



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 CCM Channels Comcast 6, RCN 6, and Verizon 30; repeated on 1/25/08 at 8 pm

Tuesday, January 22, 2008

- 9:00 **PROPOSED CLOSED SESSION** to consult with staff, consultants, or other individuals about pending or potential litigation, pursuant to Maryland Code, State Government Article, §10-508 (a)(8). Topic is report from State's Attorney. (6th Floor Council Conference Room) (Faden)
- 9:30 **INVOCATION** - Rabbi Stuart Weinblatt, B'nai Tzedek, Potomac
- 9:35 **PRESENTATION** - Proclamation in recognition of DPWT's Division of Solid Waste Services, recipient of Solid Waste Association of North America Waste Reduction, Recycling & Composting Division's Recycling Systems Gold Excellence Award, 2007, by Councilmember Praisner
- 9:40 **PRESENTATION** - Proclamation in recognition of the work of Reaching Out To Others Together, Inc. (ROOT) organization and their work for non-violence and anti-gun campaigns by Councilmember Trachtenberg
- 9:40 **GENERAL BUSINESS** (Lauer)
- (1) A. **Announcement** - Agenda and Calendar Changes
B. **Acknowledgement** - Receipt of Petitions
C. **Action** - Approval of Minutes: December 11, 2007
- (2) 9:45 **CONSENT CALENDAR**
- A. **Introduction:** Resolutions to amend the MCPS FY07-12 Capital Improvements Program (CIP) and transfer \$9,300,000 unexpended project balance within the FY08 Capital Budget to Unliquidated Surplus: (Levchenko)
- Fallsmead ES Addition - \$1,800,000
 - Luxmanor ES Addition - \$2,700,000
 - Pyle MS Addition - \$700,000
 - Stedwick ES Addition - \$700,000
 - Travilah ES Addition - \$1,600,000
 - Wayside ES Addition - \$600,000
 - Westland MS Addition - \$1,200,000
- Public Hearing is scheduled for 2/12/08 at 1:30 pm.*



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

- B. Introduction:** Resolution to amend the MCPS FY07-12 Capital Improvements Program (CIP) and transfer \$10,363,000 from Unliquidated Surplus to: (Levchenko)
- Clarksburg ES #8 - \$2,250,000
 - Current Replacements/Modernizations - \$8,113,000
 - Bells Mill ES - \$6,100,000
 - Cashell ES - \$950,000
 - Walter Johnson HS - \$588,000
 - Richard Montgomery HS - \$475,000
- Public Hearing is scheduled for 2/12/08 at 1:30 pm.*
- C. Introduction -** Special Appropriation to the MCPS FY08 Capital Budget and amendment to the FY07-12 Capital Improvements Program (CIP), Current Replacements/Modernizations - \$1,075,000 for Richard Montgomery High School artificial turf pilot project (Source - G.O. Bonds and Contributions) (Levchenko)
- Public Hearing is scheduled for 2/12/08 at 1:30 pm.*
- D. Receipt and Release -** Office of Legislative Oversight Report 2008-2, Defining and Describing Montgomery County Public Schools' Progress in Closing the Achievement Gap (Bonner-Tompkins)
- ED Committee worksession tentatively scheduled for 1/28/08.*
- E. Action -** Resolution regarding appointment of a Merit System Review Commission (Ferber)
- F. Action -** Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant: TIG Global, LLC (Ferber)
- G. Action -** Confirmation of County Executive appointment of Police Labor Relations Permanent Umpire: Ira Jaffe (Ferber)
- H. Action -** Department of Permitting Services Advisory Committee: Steven Morrison, Alan S. Bowser, Larry A. Gordon, Michael P. Carey, Joav Steinbach, JD Grewell (Ferber)
- I. Action -** Confirmation of County Executive appointment to the Cable and Communications Advisory Committee: Gabriel D. Nmah (Ferber)

9:50 **DISTRICT COUNCIL SESSION**

- (3) **A. Action -** Consideration of Hearing Examiner's Report and Recommendation: (Zyontz)
- Application No:** G-860
- Applicant:** Green Acres Metro, L.P. (Patricia A. Harris, Attorney)
- Property:** 4.48 acres located at 11520, 11560 and 11564 Rockville Pike, between Nicholson Lane and Marinelli Road, North Bethesda
- Action:** Rezone from C-2 to TS-M
- | | | |
|-------------------------|-------------------|---------|
| Recommendations: | Planning Staff: | Approve |
| | Planning Board: | Approve |
| | Hearing Examiner: | Approve |

