

COUNCIL and COMMITTEE SESSION SUMMARY

Monday, September 18, 2006 – Tuesday, September 19, 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*

MFP	9:00 AM - 7CHR To be televised live on County Cable Montgomery	
Sep 18	(1)•Report from Board of Elections regarding Election Day issues (Healy)	Discussion to be continued on 9/27/06
PS	9:30 AM - 7CHR	
Sep 18	(1)•Update on Germantown fire station projects (Davidson)	Received update
	(2)•Overview of Fire Safety Code regulations (Davidson)	Received overview
	(3)•Update - Fire Investigations (Davidson)	Received update
PHED	9:30 AM - 3CCR	
Sep 18	(1)•Damascus Sectional Map Amendment (G-854) (Michaelson)	Recommended approval
	(2)•ZTA 06-20, Mixed-Use-Town Center/TDR (MXTC/TDR) Zone - Establishment (Zyontz)	Recommended approval
	(3)•ZTA 06-21, Building Coverage - RE-1 Cluster (Zyontz)	Deferred
	(4)•ZTA 06-05, C-2 Zone - Site Plan Review (Zyontz)	Recommended approval, as amended
MFP	2:00 PM - 7CHR	
Sep 18	(2)•IG Report: Study of the Benefits of the Office of Inspector General Establishing a Fraud Hotline (White)	Received briefing
	(4)•Revenue forecast for impact taxes (Orlin)	Received briefing
	(3)•Revised indicators for capital budget (Orlin)	Received briefing
Tuesday, September 19, 2006		
	9:30 INVOCATION - Reverend Jan P. Lookingbill, Emmanuel Lutheran Church, Bethesda	Gave invocation
	9:35 PRESENTATION - Proclamation in recognition of Constitution Week by Councilmember Michael Knapp	Proclamation presented
	9:40 GENERAL BUSINESS	
	A. Announcement - Agenda and Calendar Changes	Noted addendum
	(1) B. Acknowledgement - Receipt of Petitions	None received
	C. Action - Approval of Minutes: July 25, 2006	Adopted (8y; MSta)*
*y=yes; *ta=temporarily absent		

RES/ORD	SUBJECT	ACTION
	(2) 9:45 CONSENT CALENDAR	Approved (8y; MSta)*
	A. Introduction - Resolution to approve the FY07 schedule of revenue estimates and appropriations (Sherer)	Introduced
	<i>Action is tentatively scheduled for 9/26/06.</i>	
	B. Introduction - Resolution to approve the Franchise Agreement for Use of Public Right-of-Way: Xspedius (Healy)	Introduced
	<i>Public Hearing is scheduled for 10/10/06 at 1:30 pm.</i>	
	C. Introduction - Resolution to adopt the National Incident Management System (NIMS) for Montgomery County (Davidson)	Introduced
	<i>Action is tentatively scheduled for 9/26/06.</i>	
	D. Introduction - Special appropriations to the County Government's FY07 Operating Budget, Department of Recreation - \$206,270 for Paint Branch Sports Academy, \$206,270 for Springbrook Sports Academy, and \$169,230 for Wheaton Sports Academy, sponsored by Councilmembers Praisner <u>Subin, Perez, and Denis</u> (Source: General Fund Reserve) (Sherer)	Introduced
	<i>Public Hearing is scheduled for 10/3/06 at 1:30 pm.</i>	
	E. Introduction - Special appropriation to the Montgomery County Public Schools' FY07 Operating Budget - \$400,000 for Automated External Defibrillator Program (Source: General Fund Undesignated Reserves) (Planell)	Introduced
	<i>Public Hearing is scheduled for 10/3/06 at 1:30 pm.</i>	
	F. Introduction - Supplemental appropriation to the Montgomery County Public Schools' FY07 Operating Budget - \$997,433 for Teaching American History Program (Source: Federal Grant) (Planell)	Introduced
	<i>Public Hearing/Action is scheduled for 10/3/06 at 1:30 pm.</i>	
	G. Introduction - Resolution to approve categorical transfer of \$7,050,000 for MCPS' FY06 Operating Budget (Planell)	Introduced
	<i>ED Committee worksession tentatively scheduled for 9/28/06.</i>	
	<i>Action is scheduled for 10/3/06.</i>	

