



Montgomery County, Maryland

COUNTY COUNCIL AGENDA

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

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

www.montgomerycountymd.gov/council

The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.

Thursday, May 27, 2010

9:30 **ACTION** - Approval Resolutions for the FY11 Capital Budget and for the FY11-16 Capital Improvements Program:

- 1) County Government (Orlin)
- 2) Montgomery County Public Schools (Levchenko/McGuire)
- 3) Montgomery College (Sherer)
- 4) Maryland-National Capital Park and Planning Commission (Michaelson)
- 5) Revenue Authority (McGuire)
- 6) Housing Opportunities Commission (McMillan)
- 7) Aggregate Capital Budget for County General Obligation Bonds (Orlin)
- Spending Affordability Guidelines
- 8) Aggregate Capital Budget for Park and Planning Bonds (Orlin)
- Spending Affordability Guidelines
- 9) FY11 State Participation (Orlin)

ACTION - Approval Resolutions for FY11 Operating Budget:

- 10) County Government (McMillan/Levchenko)
- 11) Montgomery County Public Schools (McGuire)
- 12) Montgomery College (Sherer)
- 13) Maryland-National Capital Park and Planning Commission (Michaelson)
- 14) Administrative Expense Budget of the Washington Suburban Transit Commission (Orlin)
- 15) Aggregate Operating Budget (Sherer)
- Spending Affordability Guidelines

ACTION - Resolutions to Approve:

- 16) WSSC - FY11-16 Capital Improvements Program (Levchenko)
- 17) WSSC - FY11 Capital and Operating Budgets (Levchenko)
- 18) County Cable Communications Plan (Toregas)

ACTION:

- 19) Resolution to establish the FY11 Property Tax Rates (Sherer)
- 21) Resolution to set amount of Property Tax Credit for Income Tax Offset (Faden)

(22) 10:15 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to approve categorical transfers of \$1,325,000 for the Provision for Future Supported Projects (Source: Federal and State grants) (McGuire)
Action is tentatively scheduled for 6/15/10.
- B. **Introduction** - Supplemental appropriation to the Montgomery County Public Schools' FY10 Operating Budget - \$264,000 for Retrofit School Busses with Emission Reduction Devices (Source: Federal grant) (McGuire)
Public Hearing/Action is scheduled for 6/22/10 at 1:30 pm.
- C. **Introduction** - Resolution to approve an amendment to MNCPPC's FY10 Operating Budget - \$16,500 intra-fund budget transfer within the Administration Fund for the Merit System Board (Michaelson)
Public Hearing/Action is scheduled for 6/15/10 at 1:30 pm.
- D. **Action** - Resolution to authorize grant application request for Annual Transportation Plan and other transit grants (Orlin)
- E. **Action** - Executive Regulation 4-10, System Benefit Charges - Residential Waste Estimates (Levchenko)
- F. **Action** - Confirmation of County Executive appointments to the Commission on Child Care: Richard Patterson, Wendy Baber, Natacha Blain, Caroline Cooksey, Chad Older, John Amoh, Gloria Kozel, Bernadine Occhiuzzo, Shaun Rose (Ferber)
- G. **Action** - Confirmation of County Executive appointment to the County-wide Recreation Advisory Board: George Schlapo (Ferber)
- H. **Action** - Confirmation of County Executive appointments to the Upcounty County Citizens Advisory Board: Sean Augerson, Andres Aviles, Vineet Bhanot, Doug Noble, Pat Seals, Robert Thompson, James Wallace (Ferber)
- I. **Introduction** - Resolution to approve Reserve and selected Fiscal Policies, sponsored by the Council President at the request of the County Executive (Drummer/Farber)
Public Hearing is scheduled for 6/22/10 at 1:30 pm.

10:20 **LEGISLATIVE SESSION Day # 16**

- A. Introduction of Bills:
- (23) • **Expedited Bill 35-10**, Personnel - Disability Retirement - Imputed Compensation (Drummer)
Public Hearing is scheduled for 6/15/10 at 1:30 pm.
- (24) • **Bill 36-10**, Finance - Revenue Stabilization Fund - Amendments, sponsored by the Council President at the request of the County Executive (Drummer/Farber)
Public Hearing is scheduled for 6/22/10 at 1:30 pm.

10:25 **DISTRICT COUNCIL SESSION**

A. **Announcement** - A public hearing is scheduled for June 29, 2010 at 1:30 pm on the Damascus Master Plan Corrective Map Amendment (G-888): Kings Valley Road and Kingstead Road (Michaelson)

B. **Announcement** - A public hearing is scheduled for June 29, 2010 at 1:30 pm on the Great Seneca Science Corridor Sectional Map Amendment (G-890) (Michaelson)

(25) C. **Introduction** - Zoning Text Amendment 10-07, RNC zones - Off-Street Parking, sponsored by Councilmembers Navarro and Elrich (Zyontz)
Action - Resolution to establish public hearing for 7/13/10 at 1:30 pm.

