



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.

Council Sessions are now held in the 3rd Floor Council Hearing Room

This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30; repeated on 4/17/09 at 7 pm

Monday, April 13, 2009

7:00 PUBLIC HEARING - FY10 Operating Budget

Tuesday, April 14, 2009

8:30-9:00 **Breakfast Meeting** with Congressman Van Hollen regarding federal stimulus dollars
(6th floor Council Conference Room)

(1) 9:00-9:30 **INTERVIEW** - County Executive's appointee for Director, Department of Economic Development: Steven A. Silverman (6th floor Council Conference Room) (Ferber)

9:45 **INVOCATION** - Reverend Ron Foster, Bethesda United Methodist Church, Bethesda

9:50 **PRESENTATION** - Proclamation in recognition of the participants of the AFFIRM Program by Councilmember Ervin

9:55 **PRESENTATION** - Proclamation in recognition of Dr. Shawn Johnson, Roberto Clemente Middle School, as Middle School Principal of the Year by Councilmember Knapp

10:00 **PRESENTATION** - Proclamation in recognition of April as the Month of the Young Child by Councilmember Trachtenberg

10:05 **GENERAL BUSINESS** (Lauer)

- (2) A. **Announcement** - Agenda and Calendar Changes
B. **Acknowledgement** - Receipt of Petitions
C. **Action** - Approval of Minutes: March 19, 23, and 24 2009

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

- A. **Introduction** - Resolution to set amount of Property Tax Credit for Income Tax Offset

(Faden)

Public Hearing is scheduled for 5/5/09 at 7:30 pm.



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

- B. **Introduction** - Resolution to authorize grant application request for Annual Transportation Plan & Clean Fuels, JARC & New Freedom Grants (Orlin)
Action is tentatively scheduled for 5/21/09.
- C. **Introduction** - Supplemental appropriation to the County Government's FY09 Operating Budget, Department of Housing and Community Affairs - \$2,073,965 for Neighborhood Stabilization Program (Source: Federal funds) (McMillan)
Public Hearing/Action is scheduled for 4/28/09 at 1:30 pm.
- D. **Action** - Confirmation of Council approval of the County's FY10 Maintenance of Effort waiver request to the State Board of Education (Farber)
- E. **Action** - Reappointment of Inspector General: Thomas J. Dagley (Ferber)
- F. **Action** - Appointment of special counsel to represent the County and the Employees' Retirement System in connection with an action against Adelphia Communications Corporation and related parties for misrepresentation and fraud: Lowenstein Sandler (Faden)
- G. **Action** - Contract renewals for audit services (Rubin)
Audit Committee recommends approval.
- H. **Action** - Resolution to extend time until June 30, 2009, for Council action on Executive Regulation 32-08, Speed Humps (Orlin)
T&E Committee worksession tentatively scheduled for 4/20/09.
- I. **Action** - Resolution of consent to and support for re-designation of an Enterprise Zone: Wheaton CBD Policy Area (Ferber)
- J. **Introduction** - Resolution to revise Taxicab Fees (Orlin)
Public Hearing is scheduled for 5/5/09 at 7:30 pm.
- K. **Introduction** - Supplemental appropriation to the County Government's FY09 Operating Budget, Montgomery County Board of Elections - \$2,153,000 for Relocation Costs (Source: General Fund) (Mihill)
Public Hearing is scheduled for 4/28/09 at 1:30 pm.

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

- (4) A. Introduction of Bills (Lauer)
- **Expedited Bill 17-09**, Parking Lot Districts - Use of Revenue, sponsored by Councilmembers Floreen, Knapp, Elrich, and Leventhal, and Council President Andrews (Mihill)
Public Hearing is scheduled for 5/5/09 at 7:30 pm.

