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# Transcript of Benchmarking Meeting

**Date:** April 17, 2019

**Case:** Meeting/Montgomery County Department of Permitting Services

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Meeting of MONTGOMERY COUNTY DEPARTMENT OF PERMITTING  
SERVICES  
Maryland  
Wednesday, April 17, 2019  
11:40 a.m.

Job No.: 240367

Pages: 1 - 40

Transcribed by: Diana Corrado

1 Meeting of MONTGOMERY COUNTY DEPARTMENT OF  
2 PERMITTING SERVICES held at the offices of:

3

4 Diane R. Schwartz Jones, Director  
5 Director Montgomery County Department of  
6 Permitting Services  
7 255 Rockville Pike  
8 2nd Floor  
9 Rockville, MD, 20850  
10 240-777-6363

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14 Pursuant to agreement, before Tyler Halbeisen,  
15 Digital Reporter in and for the State of Virginia.

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1 (Proceedings begin at 11:40 a.m.)

2 MR. ELRICH: For Business listening session.

3 This came out of the -- two discussions.

4 One, Sidney and I had when we did the  
5 minimum wage and we said we wanted to think about what  
6 the business environment was like, because a lot of  
7 the small businesses felt that the minimum wage  
8 coupled with other things that mattered just made this  
9 a difficult place to do business. And so we wanted to  
10 understand better what the other issues were.

11 And the other was, I found when campaigning  
12 as a council member, I would always hear people say,  
13 you are the worst place to do business. And at some  
14 point, I realized that we either casually dismissed  
15 it, or -- and certainly never made any effort to find  
16 out what it meant. And people would often just say,  
17 you have too many regulations. And we have no idea  
18 what community regulations meant, you know, what are  
19 good regulations and what are bad regulations.

20 So I told people that after I got elected, I  
21 was going to set up and work with Sidney Katz to  
22 create a committee to review the business processes in

1 Montgomery County. If you're starting a business in  
2 Montgomery County, what do you go through? If you're  
3 expanding a business in Montgomery County, what do you  
4 have to deal with? What's the regulatory environment,  
5 and what makes us different than everybody else,  
6 because it was like you're worse than everybody else.

7 So I want to know what everybody else does  
8 and what we do in comparison. And I've told people  
9 that, you know, at the end of the process, my goal is  
10 to make it, so nobody says we're worse than everybody  
11 else. If we were just as bad as everybody else, that  
12 would be an accomplishment.

13 And you know, I don't expect people to love  
14 regulations, but I don't expect to be a place that  
15 people avoid. And so what you're -- what we're going  
16 to do is a series of listening sessions. What are we  
17 up to, five, six --

18 MR. KATZ: Six.

19 MR. ELRICH: Six listening sessions. And  
20 we're going to keep the record of written until July  
21 1st. And then we're going to start going through  
22 everything that comes up in business -- in the

1 listening sessions, and we're going to look how we can  
2 address them. And make any regulatory changes and  
3 make any legal changes.

4 But my commitment, and I know Sidney's  
5 commitment is the same, is that when we're done, we  
6 will come back with regulatory reforms and with legal  
7 reforms, that change the way we work here. We're also  
8 going to be looking at code issues. And a big issue  
9 I've heard from people was that if you're trying to  
10 renovate a building in Montgomery County, the code --  
11 that the rules here are different than other places.

12 What do I know? I don't know, but we're  
13 going to find out and we're going to see what is  
14 requiring of the jurisdictions and what we're  
15 requiring in Montgomery County. We really want to  
16 deal with these issues and put this to rest once and  
17 for all. And we think we can get this done -- you  
18 know, we're targeting -- you know, I'm targeting for  
19 the winter. If it takes a little bit of time to get  
20 into January, that's what it'll take. But we really  
21 want to have comprehensive solutions.

22 At the same time, some solutions will be

1 implemented as we go along. When departments hear  
2 things they know they can change, with simply changing  
3 their own internal regulations and the way they do  
4 things. Not as a training in things. We're not going  
5 to wait until the end to do stuff. We'll start  
6 implementing things that are easy to implement as we  
7 go through the process.

8           So I think what, you know I've been trying  
9 to tell people is, were not just here to listen to  
10 you. You probably feel like, you've listened --  
11 people have listened and you've complained for years  
12 and nothing's changed. We want this to be different.  
13 This is the start of the change process. We're  
14 committed to making these changes. I know that  
15 there's an appetite in my administration to do that.  
16 There's an appetite in the council to do that. And so  
17 we're going to go ahead and do that.

