



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](http://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 to obtain current information.*

*This meeting will be televised live on Channel 6; repeated on 2/27/04 at 8 pm and 2/28/04 at 9 am*

### Monday, February 23, 2004

- (1) 12:30 **DISCUSSION** - State Legislative Program (6th floor Council Conference Room) (Wenger)

### Tuesday, February 24, 2004

9:15 **INVOCATION** - Reverend Mark A. Hricko, Lutheran Church of Saint Andrew, Silver Spring

9:20 **PRESENTATION** - Read Across America: Reading activity with second grade students

9:25 **GENERAL BUSINESS**

- (2) A. **Announcement** - Agenda and Calendar Changes (Lauer)  
B. **Action** - Approval of Minutes: January 20, February 2, and February 3, 2004 (Edgar)  
C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(3) 9:30 **CONSENT CALENDAR**

- A. **Introduction** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$626,713 for Emergency Response and Crisis Management Initiative (Source: Federal Grant) (Plannell)  
*Public Hearing is scheduled for 3/9/04 at 1:30 pm.*
- B. **Introduction** - Resolutions to approve categorical transfers for MCPS' FY04 Operating Budget:  
• \$1,500,000 for Provision for Future Supported Projects (Plannell)  
• \$514,690 for Provision for Future Supported Projects (Plannell)  
*ED Committee worksession tentatively scheduled for 2/26/04.*
- C. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget, Departments of Permitting Services and Fire and Rescue Service - \$663,130 for Life Safety Systems - Residential Sprinkler Systems (Source: Fees) (Davidson)  
*Public Hearing is scheduled for 3/9/04 at 1:30 pm.*



(3) 9:30 **CONSENT CALENDAR** *(continued)*

- D. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Housing and Community Affairs - \$870,000 for HUD Section 108 Program for Chelsea Tower (Source: Federal Funds) (Trombka)  
*Public Hearing/Action is scheduled for 3/9/04 at 1:30 pm.*
- E. **Action** - Extension until May 23, 2004 of Temporary Executive Regulation 33-03T, Fuel Energy Tax for Agricultural Producers (Sherer/Faden)
- F. **Action** - MFP Committee report and recommendations on OLO Report 2004-2, Study of County Government's Strategic Plans (Richards/Stutz)
- G. **Action** - Supplemental appropriation to the County Government's FY04 Capital Budget and amendment to the FY03-08 Capital Improvements Program, Department of Public Works and Transportation - \$2,600,000 for Shady Grove Metro Garage (Source: Revenue Bonds) (Orlin)  
*T&E Committee recommends approval.*
- H. **Action** - Supplemental appropriation to the County Government's FY04 Capital Budget, Department of Correction and Rehabilitation - \$1,160,000 for Montgomery County Correctional Facility (Source: G.O. Bonds) (McMillan)  
*PS Committee recommends approval.*
- I. **Action** - Amendment to the County Government's FY03-08 Capital Improvements Program - \$3,286,000 for Germantown Swim Center (Source: Revenue Authority Bonds) (Sherer)  
*PHED Committee recommends approval contingent on receipt of additional information.*
- J. **Action** - Repeal of the following Executive Regulations:
- 39-95, Position Description for Chief, Accountability and Customer Service (Planell)
  - 40-95, Position Description for Chief, Public Health Services (Planell)
  - 43-95, Position Description for Chief, Crisis, Income and Victim Services (Planell)
  - 21-00, Position Description for Chief, Early Childhood Services (Planell)
- K. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Public Works and Transportation - \$5,772,120 for Solid Waste Services (Source: Solid Waste Disposal Fund) (Trombka)  
*Public Hearing is scheduled for 3/9/04 at 1:30 pm.*

9:40 **DISTRICT COUNCIL SESSION**

- (4) A. **Introduction** - Zoning Text Amendment 04-04, Combination Retail Stores - Zoning Regulations, sponsored by Council President at request of County Executive (Wilson)  
*Action - Resolution to establish public hearing for 4/1/04 at 7:30 pm.*

