



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 3/26/10 at 9 pm*

### Monday, March 22, 2010

- (1) 12:30 **DISCUSSION** - State Legislative Program (Wenger)  
(6<sup>th</sup> floor Council Conference Room - Not televised)

### Tuesday, March 23, 2010

9:30 **MOMENT OF SILENCE**

9:35 **GENERAL BUSINESS** (Lauer)

- (2) A. **Announcement** - Agenda and Calendar Changes  
B. **Acknowledgement** - Receipt of Petitions  
C. **Action** - Approval of Minutes: March 1 and 9, 2010

(3) 9:40 **CONSENT CALENDAR**

A. **Introduction** - Resolution to amend the Highway Noise Abatement Policy (Orlin)  
*T&E Committee worksession tentatively scheduled for 4/8/10.*

B. **Introduction** - Resolution to approve FY11 Transportation Fees, Charges, and Fares (Orlin)  
*Public Hearing is scheduled for 4/22/10 at 7:30 pm.*

C. **Introduction** - Resolution to establish FY11 Solid Waste Service Charges (Levchenko)  
*Public Hearing is scheduled for 4/13/10 at 1:30 pm.*

D. **Introduction** - Resolution to establish FY11 Water Quality Protection Charge (Levchenko)  
*Public Hearing is scheduled for 4/13/10 at 1:30 pm.*

E. **Action** - Executive Regulation 19-09AM, Revisions to Procurement Regulations (Drummer)  
*T&E Committee recommends approval as amended.*

F. **Introduction** - Resolution to set amount of Property Tax Credit for Income Tax Offset (Faden)  
*Public Hearing is scheduled for 4/27/10 at 1:30 pm.*



(3) 9:40 **CONSENT CALENDAR** *(continued)*

- G. **Action** - Resolution to approve an abandonment of a portion of Lybrook Drive in the Lee Lloyd's Addition to Burning Tree Valley Subdivision in Bethesda (Orlin)
- H. **Action** - Resolution to approve an abandonment of an unimproved portion of Maple Avenue in the Avery Lodge Subdivision in Rockville (Orlin)
- I. **Action** - Resolution to amend previously adopted Resolution No.16-675, regarding the issuance and sale of revenue bonds (Sherer)
- J. **Introduction** - Resolution to authorize transfer of funds from the Revenue Stabilization Fund for use in FY 2010 (Sherer)
- K. **Introduction** - Resolution to authorize transfer of funds from the Revenue Stabilization Fund for use in FY 2011 (Sherer)

9:45 **LEGISLATIVE SESSION Day # 7**

A. Introduction of Bills

- (3.1) • **Expedited Bill 9-10**, Personnel - Retirement Incentive Program, sponsored by the Council President at the request of the County Executive (Drummer)  
*Public Hearing is scheduled for 4/13/10 at 1:30 pm.*
- (3.2) • **Expedited Bill 10-10**, Buildings - Energy Efficiency - Repeal, sponsored by the Council President at the request of the County Executive (Mihill)  
*Public Hearing is scheduled for 4/13/10 at 1:30 pm.*
- (3.3) • **Expedited Bill 11-10**, FY2011 Budget Reconciliation and Financing, sponsored by the Council President at the request of the County Executive (Faden)  
*Public Hearing is scheduled for 5/4/10 at 7:30 pm.*

9:45 **DISTRICT COUNCIL SESSION**

- (4) A. **Action** - Resolution to extend time until May 27, 2010 for Council action on Housing Element of General Plan (McMillan)
- (5) B. **Action** - White Flint Sector Plan (Michaelson/Orlin)

10:15 **WORKSESSION - FY11-16 Capital Improvements Program:**

- (6) • Montgomery County Public Schools ED (Levchenko/McGuire)
- (7) • County Government: MCPS food distribution facility (McMillan)
- (8) • County Government: MCPS and MNCPPC maintenance facilities (McMillan)
  
- (9) • Park and Planning PHED (Michaelson)
- (10) • Housing and Community Development (*continued*) (Davidson)
  
- (11) • Public Safety System Modernization MFP/PS (Toregas/Davidson)
  
- (12) • Judicial Center Annex PS (Farag)

12:30 **RECESS**

- (13) 1:30 **PUBLIC HEARING** - Resolution to amend Growth Policy: White Flint Metro Station Policy Area (Orlin)  
*Action is tentatively scheduled for 4/6/10.*

- (14) 2:15 **BRIEFING** - Interim and short-term financing for CIP (Sherer/Orlin)

3:00 **ADJOURN**

- 7:30 **PUBLIC HEARING by the T&E Committee** on the following:
  - (15) • **Bill 6-10**, Noise Control - Arts and Entertainment Activities (Faden)  
*T&E Committee worksession tentatively scheduled for a later date.*
  - (16) • **Expedited Bill 7-10**, Motor Vehicles and Traffic - Speed monitoring systems (Drummer)  
*T&E Committee worksession tentatively scheduled for 4/8/10.*

**The next regular Council Session is scheduled for April 6, 2010. The agenda schedule will be mailed and posted to the web site on April 1, 2010. Please see the listing below for future Council meetings and public hearings. Council Committees will meet on April 5, 2010; see the Committee agenda for a list of meetings.**