18           There are a number of other agencies here.  
19 DPS's, Department of Permitting Services, Health  
20 Community Services, the Office of Community in  
21 Partnerships, Department of Liquor Control, Department  
22 of Transportation, Department of Planning, HOSA, which

1 is a code review group, WSFC and PEPCO. And we're  
2 going to involve all the other agencies that touch  
3 projects in the process of going through this. So we  
4 intend to be comprehensive and thoughtful about what  
5 we do, and we're really are serious about not just  
6 listening, but acting.

7           What else was I going to say -- the other  
8 listening sessions, so next month, we're launching a  
9 pilot program called Business Connected Beyond County  
10 Regional Service Centre, to create business hubs  
11 around the county and deliver business services  
12 through our regional service centers.

13           So we're trying to reactivate the county's  
14 economic development department and put services back  
15 in the regional services centers -- economic services  
16 back in the regional service centers. So we can help  
17 people where they live, in the communities where they  
18 want to start businesses, so we can help small  
19 building owners and small center owners to address  
20 problems that they may -- may be experiencing in their  
21 current business environment.

22           And this is just the first step of what



1 we're going to do to try to bring about changes in the  
2 county. So hopefully, you all feel that your input is  
3 valued. I'm not going to sit here and defend anything  
4 or try to explain anything here away. We're here to  
5 listen, and I will let Sidney say a few words.

6 MR. KATZ: Well, thank you, very much Mr.  
7 County Executive. You know, when Marc first came to  
8 me -- and thank you all for being here. This is the  
9 way that we're going to learn. What's -- what is and  
10 isn't working. We want to hear the good, the great,  
11 we want to hear the bad and the ugly. What is going  
12 on and why it's going on. And why a business either  
13 stay here and try to grow and is successful, or why a  
14 business did not come here and -- or was here and  
15 didn't grow. We want to hear everything that's going  
16 on.

17 My background is that I have a -- I owned a  
18 small business for -- my grandparents started 102  
19 years ago in Gaithersburg. I ran that business up  
20 until -- it was a clothing store, like an Army & Navy  
21 store, up until the time I actually, became one of the  
22 government county council. I was a part-time mayor

1 and full-time business owner, and so I've actually  
2 lived the life.

3 I understand what it means when you're a  
4 small business owner, that you sweep the floors and  
5 you buy the inventory and you have to figure out how  
6 you're going to pay your bills and be effective. And  
7 we know that in Montgomery County, somehow along the  
8 way, we haven't done as good a job, in some cases, to  
9 make certain that our small business owners realize  
10 that they too, have their dream and we want them to  
11 grow with us.

12 We're committing to -- we are committed to  
13 building relationships with our business community.  
14 That is exactly why I'm sitting next to Marc when this  
15 -- when we first -- when he first talked about it, and  
16 he came to talk to me about it. He said would you  
17 consider doing this, and I jumped at the opportunity.

18 Because we need to make certain your  
19 business community is -- realizes they're being heard.  
20 We want to look you in the eyes, we want to hear the  
21 concerns, we -- if you have something nice to say,  
22 we'll listen to that as well. But we want to make

1 certain that our business community is working with  
2 us. We -- we'll work together to identify things that  
3 Montgomery County can reasonably do to help, as  
4 quickly as we can. And as Marc says we can do it  
5 along the way. At the end of this process -- in the  
6 beginning when we first talked about it, we thought  
7 that were really going to do this in reverse. We're  
8 going to have a committee and give us their  
9 suggestions and then we were going to go out and have  
10 this listening tour.

11           Then we thought about it and we said, you  
12 know what, we're going to do it the opposite way.  
13 What we're going to do is have a listening tour and  
14 we're going to go to every part of Montgomery County.  
15 We're going to have the six sessions all throughout  
16 the county, in every regional service center.

17           And then what we're going to do, at that  
18 point is have a share/read, where people come together  
19 -- from every stakeholder and say what they have to  
20 say together, and then we're going to have a committee  
21 we're going to various -- give us various suggestions  
22 on what's the best way to solve this.

1           And their time frame is tight. We want a --  
2 we would like to make certain that this gets done as  
3 Marc said by the end of the year. But we don't want  
4 to do something so quickly we -- that we actually  
5 don't do it the way it should be done. So if it has  
6 to be stretched out a little further, we'll do that,  
7 but that's certainly not something that's our goal.

8           And we want you to feel comfortable talking  
9 to us. If there's -- on our website, there's places  
10 that you can have an anonymous comment. There's going  
11 to be times that, you know, you're going to see us in  
12 various places.

13           And we want to hear it. Because this I our  
14 time, your time and our time to get it right. So  
15 thank you all very, very much for being here and with  
16 that I think we would like to start hearing from  
17 people.

