

COUNCIL and COMMITTEE SESSION SUMMARY

Wednesday, October 25, 2006 – Tuesday, October 31, 2006

*This summary is not intended to be the official record of the Council --
Official minutes are available for that purpose in the Office of Legislative Information Services*

T&E/ED	9:30 AM - 7CHR	
Oct 26	(1)•MCPS stormwater management (Levchenko)	Held discussion
T&E	10:15 AM - 7CHR	
Oct 26	(1)• Expedited Bill 39-06 , Streets and Roads - Fees - Preliminary Subdivision Plans (Healy)	Recommended approval
	(2)•SRA 06-02, Fees - Preliminary Subdivision Plans (Healy)	Recommended approval with amendments
	(3)•Briefing - Forest Glen Metro Pedestrian Tunnel (Orlin)	Received briefing
	(4)•Discussion - Motorcycle parking policy (Orlin)	Recommended bill and resolution for introduction
PHED	2:30 PM - 7CHR	
Oct 26	(1)•ZTA 06-24, Home Occupations - Furniture displays (Zyontz)	Recommended approval with amendments
	(2)• Expedited Bill 44-06 , Parks Department - Golf Courses - Lease with Revenue Authority (Faden/Michaelson)	Recommended approval after lease is amended
PS/MFP	9:30 AM - 7CHR	
Oct 30	(1)•Public Safety Communications Equipment (Davidson/McMillan)	Held discussion
	(2)•Consolidated Fire Tax Fund (Davidson)	Held discussion
MFP	10:30 AM - 7CHR	
Oct 30	(1)•Discussion - Measures of program effectiveness and performance in agencies' FY08 operating budget documents (Farber)	Held discussion
	(2)•Update - Transfer/recording tax and impact tax revenues (Sherer)	Received update
	(3)•Updates - MFD and Small Business programs (Healy)	Received updates
	(4)•Quarterly Review - Comcast, Starpower, and Verizon Customer Service (Healy)	Held quarterly review
	(5)•Overview - Franchise Agreement for Use of Public Right-of-Way: Verizon Communications (Healy)	Received overview
PHED	2:00 PM - 7CHR	
Oct 30	(1)•Report on condition of recreation centers (Sherer)	Received report
	(2)•Update - Long Branch pedestrian bridge/trail (McMillan)	Received update

RES/ORD	SUBJECT	ACTION
	Tuesday, October 31, 2006	
	9:30 INVOCATION - Reverend Corey Sharpe, Faith United Methodist Church, Rockville	Held a moment of silence
	9:35 GENERAL BUSINESS	
	A. Announcements:	
	• Agenda and Calendar Changes	Noted addendum to the agenda
	• A public hearing is scheduled for December 5, 2006 at 1:30 pm on the Spending Affordability Guidelines for FY08 Operating Budget	Announcement made
	(1) B. Acknowledgement - Receipt of Petitions	Acknowledged petition
	C. Action - Approval of Minutes: October 17, 2006	Approved (6y; NF, TP, MK ta)*
	(2) 9:40 CONSENT CALENDAR	Approved (9y)*
	A. Introduction - Resolution regarding Montgomery County Public Schools' State funding request for school construction (Levchenko)	Introduced
	<i>ED Committee is tentatively scheduled for 11/27/06.</i>	
	B. Introduction - Resolution to establish FY08 Spending Control Limits for the Washington Suburban Sanitary Commission (Levchenko)	Introduced
	<i>Public Hearing/Action is scheduled for 11/28/06 at 1:30 pm.</i>	
	C. Introduction - Resolution to consolidate the issuance of certain authorized bonds (Sherer)	Introduced
	<i>Action is tentatively scheduled for 11/28/06.</i>	
	D. Introduction - Resolution to consolidate new authority to issue commercial paper bond anticipation notes with all previously authorized notes (Sherer)	Introduced
	<i>Action is tentatively scheduled for 11/28/06.</i>	
*y=yes; ta= temporarily absent		

