



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 3/10/06 at 8 pm and 3/11/06 at 9 am

Tuesday, March 7, 2006

10:30 **INVOCATION** - Chaplain Edco Bailey, Shady Grove Adventist Hospital, Rockville

10:35 **GENERAL BUSINESS**

A. Announcements:

- Agenda and Calendar Changes (Lauer)
- Public Hearing schedule for the FY07 Operating Budgets:
April 5, 6, 17, and 18 at 7:00 pm, and April 5, 2006 at 1:30 pm.
Persons wishing to testify should call 240-777-7931 beginning March 16, 2006.

- (2) **B. Acknowledgement** - Receipt of Petitions (Lacefield)
C. Action - Approval of Minutes: January 30, February 13, 14, and 16, 2006 (Lauer)

(3) 10:40 **CONSENT CALENDAR**

- A. Introduction** - Supplemental appropriation to the County Government's FY06 Capital Budget, Department of Public Works and Transportation - \$472,000 for Elevator Modernization in Council Office Building (Source: Current Revenue) (Sherer)
Public Hearing/Action is scheduled for 3/21/06 at 1:30 pm.
- B. Introduction** - Resolution to endorse Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant to assist WorldSpace, Inc.'s relocation to Montgomery County (Ferber)
Action is scheduled for 3/14/06.
- C. Action** - Resolution to amend the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: Derwood Bible Church multi-use system (Levchenko)
T&E Committee recommends denial.
- D. Action** - Resolution to authorize Advance Taking - Brink Road Bridge over Goshen Branch Tributary (Orlin)
T&E Committee recommendation will be available 3/2/06.
- E. Action** - Recommendation for nomination to the Board of Investment Trustees (Ferber)
- F. Action** - Confirmation of County Executive appointments to the Agricultural Advisory Committee: Tom Linthicum, J. Keith Patton, Jr., Gene Walker, Vincent Berg, Hall Sisson (Ferber)



(3) 10:40 **CONSENT CALENDAR** *(continued)*

G. **Action** - Confirmation of County Executive appointments to the Historic Preservation Commission: Nuray Anahtar, Lee J. Burstyn, Jef Fuller (Ferber)

H. **Action** - Confirmation of County Executive appointments to the Upcounty Recreation Advisory Board: Aranthan Steve Jones II, R. Scott McKernon, Deanna Tomasetti (Ferber)

I. **Introduction** - Resolution to support increased funding for Metro, sponsored by Councilmembers Knapp and Floreen (Fuhrmann)

J. **Introduction** - Special appropriations to the MCPS' FY06 Capital Budget and amendments to the FY05-10 Capital Improvements Program:
• \$975,000 Relocatable Classrooms for Acceleration of the Full-Day Kindergarten Initiative (Source: Current Revenue) (Levchenko)
• \$3,050,000 for Rehab/Renovation of Closed Schools (Downcounty Consortium Elementary School #28) and for Linkages to Learning space (Source: G.O. Bonds) (Levchenko)
Public Hearing is scheduled for 3/28/06 at 1:30 pm.

K. **Introduction** - Special appropriation to the MCPS' FY06 Capital Budget- \$3,000,000 for Relocatable Classrooms (Source: Current Revenue) (Levchenko)
Public Hearing is scheduled for 3/28/06 at 1:30 pm.

10:45 **DISTRICT COUNCIL SESSION**

(4) A. Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: G-836
Applicant: J. Kirby Development, LLC (Barbara Sears and Scott Wallace, Attorneys)
Property: 16.013 acres located at 2929, 3001 and 3031 Bel Pre Road, Wheaton
Action: Rezone from RE-2 to PD-2 Zone
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Remand

(5) B. Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: G-820
Applicant: Normandy Farms Joint Venture (Jody S. Kline, Attorney)
Property: 6.53 acres located at 10710 Falls Road, Rockville
Action: Rezone from RE-2/TDR to Country Inn
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Approve

(6) 11:00 **DISCUSSION** - Status Report on Pandemic Next Steps: Influenza/Avian Influenza (McGuire/Davidson)