18           Oh no, no. You had some housekeeping?

19           MS. SCHWARTZ JONES: Good morning,  
20 everybody. For -- just for housekeeping matters, if  
21 you would like to speak, there are sign in sheets in  
22 the back. And we will keep -- we're shuttling the

1 sheets up front so you can be called. There are a  
2 number of people here, you may be asked to limit your  
3 time. So if you could try to keep it to three to five  
4 minutes, that just -- we want to hear of -- there's  
5 also, as mentioned, there are flyers in the back.  
6 There's a website -- the -- for business website,  
7 where comments can be submitted anonymously. There's  
8 the -- an e-mail address where written comments can be  
9 sent as well. The written address is on there, it is  
10 on that flyer as well. It is  
11 forbusiness@MontgomeryCountyMD.gov.

12 There's a court reporter here who -- the  
13 reason that the reporter is here, is because we want  
14 to get the record, we want to be very transparent so  
15 everybody can see it. It will be posted, the  
16 transcript, will be posted on our website so people  
17 can read and if there's more you want to say, you can  
18 then send in additional comments.

19 And with that I think that that's it for the  
20 logistics for today. Thank you.

21 MR. KATZ: We're going to call -- I don't  
22 know whether we should call people by name up from the

1     signup sheet, or whether people just want to come up  
2     and sit down, but we can start with that. We're going  
3     to ask people to please try to keep it to three  
4     minutes, so that we can hear from as many as possible.

5             The first person on the list, I believe the  
6     name is Frank Obidke?

7             MR. OBIDKE: Obidke.

8             MR. KATZ: Obidke. If you would please --  
9     and while he's coming forward, if Susan Mullineaux  
10    would like to come forward, please?

11            And Phil Royston? And Augusto Milady?  
12    Malindo?

13            MR. MACEDO: Macedo

14            MR. KATZ: I'm not saying that -- if you  
15    could -- I probably have messed up everybody's name  
16    and believe me you, won't be the only ones that this  
17    happens to this morning.

18            So -- and I'll time you to let you know when  
19    you two and a half minutes -- when you have 30 seconds  
20    left to speak.

21            MS. SCHWARTZ JONES: I apologize.

22            MR. KATZ: Sure.

1 MS. SCHWARTZ JONES: But one more thing I  
2 neglected to say. I don't know -- we do have Spanish  
3 translators here. Johnny Campose (ph) is here and  
4 Jennifer Vargas (ph) if anybody needs Spanish  
5 translation services. Johnny can you --

6 MR. KATZ: Okay. Very good.

7 Please, would you -- yeah, you there, sir --

8 MR. OBIDKE: Do I sit over here?

9 MR. KATZ: Sit down. Please sit down. Any  
10 --

11 MR. OBIDKE: All right, sir.

12 MR. KATZ: And when you speak, if you'll  
13 touch the button at the -- near the base for the  
14 microphone, and that'll turn it on. And then once  
15 you're finished, please turn it off.

16 MR. OBIDKE: It's on.

17 MR. KATZ: And I'll start the timer. Thank  
18 you.

19 MR. OBIDKE: Yeah. First of all, thank you  
20 very much for this opportunity. And thank you, County  
21 Executive, Marc Elrich. And thank you, Council  
22 Member, Sidney Katz. And I thank every member of

1 Montgomery County Government.

2 I -- that was in December, if I remember,  
3 December 16, 2018 that I have the opportunity in the  
4 listening session. That was at the -- I think, Chevy  
5 Chase High School. And I, kind of, expressed my  
6 situation with the Montgomery Government. And I'm  
7 American, well-trained, competent pharmacist.

8 I've been looking for a job for some time.  
9 At a point, I was put out from my apartment on  
10 December 13, 2018. Then I stayed at the Goody (ph).  
11 (indiscernible 00:12:49) Goody, which is a man  
12 shelter. But you're allowed to stay there for  
13 emergency, for what you call a cold snap winter  
14 respite, it's just an emergency shelter. And then on  
15 April 5th everybody was put out.

16 At the moment now I don't have a home. And  
17 what I do, I find McDonalds any 24 hours type of  
18 restaurant that can allow me to stay up to the next  
19 morning. Not even to sleep, just to stay up.

20 Last night, I was in a McDonalds somewhere  
21 near Rockville Pike. And two gentlemen came, and I  
22 think they were drunk and they homeless like me, and



1 they started to be destructive. The police was  
2 called. And we were put out. That was about 1:30  
3 a.m. in the morning. And I don't know where to go.  
4 So I ended up in a bus stop and I laid on the bench  
5 there until the morning came.