10:30 **ADJOURN**

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on June 15, 2010:

Commission on Children and Youth: Vicki Stearn, Alies Muskin,

Commission on Common Ownership Communities: Barbara Henderson, Richard Brandes, Ralph Caudle, Carolyn Mayes, Janet Wilson

Forest Conservation Advisory Committee: Daniel Snyder

Local Management Board for Children, Youth, and Families: Raymond Crowel, Chrisandra Richardson, Caitlin McLaughlin, Lawrence Rosenblum, Cassandra Somasundaram

Water Quality Advisory Group: Erica Goldman, F. Fred Samadani, Danila Sheveiko, Daniel Wilson, Patrick Walsh, Martin Chandler, Mark Symborski, Trudi Bick

FUTURE COUNCIL MEETINGS

County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.

Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.

May 31, 2010

HOLIDAY

June 1 to June 11, 2010

RECESS

June 15, 2010

8:30 am

Coffee with the County Executive

June 15, 2010

9:30 am

Regular Session

June 16, 2010

2:00 pm

Town Hall Meeting - Leisure World

June 22, 2010

9:30 am

Regular Session

June 29, 2010

9:30 am

Regular Session

June 29, 2010

12:00 pm

Lunch Meeting with Montgomery County Planning Board

July 5, 2010

HOLIDAY

FUTURE PUBLIC HEARINGS

To testify call 240-777-7803

June 15, 2010

- 1:30 pm SRA 10-01, Public Utility Easements- Urban Roads
- 1:30 pm **Bill 17-10**, Public Utility Easement - Urban Roads
- 1:30 pm **Bill 20-10**, Special Capital Improvements Project - MCPS Food Distribution Facility Relocation
- 1:30 pm **Bill 21-10**, Special Capital Improvements Project - Glenmont Fire Station 18 Replacement - *NOTE: This hearing has been postponed to 6/22/10 at 1:30 pm.*
- 1:30 pm **Bill 22-10**, Special Capital Improvements Project - Travilah Fire Station
- 1:30 pm **Bill 23-10**, Special Capital Improvements Project - 3rd District Police Station
- 1:30 pm **Bill 24-10** Special Capital Improvements Project - Equipment Maintenance and Operations Center (EMOC)
- 1:30 pm **Bill 25-10**, Special Capital Improvements Project - Olney Library Renovation and Addition
- 1:30 pm **Bill 26-10**, Special Capital Improvements Project - 6th District Police Station
- 1:30 pm **Bill 27-10**, Special Capital Improvements Project - North County Maintenance Depot
- 1:30 pm **Expedited Bill 30-10**, Personnel - Equal Benefits - Fire and Rescue Employees
- 1:30 pm **Bill 31-10**, Board of Investment Trustees - Membership
- 1:30 pm Resolution to approve comprehensive revisions to the OZAHs' Fee Schedule
- 1:30 pm Resolution to approve revisions to the BOAs' Special Exception Filing Fees
- 1:30 pm Resolution to approve an amendment to MNCPPC's FY10 Operating Budget - \$16,500 intra-fund budget transfer within the Administration Fund for the Merit System Board

June 22, 2010

- 1:30 pm **Bill 21-10**, Special Capital Improvements Project - Glenmont Fire Station 18 Replacement - *Note: This hearing has been postponed from June 15, 2010.*
- 1:30 pm **Bill 28-10**, Economic Development - Business Development Corporation - Establishment - Stations - *Note: This hearing has been postponed from May 18, 2010.*
- 1:30 pm Water Resources Functional Plan
- 1:30 pm Supplemental appropriation to the MCPS' FY10 Operating Budget - \$264,000 for Retrofit School Busses with Emission Reduction Devices
- 1:30 pm **Bill 34-10**, Finance - Public Facilities - Private Projects
- 1:30 pm ZTA 10-06, Sloping Lots - Applicability
- 1:30 pm SRA 10-02, Minor subdivisions - Applicability

June 29, 2010

- 1:30 pm Proposed Charter Amendments and recommendations of Charter Review Commission
- 7:30 pm Purple Line Functional Plan



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ADDENDUM

Monday, May 10, 2010

Add: (4.1) **11:00 or at conclusion of morning session: PROPOSED CLOSED SESSION** to consider collective bargaining negotiations or matters directly related to the negotiations, pursuant to Maryland Code, State Government Article, §10-508 (a)(9). Topic is latest round of negotiations. *(3rd Floor Council Conference Room)* (Drummer/Faden)

1:30 **CONSENT CALENDAR - FY11 Operating Budget**

Move to consent calendar:

(25.1) • Cable Television and Communications Plan (Toregas)

Remove from consent calendar:

(11) • NDA: Historical Activities (Zyontz)

This item to be considered later this afternoon (after Agenda Item #71)

1:40 **WORKSESSION - FY11 Operating Budget**

Defer: (63) • Regional Services Centers PHED (Davidson)

Defer: (64) • County Executive MFP (Ferber)

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Monday, May 10, 2010

(.5) 9:30 **STATUS REPORT** - Overview of revenues and expenditures (Farber)

9:45 **WORKSESSION - FY11 Operating Budget**

- | | | | |
|-----|---|------|--------------|
| (1) | • Washington Suburban Sanitary Commission | T&E | (Levchenko) |
| (2) | • Park and Planning | PHED | (Michaelson) |
| (3) | • Recreation | | (Yao) |
| (4) | • Police Department | PS | (Frag) |