RES/ORD	SUBJECT	ACTION
	E. Introduction - Supplemental appropriations to the County Government's FY07 Capital Budget and amendments to the FY07-12 Capital Improvements Program, Department of Public Works and Transportation: (Orlin)	
	• \$4,597,000 for Glenmont Metro Parking Expansion (Source: Revenue Bonds: Liquor Fund)	Introduced
	• \$8,525,000 for State Transportation Participation for extension of Watkins Mill Road (Source: Revenue Bonds: Liquor Fund; Impact Tax; City of Gaithersburg)	Introduced
	<i>T&E Committee worksession tentatively scheduled for 11/27/06. Public Hearing/Action is scheduled for 11/28/06 at 1:30 pm.</i>	
R-15-1648	F. Action - Resolution to approve FY08 Council Grants process (Planell)	Adopted, as amended
	<i>MFP/HHS Committee recommends approval.</i>	
R-15-1649	G. Action - Resolution to approve the abandonment of portion of unimproved Burning Tree Road in the Marywood Subdivision in Bethesda (Orlin)	Adopted
R-15-1650	H. Action - Mutual Aid Agreement with the Maryland-National Capital Park Police (Boucher)	Adopted
	<i>PS Committee recommends approval with amendments.</i>	
	I. Action - Special appropriations to the MNCPPC's FY07 Capital Budget: (Michaelson)	
R-15-1651	• \$2,545,000 for Acquisition: Local Parks (Source: Program Open Space)	Adopted
R-15-1652	• \$2,000,000 for Acquisition: Non-Local Parks (Source: Program Open Space)	Adopted <i>CLERK'S NOTE: This resolution will be reconsidered/amended/readopted on 11/28/06 to correct the agency</i>
	<i>PHED Committee recommends approval.</i>	
	J. Action - Special appropriations to the MNCPPC's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program: (Michaelson)	
R-15-1653	• \$1,087,000 for South Germantown SoccerPlex (Source: G.O. Bonds, Contributions and Program Open Space)	Adopted
R-15-1654	• \$3,800,000 for Lake Needwood Dam Remediation (Source: G.O. Bonds and Current Revenue)	Adopted
R-15-1655	• \$563,000 for Ballfield Initiatives (Source: Program Open Space)	Adopted
R-15-1656	• \$188,000 for Restoration of Historic Structures (Source: Program Open Space)	Adopted

RES/ORD	SUBJECT	ACTION
R-15-1657	<ul style="list-style-type: none"> \$2,398,000 for Black Hill Trail Renovation and Extension (Source: Program Open Space and G.O. Bonds) <p><i>PHED Committee recommends approval as amended.</i></p>	<p>Adopted as amended by Committee: \$785,000</p> <p><i>CLERK'S NOTE: This resolution will be reconsidered/amended/readopted on 11/28/06 to correct the amount of the project</i></p>
	K. Action - of the following amendments to the MNCPPC's FY07-12 Capital Improvements Program: (Michaelson)	
R-15-1658	<ul style="list-style-type: none"> Rock Creek Trail Pedestrian Bridge 	Adopted
R-15-1659	<ul style="list-style-type: none"> Wheaton Tennis Bubble Renovation 	Adopted
	<i>PHED Committee recommends approval.</i>	
R-15-1660	L. Action - Special appropriation to the County Government's FY07 Operating Budget, Arts and Humanities Council Non-Departmental Account - \$50,000 for Levine School of Music (Source: General Fund Reserve) (Davidson)	Adopted
	M. Action - Special appropriation to the County Government's FY07 Operating Budget, Montgomery County Fire and Rescue Service - \$2,582,630 for Fire Code Enforcement - Fire Safety Code: Fee Schedule for Inspections, Permits, Licenses, Certificates and Exceptions (Source: Consolidated Fire Tax District) (Davidson)	Deferred to 11/28/06
	<i>PS Committee recommends approval with amendments.</i>	
	N. Action - Fire Safety Code Regulations: Executive Regulation 5-06AM, Fee Schedule for Inspections, Permits, Licenses, Certificates and Exceptions; Executive Regulation 6-06AM, Fire Protection Systems; and Executive Regulation 7-06AM, Building Construction (Davidson)	Deferred to 11/28/06
	<i>PS Committee recommends approval as amended.</i>	
	O. Action - Resolutions to support applications for State Community Legacy Funding: (McMillan)	
R-15-1661	<ul style="list-style-type: none"> Wheaton-Long Branch-Silver Spring area 	Adopted
R-15-1662	<ul style="list-style-type: none"> Burtonsville East County area 	Adopted

RES/ORD	SUBJECT	ACTION
	P. Action - Resolutions to support applications for the State's Community Investment Tax Credit Program: (McMillan)	
R-15-1663	• Montgomery Housing Partnership, Inc.	Adopted
R-15-1664	• Pyramid Atlantic	Adopted
R-15-1665	Washington • Jewish Community Relations Council of Greater	Adopted
R-15-1666	• Latino Economic Development Corporation	Adopted
R-15-1667	• Rebuilding Together*Montgomery County	Adopted
	Q. Action - Report and recommendations of the ED/PS Committee regarding OLO Report 2007-1, Review of MCPS' "Serious Incident" Reporting (Orlansky/Rubin)	Approved
R-15-1668	R. Action - Confirmation of County Executive appointment to the Adult Public Guardianship Review Board: Robert Jerrett, III (Ferber)	Adopted
R-15-1669	S. Action - Confirmation of County Executive appointments to the Bethesda Urban Partnership, Inc. Board of Directors: Jack D. Hayes, Michele Horwitz Cornwell, Thomas D. Murphy, Dee Carl Metz (Ferber)	Adopted
R-15-1670	T. Action - Confirmation of County Executive appointments to the Commission on Children and Youth: Meredith J. Myers, Barbara A. Ott, Vicki Stearn, Emily McDonell (Ferber)	Adopted
R-15-1671	U. Action - Confirmation of County Executive appointments to the Domestic Violence Coordinating Council: Phil Andrews, Deborah L. Horan (Ferber)	Adopted
R-15-1672	V. Action - Confirmation of County Executive appointments to the Silver Spring Transportation Management District Advisory Committee: Sgt. Thomas Harmon, Sandra L. Brecher, Muriel E. Bowser (Ferber)	Adopted
R-15-1673	W. Action - Confirmation of County Executive appointments to the Upcounty Recreation Advisory Board: Stanley A. Fisher, Deanna Tomasetti, Tim Truman (Ferber)	Adopted
R-15-1674	X. Action - Confirmation of County Executive appointment to the Water Quality Advisory Group: David C. Merkin (Ferber)	Adopted

