



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.

This meeting will be televised live on Channel 6; repeated on 3/30/07 at 8 pm and 4/1/07 at 9 am

Tuesday, March 27, 2007

8:30 - 9:30 **Breakfast Meeting** with Montgomery College *(6th floor Council Conference Room)* (Sherer)

9:30-10:15 **PROPOSED CLOSED SESSION** for the purpose of consulting with counsel to obtain legal advice regarding pending or potential litigation, pursuant to Maryland Code, State Government Article, §10-508 (a) (7) and (8). Topic is appeals from Board of Appeals. *(6th floor Conference Room)* (Faden)

10:15-10:45 **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 Council Office staffing. *(6th floor Conference Room)* (Farber)

11:00 **INVOCATION** - Reverend Heather K. Janules, Cedar Lane Unitarian Universalist Church, Bethesda

11:05 **PRESENTATION** - Proclamation in recognition of April as Autism Awareness Month by Councilmember Knapp

11:10 **PRESENTATION** - Proclamation in recognition of Montgomery County Tennis Association being named "2006 Community Tennis Association of the Year" by the United States Tennis Association by Councilmember Andrews

11:15 **GENERAL BUSINESS** (Lauer)

- (2)
- A. **Announcement** - Agenda and Calendar Changes
 - B. **Acknowledgement** - Receipt of Petitions
 - C. **Action** - Approval of Minutes: March 12 and 13, 2007



(3) 11:15 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to approve five-year funding schedule for County agencies' annual required contribution for Other Post Employment Benefits (OPEB) (Farber)
- B. **Introduction** - Supplemental appropriations to the Montgomery County Public Schools' FY07 Operating Budget: (McGuire)
- \$792,922 for State School Improvement Grant (Source: State grant)
 - \$5,500,000 for the Provision for Future Supported Projects (Source: Federal and State grants)
- Public Hearing is scheduled for 4/10/07 at 1:30 pm.*
- C. **Introduction** - Supplemental appropriation to the M-NCPPC's FY07 Capital Budget - \$468,000 for Wheaton Tennis Bubble Renovation (Source: Current Revenue and Program Open Space) (Michaelson)
- Public Hearing is scheduled for 4/10/07 at 1:30 pm.*
- D. **Introduction** - Supplemental appropriations to the County Government's FY07 Capital Budget: (Orlin)
- County Executive - \$73,000 for Silver Spring Civic Building (Source: Contributions)
 - County Executive - \$144,000 for Silver Spring Redevelopment Program (Source: Contributions)
 - County Executive - \$988,000 for Wheaton Redevelopment Program (Source: G.O. Bonds)
 - Recreation - \$1,204,000 for North Potomac Recreation Center (Source: G.O. Bonds)
 - DPWT - \$418,000 for Montrose Parkway East (Source: G.O. Bonds)
- Public Hearing is scheduled for 4/10/07 at 1:30 pm.*
- E. **Introduction** - Supplemental appropriations to the County Government's FY07 Capital Budget and amendments to the FY07-12 Capital Improvements Program, Department of Public Works and Transportation: (Orlin)
- \$3,360,000 for Data Center Rehabilitation (Source: G.O. Bonds)
 - \$400,000 for Silver Spring Metrorail Station South Entrance (Source: G.O. Bonds)
 - \$200,000 for Red Brick Courthouse Structural Repairs (Source: G.O. Bonds)
 - \$1,160,000 for Facility Planning: Bridges (Source: State Aid)
- Public Hearing is scheduled for 4/17/07 at 1:30 pm.*
- F. **Action** - Supplemental appropriation to the Montgomery College's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program - \$1,300,000 for Takoma Park Campus Expansion (Source: Facilities Capital Projects Fund) (Sherer)
- ED Committee recommendations will be available 3/26/07.*

(3) 11:15 **CONSENT CALENDAR** *(continued)*

G. **Action** - Extension of time until June 30, 2007 for Council action on Executive Regulation 26-06, Internet Access Service Standards (Mihill)
MFP Committee recommends approval as amended.

H. **Action** - Confirmation of County Executive appointment of Police Labor Relations Permanent Umpire: Ira Jaffe (Ferber)

11:25 **BOARD OF HEALTH**

(4) A. **Introduction** - Resolution to adopt Board of Health Regulation restricting trans fat use in eating and drinking establishments, sponsored by Councilmembers Trachtenberg, Leventhal and Elrich (Mihill)
Public Hearing will be scheduled at a later date.

11:30 **DISTRICT COUNCIL SESSION**

(5) A. **Action** - Montgomery County Planning Board Regulations 07-1AM, Rules of Procedure for Conduct of Hearings (Faden/Zyontz)
PHED Committee recommends approval as amended.