11:45 **RECESS**

- (7) 1:30 **PUBLIC HEARING - Zoning Text Amendment 06-01, Rural Village Center Overlay Zone - Revisions** (Wilson)
PHED Committee worksession tentatively scheduled for 3/17/06.
- (8) 1:30 **PUBLIC HEARING - Zoning Text Amendment 06-02, Mixed Used Town Center Zone - Revisions** (Wilson)
PHED Committee worksession tentatively scheduled for 3/17/06.
- (9) 1:30 **PUBLIC HEARING - Zoning Text Amendment 06-03, Rural Neighborhood Cluster Zone - TDR Option** (Wilson)
PHED Committee worksession tentatively scheduled for 3/17/06.
- (10) 1:30 **PUBLIC HEARING - Zoning Text Amendment 06-04, Rural Neighborhood Cluster Zone - Rural Open Space** (Wilson)
PHED Committee worksession tentatively scheduled for 4/3/06.
- (11) 1:30 **PUBLIC HEARING - Zoning Text Amendment 06-05, C-2 Zone - Site Plan Review** (Wilson)
PHED Committee worksession tentatively scheduled for 4/3/06.
- (12) 1:30 **PUBLIC HEARING - Bill 2-06, Collective Bargaining - County Employees - Fact Finding** (Faden)
MFP Committee worksession will be scheduled at a later date.
- (13) 1:30 **PUBLIC HEARING - Bill 3-06, Consumer Protection - Revisions** (Faden)
PHED Committee worksession tentatively scheduled for 4/3/06.
- (14) 1:30 **PUBLIC HEARING - Special appropriations to the Housing Opportunities Commission's FY06 Capital Budget and amendments to the FY05-10 Capital Improvements Program - Various projects relating to maintenance of Physical and Technology Infrastructure (Source: Current Revenue)** (Healy)
Action is tentatively scheduled for 3/14/06.
- (15) 1:30 **PUBLIC HEARING - Special appropriations to Montgomery College's FY06 Capital Budget and amendments to the FY05-10 Capital Improvements Program - Various projects relating to maintenance of Physical and Technology Infrastructure (Source: Current Revenue)** (Sherer)
Action is tentatively scheduled for 3/14/06.
- (16) 1:30 **PUBLIC HEARING - Special appropriations to the County Government's FY06 Capital Budget and amendments to the FY05-10 Capital Improvements Program - Various projects relating to maintenance of Physical and Technology Infrastructure (Source: Current Revenue)** (Orlin)
Action is tentatively scheduled for 3/14/06.
- (17) 1:30 **PUBLIC HEARING - Special appropriations to the County Government's FY06 Operating Budget - Various projects relating to maintenance of Physical and Technology Infrastructure (Source: Current Revenue)** (Orlin)
Action is tentatively scheduled for 3/14/06.

- (18) 1:30 **PUBLIC HEARING** - Special appropriations to the MCPS' FY06 Capital Budget and amendments to the FY05-10 Capital Improvements Program - Various projects relating to maintenance of Physical and Technology Infrastructure (Source: Current Revenue)(Levchenko)
Action is tentatively scheduled for 3/14/06.
- (19) 1:30 **PUBLIC HEARING** - Special appropriations to the MCPS' FY06 Operating Budget - Various projects relating to maintenance of Physical and Technology Infrastructure (Source: Current Revenue) (Planell)
Action is tentatively scheduled for 3/14/06.
- (20) 1:30 **PUBLIC HEARING** - Special appropriations to the MNCPPC's FY06 Capital Budget and amendments to the FY05-10 Capital Improvements Program - Various projects relating to maintenance of Physical and Technology Infrastructure (Source: Current Revenue) (Michaelson)
Action is tentatively scheduled for 3/14/06.
- (21) 1:30 **PUBLIC HEARING** - Special appropriations to the MNCPPC's FY06 Operating Budget - Various projects relating to maintenance of Physical and Technology Infrastructure (Source: Current Revenue) (Michaelson)
Action is tentatively scheduled for 3/14/06.

ADJOURN

- 2:00 **HHS/ED Committee** or immediately following Council session (*7th floor Council Hearing Room*)
- (22) 7:30 **PUBLIC HEARING** (*3rd floor Council Hearing Room*) - Special appropriation to the Montgomery County Public Schools' FY06 Capital Budget and amendment to the FY05-10 Capital Improvements Program - \$3,300,000 for Seven Locks Elementary School Replacement (Source: G.O. Bonds) (Levchenko)
ED Committee worksession tentatively scheduled for 3/9/06.

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.

