



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 4/15/05 at 8 pm and 4/16/05 at 9 am*

### Monday, April 11, 2005

7:00 **PUBLIC HEARING** - FY06 Operating Budgets - MCPS (*3<sup>rd</sup> floor Council Hearing Room*)

### Tuesday, April 12, 2005

8:30 **PHED Committee** (*7th floor Council Hearing Room*)

11:00 **INVOCATION** - Imam Daud Ahmad Hanif, Ahmaiyya Movement in Islam, Silver Spring

11:05 **PRESENTATION** - Award presentations for the Golden Shovel Program by Councilmember Floreen

11:10 **PRESENTATION** - Proclamation honoring "Remembering the True Victims" organization by Councilmember Andrews

11:15 **GENERAL BUSINESS**

**A. Announcements:**

- (.317) • Agenda and Calendar Changes (Lauer)
- The public hearing on the FY06 Capital Budget and FY05-10 Capital Improvements Program (CIP) amendments for Montgomery County Public Schools is scheduled for May 3, 2005 at 7:00 pm. (Orlin)

- (1) **B. Action** - Approval of Minutes: March 14, 15, and 22, 2005 (Lauer)
- C. Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 11:20 **CONSENT CALENDAR**

- A. Introduction** - Resolution to establish the FY06 Work Program of the Interagency Public Information Working Group (Lacefield)



(2) 11:20 **CONSENT CALENDAR**

- B. **Introduction** - Resolution to establish the FY06 Work Program of the Interagency Training Team (Davidson)
- C. **Introduction** - Resolution to establish the FY06 Work Program of the Interagency Procurement Coordinating Committee (Healy)
- D. **Action** - Contract Renewal for Audit Services (Howard)  
*MFP Committee recommends approval.*
- E. **Action** - T&E Committee report and recommendations on OLO Report 2004-8, An Interagency Study of Tree Management Practices (Richards)
- F. **Action** - HHS/MFP Committee report and recommendations on OLO Report 2005-1, A Study of the County Government's Selection and Funding Practices for Health and Human Services and Community Development Grant Awards (Richards)
- G. **Action** - Resolutions to amend the FY05 Designation of Entities for Non-Competitive Award Status for the following: (McGuire)  
  - Community Ministry of Montgomery County, Inc.
  - Shady Grove Radiological Consultants, P.A.
  - Community Connection, Inc.
- H. **Action** - Confirmation of County Executive appointment to the Advisory Board on Victims and their Families: Rise Ain (Ferber)
- I. **Action** - Confirmation of County Executive appointments to the Agricultural Advisory Committee: George Lechluder, Jean Phillips, David Weitzer, Vincent H. Berg, Hall Sisson, Lawrence Zoeller (Ferber)
- J. **Action** - Confirmation of County Executive appointment to the Sign Review Board: Christopher O. Collins (Ferber)
- K. **Action** - Confirmation of County Executive appointment to the Silver Spring Citizens Advisory Board: Jerry Yokoyama (Ferber)
- L. **Action** - Confirmation of County Executive appointments to the Western Area Recreation Advisory Board: Fritz Hirst, Gordon L. Lang (Ferber)
- M. **Introduction** - Resolution to authorize grant application request for the Annual Transportation Plan (Orlin)

11:25 **LEGISLATIVE SESSION Day # 10**

- A. Approval of Legislative Journal: March 22, 2005 (Lauer)

11:25 **LEGISLATIVE SESSION Day # 10** (continued)

B. Introduction of Bills

- (3) • **Expedited Bill 5-05**, Landlord-Tenant Relations - Attorneys' fees, sponsored by the Council President at the request of the County Executive (Faden)  
*Public Hearing is scheduled for 6/14/05 at 1:30 pm.*
- (4) • **Bill 6-05**, Junk Dealers and Junkyards - Repeal, sponsored by the Council President at the request of the County Executive (Faden)  
*Public Hearing is scheduled for 6/14/05 at 1:30 pm.*
- (5) • **Bill 7-05**, Cable Communications - Cable Compliance Commission - Amendments, sponsored by Councilmember Praisner (Healy)  
*Public Hearing is scheduled for 6/14/05 at 1:30 pm.*
- (6) • **Bill 8-05**, Buildings - Permits - Posting of Notice of Issuance, sponsored by the Council President at the request of the County Executive, and by Councilmember Praisner (Faden)  
*Public Hearing is scheduled for 6/14/05 at 1:30 pm.*
- (7) • **Bill 9-05**, Buildings - Location in County, sponsored by Councilmember Praisner (Faden)  
*Public Hearing is scheduled for 6/14/05 at 1:30 pm.*

C. Call of Bills for Final Reading

- (8) • **Bill 23-04**, Contracts and Procurement - Local Small Business Reserve Program (Healy)  
*MFP Committee recommends approval with amendments.*

12:30 **RECESS**

- (9) 1:30 **PUBLIC HEARING** - Additional requests to the FY06 Capital Budget and amendments to the FY05-10 Capital Improvements Program (Orlin)
- (10) 1:50 **OVERVIEW** - FY06 Operating Budget (Farber)
- (11) 2:15 **PRESENTATION** from MCPS - Increased school construction costs (Levchenko)
- (12) 2:45 **ACTION** - Request for Oral Argument - Abandonment of a portion of unimproved Moorland Lane (Orlin)

