

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 4/24/09 at 7 pm

Tuesday, April 21, 2009

9:30 **INVOCATION** - Reverend Ginger Luke, River Road Unitarian Universalist Church, Bethesda

9:35 **PRESENTATION** - Proclamation in recognition of Rasheim Smith (Blake H.S.), Steven Gamble (Sherwood H.S.), Nadjitade Badje (Springbrook H.S.), and Dake Williams (Quince Orchard H.S.) for winning the State Wrestling championship by Council President Andrews

9:40 **PRESENTATION** - Proclamation in recognition of Wootton Ice Hockey Team for winning the State championship by Council President Andrews

9:45 **PRESENTATION** - Proclamation in recognition of Scott Herman, Cabin John Middle School, recipient of Maryland Music Educator of the Year award by Council Vice President Berliner

9:50 **GENERAL BUSINESS** (Lauer)

- (1) A. **Announcement** - Agenda and Calendar Changes
B. **Acknowledgement** - Receipt of Petitions
C. **Action** - Approval of Minutes: March 30 and 31, 2009

(2) 9:55 **CONSENT CALENDAR**

A. **Action** - Resolution to extend time until May 15, 2009 to consider collective bargaining agreements (Faden)

B. **Action** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)

C. **Action** - Confirmation of County Executive appointments to the Commission on Aging: Morton A. Davis, Vivien Hsueh, Judith Levy, Marcia Pruzan, Spencer R. Schron, John "Jack" C. Sprague, Robert W. Tiller, Judith Welles (Ferber)



(2) 9:55 **CONSENT CALENDAR** *(continued)*

D. **Action** - Confirmation of County Executive appointments to the Commission on Child Care: Meeta Sharma-Holt, Nuri E. Funes, Mary Lou Kitchen, Anne K. Albright, Maria E. Carrington (Ferber)

E. **Action** - Confirmation of County Executive appointment to the Forest Conservation Advisory Committee: Bryan Straathof (Ferber)

F. **Action** - Confirmation of County Executive appointments to the Rustic Roads Advisory Committee: Fred Lechliden, Robin D. Ziek, Marc T. Miller (Ferber)

G. **Action** - Confirmation of County Executive appointment to the Board of Social Services: Duchy Trachtenberg (Ferber)

(3) 10:00 **ACTION** - County Executive's appointee for Director, Department of Economic Development: Steven A. Silverman (Ferber)

(4) 10:05 **PRESENTATION** - OLO Memorandum Report 2009-9: A Research Brief on Furloughs and Buyouts (Orlansky)

10:25 **DISTRICT COUNCIL SESSION**

(5) A. **Introduction** - Zoning Text Amendment 09-02, Special Provision - Parcel consolidation, sponsored by Councilmember Berliner (Zyontz)
Action - Resolution to establish public hearing for 6/9/09 at 1:30 pm.

10:30 **LEGISLATIVE SESSION Day # 16**

A. Introduction of Bills

B. Call of Bills for Final Reading

(6) • **Expedited Bill 3-09**, Local Small Business Reserve Program - Revisions (Drummer)
T&E Committee recommends approval with amendments.

(7) • **Expedited Bill 4-09**, Development Impact Tax - Deferral (Faden)
MFP Committee recommends approval with amendments.

(8) • **Expedited Bill 5-09**, Permit Fees - New Construction (Faden)
PHED Committee recommends approval with amendments.

(10) 11:15 **ACTION** - Resolution to approve a policy for use of brick pavers in the public right-of-way (Orlin)
T&E Committee recommends approval with amendments.

