



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 11/6/09 at 7 pm*

**Tuesday, November 3, 2009**

8:30 - 9:30 **COFFEE** with the County Executive (*6th floor Council Conference Room*)

9:45 **INVOCATION** - Rabbi Stuart Weinblatt, B'nai Tzedek, Potomac

9:50 **PRESENTATION** - Joint Proclamation in recognition of Pancreatic Cancer Awareness Month by Council President Andrews and County Executive Leggett

9:55 **PRESENTATION** - Proclamation in recognition of Germantown Help, Gaithersburg Help, Damascus Help, and WUMCO by Councilmember Knapp

10:00 **GENERAL BUSINESS** (Lauer)

- (1) A. **Announcement** - Agenda and Calendar Changes
- B. **Acknowledgement** - Receipt of Petitions
- C. **Action** - Approval of Minutes: October 20, and 22, 2009  
- Approval of Closed Session Minutes: October 20, 2009

(2) 10:05 **CONSENT CALENDAR**

- A. **Action** - Resolutions to support application for State Community Legacy Funding: Burtonsville, East County, Community Legacy Area (Davidson)
- B. **Action** - PS Committee report and recommendation on OLO Report 2010-1, Data on Transit-Related Crime in Montgomery County (Howard)
- C. **Action** - Executive Regulation 16-09, Guaranteed Retirement Income Plan (GRIP) - Severance Benefits (Ferber)  
*MFP Committee recommends approval.*
- D. **Action** - Executive Regulation 14-09, Amendments to Personnel Regulations to establish procedures for the Merit System Protection Board (MSPB) to hear and decide appeals of disciplinary actions by volunteer firefighters and rescuers (Ferber)  
*MFP Committee recommends approval.*

(2) 10:05 **CONSENT CALENDAR** *(continued)*

E. **Introduction** - Supplemental appropriation to the County Government's FY10 Operating Budget, Office of Emergency Management and Homeland Security - \$1,752,215 for FFY2008 Urban Area Security Initiative (UASI) Critical Care Hospital Surge Capabilities (Source: Federal grant) (Davidson)

*Public Hearing/Action is scheduled for 11/17/09 at 1:30 pm.*

F. **Introduction** - Resolution to approve County Guaranteed Bond Financing Plan for Housing Opportunities Commission: Wheaton MetroPointe Apartments Development (McMillan)

*Public Hearing is scheduled for 11/24/09 at 1:30 pm.*

10:10 **DISTRICT COUNCIL SESSION**

(3) A. **Action** - Resolution to approve use of Advance Land Acquisition Revolving Fund (ALARF) for acquisition of real property: Jo Anne Morris, Trustee property in Derwood (Michaelson)

10:15 **LEGISLATIVE SESSION Day # 41**

A. Introduction of Bills

(4) • **Bill 36-09**, Elected Officials - Compensation, sponsored by Council President at request of the Committee to Study Compensation of County Executive, County Council, Sheriff, and State's Attorney (Drummer)

*Public Hearing is scheduled for 11/24/09 at 1:30 pm.*

(5) • **Bill 37-09**, Contracts and Procurement - Equal Benefits, sponsored by Councilmember Navarro (Drummer)

*Public Hearing is scheduled for 12/1/09 at 1:30 pm.*

(6) • **Bill 38-09**, Growth Policy - Amendments, sponsored by Councilmembers Floreen and Knapp (Faden)

*Public Hearing is scheduled for 12/1/09 at 1:30 pm.*

(7) • **Expedited Bill 39-09**, Property Tax Credit - Renewable Energy - Annual Aggregate Limit, sponsored by Councilmember Berliner (Mihill)

*Public Hearing is scheduled for 11/24/09 at 1:30 pm.*

B. Call of Bills for Final Reading

C. Miscellaneous

(8) • **Action** - Resolution to extend expiration date until November 30, 2010 of Bill 15-08, Building Permit - Notice (Lauer)

