



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 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 2/8/08 at 8 pm*

### REVISED

Tuesday, February 5, 2008

3:00 **MOMENT OF SILENCE**

3:05 **GENERAL BUSINESS**

(Lauer)

- (2) A. **Announcement** - Agenda and Calendar Changes  
B. **Acknowledgement** - Receipt of Petitions  
C. **Action** - Approval of Minutes: January 17 and 22, 2008

(3) 3:10 **CONSENT CALENDAR**

- A. **Receipt and Release** - Office of Legislative Oversight Report 2008-4, A Study of County Road Project Cost and Schedule of Estimates (Trombka/Downie)  
*T&E Committee worksession tentatively scheduled for 2/14/08.*
- B. **Receipt and Release** - Office of Legislative Oversight Report 2008-5, Overview of Revenues, Expenditures, and Other Financial Data for Municipalities and Special Taxing Districts in Montgomery County (Richards/Latham)  
*MFP Committee worksession tentatively scheduled for 3/17/08.*
- C. **Action** - Special appropriation to the County Government's FY08 Capital Budget and amendment to the FY07-12 Capital Improvements Program, Department of Recreation - \$560,000 for Wheaton Community Recreation Center - Rafferty Center (Source: G.O. Bonds) (Yao)  
*PHED Committee recommends approval with conditions.*
- D. **Action** - Appointment to Merit System Protection Board (Ferber)

(3) 3:10 **CONSENT CALENDAR** *(continued)*

- E. **Action** - Confirmation of County Executive appointments to the Agricultural Advisory Committee: James R. Clifford, George Lechliden, Randy Stabler, Robert Beall, Gregory P. Stone, Lois O. Stoner, Lee M. Langstaff (Ferber)
- F. **Action** - Confirmation of County Executive appointments to the Board of Social Services: William J. Goodwin, Nathan A. Brown (Ferber)
- G. **Action** - Confirmation of County Executive appointments to the Board of Electrical Examiners: N.B. (Tommy) Le, Yen-Ming Chen (Ferber)
- H. **Action** - Confirmation of County Executive appointments to the Commission on Aging: Judith Welles, Danielle F. Benjamin, Marvin Freedenberg, Frances M. Goldstein, John G. Honig, Diane Vy Nguyen-Vu, Alan Kreger, Paula Post, Zoe P. Lefkowitz, Jordan S. Harburger, Elaine Kotell Binder, Harriette E. Rindner, Blanche H. Keller (Ferber)
- I. **Action** - Confirmation of County Executive appointments to the Commission on Children and Youth: Diane H. Laviolette, Tammie Archie, Jane de Winter (Ferber)
- J. **Action** - Confirmation of County Executive appointments to the Committee for Ethnic Affairs: Jennifer B. Freedman, Josefina Beck, Lobna Ismail, Walton E. Dawson, Chau (Christy) B. Hoang, Mark Puryear, Irma Hafeez, Alexander Taku (Ferber)
- K. **Action** - Confirmation of County Executive appointment to the Commission on Health: Duane J. Taylor (Ferber)
- L. **Action** - Confirmation of County Executive appointments to the Criminal Justice Coordinating Commission: Vernon H. Scott, Wendy Povitsky Stickle, Robert Ulino (Ferber)
- M. **Action** - Confirmation of County Executive appointments to the Historic Preservation Commission: Timothy J. Duffy, Warren Fleming, Thomas C. Jester (Ferber)
- N. **Action** - Confirmation of County Executive appointments to the Human Rights Commission: Daniel A. Joya, Tina Patterson, Russell C. Campbell, Sr., Andrea Diane Graham, Candace J. Groudine, Dina Shafey, Hermann Wendorff, Tracey D. Williams (Ferber)
- O. **Action** - Confirmation of County Executive appointment to the Silver Spring Transportation Management District Advisory Committee: G. Michael Price (Ferber)
- P. **Action** - Confirmation of County Executive appointments to the Solid Waste Advisory Committee: Leslie Alexander, Mark Glazer, Jessica Abralind, Edward Lee, Sean D. McCarty, Paula R. Jenson, Steven E. Sprague (Ferber)

- (4) 3:15 **ACTION** - Confirmation of County Executive's appointee as Director, Bethesda-Chevy Chase Regional Services Center: Kenneth B. J. Hartman (Ferber)

3:20 **DISTRICT COUNCIL SESSION**

- (5) A. **Action** - Zoning Text Amendment 07-15, Signs - Permit Fees (Zyontz)  
*PHED Committee recommends approval.*

- (6) B. **Action** - Development Plan Amendment **DPA 07-2** (Zyontz)

**Applicant:** Pettit Companies (C. Robert Dalrymple and Debra S. Borden, Attorneys)

**Property:** 381,555 square feet located at the southwest corner of Woodfield Road (MD 124) and Muncaster Mill Road/Snuffer School Road (MD 115), Gaithersburg

**Action:** Amend the Development Plan approved in 1985 from Local Map Amendment G-420

**Recommendations:** Planning Staff: Approve  
Planning Board: Approve  
Hearing Examiner: Approve

- (7) 3:30 **ACTION** - Spending Affordability Guidelines for the FY09 Capital Budget and other general CIP assumptions (Orlin)  
*MFP Committee recommends approval.*