12:30 **RECESS**

1:30 **CONSENT CALENDAR - FY11 Operating Budget**

- | | | | |
|---------------|---|--------------------------------|---------------------|
| (5) | • NDA: Conference and Visitor's Bureau | PHED | (Ferber) |
| (6) | • NDA: Conference Center | | (Ferber) |
| (7) | • Economic Development Fund | | (Ferber) |
| (8) deferred | • Urban Districts | MOVED TO 5/11 AFTERNOON | (Davidson) |
| (9) | • Hearing Examiner | | (Mihill) |
| (10) | • Board of Appeals | | (Mihill) |
| (11) deferred | • NDA: Historical Activities | MOVED TO AFTERNOON | (Zyontz) |
| (12) | • NDA: Housing Opportunities Commission | | (McMillan) |
| (13) | • Department of Housing and Community Affairs | | (McMillan/Davidson) |
| (14) | • CIP budget adjustments: Long Branch Pedestrian Linkages project | REMOVED | (Davidson) |
| (15) | • Office of Management and Budget | MFP | (Sherer) |
| (16) | • Finance, Risk Management, and NDAs for Risk Management, State Property Tax Services, and Restricted Donations | | (Sherer) |
| (17) | • Debt Service | | (Sherer) |
| (18) | • NDAs: Grants to Municipalities in Lieu of Shares Tax, Future Federal/State/Other Grants | | (Sherer) |

1:30 **CONSENT CALENDAR - FY11 Operating Budget** *(continued)*

- (19) • Board of Elections MFP (Mihill)
- (20) deferred • Public Information Office **MOVED TO 5/17 MORNING** (Ferber)
- (21) deferred • - MC 311 Customer Service Center **MOVED TO 5/17 MORNING** (Toregas)
- (22) • Department of Technology Services (Toregas)
- (23) • NDA: Interagency Technology Policy and Coordination Committee (ITPCC) (Toregas)
- (24) • NDA: Desktop Computer Modernization (Toregas)
- (25) • CIP adjustment: FiberNet (Toregas)
- (26) • Intergovernmental Relations (McGuire)
- (27) • NDAs: County Associations, PTI, COG, and BCCs (McGuire)
- (28) • NDA: Charter Review Commission (Mihill)
- (29) • NDA: Inauguration and Transition (Arthur)
- (30) • Inspector General (McGuire)
- (31) • Merit System Protection Board (Ferber)
- (32) • Office of Legislative Oversight and Independent Audit NDA (Orlansky)
- (33) • Council Office (Farber)

- (34) • Utilities T&E (Levchenko)
- (35) • General Services: Procurement and related programs (Toregas)
- (36) • General Services: NDA Fleet Management and Motor Pool Fund Contribution (Frag)
- (37) • General Services: Facilities (Sherer)
- (38)deferred • Department of Permitting Services **MOVED TO 5/17 MORNING** (Sherer)
- (39) • Department of Environmental Protection (Levchenko)
- (40) • NDA: HOA Road Maintenance Reimbursement (Orlin)
- (41) • NDA: Rockville Parking District (Orlin)
- (42) • FY11-16 CIP: Parking Lot District projects (Orlin)
- (43) • CIP Budget Adjustments: Transportation (Orlin)

- (44) • Community Use of Public Facilities ED (Yao)
- (45) • NDA: Montgomery Coalition for Adult English Literacy (MCAEL) (Sherer)
- (46) • CIP: MCPS - Building Modifications and Program Improvements Project (McGuire)

- (47) • CIP: PS System Modernization - Park Police PS/MFP (Toregas/Davidson)

- (48) • Circuit Court PS (Frag)
- (48.1) • Judicial Center Annex (Frag)
- (49) • State's Attorney (Frag)
- (50) • Office of Consumer Protection (Frag)
- (51) • NDA Prisoner Medical Services (Frag)
- (52) • Sheriff (Frag)
- (53) deferred • Liquor Control **MOVED TO Afternoon** (Ferber)
- (54) • Emergency Management and Homeland Security (Davidson)

1:30 **CONSENT CALENDAR - FY11 Operating Budget** *(continued)*

- (55) • CIP Budget Adjustments: High School Wellness Center and School Based Health and Linkages to Learning Centers HHS (Yao)
- (56) • CIP Cost Sharing Project: Old Blair Auditorium (McGuire)
- (57) • NDA: Arts and Humanities Council (Davidson)
- (58) • Public Arts Trust (Davidson)
- (59) • Commission for Women (Yao)
- (60) • NDA: Historical Activities - Historical Society (Yao)

1:40 **WORKSESSION - FY11 Operating Budget**

- (61) • People's Counsel PHED (Mihill)
- (63) deferred • Regional Services Centers **MOVED TO 5/11 AFTERNOON** (Davidson)
- (64) deferred • County Executive **MOVED TO 5/11 AFTERNOON** MFP (Ferber)
- (65) • County Attorney (McGuire)
- (66) • Ethics Commission (Ferber)
- (67) • Human Rights Commission (Yao)
- (68) • Office of Human Resources (Ferber)
- (69) deferred • Cable Television and Communications Plan **MOVED TO 5/11 AFTERNOON** (Toregas)
- (70) • Housing First PHED/HHS (McMillan)
- (71) • CIP budget adjustments: Affordable Housing Acquisition (McMillan)
- (11) • NDA: Historical Activities (Zyontz)
- (53) • Liquor Control PS (Ferber)

