



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 to obtain current information.*

*This meeting will be televised live on Channel 6;  
repeated on 10/29/04 at 8 pm and 10/30/04 at 9 am*

**Tuesday, October 26, 2004**

9:15 **INVOCATION** - Venkataramany Balakrishnan and Nathan Krishnan, Sri Siva Vishnu Temple

9:20 **PRESENTATION** - Proclamation to Carderock Springs Elementary School in recognition of the National Blue Ribbon School of Excellence award for 2004-2005 by Councilmember Denis

9:25 **PRESENTATION** - Proclamation in recognition of the 217<sup>th</sup> anniversary of the Constitution of the United States by Councilmember Knapp

9:30 **GENERAL BUSINESS**

**A. Announcements:**

- Agenda and Calendar Changes (Lauer)
- The public hearing on **Bill 35-04, Personnel - Retirement - Deferred Compensation, Board of Investment Trustees**, has been scheduled for November 16, 2004 at 1:30 pm. (Faden)

B. **Action** - Approval of Minutes: October 5 and 12, 2004 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:35 **CONSENT CALENDAR**

A. **Introduction** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)  
*Public Hearing is scheduled for 11/16/04 at 7:30 pm.*

(2) 9:35 **CONSENT CALENDAR** *(continued)*

- B. **Introduction** - Amendment to the MCPS' FY05-10 Capital Improvements Program and transfers within the MCPS' FY05 Capital Budget: (Levchenko)
- \$4,425,000 from the following projects: Baker Middle School Addition, Damascus HS Corridor Circulation Improvements, Clarksburg Area Middle School, and Quince Orchard Middle School #2 to the MCPS Local Unliquidated Surplus Account (Source: G.O. Bonds); and
  - \$4,627,000 from MCPS Local Unliquidated Surplus Account to Clarksburg Area High School project (Source: G.O. Bonds)  
*Public Hearing is scheduled for 11/16/04 at 1:30 pm.*
- C. **Action** - Supplemental appropriation to the County Government's FY05 Operating Budget, Department of Housing and Community Affairs - \$350,000 for Maryland Community Legacy Grant (Source: Maryland Department of Housing and Community Development) (Trombka)  
*PHED Committee recommendation will be available 10/21/04.*
- D. **Action** - Resolution to approve Economic Development Revenue Bond for Trinity Health/Holy Cross Hospital (Sherer)
- E. **Action** - Confirmation of County Executive appointments to the Board of Registration for Building Contractors: William Kane, Marla Dalton (Ferber)
- F. **Action** - Confirmation of County Executive appointments to the Criminal Justice Coordinating Commission: John Arney, Delmas Wood, Sandy Bromley (Ferber)
- G. **Action** - Confirmation of County Executive appointments to the Library Board: Linda Stoloff Frueh, Anne J. Kilcullen, Talat "Bano" Makhdoom, Stephanie Weber (Ferber)

9:40 **DISTRICT COUNCIL SESSION**

- (3) A. **Introduction** - Zoning Text Amendment 04-25, Campground - Rural Cluster Zone, sponsored by Councilmembers Floreen and Knapp (Wilson)  
*Action - Resolution to establish public hearing for 11/30/04 at 1:30 pm.*

- (4) 9:45 **BOARD OF HEALTH** - Update from Dr. Ulder J. Tillman, County Health Officer (McGuire)

10:30 **LEGISLATIVE SESSION Day # 31**

- A. Approval of Legislative Journal (Edgar)
- B. Introduction of Bills
- (5) • **Bill 36-04**, Commission on Human Rights - Discrimination in Housing - Amendments, sponsored by Councilmember Perez (Healy)  
*Public Hearing is scheduled for 12/7/04 at 1:30 pm.*

10:30 **LEGISLATIVE SESSION Day # 31** (continued)

C. Call of Bills for Final Reading

- (6) • **Bill 33-04, Homeland Security - Reorganization** (Healy)  
*HSC/PS Committee recommends approval with amendments.*

10:50 **WORKSESSION/ACTION** on the following:

