



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 Channel 6; repeated on 5/6/05 at 8 pm and 5/7/05 at 9 am*

**Tuesday, May 3, 2005**

**10:30 INVOCATION**

**10:35 PRESENTATION** - Proclamation honoring Nancy Hebdon, recipient of the Agnes Meyer Outstanding Teacher Award for 2005 by Councilmember Praisner

**10:40 PRESENTATION** - Proclamation in recognition of May as Mental Health Awareness Month by Councilmember Leventhal

**10:45 GENERAL BUSINESS**

- (1)      A. **Announcement** - Agenda and Calendar Changes (Lauer)  
          B. **Action** - Approval of Minutes: April 19, 2005 (Lauer)  
          C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) **10:50 CONSENT CALENDAR**

- A. **Introduction** - Resolution to establish a Long Branch Advisory Committee of East Silver Spring, sponsored by the Council President at the request of the County Executive (Trombka)  
*PHED Committee worksession will be scheduled at a later date.*
- B. **Introduction** - Supplemental appropriation to the County Government's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program, Housing Opportunities Commission - \$2,000,000 for MPDU/Property Acquisition (Source: G.O. Bonds) (Healy)  
*Public Hearing/Action is scheduled for 6/14/05 at 1:30 pm.*
- C. **Action** - Supplemental appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service and Office of Human Resources - \$795,980 for Implementation of Bill 36-03 (Source: Consolidated Fire Tax District Fund & General Fund) (Davidson)  
*PS Committee recommends approval with amendments.*

(2) 10:50 **CONSENT CALENDAR** *(continued)*

- D. **Action** - Resolution to support state financing for Moorenko's Ice Cream Parlor in South Silver Spring (Trombka)
- E. **Action** - Extension of time until July 10, 2005 for Council action on Executive Regulation 20-04, Microchipping of Animals (McMillan)
- F. **Action** - Confirmation of County Executive appointments to the Western Montgomery County Citizens Advisory Board: Stephen E. Baldwin, Richard Blumstein, Jennifer Parker Porter, M.D., Seth E. Maiman, Elizabeth A. Sandall (Ferber)
- G. **Action** - Confirmation of County Executive appointments to the Facilities Implementation Group: Richard B. Hill, Jane Hunter, Mark J. Maier (Ferber)
- H. **Introduction** - Special appropriations to the MCPS' FY05 Capital Budget - \$8,400,000 for Northwest Elementary School #7, Clarksburg/Damascus Elementary School #7, and Rehab/Renovation of Closed Schools (Down-County Consortium Elementary School #27) (Source: G.O. Bonds) (Levchenko)  
*Public Hearing/Action is scheduled for 6/14/05 at 1:30 pm.*

- (3) 10:55 **COUNCIL SITTING AS BOARD OF HEALTH** - *There are no issues for the Board to address at this time. The Board will receive an update from the County Health Officer on June 21, 2005.* (McGuire)

11:00 **DISTRICT COUNCIL SESSION**

- (4) A. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)  
**Application No:** G-826  
**Applicant:** Ralph J Duffie Inc. (Stephen J. Orens, Attorney)  
**Property:** 2.822 acres located on the northeast corner of Elton Road and New Hampshire Avenue, at 10001 New Hampshire Avenue and 1701 to 1729 Elton Road, Silver Spring  
**Action:** Rezone from C-1 to O-M  
**Recommendations:** Planning Staff: Approve  
Planning Board: Approve  
Hearing Examiner: Approve

- (5) 11:10 **PRESENTATION** from Montgomery County Public Schools - Increased school construction costs (Levchenko)

11:45 **RECESS**

- (7) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY05 Operating Budget, Non-Departmental Account - \$1,898,510 for Utilities (Source: General Fund undesignated reserves) (Sherer)  
*Action is tentatively scheduled for 5/17/05.*

- (8) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY05 Operating Budget, Department of Public Works and Transportation - \$2,750,000 for Division of Transit Services (Source: General Fund) (Orlin)  
*Action is tentatively scheduled for 5/17/05.*
- (9) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY05 Operating Budget, Department of Police - \$2,050,920 for overtime expenditures (Source: General Fund) (McMillan)  
*PS Committee worksession tentatively scheduled for 5/4/05.*
- (10) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY05 Operating Budget, Department of Correction and Rehabilitation - \$3,018,020 for overtime expenditures and operating expenses (Source: General Fund) (McMillan)  
*PS Committee worksession tentatively scheduled for 5/4/05.*
- (11) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY05 Operating Budget, Various Departments - \$2,692,380 for Federal Fiscal Year 2004 Homeland Security Grant Program (Source: Federal Grant) (Davidson)  
*HSC Committee worksession tentatively scheduled for 5/6/05.*
- (12) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the Maryland-National Capital Park and Planning Commission's FY05 Operating Budget - \$109,220 for Federal Fiscal Year 2004 Homeland Security Grant Program (Source: Federal Grant) (Davidson)  
*HSC Committee worksession tentatively scheduled for 5/6/05.*
- (13) 1:30 **PUBLIC HEARING/ACTION** - Resolution to create a Maryland Land Preservation Foundation Agricultural District - Shiloh Farm - Michael Rubin, 21420 Big Woods Road, Dickerson (Wilson)
- 1:55 **ADJOURN**
- 2:00 **ED Committee** (7th floor Council Hearing Room)  
2:00 **PHED Committee** (3rd floor Council Conference Room)
- (14) 7:00 **PUBLIC HEARING** - FY06 Capital Budget and FY05-10 Capital Improvements Program (CIP) amendments for Montgomery County Public Schools (Levchenko)