6 Then I went to take a bath at the gym. They  
7 allowed me to, you know, to take a shower at the gym.  
8 Then I'm off. So I -- like I say, I'm very competent.  
9 I have a license that is active. I just need a job.

10 Now, they have what they call, a work force  
11 innovation, an opportunity act, which was turned into  
12 law, by then President Barack Obama on July 14th --  
13 actually July 22, 2014. And I think I can --

14 MR. KATZ: You have to wrap up in 30 seconds  
15 --

16 MR. OBIDKE: Okay.

17 MR. KATZ: -- please.

18 MR. OBIDKE: Okay. I can benefit from that.  
19 So my comment here is that, I need a job. I'm very  
20 competent, I'm not lazy, I'm not alcoholic, I'm not a  
21 drug addict. This is somebody who wants to make  
22 something out of his life, begging for an opportunity.

1 Please, I need a job. Thank you.

2 MR. KATZ: Thank you very much for being  
3 here.

4 The next speaker was Susan Mullineaux. Did  
5 I say it right?

6 MS. MULLINEAUX: Susan Mullineaux. Thank  
7 you.

8 MR. KATZ: There you go. There you go.

9 MS. MULLINEAUX: Thank you very much.

10 MR. KATZ: I think you're the only one I'll  
11 get it right for the whole day.

12 MS. MULLINEAUX: It was very, very good.  
13 Thank you for this opportunity. I think this is a  
14 fantastic thing to do. I too, am a small business  
15 owner in the county, DCMM Architects (ph). Our firm  
16 has been in existence since 1946. Not quite 100  
17 years, but we're well into --

18 MR. KATZ: It's very close.

19 MS. MULLINEAUX: -- our 70's. So we're  
20 very, very concerned about the business environment in  
21 the County, of course. We also do work for the county  
22 government, so we have some insights there.

1 I also happen to be on the board of the  
2 fairly newly organized Montgomery Small Business  
3 Association. Ken O'Connell (ph) will attend another  
4 one of the listening sessions. He's one of -- he's  
5 our president.

6 And one of the questions I was asked to  
7 bring up today is, from a small business stand point,  
8 you know what is being done or what can be done, I  
9 guess, to enforce the percentage of small business  
10 spending by the various department heads in the  
11 county. There seems to be some question as to whether  
12 or not that's really been occurring in the past.  
13 Thank you very much.

14 MR. KATZ: Thank you. And generally, I  
15 don't know that we're going to be able to answer --

16 MS. MULLINEAUX: I know.

17 MR. KATZ: -- questions today. But we will  
18 get back with --

19 MS. MULLINEAUX: Absolutely.

20 MR. KATZ: -- with any -- I think any of the  
21 answers.

22 MR. ELRICH: I can really quickly say, that

1 we are looking at unbundling contracts. We have a new  
2 procurement director, and he is taking this very  
3 seriously about the small businesses and minority  
4 procurement. Parts of this, neither of which we have  
5 done probably as well as we ought to be doing. So you  
6 will see a different climate, and we'll be setting up  
7 opportunities for people to talk to procurement about  
8 what their experiences were, as well.

9 MS. MULLINEAUX: Makes sense. Okay.

10 MR. ELRICH: Thank you.

11 MR. KATZ: Mr. --

12 MR. MACEDO: Augusto Macedo

13 MR. KATZ: Neither one of us know how to say  
14 it. Thank you.

15 MR. MACEDO: Thanks for the opportunity. I  
16 think this is a wonderful opportunity that you've  
17 launched, amongst other things.

18 I am principle of a regulatory compliance  
19 consultancy firm called AMC Compliance. We serve the  
20 asset management space. We best in advisors, both  
21 dealers and private equity firms, people that manage  
22 your money and manage the accountant's money. There

1 is a practice in this county, where certain agencies  
2 are excluded from the procurement regulations or the  
3 department of procurement. And I believe the  
4 Montgomery County retirement plans is one of those.

5 In February I sent you a letter, that was  
6 also addressed to the chief administrative officer.  
7 To date, I have not received an acknowledgement.  
8 Fortunately, I ran into Judy today, who I had met a  
9 few months ago at another session. And she said that  
10 she was going to look into the matter, and she told me  
11 today that a response is being prepared.

12 In any event, the issue at hand is, why are  
13 certain agencies excluded? And to the extent that we  
14 are excluded, and there should be some manual that is  
15 made available to tell companies, vendors, small  
16 businesses how to engage those companies, how they may  
17 be able to respond, to request from those companies.  
18 As opposed to being exempt completely or being  
19 tailored to a certain select group of businesses who  
20 can do business with those organizations.

