



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.

REVISED - See Additions to April 19 and April 22

Monday, April 19, 2010

(.5) 12:30 **DISCUSSION** - State Legislative Program (*6th floor Council Conference Room*) (McGuire)

Tuesday, April 20, 2010

9:00 **INVOCATION** - Mrs. Jennie Y. Kellogg, Baha'i Faith of Montgomery County Northwest, Gaithersburg

9:05 **PRESENTATION** - Earth Day Recognition

9:30 **GENERAL BUSINESS** (Lauer)

- (1) A. **Announcement** - Agenda and Calendar Changes
B. **Acknowledgement** - Receipt of Petitions
C. **Action** - Approval of Minutes: April 5, 6, 7 and 8, 2010

(2) 9:35 **CONSENT CALENDAR**

A. **Introduction** - Resolution to support Low Income Housing Tax Credits for RST Development for the Galaxy Apartments in Silver Spring (McMillan)
Action is tentatively scheduled for 4/27/10.

B. **Introduction** - Resolution to approve Franchise Agreement for Use of Public Right-of-Way: Level 3 Communications, LLC (Mihill)
MFP Committee worksession will be scheduled at a later date.

C. **Action** - Resolution to amend the Highway Noise Abatement Policy (Orlin)
T&E Committee recommends approval.

D. **Action** - Contract renewal for audit services (Rubin)
MFP Committee recommends approval.

(2) 9:35 **CONSENT CALENDAR** (*continued*)

- E. **Action** - Confirmation of County Executive appointment to the Bethesda Urban Partnership, Inc. Board of Directors: Andrew VanHorn (Ferber)
- F. **Action** - Confirmation of County Executive appointments to the Community Action Board: Megan Larson, Jorge Mujica (Ferber)
- G. **Action** - Confirmation of County Executive appointment to the East County Recreation Advisory Board: B. Emmanuel Akinshola (Ferber)
- H. **Action** - Confirmation of County Executive appointment to the Interagency Coordinating Board for Community Use of Public Facilities: Graciela Rivera-Oven (Ferber)
- I. **Action** - Confirmation of County Executive appointments to the Victim Services Advisory Board: Chatonia Zollicoffer-Brown, Sharron Levine, Beverly Stern, Judith Whiton (Ferber)

9:40 **LEGISLATIVE SESSION Day # 10**

A. Introduction of Bills

- (3) • **Expedited Bill 19-10**, Taxes - Transportation Impact Tax - Amendments, sponsored by the Council President at the request of the County Executive (Faden)
Public Hearing is scheduled for 5/11/10 at 1:30 pm.
- (4) • **Bill 20-10**, Special Capital Improvements Project - MCPS Food Distribution Facility Relocation, sponsored by the Council President at the request of the County Executive (Orlin)
Public Hearing/Action is scheduled for 6/15/10 at 1:30 pm.
- (5) • **Bill 21-10**, Special Capital Improvements Project - Glenmont Fire Station 18 Replacement, sponsored by the Council President at the request of the County Executive (Orlin)
Public Hearing/Action is scheduled for 6/15/10 at 1:30 pm.
- (6) • **Bill 22-10**, Special Capital Improvements Project - Travilah Fire Station, sponsored by the Council President at the request of the County Executive (Orlin)
Public Hearing/Action is scheduled for 6/15/10 at 1:30 pm.
- (7) • **Bill 23-10**, Special Capital Improvements Project - 3rd District Police Station, sponsored by the Council President at the request of the County Executive (Orlin)
Public Hearing/Action is scheduled for 6/15/10 at 1:30 pm.
- (8) • **Bill 24-10** Special Capital Improvements Project - Equipment Maintenance and Operations Center (EMOC), sponsored by the Council President at the request of the County Executive (Orlin)
Public Hearing/Action is scheduled for 6/15/10 at 1:30 pm.

9:40 **LEGISLATIVE SESSION Day # 10 (continued)**

- (9) • **Bill 25-10**, Special Capital Improvements Project - Olney Library Renovation and Addition, sponsored by the Council President at the request of the County Executive (Orlin)
Public Hearing/Action is scheduled for 6/15/10 at 1:30 pm.
- (10) • **Bill 26-10**, Special Capital Improvements Project - 6th District Police Station, sponsored by the Council President at the request of the County Executive (Orlin)
Public Hearing/Action is scheduled for 6/15/10 at 1:30 pm.
- A. Introduction of Bills (continued)
- (11) • **Bill 27-10**, Special Capital Improvements Project - North County Maintenance Depot, sponsored by the Council President at the request of the County Executive (Orlin)
Public Hearing/Action is scheduled for 6/15/10 at 1:30 pm.
- B. Call of Bills for Final Reading
- (12) • **Expedited Bill 7-10**, Motor Vehicles and Traffic - Speed monitoring systems (Drummer)
T&E Committee recommends approval.
- (13) 10:00 **ACTION** - Resolution to amend Growth Policy: White Flint Metro Station Policy Area (Orlin)
- (14) 10:30 **INTRODUCTION** and Briefing - Resolution to approve Council of Governments Region Forward Report (Michaelson)
Action is tentatively scheduled for 4/27/10.
- (15) 10:45 **UPDATE** - Zoning Ordinance rewrite (Zyontz)
- 12:15 **RECESS**
- (17) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 10-03, Exemptions - Legal Dwellings (Zyontz)
PHED Committee worksession is tentatively scheduled for 4/22/10.
- (18) 1:30 **PUBLIC HEARING** - Resolution to authorize transfer of funds from the Revenue Stabilization Fund to the General Fund for use in FY 2010 (Sherer)
MFP Committee worksession tentatively scheduled for 4/22/10.
- (19) 1:30 **PUBLIC HEARING** - Resolution to authorize transfer of funds from the General Fund to the Revenue Stabilization Fund for use in FY 2011 (Sherer)
MFP Committee worksession tentatively scheduled for 4/22/10.
- (20) 1:30 **PUBLIC HEARING - Expedited Bill 11-10**, Stormwater Management -Water Quality Protection Charge - Debt Service (Mihill)
T&E Committee worksession tentatively scheduled for 4/28/10.
- (21) 1:30 **PUBLIC HEARING - Expedited Bill 12-10**, Human Rights - Equal Employment Opportunity Program (Drummer)
HHS Committee worksession tentatively scheduled for 4/28/10.