9:40 **DISTRICT COUNCIL SESSION** *(continued)*

- (5) B. **Introduction** - Resolution to approve amendment to Board of Appeals Rules of Procedure - Motion to dismiss (Wilson)  
*Public Hearing is scheduled for 3/23/04 at 1:30 pm.*
- (6) C. **Action** - Zoning Text Amendment 03-26, Self Storage - Permitted Use - CBD-1 Zone (Wilson)  
*PHED Committee recommends approval with amendments.*
- (7) D. **Action** - Zoning Text Amendment 03-28, Established Building Line - R-200 Zone (Wilson)  
*PHED Committee recommends approval with amendments.*
- (8) E. **Action** - Rustic Roads Functional Master Plan, includes White Ground Road (Orlin)  
*T&E Committee recommends approved as amended.*
- (9) F. **Action** - Upper Rock Creek Master Plan (Michaelson)

12:00 **ADJOURN**

**The following appointment was received from the County Executive and is tentatively scheduled for confirmation on March 2, 2004:**

Energy and Air Quality Advisory Committee: Suzanne Matwyshe-Gillen, Alan S. Miller

Rustic Roads Advisory Committee: Laura Van Etten, James D. Arnoult

Silver Spring Urban District Advisory Committee: M. Genevieve Hardesty

**The following appointment received from the County Executive is tentatively scheduled for confirmation on March 2, 2004:**

Chief, Special Needs Housing, Department of Health and Human Services: Corinne Stevens

### COUNCIL MEETINGS

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

Mar 1, 2004	12:30 pm	State Legislation
Mar 2, 2004	9:15 am	Regular Session
Mar 8, 2004	12:30 pm	State Legislation
Mar 9, 2004	9:30 am	Regular Session
Mar 15, 2004	12:30 pm	State Legislation
Mar 16, 2004	9:15 am	Regular Session
Mar 22, 2004	12:30 pm	State Legislation
Mar 23, 2004	9:15 am	Regular Session
Mar 24, 2004	7:30 pm	Town Hall Meeting - Council Office Building
Mar 29, 2004	12:30 pm	State Legislation
Mar 30, 2004	9:15 am	Regular Session

### FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

#### March 2, 2004

1:30 pm Bill 2-04, Human Rights - Discrimination - Family Responsibilities

1:30 pm Resolution to increase Base Solid Waste Service Charge (Tipping Fee)

#### March 9, 2004

1:30 pm Supplemental appropriation to the MCPS' FY04 Operating Budget - \$626,713 for Emergency Response and Crisis Management Initiative

1:30 pm Supplemental appropriations to the County Government's FY04 Operating Budget,

➤ DPS and DFRS - \$663,130 for Life Safety Systems - Residential Sprinkler Systems

➤ DHCA - \$870,000 for HUD Section 108 Program for Chelsea Tower

➤ DPWT, Division of Solid Waste Services - \$5,772,120 for Disposal Fund

#### March 16, 2004

1:30 pm ZTA 04-01, Increased building height in the CBD-2 Zone

1:30 pm ZTA 04-02, Variances and Special Exceptions - Duration of Validity - Revisions

1:30 pm ZTA 04-03, Special Exceptions - Hearing Provisions

#### March 23, 2004

1:30 pm Resolution to approve amendment to Board of Appeals Rules of Procedure - Motion to dismiss

#### April 1, 2004

7:30 pm ZTA 04-04, Combination Retail Stores - Zoning Regulations



If persons with disabilities need services or aides to participate in any Council activity, please call 240-777-7900 five days in advance. This agenda is available in an alternative format upon request.