21 It puts the county at a disadvantage, because the  
22 county does not get the most or the best price for

1 services. So I am a little, you know, I have to tell  
2 you this, County Executive. I am a little  
3 disappointed that you -- your administration had  
4 failed to send in an acknowledgment letter, after I  
5 sent you a letter in February 2019. And it's almost  
6 the end of the first quarter.

7 So I would hope -- and I'm a supporter of  
8 yours. And I have voted for you because I love the  
9 ideas that you -- policies that you would like to  
10 implement.

11 But I think that in order to be more  
12 business friendly, you have to be able to respond to  
13 your constituencies and you have to be able to respond  
14 to the residents of this county. Thank you.

15 MR. ELRICH: Thank you.

16 MR. KATZ: The next grouping I'm going to  
17 call down please is, Julie Verratti, Chauncie Dallas  
18 from PEPCO and (indiscernible 00:19:08), Kristen  
19 Toible, from WorkSource Montgomery, Cynthia Gossom, I  
20 guess that's right. Tony Paul for DPS Bond, and  
21 Kathleen -- well, Cathleen just is a reporter, and  
22 Cory Van Horn and Kelly Groff, both from Visit

1 Montgomery. If they could come down, please and if  
2 they would like to give us their testimony, please.

3 Julie, how are you?

4 MS. VERRATTI: Doing well.

5 MR. KATZ: Good.

6 MS. VERRATTI: Can you hear me?

7 MR. KATZ: Yes.

8 MS. VERRATTI: There we go. First, thank  
9 you very much for holding these sessions. This is  
10 absolutely necessary, and I appreciate as a small  
11 business owner the opportunity, not only to come  
12 today, but the fact that you're having multiples of  
13 these is really, really important. You know, the day  
14 and life of a small business owner you don't  
15 necessarily know when you're going to be available, so  
16 being able to have multiple opportunities is really  
17 important. So thank you for that.

18 I didn't really -- I don't have like a --  
19 you know, drafted comments. I just sort of -- I wrote  
20 down a couple of points in a list form that I just  
21 kind of, wanted to summarize a couple of them. One or  
22 two of them have already been pointed out by other

1 folks, I'm not going to say those.

2 I think one of the biggest issues I have  
3 found, is the inconsistency, in terms of what policies  
4 and regulations are going to exist. It's never that  
5 there's one specific regulation, that's the thing that  
6 makes it difficult to do business. It's the sort of  
7 death by a million cuts. And also just sort of the --  
8 you know, one year this is what the regulation is  
9 going to be, and then the law will change and then  
10 next year it's going to be this. So it's the constant  
11 uncertainty that makes things stressful and  
12 frustrating.

13 I will say that, you know, working with  
14 county staff is pleasant. You know I -- it's never a  
15 thing where I feel disrespected as a business owner.  
16 It's almost more of a -- like a lack of understanding  
17 and sometimes a lack of empathy. And I think part of  
18 it is, just not having the experience of being a  
19 business owner. There's nothing wrong with that.

20 You know I've never been a teacher, I don't  
21 know what it's like to be a teacher. But I think  
22 having sessions like this, is going a long way to



1 putting yourselves in the shoes of the business owners  
2 and really learning what the day to day looks like for  
3 them.

4 I mean, I'm sure that I'll have other  
5 comments later and I'll make sure to submit them via  
6 the e-mail. But thank you, again, for having us.

7 MR. KATZ: Thank you. Please?

8 MS. DALLAS: I'm Chauncie Dallas. I'm here  
9 with PEPCO. I represent Montgomery County New  
10 Business. We have a good relationship when it comes  
11 to getting our permits and everything. We like the  
12 new system. We like the way that that moves --

13 MR. ELRICH: Can everybody hear her in the  
14 back? Now, I think -- can you get closer to the  
15 microphone, please?

16 MS. DALLAS: Sure. Can you hear me now?

17 MR. ELRICH: There you go.

18 MS. DALLAS: All right.

19 MR. ELRICH: (indiscernible 00:22:14), you  
20 know. Go ahead.

21 MS. DALLAS: Great. Yeah. No, I was just  
22 speaking to the current permitting system with

1 Montgomery County. That works well with our system  
2 and we haven't had any issues when it comes to that.

3 But with respect to new business and  
4 customer needs for PEPCO, sometimes the communication  
5 is off, where the expectations are set for Montgomery  
6 County, but they're different from what PEPCO's  
7 expectations are.

8 So we just want to make sure that when  
9 customers come with questions that are in reference to  
10 PEPCO, that they are referred to PEPCO to get those  
11 answers, so we can set those expectations and no one  
12 else does that. All right?