### 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.

Mar 24, 2010	7:30 pm	Town Hall Meeting - Kensington/Wheaton
Mar 29, to Apr 2, 2010		RECESS
April 5, 2010	12:30 pm	State Legislative Program
Apr 6, 2010	8:30 am	Coffee with County Executive
Apr 6, 2010	9:45 am	Regular Session
Apr 13, 2010	9:30 am	Regular Session
Apr 20, 2010	9:30 am	Regular Session
Apr 27, 2010	9:30 am	Regular Session
May 4, 2010	9:30 am	Regular Session
May 10, 2010	9:30 am	Council Budget Worksession
May 11, 2010	9:30 am	Regular Session & Council Budget Worksession
May 12, 2010	9:30 am	Council Budget Worksession
May 12, 2010	1:30 pm	Interviews - MCPB Chair
May 13, 2010	9:30 am	Council Budget Worksession
May 13, 2010	3:00 pm	Meeting with Prince George's County Council
May 14, 2010	9:30 am	Council Budget Worksession

### FUTURE PUBLIC HEARINGS

To testify call 240-777-7803

#### April 5, 2010

7:00 pm FY11 Operating Budget

#### April 6, 2010

1:30 pm Expedited Bill 8-10, Finance - Public Facilities - Agricultural Easements

7:00 pm FY11 Operating Budget

#### April 7, 2010

1:30 pm FY11 Operating Budget

7:00 pm FY11 Operating Budget

#### April 8, 2010

7:00 pm FY11 Operating Budget

#### April 13, 2010

1:30 pm Resolution to establish FY11 Solid Waste Service Charges

1:30 pm Resolution to establish FY11 Water Quality Protection Charge

#### April 20, 2010

1:30 pm ZTA 10-03, Exemptions - Legal Dwellings

1:30 pm ZTA 10-04, C-2 Zone - Automobile Filling Stations

#### April 22, 2010

7:30 pm Resolution to approve FY11 Transportation Fees, Charges, and Fares

#### April 27, 2010

1:30 pm Resolution to set public hearing on intent to consider increasing FY11 General Fund tax rate above the Constant Yield Tax Rate (CYTR)

#### May 4, 2010

1:30 pm Resolution to set amount of Property Tax Credit for Income Tax Offset



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, March 23, 2010***

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Item Number	Note	Staff
Agenda Item #10	This item will be available on Monday, March 22, 2010.	Davidson

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### ADDENDUM

Tuesday, March 23, 2010

(3) 9:40 CONSENT CALENDAR

**Correction:** J. **Introduction** - Resolution to authorize transfer of funds from the Revenue Stabilization Fund to the General Fund for use in FY 2010 (Sherer)  
*Public Hearing is scheduled for 4/20/10 at 1:30 pm.*

**Correction:** K. **Introduction** - Resolution to authorize transfer of funds from the General Fund to the Revenue Stabilization Fund for use in FY 2011 (Sherer)  
*Public Hearing is scheduled for 4/20/10 at 1:30 pm.*

10:15 **WORKSESSION - FY11-16 Capital Improvements Program:**

**Deferred:** (10) • Housing and Community Development (*continued*) (Davidson)

**Deferred:**(14) 2:30 **BRIEFING** - Interim and short-term financing for CIP (Sherer/Orlin)

**Add:** 3:00 **PROPOSED CLOSED SESSION** to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, pursuant to Maryland Code, State Government Article, §10-508 (a)(4). Topic is to discuss a specific company's potential move to the County. (*3rd floor Council Conference Room*) (Ferber/Faden)

**Add:** 3:30 **PROPOSED CLOSED SESSION** for the purpose of consulting with counsel to obtain legal advice, and to consult about pending or potential litigation, pursuant to Maryland Code, State Government Article, §10-508 (a) (7) and (8). Topic is education funding. (*6th floor Conference Room*) (Faden)



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### ADDENDUM #2

Tuesday, March 23, 2010

(3) 1:30 **CONSENT CALENDAR** *(continued)*

**Add:** L. **Introduction** - Resolution to amend Fuel/Energy tax rates (Faden)  
*Public Hearing is scheduled for 5/4/10 at 1:30 pm.*

1:30 **LEGISLATIVE SESSION Day # 7** *(continued)*

A. **Introduction of Bills** *(continued)*

**Add:** (3.4) • **Expedited Bill 11-10**, Stormwater Management - Water Quality Protection Charge - Debt Service, sponsored by the Council President at the request of the County Executive (Mihill)  
*Public Hearing is scheduled for 4/20/10 at 1:30 pm.*

**Add:** (3.5) • **Expedited Bill 12-10**, Human Rights - Equal Employment Opportunity Program, sponsored by the Council President at the request of the County Executive (Drummer)  
*Public Hearing is scheduled for 4/20/10 at 1:30 pm.*

**Add:** (3.6) • **Expedited Bill 13-10**, Emergency Medical Services Transport Fee - Established, sponsored by the Council President at the request of the County Executive (Faden/Davidson)  
*Public Hearing is scheduled for 4/13/10 at 7:30 pm.*

**Add:** (3.7) • **Expedited Bill 14-10**, Recordation Tax - Allocation of Revenue, sponsored by the Council President at the request of the County Executive (Faden/Orlin)  
*Public Hearing is scheduled for 5/4/10 at 1:30 pm.*

**Add:** (3.8) • **Expedited Bill 15-10**, Taxation - Fuel-Energy Tax - Rate, sponsored by the Council President at the request of the County Executive (Faden)  
*Public Hearing is scheduled for 5/4/10 at 1:30 pm.*