10:15 **LEGISLATIVE SESSION Day # 15 (continued)**

- A. Introduction of Bills *(continued)* (Lauer)
- (5) • **Expedited Bill 18-09**, Personnel - Retirement - Imputed Compensation, sponsored by the Council President at the request of the County Executive (Drummer)
Public Hearing is scheduled for 5/5/09 at 7:30 pm.
- (6) • **Bill 19-09**, Board of Investment Trustees - Membership, sponsored by the Council President at the request of the County Executive (Drummer)
Public Hearing is scheduled for 5/5/09 at 7:30 pm.
- B. Call of Bills for Final Reading
- (7) • **Expedited Bill 6-09**, Home Energy Loan Program - Establishment (Mihill)
T&E Committee recommends approval with amendments.
- (8) • **Bill 7-09**, Schools and Camps - Workforce Investment Scholarship (Drummer)
PHED Committee recommends approval with amendments.
- (9) 10:30 **WORKSESSION** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)
Action is tentatively scheduled for 4/21/09.
- (10) 10:45 **OVERVIEW** - FY10 Operating Budget (Farber)
- (11) 11:30 **RELEASE AND PRESENTATION** - OLO Memorandum Report 2009-9: A Research Brief on Furloughs and Buyouts (Orlansky)
- (12) 11:50 **UPDATE** - PHED Committee deliberations on OLO Report 2009-7, Organization of Recreation Programs across the Department of Parks and Department of Recreation (Fuhrmann)
- 12:00 **RECESS - 12:15 - 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 collective bargaining and related issues. *(6th floor Conference Room)* (Faden)
- (13) 1:30 **PUBLIC HEARING** - Amendments to the County government collective bargaining agreements
MFP Committee worksession tentatively scheduled for 4/20/09. (Faden/Drummer)
- (14) 1:30 **PUBLIC HEARING - Expedited Bill 10-09**, Personnel - Retirement Incentive Program
MFP Committee worksession tentatively scheduled for 4/20/09. (Drummer)

April 14, 2009

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- (15) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY09 Operating Budget, Montgomery County Fire and Rescue Service - \$500,000 for Urban Security Initiative (UASI) Mass Casualty Support Unit Supplies (MCSUS) Grant Award (Source: Federal Grant) (Davidson)

1:45 **ADJOURN**

2:00 **MFP Committee** (*3rd floor Council Conference Room*)

2:15 **PHED Committee** (*7th floor Council Hearing Room*)

7:00 **PUBLIC HEARING** - FY10 Operating Budget and amendments to FY09-14 Capital Improvements Program (CIP)

Wednesday, April 15, 2009

1:30 **PUBLIC HEARING** - FY10 Operating Budget and amendments to FY09-14 Capital Improvements Program (CIP)

7:00 **PUBLIC HEARING** - FY10 Operating Budget and amendments to FY09-14 Capital Improvements Program (CIP)

Thursday, April 16, 2009

7:00 **PUBLIC HEARING** - FY10 Operating Budget and amendments to FY09-14 Capital Improvements Program (CIP)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on April 21, 2009:

Board of Social Services: Duchy Trachtenberg

Commission on Aging: Morton A. Davis, Vivien Hsueh, Judith Levy, Marcia Pruzan, Spencer R. Schron, John "Jack" C. Sprague, Robert W. Tiller, Judith Welles

Commission on Child Care: Meeta Sharma-Holt, Nuri E. Funes, Mary Lou Kitchen, Anne K. Albright, Maria E. Carrington

Forest Conservation Advisory Committee: Bryan Straathof

Rustic Roads Advisory Committee: Fred Lechlider, Robin D. Ziek, Marc T. Miller

The following appointment was received from the County Executive and is tentatively scheduled for confirmation on April 21, 2009:

Director, Department of Economic Development: Steven A. Silverman

FUTURE COUNCIL MEETINGS
(3rd floor Council Hearing Room)