13 MR. ELRICH: Very good. Thank you.

14 MS. DALLAS: Thank you.

15 MR. KATZ: The next grouping Simin Rasolee.  
16 Yeah? No. Okay.

17 We have people from the Department of  
18 Finance. If they would like to testify, they're  
19 certainly welcome to come down. Lisa Dobbs and  
20 someone from LifeAsset. I can't read the name. Is  
21 anybody -- no? Marlus -- something. All right.  
22 Okay. Pam Clarke and Kris Colby, please.

1 Please, if you could begin, please?

2 MS. CLARKE: Thank you very much.

3 MR. KATZ: You need to touch the base.

4 There we go. Thank you.

5 MS. CLARKE: Thank you, also. We appreciate  
6 this opportunity. Pam Clarke with Clarke Concepts.

7 Mine is a service-based company. We provide  
8 communications support. My feedback is twofold.

9 One is, we are a growing and expanding  
10 company in Montgomery County. It seems that most of  
11 the incentives or grants that are available are  
12 reserved for tech innovations or bio tech. It'd be  
13 great if some of those were available for service-  
14 based companies. We are the ones who will hopefully  
15 be marketing and communication and promoting for these  
16 tech companies. So it'd be great to have that kind of  
17 support, as well.

18 My other feedback is really doing work for  
19 Montgomery County, be it the proposal process. I'd  
20 like to see the proposal process streamlined, if  
21 that's possible. It really is difficult to respond to  
22 RFP's often times. There are times when we don't hear

1 back for many months, or even at all.

2 If the County could keep the candidates  
3 apprised of the status of the proposal, keep them  
4 short. I've seen 90-page RFP's for a very simple ask,  
5 which is just, kind of, seems like jumping through a  
6 lot of hoops for a small business. And every hour I'm  
7 not billing on clients, I'm not making money. I have  
8 to be able to pay salaries. So time is very valuable.

9 Include a budget when possible. Service  
10 based companies are very scalable. So I can scale  
11 down solutions or I can scale up solutions, depending  
12 on the budget. So when it's possible including the  
13 budget in the proposal. It really is frustrating to  
14 be discounted for an opportunity when there's no  
15 budget listed, and our budget is off the mark.

16 And to take previous experience into  
17 account. We've also lost opportunities when it's not  
18 based on our previous experience or what we can do.  
19 It's based on the technicalities of the proposal  
20 itself and that can be a little frustrating, as well.  
21 Again, thank you very much for this session. I  
22 appreciate it.

1 MR. KATZ: Thank you for being here.

2 Please?

3 MR. COLBY: Yes, hello. My name's Kris  
4 Colby. I am with Backyard Bounty. We are a small  
5 women-owned landscaping firm, based out of Silver  
6 Spring. And I had two comments, one about zoning and  
7 the other about the procurement process, which echo  
8 yours to a great degree.

9 On the zoning front, you know, like I said,  
10 we're growing very quickly. We need to find a larger  
11 space to stick plants and mulch and stuff that  
12 landscapers use. As I know from previous  
13 conversations, the zoning is incredibly restrictive.  
14 Especially in -- you know, in Southern Montgomery  
15 County. On where you can legally put a landscaping  
16 firm and a lot of other service type firms, right.

17 Everybody loves to have an office building  
18 but trucks and mulch and plants, the areas are  
19 incredibly restrictive. They come down to basically  
20 an area on River Road, which I hear is going to be  
21 redone anyway to constrict the zoning. And the area  
22 around what's called Brookfield Road, a lot of space

1 of which has been lost due to the Purple Line.

2 So my options right now, if I need to find a  
3 bigger space to run this company and to expand, are to  
4 move all the out, out to like Norbeck Road or  
5 something, and have folks sitting an extra hour in a  
6 truck each way every day, which doesn't make any  
7 sense. Or move my County out of Montgomery County  
8 into some industrial section in either PG or the  
9 district.

10 So any kind of suggestions on that front,  
11 would be incredibly helpful. Like I said, we are  
12 growing quickly. We do need more space. I went and  
13 saw a space this morning, which, you know, just makes  
14 your head shake. You know anybody who's been in the  
15 market for real estate, especially something zoned  
16 correctly for industrial. It's just -- it's  
17 absolutely bonkers out there.

18 On the procurement front, again very similar  
19 to yours. The last landscaping RFP that we tried to  
20 respond to was 378 pages long. For plants, really?  
21 So we would love to do business with the county. You  
22 know, we -- basically, we would love to do business

1 with the county, we cannot spare, you know, 37 hours  
2 to respond to an RFP. It just doesn't work.

