



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 8/1/08 at 7 pm

Tuesday, July 29, 2008

- (1) 9:00-10:00 **DISCUSSION** - State Legislative Program (6th floor Council Conference Room) (Wenger)
- 10:15 **MOMENT OF SILENCE**
- 10:20 **PRESENTATION** - Joint proclamation in recognition of Mayor Sidney Katz of Gaithersburg as the new president of the Maryland Municipal League, by Council President Knapp and County Executive Leggett
- 10:25 **GENERAL BUSINESS** (Lauer)
- (2) A. **Announcement** - Agenda and Calendar Changes
B. **Acknowledgement** - Receipt of Petitions
- (3) 10:30 **CONSENT CALENDAR**
- A. **Introduction** - Supplemental appropriation to the County Government's FY09 Operating Budget, Montgomery County Fire and Rescue Service - \$1,348,940 for Local Fire and Rescue Departments, FY08 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant (Source: State Grant) (Davidson)
Public Hearing is scheduled for 9/9/08 at 1:30 pm.
- B. **Introduction** - Special appropriation to the County Government's FY09 Operating Budget, Department of Housing and Community Affairs - \$150,000 for fire sprinklers for group homes (Source: General Fund Reserves) (McMillan)
Public Hearing/Action is scheduled for 9/9/08 at 1:30 pm.
- C. **Introduction** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)
Public Hearing by T&E Committee is scheduled for 9/9/08 at 7:30 pm.
- D. **Introduction/Suspension of Rules/Action** - Appointments to the Universal Preschool Implementation Work Group (Yao)
Request to suspend Rules of Procedure (Rules 3a, 3b and 3e) which govern advertisement and solicitation, interviews and publication in the appointment process.



(3) 10:30 **CONSENT CALENDAR** *(continued)*

- E. **Action** - Resolution to approve the Office of Legislative Oversight's FY09 Work Program (Orlansky)
MFP Committee recommends approval.
- F. **Action** - Extension of time for Council action on resolutions due to expire August 31, 2008 (Lauer)
- G. **Action** - ED/T&E Committee report and recommendations on OLO Report 2008-11: Recycling in Montgomery County Public Schools (Trombka/Romer)
- H. **Action** - Resolutions to authorize issuance of debt associated with revenue bonds for the following: (Sherer)
 - Housing Initiative Fund
 - Department of Liquor Control
- I. **Action** - Resolution to approve Oakmont Special Taxing District Regulation governing Building and Demolition Permits (Faden)
- J. **Action** - Special appropriation to the FY09 Capital Budget and amendment to the FY09-14 Capital Improvements Program, MNCPPC - \$1,589,000 for the Rock Creek Trail Pedestrian Bridge (Source: Federal grant) (Michaelson)
PHED Committee recommends approval.
- K. **Action** - Supplemental appropriation to the County Government's FY09 Operating Budget, Office of Emergency Management and Homeland Security - \$500,000 for Emergency Management Planning Grant (Source: Federal Grant) (Davidson)
PS Committee recommendation will be available 7/24/08.
- L. **Action** - Supplemental appropriation to the County Government's FY09 Operating Budget, Montgomery County Fire and Rescue Service - \$819,500 for National Urban Search and Rescue (US&R) Response System Grant (Source: Federal grant) (Davidson)
PS Committee recommendation will be available 7/24/08.
- M. **Action** - Executive Regulation 17-08AM, Development Impact Tax for Transportation Improvements (Orlin)
MFP Committee recommends approval as amended.
- N. **Action** - Executive Regulation 19-08AM, Development Impact Tax for Public Schools (Orlin)
MFP Committee recommends approval as amended.
- O. **Action** - Confirmation of County Executive appointment of Special Projects Manager, Office of Chief Administrative Officer: Mohammad Siddique (Ferber)