RES/ORD	SUBJECT	ACTION
	(2) 9:45 CONSENT CALENDAR <i>(continued)</i>	
	H. Introduction - Supplemental appropriation to the County Government's FY07 Operating Budget, Department of Health and Human Services, Children, Youth, and Family Services - \$370,211 for Crossroads Youth Opportunity Center Demonstration Grant (Source: U.S. Department of Justice, Office of Justice Programs) (McGuire)	Introduced
	<i>Public Hearing is scheduled for 10/3/06 at 1:30 pm.</i>	
	I. Introduction - Supplemental appropriation to the County Government's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program, Department of Public Works and Transportation - \$1,608,000 for Multi-Agency Driver Training Facility (Source: G.O. Bonds) (McMillan)	Introduced
	<i>Public Hearing is scheduled for 10/10/06 at 1:30 pm.</i>	
	J. Receipt and Release - Office of Legislative Oversight Report 2006-7, Department of Public Works and Transportation: Citizen Inquiries and Requests for Service Trombka/Latham	Received and released
	<i>T&E Committee worksession tentatively scheduled for 10/12/06.</i>	
R-15-1599	K. Action - Resolution to approve Economic Development Revenue Bond in an amount not to exceed \$20 million for The Heights School (Sherer)	Adopted
	L. Introduction - Resolution to support Habitat for Humanity of Montgomery County, MD's application for the State's Community Investment Tax Credit Program (McMillan)	Deleted
	<i>Action is scheduled for 9/26/06.</i>	
	M. Action - Appointment of special counsel to provide legal services to Montgomery County and the Board of Investment Trustees: Linda Shore and Stephanie Monaco of Mayer, Brown, Rowe & Maw LLP (Faden)	Approved
R-15-1600	N. Action - Executive Regulation 16-06, Personnel Regulations - Amendment to extend the sunset date (McGuire)	Adopted
	<i>MFP Committee recommends approval.</i>	
R-15-1601 # not used	O. Action - Council nominee to the Bethesda Urban Partnership Board of Directors: Jack D. Hayes (Ferber)	Approved

RES/ORD	SUBJECT	ACTION
	P. Receipt and Release - OLO Report 2007-1, Review of Montgomery County Public Schools' "Serious Incident" Reporting (Orlansky/Rubin)	Received and released
	<i>PS/ED Committee presentation and worksession tentatively scheduled for 10/19/06.</i>	
	9:50 LEGISLATIVE SESSION Day # 31	
	A. Approval of Legislative Journal: July 25, 2006	Approved (8y; MSta)*
	B. Introduction of Bills	
	(3) • Bill 38-06 , Technical Corrections, sponsored by County Council (White)	Introduced
	<i>Public Hearing is scheduled for 10/10/06 at 1:30 pm.</i>	
	(4) • Expedited Bill 39-06 , Streets and Roads - Fees - Preliminary Subdivision Plans, sponsored by the Council President at the request of the County Executive (Healy)	Introduced
	<i>Public Hearing is scheduled for 10/24 /06 at 1:30 pm.</i>	
	(4.1) • Expedited Bill 40-06 , Cable Communications - Amendments, sponsored by the Council President at the request of the County Executive (Faden/Healy)	Introduced
	<i>Public Hearing is scheduled for 10/3/06 at 1:30 pm.</i>	
	(4.2) • Expedited Bill 41-06 , Consumer Protection - Internet Access, sponsored by the Council President at the request of the County Executive (Faden/Healy)	Introduced
	<i>Public Hearing is scheduled for 10/3/06 at 1:30 pm.</i>	
	10:00 DISTRICT COUNCIL SESSION	
	(5) A. Introduction - Subdivision Regulation Amendment 06-02, Fees - Preliminary Subdivision Plans, sponsored by the Council President at the request of the County Executive (Healy)	Introduced
R-15-1602	Action - Resolution to establish public hearing for 10/24/06 at 1:30 pm.	
	(5.1) B. Introduction - Zoning Text Amendment 06-24, Home Occupations - Furniture displays, sponsored by Councilmember Denis (Zyontz)	Introduced
R-15-1603	Action - Resolution to establish public hearing for 10/24/06 at 1:30 pm.	
R-15-1604	(6) C. Action - Resolution to establish public hearing for October 24, 2006 at 1:30 pm on Clarksburg Corrective Map Amendment (G-857) (White)	Adopted (8y; MSta)*
*y=yes; ta= temporarily absent		