3 So again thank you very much for this  
4 opportunity. We're really grateful that folks are  
5 looking at this.

6 MR. ELRICH: If either of you have examples  
7 of RFP's from other places, it would be really helpful  
8 to send them in, because I've heard this complaint  
9 repeatedly. It seems pretty long.

10 MR. KATZ: Thank you both for being here.  
11 That's everyone on the list that we have. If anyone  
12 else would like to speak, if you want to come on down,  
13 please? Can we have another late breaking list here.

14 Lynn Perry Parker? Oh, there you are. How  
15 are you?

16 MS. PERRY PARKER: Good afternoon. I also  
17 want --

18 MR. KATZ: You need to touch the --

19 MS. PERRY PARKER: Oh.

20 MR. KATZ: There we go.

21 MS. PERRY PARKER: Good afternoon. I also  
22 want to thank you for the opportunity. I had planned

1 to just come and sit and listen. But as a lawyer --  
2 an appointment lawyer, I feel obligated to speak. I  
3 am a small employer lawyer. That's basically the best  
4 way to describe what I do. And I have everyone from  
5 landscape architects, to restaurants, to IT companies,  
6 nonprofits, for profits.

7 I know that most of this -- the focus was  
8 going to be on permitting and procurements and such,  
9 but I don't really think you can get away from the  
10 cost of labor in Montgomery County. It's not just the  
11 15 dollars, you know, minimum wage. Every time you  
12 raise it up, the unemployment, the workers comp, all  
13 those things go up, as well.

14 As well as, the individuals who are at those  
15 levels, all have to be boosted up. It's an  
16 extraordinary cost. And again, as someone echoed, the  
17 constant changing of it. We get -- it's supposed to  
18 be get implemented and it gets changed again, it goes,  
19 you know, back and forth. Things like paid sick  
20 leave. It seems nice enough, okay. How bad is seven  
21 days of paid sick leave? But again, as each wage goes  
22 up and all those things, it makes a difference.



1           Let's take an example of a restaurant. If  
2           that cook called -- a small restaurant, that single  
3           cook calls in. And they don't have to find a  
4           replacement under the laws -- the implementation on  
5           that. You have to find another cook, or you are going  
6           to go out of business. You have to be able to run it.  
7           So it's the cost of that paid sick leave, plus the  
8           additional one that you got in. Those are  
9           extraordinary costs.

10           Many restaurants, their profit margins are  
11           two percent. There's no margin for that kind of  
12           inconsistency and being able to plan, not to mention  
13           the overhead. And we can see that in Rockville Town  
14           Center. That happens to be our industry right now, is  
15           restaurants. So this is kind of one size fits all.

16           The minimum wage, that whole standard is --  
17           was implemented originally 40 years ago. It's not  
18           progressive to simply use that old system in our new  
19           economy, to say this is the new economy, and just keep  
20           raising the amount. When it's an opportunity, there  
21           should be intellectual structure into how this is done  
22           and the way -- it's just not enough that you -- okay

1 the big companies can do it this time, and small  
2 companies can do it this time. It doesn't work that  
3 way, especially as a tight labor market. Big  
4 companies just take all the town pool. I could go on  
5 and on and on, but I only have three minutes.

6 MR. KATZ: (indiscernible 00:31:50), so  
7 please.

8 MS. PERRY PARKER: So I can write some more  
9 comments. But I just don't think that just saying  
10 that it was a permitting process, which happens once,  
11 it's awful. Signage, you know, new companies, they're  
12 not aware of these -- small companies, they're not  
13 aware of all these signage regulations. Then they get  
14 into their space and they can't advertise. People  
15 don't even know that they're there.

16 I cannot tell you how many times people have  
17 come to my office, wanting to start a small business  
18 and by the time I tell them everything that they have  
19 to do from the startup -- and I'm talking about those  
20 with employees primarily, and all of the rules that go  
21 with it, they go, we can't possibly do this. Can't I  
22 just make them all 1099s? No. That's not the law.

1 MR. ELRICH: Thank you Lynn.

2 MR. KATZ: Please.

3 MR. BAYLISS: Can you hear me?

4 MR. KATZ: Yes.

5 MR. BAYLISS: Okay. Great. My name is Kyle  
6 Bayliss. I am with the Maryland Small Business  
7 Development Center out of the University of Maryland.  
8 I've been there for 11 years. And during that 11  
9 years, I've worked primarily in Montgomery County,  
10 responsible for managing staff for Montgomery County.  
11 So I've seen a lot happen here. And it's been a --  
12 it's obviously the biggest economy in the State. So  
13 it's very important, obviously to us, to try support  
14 this County as much as possible.

