



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.

This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30; repeated on 11/13/09 at 7 pm

Tuesday, November 10, 2009

(1) 8:30 - 9:30 **DISCUSSION** - State Legislative Program (6th floor Council Conference Room) (Wenger)

9:45 **INVOCATION** - Imam Faizul Khan, Islamic Society of the Washington Area, Silver Spring

9:50 **PRESENTATION** - Proclamation in recognition of Teen Dating Abuse Awareness Month by Council President Andrews and Councilmember Trachtenberg

9:55 **PRESENTATION** - Proclamation in recognition of Buffalo Solider James Daugherty by Council President Andrews and Councilmember Ervin

10:00 **GENERAL BUSINESS** (Lauer)

- (2) A. **Announcement** - Agenda and Calendar Changes
B. **Acknowledgement** - Receipt of Petitions
C. **Action** - Approval of Minutes: October 27, 2009

(3) 10:05 **CONSENT CALENDAR**

A. **Introduction** - Amendment to the Maryland-National Capital Park and Planning Commission's FY09-14 Capital Improvements Program - South Germantown Recreational Park: SoccerPlex Facilities (Michaelson)
Public Hearing is scheduled for 11/24/09 at 1:30 pm.

B. **Introduction** - Resolution to amend FY10 Transportation Fees, Charges, and Fares (Orlin)
Public Hearing/Action is scheduled for 12/1/09 at 1:30 pm

C. **Action** - Confirmation of County Executive appointments to the Bethesda Urban Partnership, Inc. Board of Directors: Thomas Murphy, Lauren Jezienicki, Andrew O'Hare, Mark Kramer (Ferber)

D. **Action** - Confirmation of County Executive appointments to the Commission on Veterans Affairs: Richard Schiffauer, Jacqueline Ogg, Peter Esker, William Gray, J. Mauri Hamilton (Ferber)

(3) 10:05 **CONSENT CALENDAR** *(continued)*

- E. **Action** - Confirmation of County Executive appointment to the Community Action Board: Steven Galen (Ferber)
- F. **Action** - Confirmation of County Executive appointment to the County-wide Recreation Advisory Board: Daniel Johnston (Ferber)
- G. **Action** - Confirmation of County Executive appointment to the Upcounty Recreation Advisory Board: Ed Socha (Ferber)
- H. **Action** - Resolution to amend Resolution 16-970 for the FY10 Designation of Entities for Non-Competitive Contract Award Status: Coalition for the Homeless and Interfaith Works (McMillan)
- I. **Introduction** - Resolution to approve waiver for extended absence of Board of Appeals member (Ferber)

10:10 **LEGISLATIVE SESSION Day #42**

- (3.1) A. Introduction of Bills:
 - **Expedited Bill 40-09**, Personnel - Audits - Trust Fund, sponsored by Council President Andrews (Drummer)
Public Hearing is scheduled for 11/17/09 at 1:30 pm.

10:15 **BOARD OF HEALTH**

- (4) A. **Introduction** - Resolution to adopt Board of Health Regulation requiring a disclaimer for certain pregnancy resource centers, sponsored by Councilmembers Trachtenberg, Ervin, Navarro, Floreen, Elrich and Leventhal (Mihill)
Public Hearing is scheduled for 12/1/09 at 1:30 pm.

10:20 **DISTRICT COUNCIL SESSION**

- (5) A. **Action** - 2009-2011 Growth Policy (Orlin/Faden)
- (6) 10:45 **ACTION** - Locally Preferred Alternative for I-270 Improvements and Corridor Cities Transitway Project Planning Study (Orlin)

12:15 **RECESS** - *MFP to meet as Audit Committee at 12:15 in 5CCR*

- (7) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 09-10, I-3 Zone - Hospitals
PHED Committee worksession will be scheduled at a later date.