(3) 10:30 **CONSENT CALENDAR** *(continued)*

- P. **Action** - Confirmation of County Executive appointment of Deputy Director, Department of Transportation: Al R. Roshdieh (Ferber)
- Q. **Action** - Confirmation of County Executive appointments to the Adult Public Guardianship Review Board: Robert C. Elliott, Karen Hansen, Barry Gorman (Ferber)
- R. **Action** - Confirmation of County Executive appointment to the Board of Investment Trustees: Sunil S. Pandya (Ferber)
- S. **Action** - Confirmation of County Executive appointment to the Cable and Communications Advisory Committee: Ling-Bing Kung (Ferber)
- T. **Action** - Confirmation of County Executive appointment to the County-wide Recreation Advisory Board: Mark Pharaoh (Ferber)
- U. **Action** - Confirmation of County Executive appointments to the Community Action Board: Tonya M. Hughes, Lauren Harper, Walter J. Woods, Jr., Trica Young-Williams (Ferber)
- V. **Action** - Confirmation of County Executive appointment to the Department of Permitting Services Advisory Committee: Patrick Butler (Ferber)
- W. **Action** - Confirmation of County Executive appointment to the Domestic Violence Coordinating Council: Bernard Auchter, Diane Hayes (Ferber)
- X. **Action** - Confirmation of County Executive appointment to the East County Citizens Advisory Board: Eric G. Luedtke (Ferber)
- Y. **Action** - Confirmation of County Executive appointment to the East County Recreation Advisory Board: Faith W. England (Ferber)
- Z. **Action** - Confirmation of County Executive appointments to the Fire and Rescue Commission: Paul J.M. Lilly, Gregory J. DeHaven, Kevin P. Maloney (Ferber)
- AA. **Action** - Confirmation of County Executive appointments to the Friendship Heights Transportation Management District Advisory Committee: David Viertels, David M. Glass, William P. Farley, Carlean M. Russell, Bill McCloskey, April H. Birnbaum (Ferber)
- BB. **Action** - Confirmation of County Executive appointments to the Silver Spring Transportation Management District Advisory Committee: Samantha L. Mazo, Andrew Wexler, Robin Goudy, Catherine S. Wilde (Ferber)

(3) 10:30 **CONSENT CALENDAR** *(continued)*

CC. **Action** - Confirmation of County Executive appointments to the Sustainability Working Group: Mari I. Snyder, Ines E. Vega, Stephen L. Sunderhauf, (Ms.) Hye Yeong Kwon, Marc W. Chupka, Robert J. Johnson, Diana Conway, Edward Maibach, Michelle Russo, Jane Nishida, Richard A. Wegman, Robert G. Hoyt, Tina Benjamin, Jennifer E. Barrett, David E. Dise, Joseph F. Beach, George Muste, Esther R. Bowring, Ligia R. Moss, Roger Berliner, Mary Dolan, James A. Price Jr., Joseph J. Lavorgna, David J. Capp, Erica A. Shingara, S. William Becker (Ferber)

DD. **Action** - Confirmation of County Executive appointments to the Workforce Investment Board: Elyse A. Kaplan, Kathryn Jo Mannes, Edward W. Rose, Carrie E. Shelton, Dennis K. Fallen, Sharon Julius, Patrick Baker (Ferber)

EE. **Action** - Appointment of special counsel to provide legal services in for a land use issue (Faden)

FF. **Action** - Extension of effective period of Temporary Executive Regulation 16-08T, Temporary Taxicab Fuel Rate Surcharge, until November 25, 2008 (Orlin)

10:40 **LEGISLATIVE SESSION Day # 25**

A. Approval of Legislative Journal (Lauer)

B. Introduction of Bills

(4) • **Expedited Bill 28-08**, Spending Affordability - Operating Budget - Revisions, sponsored by Management and Fiscal Policy Committee (Faden)
Public Hearing is scheduled for 9/9/08 at 1:30 pm.

(5) • **Bill 29-08**, Human Services - Montgomery Cares - Advisory Board, sponsored by Health and Human Services Committee (Faden)
Public Hearing is scheduled for 9/9/08 at 1:30 pm.

C. Call of Bills for Final Reading

(6) • **Expedited Bill 22-08**, Retirement - Elected officials (Drummer)
MFP Committee recommends approval with amendments.

10:50 **DISTRICT COUNCIL SESSION**

(7) A. **Introduction** - Zoning Text Amendment 08-16, Workforce Housing - Findings, sponsored by Councilmember Floreen (Zyontz)
Action - Resolution to establish public hearing for 9/16/08 at 1:30 pm.

(8) B. **Introduction** - Subdivision Regulation Amendment 08-04, Workforce Housing - Findings, sponsored by Councilmember Floreen (Zyontz)
Action - Resolution to establish public hearing for 9/16/08 at 1:30 pm.