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on May 10, 2005:**

Commission on Common Ownership Communities: Robert A. Gramzinski, Eric D. Smith, Richard J. Leeds, Stephen M. Maloney, Harold H. Huggins  
Community Action Board: Lillian T. Durham

**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.

May 9, 2005	9:15 am	Council Budget Worksession
May 10, 2005	9:15 am	Regular Session and Budget Worksession
May 10, 2005	4:00 pm	Mtg. re: Bi-County Budgets
May 11, 2005	9:15 am	Council Budget Worksession
May 12, 2005	9:15 am	Council Budget Worksession
May 12, 2005	3:00 pm	BiCounty Budget Mtg. w/ Prince George's County Council
May 16, 2005	9:15 am	Council Budget Worksession
May 17, 2005	9:15 am	Regular Session and Budget Worksession
May 18, 2005	9:30 am	Council Budget Worksession
May 19, 2005	9:30 am	Council Budget Worksession
May 26, 2005	9:30 am	Council Budget - Action
May 30, 2005		HOLIDAY
May 31 - Jun 10, 2005		Recess

**FUTURE PUBLIC HEARINGS**

To testify call 240-777-7931

**May 10, 2005**

- 1:30 pm Woodmont Triangle Amendment to the Bethesda CBD Sector Plan
- 1:30 pm ZTA 05-05, Streetscape Requirements - I-1 Zone
- 1:30 pm ZTA 05-06, Building Materials and Supplies - R&D Zone
- 1:30 pm Amendment to County Government's FY06 Capital Budget and FY05-10 CIP, DEP - \$195,000 for street tree planting
- 1:30 pm Special appropriation to the MCPS' FY05 Capital Budget, ALARF - \$1,500,000 for Purchase of Land for Down-County Consortium Elementary School #29
- 7:30 pm Resolution to amend Fuel/Energy tax rates
- 7:30 pm **Expedited Bill 10-05**, Property Tax - Deferral
- 7:30 pm **Expedited Bill 15-04**, Property Tax Credits (*continued*)

**June 14, 2005**

- 1:30 pm **Expedited Bill 5-05**, Landlord-Tenant Relations - Attorneys' fees
- 1:30 pm **Bill 6-05**, Junk Dealers and Junkyards - Repeal
- 1:30 pm **Bill 7-05**, Cable Communications - Cable Compliance Commission - Amendments
- 1:30 pm **Bill 8-05**, Buildings - Permits - Posting of Notice of Issuance
- 1:30 pm **Bill 9-05**, Buildings - Location in County
- 1:30 pm **Expedited Bill 11-05**, Collective Bargaining - Corrections Department - Sergeants
- 1:30 pm SRA 05-02, Lots - Location in County
- 1:30 pm ZTA 05-07, Parking Facilities - Country Inn Zone
- 1:30 pm Supplemental appropriation to the County Government's FY05 Capital Budget and amendment to the FY05-10 CIP, HOC - \$2,000,000 for MPDU/Property Acquisition
- 1:30 pm Special appropriations to the MCPS' FY05 Capital Budget - \$8,400,000 for Northwest E.S. #7, Clarksburg/Damascus E.S. #7, and Rehab/Renovation of Closed Schools (Down-County Consortium E.S. #27)

**July 12, 2005**

- 7:30 pm Continuation of hearing on Woodmont Triangle Amendment to the Bethesda CBD Sector Plan



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### ADDENDUM Tuesday, May 3, 2005

#### (2) 10:50 CONSENT CALENDAR

- Add:** I. **Introduction** - Resolution to set amount of Property Tax Credit for Income Tax Offset (Faden)  
*Public Hearing/Action is scheduled for 5/18/05 at 9:30 am.*
- Add:** J. **Introduction** - Supplemental appropriation to the County Government's FY05 Operating Budget, Department of Public Works and Transportation - \$7,645,320 for Snow Removal/Wind and Rain Storms (Source: General Fund Undesignated Reserves) (Orlin)  
*Public Hearing/Action is scheduled for 5/18/05 at 9:30 am.*