



**Monday, January 28, 2019
MAYOR AND COUNCIL
MEETING NO. 06-19
ROCKVILLE, MARYLAND**

Approved: *Bridget Donnell Newton*
Attest: *Sara Ferrell Taylor*
Approved Meeting No. 31-19;
September 9, 2019

THE HONORABLE MAYOR AND COUNCIL PRESIDING

Attendee Name	Title	Status
Bridget Donnell Newton	Mayor	Present
Beryl L. Feinberg	Councilmember	Present
Virginia D. Onley	Councilmember	Present
Mark Pierzchala	Councilmember	Present

1. Convene

The Mayor and Council convened in Open Session on Monday, January 28, 2019 in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland.

Staff present: City Manager Rob DiSpirito, Deputy City Attorney Cindy Walters, and City Clerk/Director of Council Operations Sara Ferrell Taylor. City Attorney Debra Daniel arrived at the meeting later in the evening.

2. Pledge of Allegiance

Mayor Bridget Donnell Newton led the Pledge of Allegiance.

3. Agenda Review

City Clerk/Director of Council Operations Sara Ferrell Taylor noted that several items have been moved around in the agenda. Items 1-10 will be followed and then the meeting will skip to Item 12-14 and return to Item 11 and continue with 15-20. CC/DCO Sara Ferrell Taylor also noted there is a revised mock agenda for February 4, 2019.

4. City Manager's Report

City Manager Rob DiSpirito presented information on events and topics: Grant application for Recreation and Parks for upgrades and renovations to Dogwood Park; register online for the next session for City of Rockville Academy starting March 27, 2019; City conducting study for City of Rockville transit network and a workshop will be held for residents on January 29, 2019 at City Hall; Homestead Property Tax Credit; two forums to be held in early February to brief business owners and residents on proposed revisions to the Commercial Signs regulations. Code

5. Recognition

A. Recognition of Major Donors and Partners of the City of Rockville's 2018 Holiday Drive

Mayor Bridget Donnell Newton read the recognition for the City of Rockville's 2018 Holiday Drive to recognize the efforts and donations of partners and major donors. Some of the donor representatives presented a certificate of recognition were as follows: Rockville Presbyterian Church; Adventist Health Care; Sanburger Inc.; St. Mary's School; Dr. Jones; and Robert Frost Middle School.

6. Boards and Commissions Appointments, Reappointments and Announcements of Vacancies

Mayor Bridget Donnell Newton read the list of appointments/reappointments to the various Boards and Commissions.

A. Boards and Commissions Appointments, Reappointments and Announcements of Vacancies

Councilmember Beryl L. Feinberg moved to appoint Pavitra Srinivasan as a new appointment to serve a three-year term until January 1, 2021 on the Environment Commission.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Beryl L. Feinberg
SECONDER:	Councilmember Virginia D. Onley
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

Councilmember Virginia D. Onley moved to appoint Alicia Martin as a new appointment to serve a three-year term until January 1, 2021 on the Cultural Arts Commission.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Virginia D. Onley
SECONDER:	Councilmember Beryl L. Feinberg
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

Councilmember Beryl L. Feinberg moved to appoint Gabriella Zwi as a new appointment to serve an unexpired term until March 1, 2021 on the Human Rights Commission.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Beryl L. Feinberg
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

Councilmember Beryl L. Feinberg moved to appoint Andrew Buchholz as a new appointment to serve a three-year term until January 1, 2021 and Emily Pearce as a new appointment to serve a three-year term until January 1, 2021 on the Human Services Advisory Commission.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Beryl L. Feinberg
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

Mayor Bridget Donnell Newton thanked everyone for their participation for volunteering and to those who have already served. Mayor Donnell Newton read the list of vacancies.

7. Community Forum

<i>Name</i>	<i>Topic</i>
Marissa Valeri	APFS/APFO

Alexandra Dace Denito	APFS/APFO
Melissa McKenna	APFS/APFO
Amara Geibel	APFS.APFO
David Brenner	Police Citation 8
Paul Geller	APFS/APFO
Monique Ashston	APFS/APFO
Joe Pstoka	Vote by mail; APFS/APFO
Steven Van Grack	APFS/APFO
Locke Sansung	APFS/APFO
Peter Hurbrete	Stocks, BF Saul and Federal Realty
Brigitta Mullican	APFS/APFO

8. Mayor and Council's Response to Community Forum

The Mayor and Council thanked all speakers for their participation in Community Forum.