5:00 **ADJOURN**



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ADDENDUM

Tuesday, May 11, 2010

Deferred: (2.1) 9:45 **INTRODUCTION** - Resolution to approve the FY11-16 Public Services Program and Fiscal Policy (Farber/Sherer)

(13) 1:30 **PUBLIC HEARING - Expedited Bill 32-10**, Administration - Public Libraries - Payments to Municipalities (Mihill)

Change: *Action is tentatively scheduled for 5/20/10.*

2:00 **WORKSESSION - FY11 Operating Budget**

Add:

(63 from 5/10)	• Regional Services Centers	PHED	(Davidson)
(64 from 5/10)	• County Executive	MFP	(Ferber)
(8 from 5/10)	• Urban Districts	PHED	(Davidson)
(69 from 5/10)	• Cable Television and Communications Plan	MFP	(Toregas)

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REVISED

Tuesday, May 11, 2010

9:30 **INVOCATION** - Reverend Jenny Cannon, Bethesda United Methodist Church, Bethesda

9:35 **GENERAL BUSINESS** (Lauer)

- (1) A. **Announcement** - Agenda and Calendar Changes
B. **Acknowledgement** - Receipt of Petitions
C. **Action** - Approval of Minutes: April 27, 2010

(2) 9:40 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to establish the Montgomery County Organizational Reform Commission (D'Ovidio)
- B. **Action** - Confirmation of County Executive appointment to the Alcoholic Beverages Advisory Board: Theodore Seale (Ferber)
- C. **Action** - Confirmation of County Executive appointment to the Committee on Hate/Violence: Gregory Bell (Ferber)
- D. **Action** - Confirmation of County Executive appointments to the Commission on Veterans Affairs: Sharon Hodge, Carl Bedell (Ferber)
- E. **Action** - Confirmation of County Executive appointments to the East County Citizens Advisory Board: Sally Colgan, Marva Deskins, Eric Luedtke, Leonard Newman, Alfreda Payne, Anthony Ramirez, Ned Williams (Ferber)
- F. **Action** - Confirmation of County Executive appointments to the Firearm Safety Committee: Sandford Adler, David Apple, Mark Bjishkian (Ferber)
- G. **Action** - Confirmation of County Executive appointment to the Mid-County Citizens Advisory Board: Robin Brannan (Ferber)
- H. **Action** - Confirmation of County Executive appointment to the Mid-County Recreation Advisory Board: Andrew Schulder (Ferber)

- (2) 9:40 **CONSENT CALENDAR** (*continued*)
- I. **Action** - Confirmation of County Executive appointment to the Department of Permitting Services Advisory Committee: Sacha Rosen (Ferber)
- J. **Action** - Confirmation of County Executive appointments to the Solid Waste Advisory Committee: Christopher Dyson, Mark "Coach" Smallwood, Robert Brown, Nicolette deVore (Ferber)
- K. **Action** - Confirmation of County Executive appointment to the Wheaton Urban District Advisory Committee: Matt Barry (Ferber)
- (2.1) 9:45 **INTRODUCTION** - Resolution to approve the FY11-16 Public Services Program and Fiscal Policy **THIS ITEM HAS BEEN DEFERRED** (Farber/Sherer)
Action is tentatively scheduled for 5/27/10.
- 9:55 **DISTRICT COUNCIL SESSION**
- (3) A. **Action** - Resolution to extend time until July 14, 2010 on the Germantown Sectional Map Amendment (G-887) (Michaelson)
- (4) B. **Action** - Extension of time until June 25, 2010 for issuance of Hearing Examiner's report and recommendation on Local Map Amendment No. G-864 (Zyontz)
- (5) 10:00 **WORKSESSION/ACTION** - Resolution to indicate Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Montgomery County Volunteers Fire Rescue Association (MCFVRA) (Faden/Drummer)
- 10:10 **WORKSESSION - FY11 Operating Budget**
- (6) • Montgomery College ED (Sherer)
- (7) • CIP: Montgomery College (Sherer)
- (8) • Department of Transportation T&E (Orlin)
- (9) • NDA: Climate Change Implementation (Levchenko)
- 12:00 **RECESS**
- (10) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 10-05, Special Exception Procedures - Telecommunication Facilities (Zyontz)
- (11) 1:30 **PUBLIC HEARING - Expedited Bill 19-10**, Taxes - Transportation Impact Tax - Amendments (Faden)
MFP Committee worksession tentatively scheduled for 6/14/10.

May 11, 2010

Page 3

(12) 1:30 **PUBLIC HEARING - Expedited Bill 33-10**, Finance - Working Families Income Supplement - Amount (Mihill)
Action is tentatively scheduled for 5/20/10.