10:50 **DISTRICT COUNCIL SESSION** *(continued)*

- (9) C. **Action** - Resolution to establish public hearing for September 16, 2008 at 1:30 pm on the Limited Amendment to Wheaton Sector Plan (Michaelson)
- (10) D. **Action** - Zoning Text Amendment 08-13, Transit Oriented Mixed Use - General Commercial (C-2) Zone (Zyontz)
PHED Committee recommends approval with amendments.
- (11) E. **Action** - Zoning Text Amendment 08-12, Landscape Contractors - General Commercial (C-2) Zone (Zyontz)
PHED Committee recommends approval.
- (12) F. **Action** - Zoning Text Amendment 08-08, Fenton Street Overlay Zone - Workforce Housing Heights (Zyontz)
PHED Committee recommendation will be available 7/28/08.
- (13) G. **Action** - Zoning Text Amendment 08-10, Fenton Street Overlay Zone - Hotel Heights (Zyontz)
PHED Committee recommendation will be available 7/28/08.

12:30 **RECESS**

- (17) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the County Government's FY09 Operating Budget, Department of General Services, Office of Procurement - \$100,000 for Central Vendor Registration Portal (Source: Interagency Technology Fund) (Toregas)
- (14) 1:30 **PUBLIC HEARING** - Amendment to Comprehensive Solid Waste Management Plan: Solid Waste Collection Subdistricts (Levchenko)
T&E Committee worksession tentatively scheduled for 9/8/08.
- (15) 1:30 **PUBLIC HEARING on the following:**
 - Zoning Text Amendment 08-15, Arts or Entertainment Use - CBD Zones (Zyontz)
 - Subdivision Regulation Amendment 08-03, Arts or Entertainment Use - Validity
PHED Committee worksession tentatively scheduled for 9/29/08.
- (16) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 08-14, Transit Mixed-use Zone (TMX) - Establishment (Zyontz)
PHED Committee worksession tentatively scheduled for 9/8/08.

4:00 **ADJOURN**

The next regular Council Session is scheduled for September 9, 2008. Committee meetings will begin on September 8. The agenda and committee schedule will be mailed and posted to the web site on September 4, 2008. 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.

Aug 4 to Sep 5, 2008		RECESS
Sep 9, 2008	8:30am	Breakfast Meeting with County Executive
Sep 9, 2008	9:45 am	Regular Session
Sep 16, 2008	9:30 am	Regular Session
Sep 16, 2008	11:30 am	Meeting with Montgomery County Planning Board
Sep 23, 2008	8:30 am	Meeting with County Attorney
Sep 23, 2008	9:45 am	Regular Session
Sep 24, 2008	7:30 pm	Town Hall Meeting - Burtonsville

FUTURE PUBLIC HEARINGS

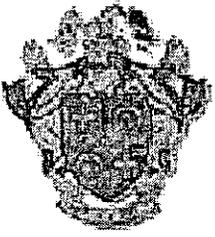
To testify call 240-777-7931

Sept 9, 2008

- 1:30 pm Supplemental appropriation to the County Government's FY09 Operating Budget, MCFRS - \$1,348,940 for Local Fire and Rescue Departments, FY08 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant
- 1:30 pm Special appropriation to the County Government's FY09 Operating Budget, DHCA - \$150,000 for Fire Sprinklers for Group Homes
- 7:30 pm Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes by T&E Committee



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. This document is available in alternative formats upon request.

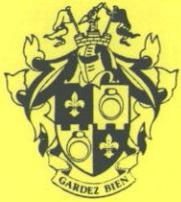


Montgomery County Council
Legislative Information Services

Packet Index

Tuesday, July 29, 2008

Item Number	Note	Staff
Agenda Item #1	This item will be distributed at the meeting.	Wenger
Agenda Item #3EE	Expected to be received from the County Attorney's Office on Monday, July 28, 2008.	Faden



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ADDENDUM

Tuesday, July 29, 2008

(3) 10:30 CONSENT CALENDAR

Change: CC. **Action** - Confirmation of County Executive appointments to the Sustainability Working Group: Al Roshdieh replaces Ligia R. Moss (Ferber)

Add: 11:30 or immediately following the morning session:

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 Barwood litigation. (6th floor Conference Room) (Faden)