3:00 **DISTRICT COUNCIL SESSION**

- (13) A. **Introduction** - Resolution to create a Maryland Land Preservation Foundation (MALPF) Agricultural District - Shiloh Farm - Michael Rubin, 21420 Big Woods Road, Dickerson (Wilson)  
*Public Hearing/Action is scheduled for 5/3/05 at 1:30 pm.*
- (14) B. **Introduction** - Subdivision Regulation Amendment 05-02, Lots - Location in County, sponsored by Councilmember Praisner (Faden)  
*Action - Resolution to establish public hearing for 6/14/05 at 1:30 pm.*

3:00 **DISTRICT COUNCIL SESSION** *(continued)*

- (15) C. **Introduction** - Zoning Text Amendment 05-07, Parking Facilities - Country Inn Zone, sponsored by Councilmembers Floreen, Leventhal and Knapp  
*Action - Resolution to establish public hearing for 6/14/05 at 1:30 pm.*
- (16) D. **Action** - Zoning Text Amendment 05-01, Non-residential Professional Office - R-90 Zone (Wilson)  
*PHED Committee recommends approval with amendments.*
- (17) E. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)  
**Application No: G-822**  
**Applicant:** Oxbridge Development at Rock Creek LC (Stephen Kaufman, Yum Yu Cheng, Attorneys)  
**Property:** 5.6 acres west side of Baltimore Road, approximately 1,850 feet south of the intersection with Parkvale Road  
**Action:** Rezone from R-90 and R-200 to RT-8  
**Recommendations:** Planning Staff: Deny  
Planning Board: Split 2/2 vote  
Hearing Examiner: Approve
- (18) F. **Action** - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation: (Wilson)  
**Application No: G-819**  
**Applicant:** Hampden Lane LLC (Timothy Dugan, Attorney)  
**Property:** In the 7<sup>th</sup> election district, part of Lots 5 and 6, Block 24B; part of Lots 8 and 9, Block 24D; 313 square feet of right-of-way owned by Montgomery County that was formerly parts of Lot 6, Block 24B, and 815 square feet of right-of-way owned by Montgomery County that was formerly part of Lots 8 and 9, Block 24D  
**Action:** Rezone from R-10 and R-60 zones to the TS-R zone  
**Recommendations:** Planning Staff: Deny  
Planning Board: Approve  
Hearing Examiner: Approve

4:30 **ADJOURN**

**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.

Apr 19, 2005	9:15 am	Regular Session
Apr 26, 2005	9:15 am	Regular Session
May 3, 2005	9:15 am	Regular Session
May 9, 2005	9:30 am	Council Budget Worksession

**FUTURE COUNCIL MEETINGS (continued)**

**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.**

<b>May 10, 2005</b>	9:15 am	Regular Session and Budget Worksession
<b>May 11, 2005</b>	9:30 am	Council Budget Worksession
<b>May 12, 2005</b>	9:30 am	Council Budget Worksession
<b>May 12, 2005</b>	3:00 pm	BiCounty Budget Mtg. w/ Prince George's County Council
<b>May 13, 2005</b>	9:30 am	Council Budget Worksession
<b>May 16, 2005</b>	9:30 am	Council Budget Worksession
<b>May 17, 2005</b>	9:15 am	Regular Session and Budget Worksession
<b>May 18, 2005</b>	9:30 am	Council Budget Worksession
<b>May 19, 2005</b>	9:30 am	Council Budget Worksession
<b>May 26, 2005</b>	9:30 am	Council Budget - Action

**FUTURE PUBLIC HEARINGS**

**To testify call 240-777-7931**

**April 11, 2005**

7:00 pm FY06 Operating Budgets - MCPS

**April 12, 2005**

1:30 pm FY06 Capital Budget and additional amendments to the FY05-10 CIP

**April 19, 2005**

1:30 pm Supplemental appropriation to the MCPS' FY05 Operating Budget - \$10,750,000 for Provision for Future Supported Projects

1:30 pm Supplemental appropriations to the County Government's FY05 Operating Budget,  
➤ MCFRS - \$973,035 for FFY2004 Urban Search and Rescue Emergency Preparedness and Response Directorate Grant  
➤ MCFRS and OHR - \$795,980 for Implementation of Bill 36-03

**April 26, 2005**

11:00 am Resolution to establish FY06 Solid Waste Service Charges

11:00 am Resolution to establish FY06 Water Quality Protection Charge

11:00 am Resolution to amend transportation fees, charges, and fares

11:00 am Constant Yield Tax Rate (CYTR)

11:00 am Resolution to establish fees for equestrian event permits

11:00 am Resolution to amend fees:

- for the enforcement of Special Exceptions
- to waive Parking Standards
- for Zoning Compliance Letters
- for the administration and enforcement of Registered Home Occupations
- for the administration and enforcement of Sign Permits and Licenses

11:00 am ZTA 05-04, Moderately Priced Dwelling Units (MPDU) - finding of financial infeasibility

11:00 am SRA 05-01, Moderately Priced Dwelling Units (MPDU) - finding of financial infeasibility

11:00 am **Expedited Bill 4-05**, Moderately Priced Dwelling Units (MPDU) - follow up amendments

**May 10, 2005**

1:30 pm Woodmont Triangle Amendment to the Bethesda CBD Sector Plan

1:30 pm ZTA 05-05, Streetscape Requirements - I-1 Zone

1:30 pm ZTA 05-06, Building Materials and Supplies - R&D Zone



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