A. Presented proclamation recognizing Sigma Gamma Rho's Centennial Celebration, by Council President Glass.
- B. Presented proclamation recognizing Multiple Sclerosis Awareness Week, by Councilmember Albornoz.

The Council recessed 1:20 p.m. and reconvened at 1:31 p.m.

### GENERAL BUSINESS

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

Ms. Rupp, Clerk of the Council, announced that public hearings on the FY24 Operating Budget and additional Amendments to the FY23-28

Capital Improvement Program will be held on April 11 and April 13, 2023, at 1:30 p.m. and April 11 and April 13 at 7:00 p.m.

B. **Action** – Approved the Minutes of February 7 and 14, 2023.

(1) **PUBLIC HEARING - Expedited Bill 13-23, Montgomery County Urban Districts - Friendship Heights District**

The public hearing was conducted. Additional materials for the Council's consideration should be submitted by the close of business on March 17, 2023. An Economic Development (ECON) Committee worksession is scheduled for March 23, 2023.

(2) **PUBLIC HEARING - Bill 14-23, Late Night Business Safety Plan**

The public hearing was conducted. Additional materials for the Council's consideration should be submitted by the close of business on March 23, 2023. A Public Safety (PS) Committee worksession is scheduled for March 27, 2023.

(3) **PUBLIC HEARING/ACTION - Supplemental Appropriation to the County Government's FY23 Operating Budget, Department of Police, FY23 Governor's Office of Crime Control and Prevention (GOCCP) Police Accountability and Community Transparency (PACT) Grant Award \$498,060 (Source of Funds: State Grant)**

The public hearing was conducted and the record closed.

Adopted **Resolution 20-79**, approving the subject supplemental appropriation.

Mr. Katz made the motion which carried without objection.

(4) **PUBLIC HEARING/ACTION - Supplemental Appropriation to the County Government's FY23 Operating Budget, Office of County Executive, Purple Line Light Rail Project Business Grants, \$815,000 (Source of Funds: State Grant)**

The public hearing was conducted and the record closed.

Adopted **Resolution 20-80**, approving the subject supplemental appropriation.

Mr. Friedson made the motion which carried without objection.

(5) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.

Ms. Luedtke made the motion, which carried without objection.

- A. **Introduced** a Supplemental Appropriation to the County Government's FY23 Operating Budget, Department of Health and Human Services - Statewide Integrated Health Improvement Strategy (SIHIS) Eliminating Disparities in Maternal Health Initiative-Home Visiting Expansion, \$214,004 (Source of Funds: State Funds). A public hearing/action is scheduled for March 28, 2023, at 1:30 p.m.
- B. **Introduced** a Declaration of No Further Need - Disposition of Pepper Ridge Property in the Emory Grove area of Gaithersburg. A public hearing is scheduled for March 28, 2023, at 1:30 p.m.
- C. **Introduced** Executive Regulation 1-23, Updated Position Description for Assistant Chief of Police (Civilian). A public hearing is scheduled for April 11, 2023, at 1:30 p.m.
- D. **Introduced** a Rustic Roads Functional Master Plan Update - Planning Board Draft. A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- E. **Confirmed** appointments of Special Counsel: Stein Sperling Bennett De Jong Driscoll PA, Jackson Lewis P.C., and Coggins, Harman and Hewitt as special counsel to assist the Office of the County Attorney in representing Montgomery County and the members of the County's Self-Insurance Fund.
- F. Adopted **Resolution 20-81**, confirming the County Executive's appointment to the Commission on Juvenile Justice: Elizabeth Emen.
- G. Adopted **Resolution 20-82**, Designating the Montgomery County Collaboration Council for Children, Youth, and Families as the County's Local Management Board for Children, Youth, and Families.
- H. Adopted **Resolution 20-83**, approving the FY22 National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit (NPDES-MS4) Financial Assurance Plan.
- I. Introduced and adopted **Resolution 20-84**, amendment to Resolution 19-1444, Authorizing the creation of non-merit staff positions.
- J. Adopted **Resolution 20-85**, an Amendment to the FY23-28 CIP and Supplemental Appropriation to the County Government's FY23 Capital Budget, Office of Agriculture, Agricultural Land Preservation Easement Project, \$2,641,207.72 (Source of Funds: State Aid and Ag Transfer Tax).

**Motion to Close**

The Council adjourned the open session at 2:07 p.m. and reconvened in the Capital Crescent Trail Conference Room in closed session from 2:16 p.m. to 3:24 p.m. Ms. Luedtke made the motion, which carried unanimously among those present.

**Report of Closed Session of March 14, 2023**

**In compliance with Section 3-306(c)(2)** General Provisions Article, Maryland Code, the following is a report of the County Council’s closed session in the Capital Crescent Trail Conference Room at 3:40 P.M. pursuant to Maryland Code, General Provisions Article §3-305(b)(7) to consult with counsel to obtain legal advice; and §3-305(b)(8) to consult with staff, consultants, or other individuals about pending or potential litigation. Topic is pending litigation involving the County.

The following persons were present: Councilmembers Albornoz, Balcombe, Fani-González, Friedson, Glass, Jawando, Katz, Luedtke, Mink, Sayles, Stewart, Chiefs of Staff Gibson (*virtually*), Heyboer, Kraut, Ledner, Luckett, Mandel-Trupp, Shuman, Silverman, Thorne, Whittaker, Wilhelm; Ms. Michaelson, Council Executive Director; Mr. Howard, Deputy Director; Ms. Wellons, Senior Legislative Attorney; Ms. Sokoni, Legislative Attorney; Ms. Rupp, Clerk of the Council, Ms. Tenenbaum, Deputy Clerk; and Mr. Markovs, County Attorney.

**Action:** None.

The meeting adjourned at 3:24 p.m.

This is a correct copy of Council action:

  
\_\_\_\_\_  
Judy Rupp  
Clerk of the Council