(6) 11:40 **DISCUSSION** - State Legislative Program *(6th floor Council Conference Room)* (Wenger)

12:15 **RECESS**

(7) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 07-02, Buildable Lot - Clarification (Zyontz)
PHED Committee worksession tentatively scheduled for 4/9/07.

(8) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 07-03, Workforce Housing - Option (Zyontz)
PHED Committee worksession tentatively scheduled for 4/9/07.

(9) 1:30 **PUBLIC HEARING - Expedited Bill 5-07**, Personnel - Retirement - Firefighters (Faden)
MFP Committee worksession tentatively scheduled for 4/9/07.

(10) 1:30 **PUBLIC HEARING - Expedited Bill 6-07**, Structure of County Government - Non-merit Positions (Faden)
MFP Committee worksession tentatively scheduled for 4/9/07.

(11) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the Montgomery County Public Schools' FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program - \$1,152,000 for HVAC Replacement and Planned Lifecycle Asset Replacement (Source: State Aid - Qualified Zone Academy Bonds) (Levchenko)
ED Committee recommendation will be available 3/26/07.

(12) 2:00 **SEMI-ANNUAL REPORT** of the Montgomery County Planning Board (Michaelson)

4:30 **ADJOURN**

The next regular Council Session is scheduled for April 10, 2007. The agenda and will be mailed and posted to the web site on April 5, 2007. The committee schedule will be mailed on April 5, 2007 and posted to the web site daily. Please see the listing below for future Council meetings and public hearings.

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 2-6, 2007		RECESS
Apr 10, 2007	8:30 am	Breakfast Meeting with County Executive
Apr 10, 2007	9:45 am	Regular Session
Apr 17, 2007	9:30 am	Regular Session
Apr 24, 2007	9:30 am	Regular Session
May 1, 2007	8:30 am	Breakfast Meeting with County Executive
May 1, 2007	9:45 am	Regular Session
May 7, 2007	9:30 am	Council Budget Worksession
May 8, 2007	9:30 am	Regular Session and Council Budget Worksession
May 9, 2007	9:30 am	Council Budget Worksession
May 10, 2007	9:30 am	Council Budget Worksession
May 10, 2007	3:00 pm	Bi-County Meeting at WSSC
May 11, 2007	9:30 am	Council Budget Worksession
May 14, 2007	9:30 am	Council Budget Worksession
May 15, 2007	9:30 am	Regular Session and Council Budget Worksession
May 16, 2007	9:30 am	Council Budget Worksession
May 17, 2007	9:30 am	Council Budget Worksession

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

April 9, 2007

7:00 pm FY08 Capital & Operating Budgets and amendments to FY07-12 CIP

April 10, 2007

1:30 pm Resolution to establish FY08 Solid Waste Service Charges

1:30 pm Resolution to establish FY08 Water Quality Protection Charge

1:30 pm Intent to consider increasing FY08 General Fund tax rate above the Constant Yield Tax Rate (CYTR)

1:30 pm Resolution to amend Annual Fee for enforcement of Special Exceptions

1:30 pm Supplemental appropriations to the County Government's FY07 Capital Budget:

- County Executive - \$73,000 for Silver Spring Civic Building
- County Executive - \$144,000 for Silver Spring Redevelopment Program
- County Executive - \$988,000 for Wheaton Redevelopment Program
- Recreation - \$1,204,000 for North Potomac Recreation Center
- DPWT - \$418,000 for Montrose Parkway East

1:30 pm Supplemental appropriation to the M-NCPPC's FY07 Capital Budget - \$468,000 for Wheaton Tennis Bubble Renovation

1:30 pm Supplemental appropriations to the MCPS' FY07 Operating Budget -

- \$792,922 for State School Improvement Grant
- \$5,500,000 for the Provision for Future Supported Projects

7:00 pm FY08 Capital & Operating Budgets and amendments to FY07-12 CIP

April 11, 2007

1:30 pm FY08 Capital & Operating Budgets and amendments to FY07-12 CIP

7:00 pm FY08 Capital & Operating Budgets and amendments to FY07-12 CIP

April 16, 2007

7:00 pm FY08 Capital & Operating Budgets and amendments to FY07-12 CIP

April 17, 2007

1:30 pm Supplemental appropriations to the County Government's FY07 Capital Budget and amendments to the FY07-12 CIP, DPWT:

- \$3,360,000 for Data Center Rehabilitation
- \$400,000 for Silver Spring Metrorail Station South Entrance
- \$200,000 for Red Brick Courthouse Structural Repairs
- \$1,160,000 for Facility Planning: Bridges

 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.

www.montgomerycountymd.gov/council