(13) 1:30 **PUBLIC HEARING - Expedited Bill 32-10**, Administration - Public Libraries - Payments to Municipalities (Mihill)
Action is tentatively scheduled for 5/20/10.

2:00 **WORKSESSION - FY11 Operating Budget**

(63 from 5/10) • Regional Services Centers PHED (Davidson)
(64 from 5/10) • County Executive MFP (Ferber)
(8 from 5/10) • Urban Districts PHED (Davidson)
(69 from 5/10) • Cable Television and Communications Plan MFP (Toregas)

(14) • Fire and Rescue Services PS (Davidson)
(15) • Correction and Rehabilitation (Farag)

(16) • Libraries HHS (McGuire)
(17) • NDA: Takoma Park Library Annual Payment (McGuire)

(18) • NDA: Takoma Park Police Rebate MFP (Sherer)
(19) • NDA: Working Families Income Supplement (Sherer)
(20) • NDA: Municipal Tax Duplication (Sherer)

5:00 **ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;
repeated on 5/14/10 at 9 pm*

FUTURE COUNCIL MEETINGS

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Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.

May 12, 2010	9:30 am	Council Budget Worksession
May 12, 2010	1:30 pm	Interviews - MCPB Chair
May 13, 2010	9:30 am	Council Budget Worksession
May 13, 2010	3:00 pm	Meeting with Prince George's County Council
May 14, 2010	9:30 am	Council Budget Worksession
May 17, 2010	9:30 am	Council Budget Worksession
May 18, 2010	9:30 am	Regular Session & Council Budget Worksession
May 19, 2010	9:30 am	Council Budget Worksession
May 20, 2010	9:30 am	Council Budget Worksession
May 21, 2010	9:30 am	Council Budget Worksession
May 27, 2010	9:30 am	Final Budget Action
May 31, 2010		HOLIDAY
June 1 to June 11, 2010		RECESS

FUTURE PUBLIC HEARINGS

To testify call 240-777-7803

May 18, 2010

- 1:30 pm White Flint Sectional Map Amendment
- 1:30 pm Amendments to the FY09-14 CIP of Montgomery County Government and the M-NCPPC, reflecting the County Executive's April 22 budget adjustments for FY10
- 1:30 pm **Bill 28-10**, Economic Development - Business Development Corporation - Establishment
- 1:30 pm **Expedited Bill 29-10**, Taxes - Excise Tax - Carbon Dioxide Emissions
- 1:30 pm Resolution to amend rates of Telephone Tax

May 20, 2010

- 7:30 pm ZTA 10-04, C-2 Zone - Automobile Filling Stations - *Note: This hearing has been continued from April 20, 2010.*

June 15, 2010

- 1:30 pm SRA 10-01, Public Utility Easements- Urban Roads
- 1:30 pm **Bill 17-10**, Public Utility Easement - Urban Roads
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- 1:30 pm **Bill 27-10**, Special Capital Improvements Project - North County Maintenance Depot
- 1:30 pm **Expedited Bill 30-10**, Personnel - Equal Benefits - Fire and Rescue Employees
- 1:30 pm **Bill 31-10**, Board of Investment Trustees - Membership

June 22, 2010

- 1:30 pm **Bill 21-10**, Special Capital Improvements Project - Glenmont Fire Station 18 Replacement - *Note: This hearing has been continued from June 15, 2010.*



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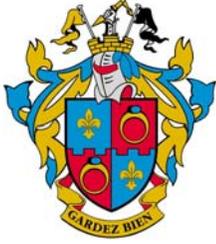
COUNCIL MEETING

Wednesday, May 12, 2010

6th Council Conference Room

(1) 1:30 **INTERVIEWS** - Applicants for Montgomery County Planning Board Chair

(Ferber)



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Thursday, May 13, 2010

- (1) 3:00 **MEETING** with Prince George's County Council regarding Bi-County Budgets (Farber)
(Prince George's County hosting at WSSC Headquarters in Laurel)



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COUNCIL MEETING

Monday, May 17, 2010
3rd floor Council Conference Room

12:30 or immediately following morning session:

PROPOSED CLOSED SESSION to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, and to consult with counsel to obtain legal advice, pursuant to Maryland Code, State Government Article, §10-508 (a)(4)(7). Topic is Olney Theatre. (*3rd Floor Council Conference Room*)

(*Drummer*)

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Monday, May 17, 2010

9:30 WORKSESSION - FY11 Operating Budget

- | | | | |
|-----|--|------|-------------------|
| (1) | • NDA: Community Grants | HHS | (Fitzgerald-Bare) |
| (2) | • CIP adjustment: Cost Sharing, and State Match community grants | | (Fitzgerald/Bare) |
| (3) | • CIP adjustment: Cost Sharing - Olney Theatre | | (Davidson) |
| (4) | • Economic Development | PHED | (Ferber) |
| (5) | • CIP budget adjustments: Long Branch Pedestrian Linkages project | | (Davidson) |
| (6) | • Public Information Office | MFP | (Ferber) |
| (7) | • - MC 311 Customer Service Center | | (Toregas) |
| (8) | • Department of Permitting Services | PHED | (Sherer) |
| (9) | • Consolidation of Park Police and County Police Functions, including communications | | (McMillan) |

12:30 ADJOURN

1:30 **MFP/T&E Committee** (3rd floor Council Hearing Room)

2:30 **MFP Committee** (3rd floor Council Hearing Room)



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Montgomery County, Maryland

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ADDENDUM

Tuesday, May 18, 2010

10:20 LEGISLATIVE SESSION Day #13

A. Introduction of Bills

Add: (8.3)

- **Bill 34-10**, Finance - Public Facilities - Private Projects, sponsored by Councilmembers Leventhal and Knapp

Public Hearing is scheduled for 6/22/10 at 1:30 pm.