15 I -- one of the main reasons why I wanted to  
16 say something, is to let people know we -- in this  
17 room in particular, that there are connections to  
18 organizations, like the Maryland Small Business  
19 Development Centre, that can help you start a  
20 business, sell a business, and one of the most  
21 important areas that we have assisted businesses, is  
22 in the area of capital infusion, of finding capital.

1           And we know that a lot of businesses have  
2           that challenge of finding money. And then the other  
3           thing I wanted to just close with real quick is just  
4           to provide you some numbers on the two counselors that  
5           we have working in the county right now, just in the  
6           fiscal year up until today, from July 1st, 2019.  
7           We've helped start 40 new businesses. We've helped  
8           create 73 new jobs. We've actually helped assist  
9           businesses in finding 6.6 million in loans and in  
10          equity investing.

11           Clients supported, we've supported 299  
12          clients to date. And of that 299, 160 are Latino  
13          owned businesses that are provided in language  
14          counseling services. Thank you.

15           MR. KATZ: Thank you. And how do people  
16          contact you? Do they go through your website? How  
17          does that work?

18           MR. BAYLISS: Yeah. You know, we're  
19          restricted by -- we're funded -- the funding is  
20          restricted, so we can't really advertise. And so we  
21          really count on resource partners, like the county, to  
22          provide where to go to find us. But yes, they can go

1 to our website to register. That's one of the  
2 challenges we have. We always say we're the best kept  
3 secret, because we can't really tell people -- we  
4 can't advertise. So we try to encourage --

5 MR. KATZ: That doesn't work.

6 MR. BAYLISS: I know. Doesn't make -- it's  
7 kind of crazy, isn't it? Yeah, I know.

8 MR. KATZ: It's not advertising.

9 MR. BAYLISS: So it's you know, we're funding  
10 primarily by the small business administration. So  
11 maybe that's enough said. But it -- but obviously, we  
12 try to do as much outreach. We go to events, we come  
13 to things like this and try to promote ourselves as  
14 much as we can.

15 MR. KATZ: Can we have (indiscernible  
16 00:35:14) --

17 MR. BAYLISS: Absolutely.

18 MR. KATZ: -- on our website to link in and  
19 all of that type?

20 MR. BAYLISS: Yeah, absolutely. I've  
21 actually worked with a lot of the folks over in  
22 economic development and we're working with them and

1 providing us leads, and they provide us a lot of  
2 leads. You guys do a great job and actually,  
3 everybody on your staff is fantastic, they really are,  
4 so --

5 MR. KATZ: Well, thank you for being here.  
6 We're going to try to get you some more business.  
7 How's that sound?

8 MR. BAYLISS: Sounds good.

9 MR. KATZ: Anybody else that wanted to  
10 speak? Going once. Well, tomorrow night, Mark and I  
11 are going to take our show on the road. We're at the  
12 -- the Bethesda Regional Service Center and that's at  
13 4805 Edgemoor Lane. It starts at 7 p.m. and it's an  
14 hour and a half, so it ends at 8:30.

15 And we ask anybody who has, you know your  
16 friends and neighbors, you're certainly welcome to  
17 come back, if you'd like to think of -- give some  
18 additional advice. But we're committed to having a  
19 better situation and we -- I can sincerely say this,  
20 that is what we're going to end up with.

21 Mark, did you want to close up?

22 MR. ELRICH: I look forward to working on

1 some of the things that people raised today. And  
2 we'll definitely see people over the next -- it's not  
3 five nights in a row, is it?

4 MR. KATZ: It's not five nights in a row.

5 MR. ELRICH: Over the next five meetings,  
6 we'll continue to take input. If you have friends who  
7 are in businesses, it would be helpful if you told  
8 them that they should come out and talk to us about  
9 the regulatory environment. Thank you.

10 MR. KATZ: Thank you for being here.

11 (Proceedings concluded at 12:17 p.m.)

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1 CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

2 I, Tyler Halbeisen, the officer  
3 before whom the foregoing deposition was taken, do  
4 hereby certify that said proceedings were  
5 electronically recorded by me; and that I am neither  
6 counsel for, related to, nor employed by any of the  
7 parties to this case and have no interest, financial  
8 or otherwise, in its outcome.

9 IN WITNESS WHEREOF, I have hereunto set  
10 my hand and affixed my notarial seal this 17th day of  
11 April, 2019.

12

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16 Tyler Halbeisen, Notary Public  
17 for the Commonwealth of Virginia

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CERTIFICATE OF TRANSCRIBER

I, Diana Corrado, do hereby certify that the foregoing transcript is a true and correct record of the recorded proceedings; that said proceedings were transcribed to the best of my ability from the audio recording and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.



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Diana Corrado

2019-04-29

Transcript of Benchmarking Meeting  
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