- (8) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY10 Capital Budget, Department of Economic Development - \$5,000,000 for Ag Land Pres Easements to fund the Building Lot Termination program (BLT). (Source: M-NCPPC Contributions) (Ferber)
- 1:45 **DISTRICT COUNCIL SESSION** (*continued*)
- (9) B. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Zyontz)
Application No: G-877
Applicant: Kensington Heights 2, LLC (Steven A. Robins and Martin J. Hutt, Attorneys)
Property: 3.0175 acres located at W. University Boulevard and Findley Road, Kensington
Action: Rezone from R-60 and C-T to RT-8
Recommendations: **Planning Staff:** Approve
Planning Board: Deny
Hearing Examiner: Approve
- (10) 2:00 **UPDATE** - County Executive's Positive Youth Development Initiative (Yao)
- 2:30 **ADJOURN**
- 2:30 **T&E Committee** (*3rd floor Council Hearing Room*) - FY10 Savings Plan

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.

Nov 11, 2009		HOLIDAY
Nov 12, 2009	12:30 pm	Lunch Meeting with Senator Mikulski
Nov 17, 2009	9:30 am	Regular Session
Nov 17, 2009	12:00 pm	Brown Bag Lunch with Board of Appeals
Nov 24, 2009	9:30 am	Regular Session
Nov 26, 2009		HOLIDAY
Dec 1, 2009	9:30 am	Regular Session
Dec 8, 2009	8:30 am	Coffee with the County Executive
Dec 8, 2009	9:30 am	Regular Session
Dec 14, 2009 to Jan 8, 2010		RECESS
Dec 25, 2009		HOLIDAY
Jan 1, 2010		HOLIDAY

FUTURE PUBLIC HEARINGS
To testify call 240-777-7803

Nov 17, 2009

- 1:30 pm Resolution to adopt Board of Health Regulation requiring a health impact assessment for major road projects (*NOTE: This hearing was originally scheduled for 11/3/09.*)
- 1:30 pm Resolutions to amend the MCPS' FY09-14 Capital Improvements Program: B-CC Cluster ES Solution; Clarksburg MS Solution; Northwest Cluster ES Solution; and Seneca Valley Cluster ES Solution
- 1:30 pm Supplemental appropriation to the County Government's FY10 Operating Budget, Office of Emergency Management and Homeland Security - \$1,752,215 for FFY2008 Urban Area Security Initiative (UASI) Critical Care Hospital Surge Capabilities
- 7:30 pm ZTA 09-09, Planning Board Enforcement
- 7:30 pm SRA 09-03, Enforcement - Amendments
- 7:30 pm **Bill 34-09**, Forest Conservation - Enforcement

Nov 24, 2009

- 1:30 pm Resolution to approve County Guaranteed Bond Financing Plan for Housing Opportunities Commission: Wheaton MetroPointe Apartments Development
- 1:30 pm Amendment to the Maryland-National Capital Park and Planning Commission's FY09-14 Capital Improvements Program - South Germantown Recreational Park: SoccerPlex Facilities
- 1:30 pm **Bill 36-09**, Elected Officials - Compensation
- 1:30 pm **Expedited Bill 39-09**, Property Tax Credit - Renewable Energy - Annual Aggregate Limit

Dec 1, 2009

- 1:30 pm Housing Element of General Plan
- 1:30 pm **Bill 37-09**, Contracts and Procurement - Equal Benefits
- 1:30 pm **Bill 38-09**, Growth Policy - Amendments
- 1:30 pm Resolution to amend FY10 Transportation Fees, Charges, and Fares

Hold for continuation of afternoon hearings:

- 7:30 pm Board of Health Regulation requiring a disclaimer for certain pregnancy resource centers
- 7:30 pm **Bill 37-09**, Contracts and Procurement - Equal Benefits
- 7:30 pm **Bill 38-09**, Growth Policy - Amendments

Dec 3, 2009

Hold for continuation of 12/1/09 hearings:

- 7:30 pm Board of Health Regulation requiring a disclaimer for certain pregnancy resource centers
- 7:30 pm **Bill 37-09**, Contracts and Procurement - Equal Benefits
- 7:30 pm **Bill 38-09**, Growth Policy - Amendments



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, November 10, 2009

Item Number	Note	Staff
Agenda Item #1	Material will be distributed at the meeting.	Wenger
Agenda Item #2	There were no Petitions received in LIS this week.	Lauer