(Mihill)

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Tuesday, May 18, 2010

9:30 **INVOCATION** - Reverend Larry Duncan, Potomac Presbyterian Church, Potomac

9:35 **PRESENTATION** - Proclamation in recognition of Marianne Mullan, named to All-USA Community College Academic First Team by Council Vice President Ervin

9:40 **GENERAL BUSINESS**

(Lauer)

A. Announcements:

- Agenda and Calendar Changes
- The Report and Recommendations of the Charter Review Commission will be presented to the Council on June 15, 2010. The Council will conduct a public hearing on these recommendations and other proposed Charter Amendments on June 29, 2010 at 1:30 pm.
- The public hearing on the Purple Line Functional Plan is scheduled for June 29, 2010 at 7:30 pm.
- The public hearing on the Water Resources Functional Plan is scheduled for June 22, 2010 at 1:30 pm.

(1) **B. Acknowledgement** - Receipt of Petitions

C. Action - Approval of Minutes: May 3 and 4, 2010

- Approval of Closed Session Minutes: May 3, 2010

(2) 9:45 **CONSENT CALENDAR**

A. Action - Executive Regulation 26-09AM, 2009 International Building, Energy Conservation, Mechanical, Fuel-Gas, and Residential Codes.

(Mihill)

T&E Committee recommends approval as amended.

B. Action - Resolution to amend Resolution #16-1047, Fiscal Year 2010 Work

Program of the Office of Legislative Oversight - Structural Budget Deficit project (Orlansky)

- (2.1) 9:50 **ACTION** - Resolution to approve the following: (Ferber)
- Establish salary of Planning Board Chairman
 - Appointment of member of Maryland-National Capital Park & Planning Commission
 - Designation of Chairman of Montgomery County Planning Board

10:00 **DISTRICT COUNCIL SESSION**

- (3) A. **Introduction** - Zoning Text Amendment 10-06, Sloping Lots - Applicability, sponsored by Councilmember Elrich (Zyontz)
Action - Resolution to establish public hearing for 6/22/10 at 1:30 pm.
- (4) B. **Introduction** - Subdivision Regulation Amendment 10-02, Minor subdivisions - Applicability sponsored by the PHED Committee (Zyontz)
Action - Resolution to establish public hearing for 6/22/10 at 1:30 pm.
- (5) C. **Action** - Resolution to extend time until August 12, 2010 for Council action on Kensington and Vicinity Sector Plan (Michaelson)
- (6) D. **Action** - Resolution to extend time until July 26, 2010 for Council action on Housing Element of General Plan (McMillan)
- (7) E. **Action** - Germantown Sectional Map Amendment (G-887) (Michaelson)
PHED Committee recommends approval.
- (8) F. **Action** - Zoning Text Amendment 10-02, Residential Townhouse (RT) Zones - Existing dwellings (Zyontz)
PHED Committee recommends approval.
- (8.1) G. **Introduction** - Resolution to approve comprehensive revisions to the Office of Zoning and Administrative Hearings' Fee Schedule (Mihill)
Public Hearing/Action is scheduled for 6/15/10 at 1:30 pm.
- (8.2) H. **Introduction** - Resolution to approve revisions to the Board of Appeals' Special Exception Filing Fees (Mihill)
Public Hearing/Action is scheduled for 6/15/10 at 1:30 pm.

10:20 **LEGISLATIVE SESSION Day #13**

- A. Introduction of Bills
- B. Call of Bills for Final Reading
- (9) • **Expedited Bill 16-10**, Personnel - Retirement - Imputed Compensation Limit (Drummer)
MFP Committee recommends approval.
- (10) • **Expedited Bill 10-10**, Buildings - Energy Efficiency - Repeal (Mihill)
T&E Committee recommends approval.

11:00 **WORKSESSION - FY11 Operating Budget**

- (12) • Department of Health and Human Services HHS (McMillan/Yao)
(13) • Early Childhood Services, Infants and Toddlers, Child Care Subsidies, School Health Services, Linkages to Learning, Public Private Partnerships, Foster Care Transportation, and the Kennedy Cluster Project (Yao)
- (13.1) 11:50 **ACTION** - Resolution to establish the Montgomery County Organizational Reform Commission (D'Ovidio)

12:00 **RECESS**

1:00 **ED Committee** **Note: Meeting cancelled** (3rd floor Council Hearing Room)