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 21, 2009	9:30 am	Regular Session
Apr 28, 2009	9:30 am	Regular Session
May 4, 2009	9:30 am	Council Budget Worksession
May 5, 2009	8:30 am	Coffee with the County Executive
May 5, 2009	9:30 am	Regular Session & Council Budget Worksession
May 5, 2009	12:30 pm	Council Brown-Bag Lunch
May 6, 2009	9:30 am	Council Budget Worksession
May 7, 2009	9:30 am	Council Budget Worksession
May 7, 2009	3:00 pm	Mtg. w/ Prince George's County Council - Bi-County Budgets
May 11, 2009	9:30 am	Council Budget Worksession
May 12, 2009	9:30 am	Regular Session & Council Budget Worksession
May 12, 2009	12:30 pm	Council Brown-Bag Lunch
May 13, 2009	9:30 am	Council Budget Worksession
May 14, 2009	9:30 am	Council Budget Worksession
May 15, 2009	9:30 am	Council Budget Worksession

FUTURE PUBLIC HEARINGS
(3rd floor Council Hearing Room)

To testify call 240-777-7931

Apr 21, 2009

1:30 pm	ZTA 09-01, Sandy Spring/Ashton Overlay Zone - Prohibited uses
1:30 pm	Supplemental appropriation to the County Government's FY09 Capital Budget, DOT - \$2,600,000 for the following projects: Resurfacing - Rural/Residential Roads \$1,058,400; Resurfacing - Primary/Arterial Roads \$1,344,480; and Rural & Residential Road Rehabilitation \$197,120
1:30 pm	Intent to consider increasing FY10 General Fund tax rate above the Constant Yield Tax Rate (CYTR)
1:30 pm	Resolution to amend FY10 Transportation Fees, Charges, and Fares
1:30 pm	Resolution to establish FY10 Solid Waste Service Charges
1:30 pm	Resolution to establish FY10 Water Quality Protection Charge
1:30 pm	Supplemental appropriation to the MCPS' FY09 Capital Budget - \$154,640 for the Current Replacements/Modernizations project (Carderock Springs ES)
1:30 pm	Bill 9-09 , Schools and Camps - Grants for Teaching Science and Mathematics
7:30 pm	Continuation of afternoon hearings, if necessary
7:30 pm	Bill 14-09 , Special Capital Improvements Project - Public Safety Headquarters
7:30 pm	Supplemental appropriation and amendment to the FY09-14 Capital Improvements Program of the Montgomery County Government - Property Use/Smart Growth Initiative; \$12,893,000 for Public Safety Headquarters (GE Tech Park Building)

Apr 28, 2009

1:30 pm	Supplemental appropriation to the County Government's FY09 Operating Budget, DHCA - \$2,073,965 for Neighborhood Stabilization Program
1:30 pm	Bill 12-09 , Ethics - Ex Parte Communications
1:30 pm	Bill 13-09 , Consumer Protection - Advisory Committee - Membership
1:30 pm	Supplemental appropriation to the County Government's FY09 Operating Budget, Montgomery County Board of Elections - \$2,153,000 for Relocation Costs

FUTURE PUBLIC HEARINGS *(continued)*
(3rd floor Council Hearing Room)
To testify call 240-777-7931

May 5, 2009

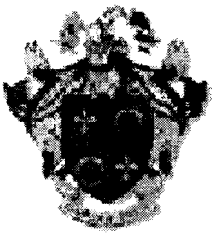
- 7:30 pm **Expedited Bill 15-09**, Recordation Tax - Use of Revenue
- 7:30 pm **Expedited Bill 16-09**, Room Rental and Transient Tax - Amendments
- 7:30 pm Resolution to set amount of Property Tax Credit for Income Tax Offset
- 7:30 pm Resolution to revise Taxicab Fees

May 12, 2009

- 7:30 pm Germantown Sector 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. This document is available in alternative formats upon request.



Montgomery County Council
Legislative Information Services

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Tuesday, April 14, 2009

Item Number	Note	Staff
Agenda Item #12	Oral Report will be given at the meeting.	Fuhrmann