RES/ORD	SUBJECT	ACTION
R-15-1675	Y. Action - Confirmation of County Executive appointments to the Workforce Investment Board: Donald Carroll Moragne, Gerald Shapiro, Toby C. Studley, Warren W. Williams, David N. Rodich, Shelley A. Johnson, Stephen D. Cain, Stewart L. Edelstein, Kate Garvey, Harriet Shapiro (Ferber)	Adopted
	Z. Introduction - Resolution to authorize Advance Taking - Travilah Road Phase I - MD Route 28 to Welland Terrace (Orlin)	Introduced
	<i>T&E Committee worksession tentatively scheduled for 11/27/06.</i>	
	AA. Introduction - Resolution to authorize Advance Taking - Mouth of Monocacy Road Bridge (Orlin)	Introduced
	<i>T&E Committee worksession tentatively scheduled for 11/27/06.</i>	
R-15-1676	BB. Action - Resolution to approve the abandonment of a portion of unimproved Fraser Drive Montgomery Hills Forest, Silver Spring (Orlin)	Adopted
R-15-1677	CC. Action - Resolution to approve the abandonment of a portion of unimproved Keokuk Street Brookdale Subdivision, Bethesda (Orlin)	Adopted
R-15-1678	DD. Action - Resolution to approve the abandonment of a portion of unimproved of Cameron Street Air Rights Silver Spring (Orlin)	Adopted
	EE. Introduction - Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant: Bethesda Theatre Nederlander Project (Ferber)	Introduced
	<i>Action is tentatively scheduled for 11/28/06.</i>	
	Add: FF. Introduction - Supplemental appropriation to the Montgomery County Public Schools' FY07 Operating Budget - \$220,000 for Real Estate Management Fund (Source: REM Fund/Rental Revenue) (Planell)	Introduced
	<i>Public Hearing/Action is scheduled for 11/28/06 at 1:30 pm.</i>	
	Add: GG. Introduction - Resolution to amend Transportation Fares, Fees, and Charges to establish free parking for motorcycles in spaces and areas where only motorcycle parking is permitted, sponsored by T&E Committee (Orlin)	Introduced
	<i>Public Hearing and action is scheduled for 11/28/06 at 1:30 pm.</i>	

RES/ORD	SUBJECT	ACTION
	Add: HH. Introduction - Special appropriation to the County Government's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program, Department of Public Works and Transportation - \$8,525,000 for Watkins Mill Road Extended (Source: G.O. Bonds, Impact Tax and Intergovernmental) (Orlin)	Introduced
	<i>T&E Committee worksession tentatively scheduled for 11/27/06. Public Hearing/Action is scheduled for 11/28/06 at 1:30 pm.</i>	
	9:50 LEGISLATIVE SESSION Day # 35	
	A. Approval of Legislative Journal: October 17, 2006 (Lauer)	Approved (9y)*
	B. Introduction of Bills	
	(3) • Expedited Bill 46-06 , Bond Authorization, sponsored by Council President at request of the County Executive (Sherer)	Introduced
	<i>Public Hearing and action is scheduled for 11/28/06 at 1:30 pm.</i>	
	Add: (3.1) • Expedited Bill 47-06 , Motor Vehicles - Motorcycle Parking, sponsored by T&E Committee (Orlin)	Introduced
	<i>Public Hearing and action is scheduled for 11/28/06 at 1:30 pm.</i>	
	C. Call of Bills for Final Reading	
	(4) • Expedited Bill 44-06 , Parks Department - Golf Courses - Lease with Revenue Authority (Faden)	Enacted (9y)*
	<i>PHED Committee recommendation will be available 10/26/06.</i>	
	(5) • Bill 35-06 , Property Tax Credit - Senior Citizens (Faden)	Enacted (8y; MS ta)*
	<i>MFP Committee recommends approval with amendments.</i>	
	(6) • Expedited Bill 39-06 , Streets and Roads - Fees - Preliminary Subdivision Plans (Healy)	Enacted (9y)*
	<i>T&E Committee recommends approval.</i>	
	10:30 DISTRICT COUNCIL SESSION	
O-15-89	(7) A. Action - Subdivision Regulation Amendment 06-02, Fees - Preliminary Subdivision Plans (Healy)	Enacted (9y)*
	<i>T&E Committee recommends approval with amendments.</i>	
O-15-90	(8) B. Action - Zoning Text Amendment 06-24, Home Occupations - Furniture displays (Zyontz)	Enacted (8y; MS ta)*
	<i>PHED Committee recommendation will be available 10/26/06.</i>	
*y=yes; ta= temporarily absent		