- (8) 3:45 **PUBLIC HEARING** - Resolution to approve a Franchise Agreement for Cable Television Service: Cavalier IPTV, LLC (Mihill)  
*MFP Committee worksession tentatively scheduled for 3/6/08.*

- (9) 3:45 **PUBLIC HEARING - Expedited Bill 1-08, Personnel - Disability Retirement - Group F and G** (Drummer)  
*MFP Committee worksession tentatively scheduled for 2/19/08.*

- (10) 3:45 **PUBLIC HEARING - Bill 38-07, Moderately Priced Dwelling Units (MPDU) - Amendments** (Faden)  
*PHED Committee worksession tentatively scheduled for 3/13/08.*  
*Note: This hearing had originally been scheduled for 1/29/08.*

- (11) 3:45 **PUBLIC HEARING** - Zoning Text Amendment 07-17, Growth Policy - Special Exceptions and Local Zoning Map Amendments (Zyontz)  
*PHED Committee worksession tentatively scheduled for 2/19/08.*  
*Note: This hearing had originally been scheduled for 1/29/08.*

4:30 **ADJOURN**

- (12) 7:00 **PUBLIC HEARING** - FY09 Capital Budget and FY09-14 Capital Improvements Program (*3<sup>rd</sup> floor Council Hearing Room*) (Orlin)

**Wednesday, February 6, 2008**

7:00 **PUBLIC HEARING** - FY09 Capital Budget and FY09-14 Capital Improvements Program - MCPS (*3<sup>rd</sup> floor Council Hearing Room*) (Levchenko)

**Thursday, February 7, 2008**

7:00 **PUBLIC HEARING** - FY09 Capital Budget and FY09-14 Capital Improvements Program (*3<sup>rd</sup> floor Council Hearing Room*) (Sherer)

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on February 12, 2008:**

Dickerson Area Facilities Implementation Group: Jane Hunter

**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.**

<b>Feb 11, 2008</b>	12:30 pm	State Legislative Program
<b>Feb 12, 2008</b>	1:00 pm	Regular Session
<b>Feb 18, 2008</b>		HOLIDAY
<b>Feb 25, 2008</b>	12:30 pm	State Legislative Program
<b>Feb 26, 2008</b>	9:30 am	Regular Session
<b>Mar 4, 2008</b>	8:30 am	Breakfast with County Executive
<b>Mar 4, 2008</b>	9:30 am	Regular Session
<b>Mar 10, 2008</b>	12:30 pm	State Legislative Program
<b>Mar 11, 2008</b>	9:30 am	Regular Session
<b>Mar 17, 2008</b>	12:30 pm	State Legislative Program
<b>Mar 18, 2008</b>	9:30 am	Regular Session
<b>Mar 24 - 28, 2008</b>		RECESS
<b>Mar 31, 2008</b>	12:30 pm	State Legislative Program

**FUTURE PUBLIC HEARINGS**

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

**Feb 12, 2008**

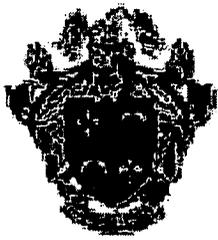
- 1:30 pm Resolutions to amend the MCPS FY07-12 CIP and transfer \$9,300,000 unexpended project balance within the FY08 Capital Budget to Unliquidated Surplus:
- Fallsmead ES Addition - \$1,800,000
  - Luxmanor ES Addition - \$2,700,000
  - Pyle MS Addition - \$700,000
  - Stedwick ES Addition - \$700,000
  - Travilah ES Addition - \$1,600,000
  - Wayside ES Addition - \$600,000
  - Westland MS Addition - \$1,200,000
- 1:30 pm Resolution to amend the MCPS FY07-12 Capital Improvements Program (CIP) and transfer \$10,363,000 from Unliquidated Surplus to:
- 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
- 1:30 pm Special appropriation to the MCPS' FY08 Capital Budget and amendment to the FY07-12 CIP, Current Replacements/Modernizations - \$300,000 for Richard Montgomery High School artificial turf pilot project
- 1:30 pm Resolution to amend FY08 Transportation Fees, Charges, and Fares

**Feb 26, 2008**

- 1:30 pm ZTA 08-01, Green Area - Definition
- 7:30 pm Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes
- 7:30 pm **Bill 2-08, Consumer Protection - Domestic Workers - Employment Contracts**



If you need services to participate in any Council activity, please contact us as far in advance as possible: 240-777-7900 (TTY 240-777-7914) Email: [County.Council@montgomerycountymd.gov](mailto:County.Council@montgomerycountymd.gov). This document is available in alternative formats upon request.



**Montgomery County Council**  
Legislative Information Services

***Packet Index***

***Tuesday, February 5, 2008***

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<b>Item Number</b>	<b>Note</b>	<b>Staff</b>
Agenda Item #1	The State Legislative Program for Monday, February 4 has been cancelled.	John
Agenda Item #2	There were no petitions received in LIS this week.	Lauer
Agenda Item #3C	This item will be available on Monday, February 4.	Yao
Agenda Item #12	There is no material for this item.	Orlin