- (7) • Zoning Text Amendment 04-17, Rural Neighborhood Cluster Zone - Open Space Requirements (Michaelson)  
*PHED Committee recommends approval with amendments.*
- (8) • Zoning Text Amendment 04-18, Environmental Overlay Zone - Upper Rock Creek Special Protection area (Michaelson)  
*PHED Committee recommends approval with amendments.*
- (9) • Upper Rock Creek Sectional Map Amendment (G-827) (Michaelson)  
*PHED Committee recommends approval with amendments.*

12:15 **RECESS**

- (10) 1:30 **PUBLIC HEARING - Bill 34-04, Ethics - Lobbying Disclosure - Amendments** (Healy)  
*MFP Committee worksession tentatively scheduled for 11/8/04.*

1:50 **ADJOURN**

- (11) 2:00 **DISCUSSION - State Legislative Program** (6th floor Council Conference Room) (Wenger)
- 3:00 **PHED Committee** (7th floor Council Hearing Room)

**Thursday, November 4, 2004**

- 6:30 **PUBLIC HEARING - Shady Grove Sector Plan** (3<sup>rd</sup> floor Council Hearing Room)

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on November 9, 2004:**

Bethesda Urban Partnership, Inc. Board of Directors: Michael S. Magruder, Elliot Schnitzer, Carol Trawick, Renee Kotz

Commission on Juvenile Justice: Steven Mandel, Carol Weiss, Lt. Harold Allen, Loretta Shapero

Commission on People with Disabilities: Michael W. Briese, Roberta S. Carlin, Nelson Jackson, Russell J. Holt, Aileen R. O'Hare, Hillary Vaughan, Alan P. Laskin, Beryl Neurman, Joan B. Riley, Philip G. Smakula, Francie Gilman

**NOTICE:**

*The next Council Session is scheduled for Tuesday, November 9, 2004.  
The agenda for this session will be mailed and posted to the web site on November 4<sup>th</sup>.*

### 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.

Nov 9, 2004	9:15 am	Regular Session
Nov 16, 2004	9:15 am	Regular Session
Nov 17, 2004	7:30 pm	Town Hall Meeting- Argyle M.S.
Nov 23, 2004	9:15 am	Regular Session
Nov 30, 2004	9:15 am	Regular Session
Dec 7, 2004	9:15 am	Regular Session
Dec 14, 2004	9:15 am	Regular Session

### FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

#### October 20, 2004

10:00 am County Executive's Public Hearing: Economic Development Revenue Bond - Holy Cross Hospital  
(To testify call 240-777-8860)

#### October 26, 2004

1:30 pm **Bill 34-04**, Ethics - Lobbying Disclosure - Amendments

#### November 4, 2004

6:30 pm Shady Grove Sector Plan

#### November 9, 2004

1:30 pm ZTA 04-20, Building Height Standards - revisions under certain circumstances - C-2 Zone

#### November 16, 2004

1:30 pm Amendment to the MCPS' FY05-10 Capital Improvements Program and transfers within the MCPS' FY05 Capital Budget:

- \$4,425,000 from the following projects: Baker Middle School Addition, Damascus HS Corridor Circulation Improvements, Clarksburg Area Middle School, and Quince Orchard Middle School #2 to the MCPS Local Unliquidated Surplus Account; and
- \$4,627,000 from MCPS Local Unliquidated Surplus Account to Clarksburg Area High School project

1:30 pm **Bill 35-04**, Personnel - Retirement - Deferred Compensation, Board of Investment Trustees



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### ADDENDUM

Tuesday, October 26, 2004

(2) 9:35 **CONSENT CALENDAR** *(continued)*

**Add:** H. **Introduction** - Resolution to support Emergency Health Care for Up County residents, sponsored by Councilmember Knapp (Fuhrmann)

9:40 **DISTRICT COUNCIL SESSION**

**Change title:** (3) A. **Introduction** - Zoning Text Amendment 04-25, Camp retreat - Rural Cluster Zone, sponsored by Councilmembers Floreen and Knapp (Wilson)

10:30 **LEGISLATIVE SESSION Day # 31**

(5) **Add sponsor:** B. Introduction of Bills  
• **Bill 36-04**, Commission on Human Rights - Discrimination in Housing - Amendments, sponsored by Councilmembers Perez and Subin (Healy)