- (14) 1:30 **PUBLIC HEARING** - White Flint Sectional Map Amendment (G-889)
PHED Committee worksession tentatively scheduled for 6/28/10.
- (15) 1:30 **PUBLIC HEARING** - Amendments to the FY09-14 Capital Improvements Programs of Montgomery County Government and the Maryland-National Capital Park and Planning Commission, reflecting the County Executive's April 22 budget adjustments for FY10 (Orlin)
Action is tentatively scheduled for 5/20/10.
- (16) 1:30 **PUBLIC HEARING - Bill 28-10**, Economic Development - Business Development Corporation - Establishment (Faden)
Note: This public hearing has been postponed to 6/22/10 at 1:30 pm.
- (17) 1:30 **PUBLIC HEARING - Expedited Bill 29-10**, Taxes - Excise Tax - Carbon Dioxide Emissions (Faden)
MFP/T&E Committee worksession tentatively scheduled for later this afternoon.
- (18) 1:30 **PUBLIC HEARING** - Resolution to amend rates of Telephone Tax (Faden/Mihill)
MFP Committee worksession tentatively scheduled for later this afternoon.

2:30 **WORKSESSION - FY11 Operating Budget**

- (19) **CANCELLED** • Montgomery County Public Schools ED (McGuire)

3:00 **ADJOURN**

3:00 **MFP/T&E Committee** (3rd floor Council Hearing Room)

3:30 **MFP Committee** (3rd floor Council Hearing Room)

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;
repeated on 5/21/10 at 9 pm*

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on May 27, 2010:

Commission on Child Care: Richard Patterson, Wendy Baber, Natacha Blain, Caroline Cooksey, Chad Older, John Amoh, Gloria Kozel, Bernadine Occhiuzzo, Shaun Rose

County-wide Recreation Advisory Board: George Schlapo

Upcounty County Citizens Advisory Board: Sean Augerson, Andres Aviles, Vineet Bhanot, Doug Noble, Pat Seals, Robert Thompson, James Wallace

FUTURE COUNCIL MEETINGS

County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.

Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.

May 19, 2010	9:30 am	Council Budget Worksession
May 20, 2010	9:30 am	Council Budget Worksession
May 21, 2010	9:30 am	Council Budget Worksession
May 27, 2010	9:30 am	Final Budget Action
May 31, 2010		HOLIDAY
June 1 to June 11, 2010		RECESS
June 15, 2010	8:30 am	Coffee with the County Executive
June 15, 2010	9:30 am	Regular Session
June 16, 2010	2:00 pm	Town Hall Meeting - Leisure World
June 22, 2010	9:30 am	Regular Session
June 29, 2010	9:30 am	Regular Session
June 29, 2010	12:00 pm	Lunch Meeting with Montgomery County Planning Board

FUTURE PUBLIC HEARINGS

To testify call 240-777-7803

May 20, 2010

7:30 pm ZTA 10-04, C-2 Zone - Automobile Filling Stations - *Note: This hearing has been continued from April 20, 2010.*

June 15, 2010

1:30 pm SRA 10-01, Public Utility Easements- Urban Roads
1:30 pm **Bill 17-10**, Public Utility Easement - Urban Roads
1:30 pm **Bill 20-10**, Special Capital Improvements Project - MCPS Food Distribution Facility Relocation
1:30 pm **Bill 21-10**, Special Capital Improvements Project - Glenmont Fire Station 18 Replacement - *NOTE: This hearing has been postponed to 6/22/10 at 1:30 pm.*
1:30 pm **Bill 22-10**, Special Capital Improvements Project - Travilah Fire Station
1:30 pm **Bill 23-10**, Special Capital Improvements Project - 3rd District Police Station
1:30 pm **Bill 24-10** Special Capital Improvements Project - Equipment Maintenance and Operations Center (EMOC)
1:30 pm **Bill 25-10**, Special Capital Improvements Project - Olney Library Renovation and Addition
1:30 pm **Bill 26-10**, Special Capital Improvements Project - 6th District Police Station
1:30 pm **Bill 27-10**, Special Capital Improvements Project - North County Maintenance Depot
1:30 pm **Expedited Bill 30-10**, Personnel - Equal Benefits - Fire and Rescue Employees

FUTURE PUBLIC HEARINGS (continued)

To testify call 240-777-7803

June 15, 2010 (continued)

- 1:30 pm **Bill 31-10**, Board of Investment Trustees - Membership
- 1:30 pm Resolution to approve comprehensive revisions to the Office of Zoning and Administrative Hearings' Fee Schedule
- 1:30 pm Resolution to approve revisions to the Board of Appeals' Special Exception Filing Fees

June 22, 2010

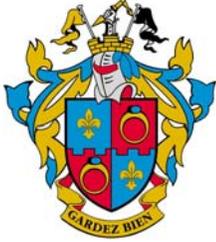
- 1:30 pm **Bill 21-10**, Special Capital Improvements Project - Glenmont Fire Station 18 Replacement - *Note: This hearing has been postponed from June 15, 2010.*
- 1:30 pm **Bill 28-10**, Economic Development - Business Development Corporation - Establishment - Stations - *Note: This hearing has been postponed from May 18, 2010.*
- 1:30 pm Water Resources Functional Plan
- 1:30 pm Supplemental appropriation to the MCPS' FY10 Operating Budget - \$264,000 for Retrofit School Busses with Emission Reduction Devices

June 29, 2010

- 1:30 pm Proposed Charter Amendments and recommendations of Charter Review Commission
- 7:30 pm Purple Line Functional Plan



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Wednesday, May 19, 2010

REVISED

Deferred (1) 9:30 STATUS REPORT - Overview of FY11 revenues and expenditures (Farber)

(2) 9:30 **CONSENT CALENDAR**

A. **Action** - Resolution to establish FY11 Solid Waste Service Charges (Levchenko)
T&E Committee recommends approval.

B. **Action** - Resolution to establish FY11 Water Quality Protection Charge (Levchenko)
T&E Committee recommends approval.