RES/ORD	SUBJECT	ACTION
	10:00 DISTRICT COUNCIL SESSION <i>(continued)</i>	
R-15-1605	(7) D. Action - Resolution to extend time until November 22, 2006, for Council action on Damascus Sectional Map Amendment (G-854) (Michaelson)	Adopted (8y; MSta)*
O-15-82	(8) E. Action - Zoning Text Amendment 06-08, Accessory Buildings - One-Family Residential Zones (Zyontz) <i>PHED Committee recommends approval with amendments.</i>	Enacted (8y; MSta)*
	(9) F. Action - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation: (Zyontz)	Granted request for oral argument (8y; MSta)*
	Application No: G-841	
	Applicant: Shady Grove Investors I, LLC and Shady Grove Investors, II, LLC (Scott C. Wallace, Attorney)	
	Property: 6.92088 acres located at the Northeast quadrant of the intersection of Omega Drive and Research Boulevard, Gaithersburg	
	Action: Rezone from C-2 to PD-44	
	Recommendations: Planning Staff: Approve	
	Planning Board: Approve	
	Hearing Examiner: Deny	
R-15-1606	(10) G. Action - Resolution to extend time for Council action on G-841 until October 31, 2006 (Zyontz) <i>Note: Extension will be required if oral argument is granted above.</i>	Adopted (8y; MSta)*
	(11) H. Oral Argument and Consideration of Hearing Examiner's Report and Recommendation: (Zyontz)	Approved by a straw vote (5y; MP, TP, PA, HD n)*
	Application No: G-842/DPA 06-2	
	Applicant: Hampden Lane Associates, L.L.C. (Patricia A. Harris, Attorney)	
	Property: 22,611 square feet located at 4913, 4915, 4917, 4919 and 4921 Hampden Lane, Bethesda	
	Action: Rezone from R-60 to TS-R	
	Recommendations: Planning Staff: Approve	
	Planning Board: Approve	
	Hearing Examiner: Remand	
<i>*y=yes; n=no</i>		

RES/ORD	SUBJECT	ACTION
	(13) 1:30 PUBLIC HEARING - Bill 34-06 , Work Release/Pre-Release Programs - Amendments (White) <i>PS Committee worksession tentatively scheduled for 9/25/06.</i>	PH; record open until cob 9/20/06
	(14) 1:30 PUBLIC HEARING - Bill 35-06 , Property Tax Credit - Senior Citizens (Faden) <i>MFP Committee worksession tentatively scheduled for 9/25/06.</i>	PH; record open until cob 9/20/06
	(15) 1:30 PUBLIC HEARING - Bill 36-06 , Forest Preservation Advisory Committee - Establishment (White/Faden) <i>T&E Committee worksession tentatively scheduled for 9/26/06.</i>	PH; record open until cob 9/20/06
	(16) 1:30 PUBLIC HEARING - Bill 37-06 , Property Tax Credit - Green Buildings (Boucher) <i>MFP Committee worksession will be scheduled at a later date.</i>	PH held
	(17) 1:30 PUBLIC HEARING - Special appropriation to MNCPPC's FY07 Operating Budget - \$142,450 for soccer club game fee subsidies at Soccerplex (Source: General Fund Reserves) (Michaelson) <i>PHED Committee worksession tentatively scheduled for 9/28/06.</i>	PH; record open until cob 9/25/06
	(18) 1:30 PUBLIC HEARING on the following supplemental appropriations: (Sherer) - Montgomery College's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program - \$4,000,000 for Goldenrod Building Renovation (Source: Current Revenue) - County Government's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program, Department of Economic Development - \$2,800,000 for Germantown Business Incubator (Source: State Aid & Current Revenue) <i>ED Committee worksession tentatively scheduled for 9/28/06.</i>	PH; record open until cob 9/25/06
R-15-1607	(19) 1:30 PUBLIC HEARING/ACTION - Special appropriation to the County Government's FY07 Operating Budget, Arts and Humanities Council Non-Departmental Account - \$80,000 for National Philharmonic (Source: General Fund Reserves) (Davidson)	Adopted (9y)*
R-15-1608	(20) 1:30 PUBLIC HEARING/ACTION - Resolution to approve Franchise Agreement for Use of Public Right-of-Way: Fiber Technologies Networks, L.L.C. (Healy) <i>MFP Committee recommends approval unless issues are raised at the hearing that require further review.</i>	Adopted (9y)*
*y=yes		

RES/ORD	SUBJECT	ACTION
R-15-1609	(21) 1:30 PUBLIC HEARING/ACTION - Resolution to Approve County Guaranteed Bond Financing Plan for Housing Opportunities Commission: Wheaton Metro Kiss and Ride Development (Healy)	Adopted (8y; MKta)*
R-15-1610	(22) 1:30 PUBLIC HEARING/ACTION - Bethesda CBD Corrective Map Amendment (G-856): Edgemoor Lot 3, Block 12A (Michaelson)	Adopted (8y; MKta)*
	<i>Council sitting as District Council for action on this item.</i>	
	RECESSED 2:40 P.M.	
	(23) 7:30 PUBLIC HEARING - FY08 Annual Budget Priorities and Performance Measures (Farber)	PH; record open until cob 9/20/06
	<i>MFP Committee worksession tentatively scheduled for 9/25/06.</i>	
	ADJOURN 8:32 P.M.	
	Thursday, September 21, 2006	
	7:30 PUBLIC HEARING - Zoning Text Amendment 06-23, Signs - Place of Assembly (Zyontz)	Cont'd until 9/26/06
	<i>PHED Committee worksession tentatively scheduled for 9/28/06.</i>	
	THIS HEARING IS CONTINUED TO TUESDAY, September 26, 2006 at 1:30 pm.	
*y=yes; ta= temporarily absent		