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 10/6/06 at 8 pm and 10/7/06 at 9 am

Tuesday, October 3, 2006

9:30 **INVOCATION** - Reverend Scott Winnette, Bradley Hills Presbyterian Church, Bethesda

9:35 **PRESENTATION** - Proclamation in recognition of October 2006 as Mentor Month in Montgomery County by Councilmember Andrews

9:40 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Acknowledgement** - Receipt of Petitions (Lacefield)
(1) C. **Action** - Approval of Minutes: September 19, 2006 (Lauer)

(2) 9:45 **CONSENT CALENDAR**

B. **Introduction** - Special appropriation to the County Government's FY07 Operating Budget, State's Attorney's Office - $81,400 for Family Violence Unit (Source: General Fund Reserves) (McGuire)
Public Hearing is scheduled for 10/17/06 at 1:30 pm.

C. **Action** - Resolution to approve a certain finance plan of the Washington Suburban Sanitary Commission for the issuance of refunding bonds (Levchenko)

D. **Action** - Special appropriation to MNCPPC's FY07 Operating Budget - $142,450 for soccer club game fee subsidies at Soccerplex (Source: General Fund Reserves) (Michaelson)
PHED Committee recommendation will be available 9/28/06.

E. **Action** - Resolution to approve categorical transfer of $7,050,000 for MCPS' FY06 Operating Budget (Planell)
ED Committee recommendation will be available 9/28/06.

F. **Release and Receipt** - OLO Report 2007-2, A Study of Montgomery County Government's Recruitment Practices and Workforce Diversity (Richards)
MFP Committee worksession will be scheduled at a later date.

G. **Action** - Confirmation of County Executive appointment to the Advisory Board for the Montgomery Cares Program: Joy Austin-Lane (Ferber)

H. **Action** - Appointment of Council representative to Nominating Committee for the Board of Trustees of Montgomery College (Ferber)

I. **Action** - Confirmation of County Executive appointment to the Board of License Commissioners: Eugene M. Thirolf (Ferber)

J. **Action** - Confirmation of County Executive appointment to the Board of Registration for Building Contractors: Anthony J. Crane (Ferber)

K. **Action** - Confirmation of County Executive appointments to the Commission on Health: Leslie P. Boss, Samuel P. Korper, Jessica B. Moore, Pamela Brancaccio, Wendy W. Friar (Ferber)

L. **Action** - Confirmation of County Executive appointments to the Commission on People with Disabilities: Shane Feldman, Stephen R. Hage, Arlene McCrehan, Janice M. Barrett, Craig A. Brieske, Anita L. Cohen, John G. Miers, Denise R. Thomas, Michael L. Hetchkop, Beth Mellen Harrison (Ferber)

M. **Action** - Confirmation of County Executive appointments to the Library Board: Althea Grey-McKenzie, Otto E. Lewis, Jr., Robert Lyford, Niyati P. Pandya, Aurelio "PJ" Rivera (Ferber)

(3) 9:50 **ACTION** on the following supplemental appropriations: (Sherer)

- Supplemental appropriation to the 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)
- Supplemental appropriation to the 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)

ED Committee recommendation will be available 9/28/06.

9:55 **DISTRICT COUNCIL SESSION**

(4) A. **Action** - Zoning Text Amendment 06-14, Transit Oriented, Mixed Use Zone (TOMX/TDR) - Standards (Zyontz)

PHED Committee recommends approval with amendments.

(5) B. **Action** - Zoning Text Amendment 06-15, Residential Mixed Use Development - RMX-2C/TDR Zone - Standards (Zyontz)

PHED Committee recommends approval with amendments.

9:55 **DISTRICT COUNCIL SESSION** *(continued)*

(6) C. **Action** - Shady Grove Sectional Map Amendment (G-852), including a report on the Shady Grove Implementation Plan (Michaelson)
PHED Committee recommends approval.

10:30 **LEGISLATIVE SESSION Day # 32**

A. Approval of Legislative Journal: September 19, 2006 (Lauer)
B. Introduction of Bills

(7) • **Bill 42-06**, Procurement - Employee Health Insurance Requirement, sponsored by Councilmember Subin (Faden)
Public Hearing is scheduled for 10/24/06 at 1:30 pm.

(8) • **Expedited Bill 43-06**, Ethics - Montgomery Cares Program - Advisory Board, sponsored by Council President Leventhal (Boucher)
Public Hearing is scheduled for 10/10/06 at 1:30 pm.

(9) • **Expedited Bill 44-06**, Parks Department - Golf Courses - Lease with Revenue Authority, sponsored by Council President at request of MNCPPC (Faden)
Public Hearing is scheduled for 10/17/06 at 1:30 pm.

(9.1) • **Expedited Bill 45-06**, Forest Conservation - Protection of Champion Trees, sponsored by Councilmember Denis (Faden)
Public Hearing is scheduled for 10/10/06 at 1:30 pm.

C. Call of Bills for Final Reading

(10) • **Bill 34-06,** Work Release/Pre-Release Programs - Amendments (White)
PS Committee recommends approval with amendments.