9. Mayor and Council Announcements

The Mayor and Council provided updates on their recent activities, including Boards and Commission meetings and Community events.

10. Consent

- A. Second Amendment to the City of Rockville Pension Plan (As Amended and Restated Effective July 1, 2015)**
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- B. Collective Bargaining Agreement with Local 1453, American Federation of State, County & Municipal Employees, AFL-CIO**
-
- C. Extension of Time and Material Contract with AAA Complete Building Service, Inc. T/A Complete Building Services for Time and Material HVAC Services, Montgomery County Contract #1015880, through December 20, 2019.**
-

Councilmember Mark Pierzchala moved to approve the Consent Agenda items

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Mark Pierzchala

SECONDER:	Councilmember Virginia D. Onley
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

11. Discussion, Instructions and Possible Adoption of a Resolution to Amend the Adequate Public Facilities Standards to Revise the Public Schools Test

Community Planning and Development Services staff member Jim Wasilak provided a brief presentation on the potential amendments to the APFS. Some of the options presented are as follows:

- No change
- Decrease the capacity standard to below 120%
- Increasing the capacity standard above 120% to 150% for certain areas of the City.
- Exemptions
- Waiver
- Eliminating the APFS schools test

Staff recommends that the Mayor and Council consider the draft resolutions and amendments, as well as the other options raised by the interested parties, and instruct staff on amendments to the drafts, if any.

Councilmember Beryl L. Feinberg suggested tabling the APFS agenda item because the information and materials received was different than what the Mayor and Council knew. Councilmember Beryl L. Feinberg would like additional time to review the materials provided in the agenda packet, there was a short timeframe for residents to see what was in the agenda packet, and the statement received from Councilmember Mark Pierzchala that the information has not had the benefit of wide distribution across the City. With that, Councilmember Beryl L. Feinberg moved to table Agenda Item 11. ~~For sake of discussion~~, Councilmember Mark Pierzchala seconded the motion.

Further discussion was held by the Mayor and Council with questions of clarification from the Mayor and Council addressed by staff. Councilmember Beryl L. Feinberg moved that the Mayor and Council table agenda item 11 and moved to February 4, 2019 move it to February 4.

RESULT:	APPROVED (3-1)
MOVER:	Councilmember Beryl L. Feinberg
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala
OPPOSED:	Mayor Bridget Donnell Newton

12. Introduction, and Possible Adoption, of an Ordinance to Levy Special Assessments For Driveway Aprons Constructed in Fiscal Year 2018, Project TC16

Director of Finance Gavin Cohen gave a brief overview of the ordinance and recommends introduction of the ordinance with a motion to waive the layover period and, if approved, move to adopt the ordinance.

Councilmember Beryl L. Feinberg ~~moved to~~ introduced the ordinance for Project TC16. Councilmember Virginia D. Onley moved to waive the layover period.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Virginia D. Onley
SECONDER:	Councilmember Beryl L. Feinberg
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

Councilmember Mark Pierzchala moved to adopt the ordinance.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Mark Pierzchala
SECONDER:	Councilmember Virginia D. Onley
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 8:55 P.M. THE MAYOR AND COUNCIL MEETING RECONVENED AT 9:10 P.M.

13. Information Technology Department Initiatives Update

Director of Information Technology Nicholas Obodo provided a brief presentation on the Information Technology Department to update the Mayor and Council and the community on past, current and future IT initiatives.

Current IT priorities include:

- Business Process Improvement
- Enterprise Resource Planning (ERP)
- Cybersecurity with recommendations:
 1. Risk management and oversight

2. Threat intelligence and collaboration
3. Cybersecurity controls
4. External dependency management
5. Cyber incident management and resilience

Some of the highest priority areas of focus in the coming years are as follows:

- Employee engagement
- Effective hiring
- Collaboration and analytics
- Data cleansing and enhanced business intelligence
- Strategic planning

IT Director Nicholas Obodo noted that another update on the IT Department initiatives for the Mayor and Council is suggested for September 2019. Further discussion was held by the Mayor and Council with questions of **clarification** by the Mayor and Council addressed by staff.