C. **Action** - Resolution to approve WSSC System Development Charge (Levchenko)
T&E Committee recommends approval.

9:35 **LEGISLATIVE SESSION Day # 14**

A. Introduction of Bills

B. Call of Bills for Final Reading

(3) • **Expedited Bill 11-10**, Stormwater Management - Water Quality Protection Charge - Debt Service (Mihill)
T&E Committee recommends approval.

(4) • **Expedited Bill 13-10**, Emergency Medical Services Transport Fee (Faden/Davidson)
PS Committee recommends disapproval.

(5) • **Expedited Bill 14-10**, Recordation Tax - Allocation of Revenue (Faden/Orlin)
MFP Committee recommendation will be available 5/17/10.

(6) • **Expedited Bill 29-10**, Taxes - Excise Tax - Carbon Dioxide Emissions (Faden)
MFP/T&E Committee recommendation will be available 5/18/10.

(7) **Deferred:** • **Expedited Bill 15-10**, Taxation - Fuel-Energy Tax - Rate (Faden)
MFP/T&E Committee recommendation will be available 5/17/10.

10:30 **ACTION on the following:**

- (8) • Resolution to amend Fuel/Energy tax rates (Faden)
MFP/T&E Committee recommendation will be available 5/17/10.
- (9) • Resolution to amend rates of Telephone Tax (Faden/Mihill)
MFP Committee recommendation will be available 5/19/10.
- (10) • Resolution to authorize transfer of funds from the Revenue Stabilization Fund to the General Fund for use in FY 2010 (Sherer)
MFP Committee recommends approval.
- (11) • Resolution to authorize transfer of funds from the General Fund to the Revenue Stabilization Fund for use in FY 2011 (Sherer)
MFP Committee recommends approval.
- (12) • Resolution to approve FY11 Transportation Fees, Charges, and Fares (Orlin)
T&E Committee recommends approval.
- (13) • Executive Regulation 6-10, Emergency Medical Service Transport Fee (Davidson)

11:30 **RECESS**

2:00 **WORKSESSION - FY11 Operating Budget**

- (#19 from 5/18) • Montgomery County Public Schools ED (McGuire)

3:30 **ADJOURN**



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REVISED (5/19/10 at 3:00 pm)

Thursday, May 20, 2010

- (0.1) 1:30 **STATUS REPORT** - Overview of FY11 revenues and expenditures (Farber)
- (0.2) 2:00 **ACTION** - Agency furloughs (Farber)
- 2:15 **WORKSESSION - FY11 Capital and Operating Budgets**
- (1) • Capital Budget Wrap-Up and CIP Reconciliation (Orlin)
- (2) • Council Reconciliation Items for Capital and Operating Budgets (Farber)
- (3) 3:00 **CONSENT CALENDAR**
- A. **Action** - Supplemental appropriation to the County Government's FY10 Capital Budget and amendment to the FY09-14 Capital Improvements Program, Department of Transportation - \$3,500,000 for Resurfacing: Residential/Rural Roads (Source: G.O. Bonds) (Orlin)
T&E Committee recommends approval.
- B. **Action** - Amendments to the FY09-14 Capital Improvements Programs of Montgomery County Government and the Maryland-National Capital Park and Planning Commission, reflecting the County Executive's April 22 budget adjustments for FY10 (Orlin)
- C. **Action** - Executive Regulation 5-10AM, Furloughs (Drummer)
MFP Committee recommends approval.
- D. **Action** - Resolution to repeal Resolutions 16-595 and 15-396, Policy on Parking at County Libraries (Orlin)

3:05 **LEGISLATIVE SESSION Day # 15**

A. Introduction of Bills

B. Call of Bills for Final Reading

- (4) • **Expedited Bill 18-10**, Personnel - Retirement - Furlough - Imputed Compensation (Drummer)
MFP Committee recommends approval.
- (5) • **Expedited Bill 33-10**, Finance - Working Families Income Supplement - Amount (Mihill)
MFP Committee recommends approval with amendments.
- (6) • **Expedited Bill 32-10**, Administration - Public Libraries - Payments to Municipalities (Mihill)

Add: (7) 3:25 **ACTION** - Executive Regulation 6-10AM, Emergency Medical Service Transport Fee (Davidson)

3:30 **ADJOURN**

- (1) 7:30 **PUBLIC HEARING** - Zoning Text Amendment 10-04, C-2 Zone - Automobile Filling Stations (Zyontz)
PHED Committee worksession will be scheduled at a later date.



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