April 20, 2010

Page 4

- (22) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 10-04, C-2 Zone - Automobile Filling Stations (Zyontz)
Notice: This hearing has been continued to 5/20/10 at 7:30 pm. All speakers will be heard at that time.
- (23) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY10 Operating Budget, Montgomery County Fire and Rescue Service - \$257,861 for Urban Area Security Initiative (UASI) H1N1 Preparedness Subgrant Award (Source: Federal grant) (Davidson)
- (24) 1:45 **SEMI-ANNUAL REPORT** of the Montgomery County Planning Board (Michaelson)
- 4:00 **ADJOURN**
- (25) 7:00 **PUBLIC HEARING on the following:**
- Resolution to amend Fuel/Energy tax rates (Faden)
 - **Expedited Bill 15-10**, Taxation - Fuel/Energy Tax - Rate (Faden)
MFP/T&E Committee worksession tentatively scheduled for 4/21/10.

Thursday, April 22, 2010

- 1:30 **Transmittal** of Executive's FY11 Budget Adjustments
- 7:30 **PUBLIC HEARING by T&E Committee** - Resolution to approve FY11 Transportation Fees, Charges, and Fares (Orlin)
T&E Committee worksession tentatively scheduled for 4/29/10.

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;
repeated on 4/23/10 at 9 pm*

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on April 27, 2010:

Agricultural Preservation Advisory Board: Robert Cissel

Committee on Hate/Violence: Melissa Jamison, Nicholas Crouch, Jo-Ann Harrison, Lorraine Lee, Rafael Medoff, Dawinder (Dave) Sidhu, Jheanelle Wilkins

Historic Preservation Commission: Margaret Maher

Commission on Juvenile Justice: Margaret Currie, Christopher Fogleman, Barbara Holtz, Dana Pisanelli

Pedestrian and Traffic Safety Advisory Committee: David Sharp

Silver Spring Citizens Advisory Board: Nestor Alvarenga, Rebecca Howland, Tina Johnson, Deborah Linn, Daniel Morales, Mary Murphy, Richard Ripley, Susan Zusy

Strathmore Hall Foundation Board of Directors: Richard Carter, Solomon Graham

Western Montgomery County Citizens Advisory Board: Michele Cornwell, Nancy Regelin, Sally Kaplan, Margaret Dennis, Jeffrey Hearle, Fritz Hirst, Ilaya Hopkins, Daniel Hoffman

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.

Apr 22, 2010 NEW	1:30 pm	Transmittal of Executive's FY11 Budget Adjustments
Apr 27, 2010	9:00 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
May 17, 2010	9:30 am	Council Budget Worksession
May 18, 2010	9:30 am	Regular Session & Council Budget Worksession
May 19, 2010	9:30 am	Council Budget Worksession
May 20, 2010	9:30 am	Council Budget Worksession
May 21, 2010	9:30 am	Council Budget Worksession
May 27, 2010	9:30 am	Final Budget Action
May 31, 2010		HOLIDAY
June 1 to June 11, 2010		RECESS

FUTURE PUBLIC HEARINGS

To testify call 240-777-7803

April 27, 2010

- 1:30 pm Intent to consider increasing FY11 General Fund tax rate above the Constant Yield Tax Rate (CYTR)
- 1:30 pm Resolution to set amount of Property Tax Credit for Income Tax Offset
- 1:30 pm Supplemental appropriation to the County Government's FY10 Capital Budget and amendment to the FY09-14 Capital Improvements Program, DOT - \$3,500,000 for Resurfacing: Residential/Rural Roads
- 1:30 pm **Expedited Bill 16-10**, Personnel - Retirement - Imputed Compensation Limit
- 1:30 pm **Expedited Bill 18-10**, Personnel - Retirement - Furlough - Imputed Compensation

May 4, 2010

- 1:30 pm **Expedited Bill 14-10**, Recordation Tax - Allocation of Revenue

May 11, 2010

- 1:30 pm ZTA 10-05, Special Exception Procedures - Telecommunication Facilities

May 18, 2010

- 1:30 pm White Flint Sectional Map Amendment

May 20, 2010

- 7:30 pm ZTA 10-04, C-2 Zone - Automobile Filling Stations - *Note: This hearing has been continued from April 20, 2010.*

June 15, 2010

- 1:30 pm SRA 10-01, Public Utility Easements- Urban Roads
- 1:30 pm **Bill 17-10**, Public Utility Easement - Urban Roads



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, April 20, 2010

Item Number	Note	Staff
Agenda Item #.5	There is no material for this item.	McGuire
Agenda Item #22	This hearing has been continued to May 20, 2010 at 7:30 pm.	Zyontz

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.

ADDENDUM

Tuesday, April 20, 2010

Time Changes:

- (13) 1:45 **ACTION** - Resolution to amend Growth Policy: White Flint Metro Station Policy Area (Orlin)
- (24) 2:15 **SEMI-ANNUAL REPORT** of the Montgomery County Planning Board (Michaelson)