RES/ORD	SUBJECT	ACTION
R-15-1679	(9) C. Action - Development Plan Amendment DPA 06-4 (Zyontz)	Adopted (8y; MS ta)*
	Applicant: The Donohoe Companies (White Flint Place) (Emily J. Vaia, Attorney)	
	Property: 498,201 square feet located at Northeast Corner of Rockville Pike and Old Georgetown Road	
	Action: Amendment to DPA 04-1 which amended the original Zoning Application G-726	
	Recommendations: Planning Staff: Approve	
	Planning Board: Approve	
	Hearing Examiner: No Report	
R-15-1680	(10) D. Action - Consideration of Hearing Examiner's Report and Recommendation: (Zyontz)	Adopted (9y*)
	Application No: G-832	
	Applicant: Ralph J. Duffie, Inc. (Stephen J. Orens, Attorney)	
	Property: 37.176 acres located at 400 feet northeast of Gateway Center Drive on the north side of Shawnee Lane, Clarksburg	
	Action: Rezone from R-200 Zone to PD-11	
	Recommendations: Planning Staff: Approve	
	Planning Board: Approve	
	Hearing Examiner: Approve	
	(11) E. Oral Argument and Consideration of Hearing Examiner's Report and Recommendation: (Zyontz)	Held oral argument
	Application No: G-836	
	Applicant: J. Kirby Development, LLC and Vedanta Center of Greater Washington, D.C., Inc. (Barbara A. Sears and Scott C. Wallace, Attorneys)	
	Property: 16 acres located at 2929, 3001 and 3031 Bel Pre Road, Silver Spring	
	Action: Rezone from RE-2 Zone to PD-2 Zone	
	Recommendations: Planning Staff: Approve	
	Planning Board: Approve	
	Hearing Examiner: Approve	
	12:15 RECESS	
	(12) 1:30 PUBLIC HEARING - Resolution to approve the Franchise Agreement for Use of Public Right-of-Way: Verizon Communications (Healy)	PH held; record open until cob 11/3/06
	<i>MFP Committee worksession tentatively scheduled for 11/13/06.</i>	
*y=yes; ta= temporarily absent		

RES/ORD	SUBJECT	ACTION
	(13) 1:30 PUBLIC HEARING - Resolution to indicate Council's intention regarding the actions necessary to implement amendments to the Collective Bargaining Agreement with the Municipal & County Government Employees' Organization (MCGEO), Local 1994 (Wage Compression Reopener) (Faden)	PH held; record open until cob 11/3/06
	<i>MFP Committee worksession tentatively scheduled for 11/13/06.</i>	
R-15-1681	(14) 1:30 PUBLIC HEARING/ACTION - Supplemental appropriation to the County Government's FY07 Operating Budget, Circuit Court - \$299,930 for Electronic Document Imaging Grant (Source: State Grant Funds Administrative Office of the Courts) (McGuire)	Adopted; (8y; MS ta)*
	(15) 1:30 PUBLIC HEARING/ACTION - Supplemental appropriations to the County Government's FY07 Operating Budget, Homeland Security Department (Source: UASI - Federal grant) (Davidson)	
R-15-1682	• \$233,340 to implement "Hospital Surge"	Adopted; (8y; MS ta)*
R-15-1683	• \$333,340 to implement the National Capital Region Special Needs Project Surge Expansion Program	Adopted; (8y; MS ta)*
R-15-1684	(16) 1:30 PUBLIC HEARING/ACTION - Special appropriation to the County Government's Arts and Humanities Council Non-Departmental Account, Heritage Montgomery - \$25,000 for stabilization of Loving Charity Hall in the Warren Historic District Restoration (Source: General Fund Reserves) (Davidson)	Adopted; (8y; MS ta)*
	2:30 DISTRICT COUNCIL SESSION (<i>Continuation of morning session</i>)	
R-15-1685	(11) E. Action - Consideration of Hearing Examiner's Report and Recommendation: Application No: G-836	Adopted as amended; (7y; MK, MS ta)*
	2:45 ADJOURN	
*y=yes; ta= temporarily absent		