14. City of Rockville Volunteer Program

Deputy City Manager Jenny Kimball presented a brief overview of the City's volunteer programs. Some of the discussion points **submitted by Councilmember Beryl L. Feinberg** were as follows:

- How does Rockville recruit volunteers?
- How do Rockville volunteers apply?
- Could volunteers serve as 'welcome ambassadors' for new residents, including residents from diverse backgrounds
- Has the City brainstormed what service enhancements or efficiency measures could be implemented using highly leveraged volunteer hours?
- How is Rockville served by the Montgomery County Volunteer Center?
- How does the City of Gaithersburg approach a volunteer program?
- What is some volunteer program best practices
- How could Rockville enhance the volunteer program

The Mayor and Council had a lengthy discussion and provided suggestions and possible enhancements to the volunteer program. Questions of **clarification** from the Mayor and Council were addressed by staff. Staff will come back with any additional information **and on action plans** requested by the Mayor and Council.

15. **Introduction and Possible Adoption of an Ordinance to Amend Chapter 8 of the Rockville City Code Entitled "Elections" by Amending Section 8-25 So as to Delete the Requirement that All Proceedings to Fill a Mayor or Council Vacancy be Held in One Open Session**

Councilmember Mark Pierzchala ~~motioned to~~ introduced the ordinance. Councilmember Virginia D. Onley moved to waive the layover period.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Virginia D. Onley
SECONDER:	Councilmember Beryl L. Feinberg
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

Councilmember Mark Pierzchala moved to adopt the ordinance.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Mark Pierzchala
SECONDER:	Councilmember Beryl L. Feinberg
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

16. **Discussion, Instructions and Possible Adoption of an Ordinance to Amend Chapter 8 of the Rockville City Code Entitled "Elections" by Amending Section 8-41 Entitled "Election Procedures Generally" So as to Modify the Number of Notices and Reminders of Certain Voting Deadlines that Must be Mailed to Registered Voters in the City and to Provide for at Least One Alternative Form of Mass Communication Regarding Election Deadlines**

City Attorney Debra Daniel provided a brief summary of this ordinance and noted that the Board of Supervisors of Elections met on January 15, 2019 and that staff asked for additional input. As a result of the Board's discussion, the Board recommends certain amendments to the ordinance as introduced to clarify that the Board will be sending out one notice to all households in the City as well as three notices and reminders to all registered voters. Some questions of clarification from the Mayor and Council were addressed by staff.

Councilmember Mark Pierzchala moved to amend the ordinance introduced according to what the Board of Supervisors of Elections has proposed on packet page 1164. **(since packet page 1164 not here, suggest a summary of major points to the amendments is included herein.)**

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Mark Pierzchala
SECONDER:	Councilmember Virginia D. Onley
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

Councilmember Mark Pierzchala moved to adopt the ordinance.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Mark Pierzchala
SECONDER:	Councilmember Beryl L. Feinberg
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala

17. Review and Comment - Mayor and Council Action Report

The Mayor and Council reviewed the Action Report.

A. Mayor and Council Action Report

Mayor Bridget Donnell Newton commented on **Action** Item 2018-5, Fraud Tip Line that the process has taken a long time to get through as the City is just now working with a **v**endor.

18. Review and Comment - Future Agendas

The Mayor and Council reviewed the Future Agendas.

A. Future Agendas

The Mayor and Council made several revisions and additions to the Future Agendas schedule.

19. Old/New Business

Councilmember Mark Pierzchala noted that a draft letter will be forthcoming on House Bill HB102 which is a bill requiring a majority of counties to agree on any toll road legislation which

is an expansion of a law that currently exists. This would be a way of **achieving** Montgomery County's more formal seat at the table.

Councilmember Mark Pierzchala also stated that House Bill HB91, which would require the government to actually know what it is going out to purchase before it seeks bids, should be further explored. City Manager's Office staff person Linda Moran will provide more information to the Mayor and Council.

Councilmember Beryl L. Feinberg reported that there has been a case and an order for PEPCO for Maryland and Public Services Commission for an Electric Vehicle Pilot Program and PEPCO will be installing 250 chargers **in** their territory. Councilmember Beryl L. Feinberg is requesting staff track this item and that the City **shares with** the County that the City wants a piece of the pie and ensure that Rockville is on the forefront of public charging stations.

Mayor Bridget Newton stated that there is \$300,000 in the Governor's budget for the Kid Museum in Rockville and requesting staff follow up and get back involved.

20. Adjournment

There being no further business, the meeting adjourned at 10:51 p.m.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Councilmember Beryl L. Feinberg
SECONDER:	Councilmember Mark Pierzchala
IN FAVOR:	Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Mark Pierzchala