9:50 **DISTRICT COUNCIL SESSION** *(continued)*

- (4) **B. Action** - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation: (Zyontz)
 Application No: G-861
 Applicant: Keating Development Company (Cindy Bar, Attorney)
 Property: 2.5 acres located at 7001 Arlington Road, Bethesda
 Action: Rezone from C-4 to PD-44
 Recommendations: Planning Staff: Approve
 Planning Board: Approve
 Hearing Examiner: Remand
- (5) 10:15 **ACTION** - Comments on Draft Environmental Impact Statement (EIS) for Bethesda Naval Medical Center (Ferber/Orlin)
- (6) 10:45 **BRIEFING** - County Property Use Initiative, a proposal to relocate services from Public Safety Training Academy (PSTA) and County Service Park to GE/Edison Tech Park in Gaithersburg (McMillan)
- (7) 11:30 **ACTION** - Resolution to approve FY08 Budget Savings Plan (Farber)
- (8) 12:10 **INTRODUCTION** - Resolution to amend FY08 Transportation Fees, Charges, and Fares (Orlin)
 Public Hearing/Action is scheduled for 2/12/08 at 1:30 pm.
- 12:15 **RECESS** 12:30 - *Lunch briefing on Results-Based Budgeting (6CCR)*
- (9) 1:30 **PUBLIC HEARING** - Special appropriation to the MNCPPC's FY08 Capital Budget and amendments to the FY07-12 Capital Improvements Program - \$4,915,000 for SilverPlace/MRO Headquarters Mixed-Use Project (Source: Park and Planning Current Revenue) (Michaelson)
 PHED Committee worksession tentatively scheduled for 2/4/08.
- 1:40 **ADJOURN**
- 1:45 **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; or any other personnel matter that affects one or more specific individuals, pursuant to Maryland Code, State Government Article, §10-508 (a)(1)(i) and (ii). Topic is Legislative branch issues. *(6th floor Council Conference Room)* (Farber)
- 2:30 **PHED Committee** *(7th floor Council Hearing Room)*
- 7:30 **PUBLIC HEARINGS on the following:**
- (10) • **Bill 37-07**, Forest Conservation - Amendments (Faden/Mihill)
- (11) • Resolution to set certain penalty and fee amounts under the Forest Conservation Law (Mihill)
 T&E Committee worksession tentatively scheduled for 2/7/08.

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on January 29, 2008:

Director, Bethesda-Chevy Chase Regional Services Center: Kenneth B. J. Hartman

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.

Jan 28, 2008	12:30 pm	State Legislative Program
Jan 29, 2008	9:30 am	Regular Session
Feb 4, 2008	12:30 pm	State Legislative Program
Feb 5, 2008	9:45 am	Regular Session
Feb 11, 2008	12:30 pm	State Legislative Program
Feb 12, 2008	9:30 am	Regular Session
Feb 18, 2008		HOLIDAY
Feb 25, 2008	12:30 pm	State Legislative Program
Feb 26, 2008	9:30 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

Jan 22, 2008

1:30 pm Special appropriation to the MNCPPC's FY08 Capital Budget and amendments to the FY07-12 CIP - \$4,915,000 for SilverPlace/MRO Headquarters Mixed-Use Project

7:30 pm **Bill 37-07**, Forest Conservation - Amendments

7:30 pm Resolution to set certain penalty and fee amounts under the Forest Conservation Law

Jan 29, 2008

7:30 pm **Bill 38-07**, Moderately Priced Dwelling Units (MPDU) - Amendments

7:30 pm ZTA 07-17, Growth Policy - Special Exceptions and Local Zoning Map Amendments

Jan 31, 2008 (rescheduled from January 17, 2008)

7:30 pm **Bill 29-07**, Environmental Sustainability - Climate Protection - Motor Vehicles

7:30 pm **Bill 30-07**, Buildings - Energy Efficiency

7:30 pm **Bill 31-07**, Real Property - Energy Performance Audits

7:30 pm **Bill 32-07**, Environmental Sustainability - Climate Protection Plan

7:30 pm **Bill 33-07**, Renewable Energy

7:30 pm **Bill 34-07**, Planning Procedures - Greenhouse Gas Emissions

7:30 pm **Bill 35-07**, Consumer Protection - Energy and Environmental Advocacy

Feb 5, 2008

1:30 pm Resolution to approve a Franchise Agreement for Cable Television Service: Cavalier IPTV, LLC

1:30 pm **Expedited Bill 1-08**, Personnel - Disability Retirement - Group F and G

7:00 pm FY09 Capital Budget and FY09-14 CIP

FUTURE PUBLIC HEARINGS (continued)

To testify call 240-777-7931

Feb 6, 2008

7:00 pm FY09 Capital Budget and FY09-14 CIP - MCPS

Feb 7, 2008

7:00 pm FY09 Capital Budget and FY09-14 CIP

Feb 12, 2008

1:30 pm Resolutions to amend the MCPS FY07-12 CIP and transfer \$9,300,000 unexpended project balance within the FY08 Capital Budget to Unliquidated Surplus:

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1:30 pm Resolution to amend FY08 Transportation Fees, Charges, and Fares

1:30 pm Special appropriation to the MCPS FY08 Capital Budget and amendment to the FY07-12 CIP, Current Replacements/Modernizations - \$1,075,000 for Richard Montgomery High School artificial turf pilot project

Feb 26, 2008

1:30 pm ZTA 08-01, Green Area - Definition



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ADDENDUM

Tuesday, January 22, 2008

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

- Revised:**
- C. **Introduction** - Special appropriation to the MCPS' FY08 Capital Budget and amendment to the FY07-12 Capital Improvements Program (CIP), Current Replacements/Modernizations - \$300,000 for Richard Montgomery High School artificial turf pilot project (Source - Contributions) (Levchenko)
- Added:**
- J. **Introduction** - Resolution regarding use of the Housing Initiative Fund for Advanced Land Acquisitions, sponsored by Councilmembers Praisner, Floreen, and Leventhal (McMillan)