Mar 13, 2006	12:30 pm	State Legislation
Mar 14, 2006	9:30 am	Regular Session
Mar 20, 2006	12:30 pm	State Legislation
Mar 21, 2006	9:30 am	Regular Session
Mar 27, 2006	12:30 pm	State Legislation
Mar 28, 2006	9:30 am	Regular Session
Apr 4, 2006	9:30 am	Regular Session
Apr 18, 2006	9:30 am	Regular Session
Apr 25, 2006	9:30 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

March 7, 2006

- 1:30 pm ZTA 06-01, Rural Village Center Overlay Zone - Revisions
- 1:30 pm ZTA 06-02, Mixed Used Town Center Zone - Revisions
- 1:30 pm ZTA 06-03, Rural Neighborhood Cluster Zone - TDR Option
- 1:30 pm ZTA 06-04, Rural Neighborhood Cluster Zone - Rural Open
- 1:30 pm ZTA 06-05, C-2 Zone - Site Plan Review
- 1:30 pm **Bill 2-06**, Collective Bargaining - County Employees - Fact Finding
- 1:30 pm **Bill 3-06**, Consumer Protection - Revisions
- 1:30 pm Special appropriation to the HOC's FY06 Capital Budget and amendments to the FY05-10 CIP - Various projects relating to maintenance of Physical and Technology Infrastructure
- 1:30 pm Special appropriations to MC's FY06 Capital Budget and amendments to the FY05-10 CIP - Various projects relating to maintenance of Physical and Technology Infrastructure
- 1:30 pm Special appropriations to the County Government's FY06 Capital Budget and amendments to the FY05-10 CIP - Various projects relating to maintenance of Physical and Technology Infrastructure
- 1:30 pm Special appropriations to the County Government's FY06 Operating Budget - Various projects relating to maintenance of Physical and Technology Infrastructure
- 1:30 pm Special appropriations to the MCPS' FY06 Capital Budget and amendments to the FY05-10 CIP - Various projects relating to maintenance of Physical and Technology Infrastructure
- 1:30 pm Special appropriations to the MCPS' FY06 Operating Budget - Various projects relating to maintenance of Physical and Technology Infrastructure
- 1:30 pm Special appropriations to the MNCPPC's FY06 Capital Budget and amendments to the FY05-10 CIP - Various projects relating to maintenance of Physical and Technology Infrastructure
- 1:30 pm Special appropriations to the MNCPPC's FY06 Operating Budget - Various projects relating to maintenance of Physical and Technology Infrastructure (Source: Current Revenue)
- 7:30 pm Special appropriation to the MCPS' FY06 Capital Budget and amendment to the FY05-10 CIP - \$3,300,000 for Seven Locks Elementary School Replacement (*Continuation*)

March 14, 2006

- 1:30 pm ZTA 06-06, Off-Street Parking - RE-200 and RE 1 Zones
- 1:30 pm Supplemental appropriation to the MC's FY06 Operating Budget - \$500,000 for Germantown Biotechnology Project
- 1:30 pm Special appropriation to the MCPS' FY06 Capital Budget - \$75,000 for accessibility improvements at Rollingwood Center
- 7:30 pm Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes

March 21, 2006

- 1:30 pm Supplemental appropriation to the MC's FY06 Capital Budget and amendments to the FY05-10 CIP - \$1,390,000 for Takoma Park/Silver Spring Parking Garage
- 1:30 pm Supplemental appropriation to the County Government's FY06 Capital Budget, DPWT - \$472,000 for Elevator Modernization in Council Office Building
- 7:30 pm Amendment to MCPS' FY05-10 Capital Improvements Program - Seven Locks Elementary School On-Site Replacement

March 28, 2006

- 1:30 pm Special appropriations to the MCPS' FY06 Capital Budget and amendments to the FY05-10 Capital Improvements Program:
 - \$975,000 Relocatable Classrooms for Acceleration of the Full-Day Kindergarten Initiative
 - \$3,050,000 for Rehab/Renovation of Closed Schools (Downcounty Consortium Elementary School #28) and for Linkages to Learning space
- 1:30 pm Special appropriation to the MCPS' FY06 Capital Budget- \$3,000,000 for Relocatable Classrooms

April 4, 2006

- 1:30 pm ZTA 06-07, Farm Building Supplies and Construction - C-1 Zone



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ADDENDUM

March 7, 2006

(3) 10:40 CONSENT CALENDAR

Add:

L. Action - Appointment of special counsel to provide legal advice regarding federal copyright law : Edell, Shapero & Finnan, LLC

(Faden)