11:45 **RECESS**

- (11) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 09-01, Sandy Spring/Ashton Overlay Zone - Prohibited uses (Zyontz)
***NOTE** - This hearing has been postponed to this evening at 7:30 PM.*
- (12) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the Montgomery County Public Schools' FY09 Capital Budget - \$154,640 for the Current Replacements/Modernizations project (Carderock Springs ES) (Source: Contributions from the Carderock Springs Elementary School Foundation) (McGuire)
ED Committee worksession tentatively scheduled for 4/22/09.
- (13) 1:30 **PUBLIC HEARING - Bill 9-09**, Schools and Camps - Grants for Teaching Science and Mathematics (Drummer)
ED Committee worksession will be scheduled at a later date.
- (14) 1:30 **PUBLIC HEARING** - Intent to consider increasing FY10 General Fund tax rate above the Constant Yield Tax Rate (CYTR) (Sherer)
- 1:30 **PUBLIC HEARINGS on the following:**
- (15) • Resolution to amend FY10 Transportation Fees, Charges, and Fares (Orlin)
***NOTE** - This hearing has been postponed to this evening at 7:30 PM.*
- (16) • Resolution to establish FY10 Solid Waste Service Charges (Levchenko)
- (17) • Resolution to establish FY10 Water Quality Protection Charge (Levchenko)
T&E Committee worksession tentatively scheduled for 4/22/09.
- (18) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY09 Capital Budget, Department of Transportation - \$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 (Source: G.O. Bonds) (Orlin)
- 1:55 **ADJOURN**
- 2:00 **PHED Committee** (7th floor Council Hearing Room)
- 2:00 **MFP Committee** (3rd floor Council Conference Room)
- (19) 7:30 **PUBLIC HEARING on the following:** (McMillan)
 - 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 the Public Safety Headquarters (GE Tech Park Building)
 - **Bill 14-09**, Special Capital Improvements Project - Public Safety Headquarters
PS/T&E Committee worksession tentatively scheduled for 5/8/09.
- (15) 7:30 **PUBLIC HEARING** - Resolution to amend FY10 Transportation Fees, Charges, and Fares (Orlin)
*T&E Committee worksession tentatively scheduled for 4/29/09.
Note - this hearing was postponed from 1:30 pm this afternoon.*

- (11) 7:30 **PUBLIC HEARING** - Zoning Text Amendment 09-01, Sandy Spring/Ashton Overlay Zone - Prohibited uses (Zyontz)
PHED Committee worksession is tentatively scheduled for 4/28/09.
Note - this hearing was postponed from 1:30 pm this afternoon.

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 28, 2009	9:30 am	Regular Session
Apr 28, 2009	12:30 pm	Council Brown-Bag Lunch
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

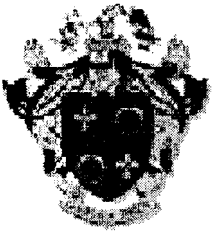
FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

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
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 **Expedited Bill 17-09**, Parking Lot Districts - Use of Revenue
7:30 pm **Expedited Bill 18-09**, Personnel - Retirement - Imputed Compensation
7:30 pm **Bill 19-09**, Board of Investment Trustees - Membership
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

Packet Index

Item Number	Note	Staff
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The following items are anticipated to be added/changed on the agenda by addendum:

ADDENDUM

Tuesday, April 21, 2009

(2) 9:55 CONSENT CALENDAR

Add: H. **Introduction** - Resolution to repeal the Dickerson Area Facilities Implementation Group, sponsored by Councilmember Leventhal (Mihill)
MFP Committee worksession will be scheduled at a later date.

Add: I. **Introduction** - Resolution to implement recommendations of the Committee Evaluation Review Board (CERB), sponsored by Councilmember Leventhal (Mihill)
MFP Committee worksession will be scheduled at a later date.

10:30 LEGISLATIVE SESSION Day # 16

(9) • **Bill 20-09**, Boards, Committees, and Commissions - Committee Evaluation Review Board (CERB) Recommendations, sponsored by Councilmember Leventhal (Mihill)
Public Hearing is scheduled for 5/12/09 at 1:30 pm.

(9.1) • **Bill 21-09**, Boards, Committees, and Commissions - Amendments, sponsored by Councilmember Leventhal (Mihill)
Public Hearing is scheduled for 5/12/09 at 1:30 pm.

10:25 DISTRICT COUNCIL SESSION

Add: (5.1) A. **Introduction** - Amendment to Chapter 33A, Planning Procedures - Master Plan Process - public hearing timing period, sponsored by Councilmember Leventhal (Zyontz)
Public Hearing is scheduled for 6/9/09 at 1:30 pm.

(15) 1:30 **PUBLIC HEARINGS on the following:**
• Resolution to amend FY10 Transportation Fees, Charges, and Fares (Orlin)

Change: *Note: two speakers will be accommodated for the afternoon hearing*



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10:25 DISTRICT COUNCIL SESSION

- Add: (5.1)** B. **Introduction** - Amendment to Chapter 33A, Planning Procedures - Master Plan Process - public hearing timing period, sponsored by Councilmember Leventhal (Zyontz)
Action - Resolution to establish public hearing for 6/9/09 at 1:30 pm.

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- (9) A. Introduction of Bills:
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1:30 PUBLIC HEARINGS on the following:

- (15) • Resolution to amend FY10 Transportation Fees, Charges, and Fares (Orlin)
Change: *Note: two speakers will be accommodated for the afternoon hearing. The remainder will be heard at 7:30 pm.*