(11) • **Bill 36-06**, Forest Preservation Advisory Committee - Establishment (White)
T&E Committee recommends approval with amendments.

(12) • **Expedited Bill 27-06**, Taxicabs - Amendments (Faden)
T&E Committee recommends approval with amendments.

12:15 **RECESS**

(13) 1:30 **PUBLIC HEARING** - 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)
HHS Committee worksession tentatively scheduled for 10/9/06.

(14) 1:30 **PUBLIC HEARING** - Special appropriation to the Montgomery County Public Schools' FY07 Operating Budget - $400,000 for Automated External Defibrillator Program (Source: General Fund Undesignated Reserves) (Planell)
ED Committee worksession tentatively scheduled for 10/12/06.

(15) 1:30 **PUBLIC HEARING** - 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 (Source: General Fund Reserve) (Sherer)
PHED Committee worksession tentatively scheduled for 10/30/06.

(16) 1:30 **PUBLIC HEARING - Expedited Bill 40-06**, Cable Communications - Amendments (Faden/Healy)
MFP Committee worksession tentatively scheduled for 10/5/06.

(17) 1:30 **PUBLIC HEARING - Expedited Bill 41-06,** Consumer Protection - Internet Access(Faden/Healy)
MFP Committee worksession tentatively scheduled for 10/5/06.

(18) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the Montgomery County Public Schools' FY07 Operating Budget - $997,433 for Teaching American History Program (Source: Federal Grant) (Planell)

(19) 2:00 **BOARD OF HEALTH** (Planell)
- Update from Dr. Ulder J. Tillman, County Health Officer
- Annual Meeting with Commission on Health

3:00 **ADJOURN**

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.

Oct 10, 2006	9:30 am	Interviews - Board of Appeals
Oct 10, 2006	9:30 am	Regular Session
Oct 17, 2006	9:30 am	Regular Session
Oct 24, 2006	9:30 am	Regular Session
Oct 31, 2006	9:30 am	Regular Session
Nov 6 - 20, 2006		RECESS
Nov 10, 2006		HOLIDAY
Nov 24, 2006		HOLIDAY
Nov 28, 2006	9:30 am	Regular Session

FUTURE PUBLIC HEARINGS
To testify call 240-777-7931

October 10, 2006

1:30 pm Resolution to approve the Franchise Agreement for Use of Public Right-of-Way: Xspedius
1:30 pm **Bill 38-06**, Technical Corrections
1:30 pm Supplemental appropriation to the County Government's FY07 Capital Budget and amendment to the FY07-12 CIP, DPWT - $1,608,000 for Multi-Agency Driver Training Facility
1:30 pm Supplemental appropriation to the MCPS' FY07 Operating Budget - $360,171 for Aging School Program

October 17, 2006

1:30 pm FY07 Special appropriations and CIP amendments - Parks
1) $2,545,000 for Acquisition: Local Parks
2) $2,000,000 for Acquisition: Non-Local Parks
3) $1,087,000 for South Germantown SoccerPlex
4) $3,800,000 for Lake Needwood Dam Remediation
5) $563,000 for Ballfield Initiatives
6) $188,000 for Restoration of Historic Structures
7) Rock Creek Trail Pedestrian Bridge
8) Wheaton Tennis Bubble Renovation

1:30 pm Special appropriation to the County Government's FY07 Operating Budget, State's Attorney's Office - $81,400 for Family Violence Unit
1:30 pm Resolution to establish FY08 Spending Control Limits for the Washington Suburban Sanitary Commission

October 24, 2006

1:30 pm **Expedited Bill 39-06,** Streets and Roads - Fees - Preliminary Subdivision Plans
1:30 pm Subdivision Regulation Amendment 06-02, Fees - Preliminary Subdivision Plans
1:30 pm ZTA 06-24, Home Occupations - Furniture displays
1:30 pm Clarksburg Corrective Map Amendment (G-857)

If persons with disabilities need services or aides to participate in any Council activity, please call 240-777-7900 five days in advance. This agenda is available in an alternative format upon request.
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Montgomery County Council
Legislative Information Services

Packet Index

Tuesday, October 3, 2006

Item Number	Note	Staff
Agenda Item #1	There were no Petitions received in LIS this week.	Lacefield

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ADDENDUM
Tuesday, October 3, 2006

(2) 9:45 **CONSENT CALENDAR**

Add: N. **Introduction** - Special appropriation to the County Government's FY07 Operating Budget, Department of Health and Human Services - $60,240 for Senior Nutrition Services (Source: Current Revenue), sponsored by Councilmembers Leventhal and Praisner (Planell)

Public Hearing is scheduled for 10/17/06 at 1:30 pm.

10:30 **LEGISLATIVE SESSION Day # 32**

Add: A. Approval of Legislative Journal: August 1 and September 19, 2006 (Lauer)

(15) 1:30 **PUBLIC HEARING** - 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 (Source: General Fund Reserve) (Sherer)

Change: *PHED Committee worksession will be scheduled at a later date.*