- (9) 10:20 **UPDATE** - Restructuring plan for Parks and Recreation (Howard/Yao)
- (10) 10:30 **CONTINUATION OF SEMI-ANNUAL REPORT** of the Montgomery County Planning Board (Michaelson)
- (11) 11:00 **WORKSESSION** - 2009-2011 Growth Policy (Orlin/Faden)  
*Action is scheduled for 11/10/09.*
- 12:00 **RECESS** - 12:00 - *Lunch meeting with Montgomery College (5CCR)*
- (12) 1:30 **PUBLIC HEARING** - Amendment to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category change for Eglise De Dieu De Silver Spring (Levchenko)  
*T&E Committee worksession tentatively scheduled for 11/16/09.*
- (13) 1:30 **PUBLIC HEARING** - Resolution to adopt Board of Health Regulation requiring a health impact assessment for major road projects (Mihill/Orlin)  
*Note: This hearing has been postponed to 11/17/09 at 1:30 pm.*
- (14) 1:30 **PUBLIC HEARING - Expedited Bill 35-09**, Police - Drug Enforcement Forfeitures Fund - Amendments (Drummer)  
*PS/HHS Committee worksession tentatively scheduled for 11/5/09.*
- (15) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the Montgomery County Public Schools' FY10 Capital Budget and amendment to the FY09-14 Capital Improvements Program - \$151,000 for Planned Lifecycle Asset Replacement (Source: State Aide -Qualified Zone Academy Bonds (QZAB)) (McGuire)
- (11) 2:00 **WORKSESSION** - 2009-2011 Growth Policy *(continued)* (Orlin/Faden)  
*Action is scheduled for 11/10/09.*
- 5:00 **ADJOURN**

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on November 10, 2009:**

Bethesda Urban Partnership, Inc. Board of Directors: Thomas Murphy, Lauren Jezienicki, Andrew O'Hare, Mark Kramer

Commission on Veterans Affairs: Richard Schiffauer, Jacqueline Ogg, Peter Esker, William Gray, J. Mauri Hamilton

Community Action Board: Steven Galen

County-wide Recreation Advisory Board: Daniel Johnston

Upcounty Recreation Advisory Board: Ed Socha

### 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.**

Nov 10, 2009	8:30 am	State Legislative Program
Nov 10, 2009	9:45 am	Regular Session
Nov 11, 2009		HOLIDAY
Nov 12, 2009	12:30 pm	Lunch Meeting with Senator Mikulski
Nov 17, 2009	9:30 am	Regular Session
Nov 17, 2009	12:00 pm	Brown Bag Lunch with Board of Appeals
Nov 24, 2009	9:30 am	Regular Session
Nov 26, 2009		HOLIDAY
Dec 1, 2009	9:30 am	Regular Session
Dec 8, 2009	8:30 am	Coffee with the County Executive
Dec 8, 2009	9:30 am	Regular Session
Dec 14, 2009 to Jan 8, 2010		RECESS
Dec 25, 2009		HOLIDAY
Jan 1, 2010		HOLIDAY

### FUTURE PUBLIC HEARINGS

To testify call 240-777-7803

#### Nov 10, 2009

1:30 pm ZTA 09-10, 1-3 Zone - Hospitals  
1:30 pm Supplemental appropriation to the County Government's FY10 Capital Budget, DED - \$5,000,000 for Ag Land Pres Easements

#### Nov 17, 2009

1:30 pm Resolution to adopt Board of Health Regulation requiring a health impact assessment for major road projects (*NOTE: This hearing was originally scheduled for 11/3/09.*)  
1:30 pm Resolutions to amend the MCPS' FY09-14 Capital Improvements Program: B-CC Cluster ES Solution; Clarksburg MS Solution; Northwest Cluster ES Solution; and Seneca Valley Cluster ES Solution  
1:30 pm Supplemental appropriation to the County Government's FY10 Operating Budget, Office of Emergency Management and Homeland Security - \$1,752,215 for FFY2008 Urban Area Security Initiative (UASI) Critical Care Hospital Surge Capabilities  
7:30 pm ZTA 09-09, Planning Board Enforcement  
7:30 pm SRA 09-03, Enforcement - Amendments  
7:30 pm **Bill 34-09**, Forest Conservation - Enforcement

#### Nov 24, 2009

1:30 pm Resolution to approve County Guaranteed Bond Financing Plan for Housing Opportunities Commission: Wheaton MetroPointe Apartments Development

#### Dec 1, 2009

1:30 pm Housing Element of General Plan



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

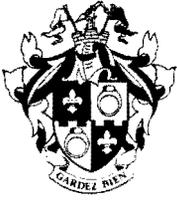
***Packet Index***

***Tuesday, November 3, 2009***

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Item Number	Note	Staff
Agenda Item #1	There were no Petitions received in LIS this week.	Lauer
Agenda Item #13	This item has been postponed to November 17th at 1:30 pm.	Mihill/Orlin

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### ADDENDUM

Tuesday, November 3, 2009

(2) 10:05 **CONSENT CALENDAR**

**Add:**

G. **Action** - Appointment of special counsel to provide legal services to represent Montgomery County in Springfield, Illinois: *Andy Martin v. Washington Post Company, et al*

(Faden)