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## ADDENDUM

Tuesday, February 24, 2004

(3) 9:30 CONSENT CALENDAR

B. **Introduction** - Resolutions to approve categorical transfers for MCPS' FY04

Operating Budget:

- \$1,500,000 for Provision for Future Supported Projects (Planell)
- \$514,690 for Pre-Kindergarten programs (Planell)

**Correction:**

**Add:**

L. **Introduction** - Resolution regarding Flexibility in Implementation of Carry-in, Carry-Out Policy, sponsored by Councilmembers Perez, Leventhal, and Denis (Parr)

**Add:**

M. **Action** - Confirmation of County Executive appointment to the Washington Suburban Sanitary Commission: Luis Valencia (Ferber)



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### ADDENDUM #2

Tuesday, February 24, 2004

12:00 **PROPOSED CLOSED SESSION** to discuss appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, pursuant to Maryland Code, State Government Article, §10-508 (a)(1)(i). Topic is a personnel matter. *(6th floor Council Conference Room)* (Farber)



# Montgomery County Council

For Immediate Release

February 5, 2004

INFORMATION: Justina Ferber, 240-777-7938

**COUNCIL SEEKS APPLICANTS FOR POSITION ON  
MONTGOMERY COUNTY PLANNING BOARD**

**Deadline 5:00 P.M., March 29, 2004**

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The Montgomery County Council is seeking applicants to fill a vacancy on the Montgomery County Planning Board. The term of Allison Bryant, Republican, will expire on June 14, 2004. Mr. Bryant has served one partial and one full term on the Board and is eligible for another term. Mr. Bryant has indicated that he will apply for reappointment.

No more than three members of the Planning Board may be from the same political party, and all members must be residents and registered voters of Montgomery County when appointed. Members serve four-year terms and are limited to two full terms. This position can be filled by a Republican (R) or a voter who declines to affiliate with a party, or is a member of another party officially recognized by the Board of Elections. Current members are: Derick Berlage, Chairman (D); Allison Bryant (R); Wendy Collins Perdue (D); John Robinson (D); and Meredith K. Wellington (R). Annual compensation for Board members is \$25,000.

The Planning Board serves as the Council's principal adviser on land use planning and community planning. Planning Board members also serve as Commissioners of the Maryland-National Capital Park and Planning Commission. Some of the Board's

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responsibilities with regard to planning are: 1) preparation and amendment of the County General Plan; 2) preparation and amendment of the Master Plans and functional plans; 3) formulation of subdivision regulations; 4) preparation of or recommendations on Text Amendments to the Zoning Ordinance; 5) implementation of the subdivision process by reviewing and approving all preliminary plans, site plans, and other plans for development; 6) advice on the planning implication of capital facilities and programs of the County Government, Montgomery College, Washington Suburban Sanitary Commission, and Montgomery County Public Schools; and 7) approval of the work program and the annual operating budget for the Park and Planning Department and Central Administrative Services.

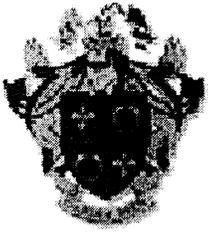
The Planning Board sits as the Park Commission and approves the annual operating budget and Capital Improvements Program for the County park system, land acquisition contracts and major development contracts for parks, development plans for individual park facilities, policies for park operations, and park user fees. These functions require a meeting at least once each month.

The Montgomery County Planning Board meets all day every Thursday. The entire Maryland-National Capital Park and Planning Commission meets the second Wednesday of every month. Two full days a week are spent in meetings. Additionally, substantial time is required for preparatory work and other activities related to Planning Board responsibilities.

Letters expressing interest in the position, including a resume listing professional and civic experience, should be addressed to Council President Steven A. Silverman, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, and must be **received no later than 5:00 p.m., Monday, March 29, 2004.** It is the Council's policy not to consider applications received after the deadline. After the March 29 closing date, Councilmembers will review the letters of application and select applicants for interviews to be held in June.

The names of all applicants are published and available for public review, and interviews are open to the public. A financial statement of assets, debts, income, and family property interests will be required of all applicants; only the appointed candidate will be required to make the financial statement available to the public.

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**Montgomery County Council**  
**Legislative Information Services**

***Packet Index***

***Tuesday, February 24, 2004***

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Item Number	Note	Staff
Agenda Item #2	There were no Petitions received in LIS this week.	Lacefield

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