



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 3/20/09 at 7 pm*

### Monday, March 16, 2009

9:00 Meeting with County Executive - Operating Budget Transmittal (*EOB Conference Room*)

(1) 12:30 DISCUSSION - State Legislative Program (*6th floor Council Conference Room*) (Foster)

### Tuesday, March 17, 2009

9:30 INVOCATION - Rick Price, Churches of Christ, Scientist of Montgomery County, Gaithersburg

9:35 PRESENTATION - Proclamation in recognition of March 2009, as Public Safety Month by Councilmember Floreen

9:40 PRESENTATION - Proclamation in recognition of Monday, March 16, 2009, as Brain Education Day by Councilmember Andrews

9:45 GENERAL BUSINESS (Lauer)

- (2) A. **Announcement** - Agenda and Calendar Changes  
B. **Acknowledgement** - Receipt of Petitions  
C. **Action** - Approval of Minutes and Legislative Journal: March 3, 2009

(3) 9:50 CONSENT CALENDAR

A. **Introduction** - Special appropriation to the Montgomery County Public Schools' FY09 Capital Budget - \$3,125,000 for Relocatable Classrooms (Source: Current Revenue) (Levchenko)

*Public Hearing/Action is scheduled for 3/31/09 at 1:30 pm.*

B. **Introduction** - Supplemental appropriation to the County Government's FY09 Operating Budget, Non-Departmental Account - \$10,000,000 for Future/Federal/State/Other Grants (Source: Federal, State or Other Grant Revenues) (Sherer)

*Public Hearing/Action is scheduled for 3/31/09 at 1:30 pm.*



(3) 9:50 **CONSENT CALENDAR** *(continued)*

- C. **Introduction** - Supplemental appropriation to the Montgomery College's FY09 Capital Budget and amendment to the FY09-14 Capital Improvements Program - \$3,217,000 for Germantown Science and Technology Park Infrastructure project (Source: Federal Aid and State Aid) (Sherer)  
*Public Hearing/Action is scheduled for 3/31/09 at 1:30 pm.*
- D. **Action** - Resolution to approve Franchise Agreement for Use of Public Right-of-Way: XO Communications Services, Inc. (Mihill)  
*MFP Committee recommends approval.*
- E. **Action** - Appointment of members to Committee to Study Compensation of County Executive, County Council, Sheriff, and State's Attorney (for elected officials taking office in December 2010) (Ferber)
- F. **Action** - Confirmation of County Executive appointments to the Board of Social Services: Jie Woo (Will) Kim, Armando DelToro (Ferber)
- G. **Action** - Confirmation of County Executive appointment to the Charter Review Commission: Michael Moshe Starkman (Ferber)
- H. **Action** - Confirmation of County Executive appointments to the Committee on Hate/Violence: Kevin A. Kistler, Jr., Ahmed R. Ali, Jessica Marks, Amina Makhdoom, Bonnie H. Malkin, Nkoli C. Akaigwe, David A. Vignolo, Anne M. Brent(Ferber)
- I. **Action** - Confirmation of County Executive appointment to the Commission on Health: Linda McMillan (Ferber)
- J. **Action** - Confirmation of County Executive appointment to the Community Action Board: Julieta Machado-Pacanins (Ferber)
- K. **Action** - Confirmation of County Executive appointments to the Department of Permitting Services Advisory Committee: John P. Thomas, JD Grewell, Daniel McHugh (Ferber)
- L. **Action** - Confirmation of County Executive appointments to the Down County Recreation Advisory Board: Tchad J. Moore, Joy Shindler Rafey, Patricia N. Goldberg, John D. Pechilis (Ferber)
- M. **Action** - Confirmation of County Executive appointments to the Historic Preservation Commission: William Kirwan, Sandra I. Heiler, Jorge Rodriguez (Ferber)
- N. **Action** - Confirmation of County Executive appointment to the Mid-County Recreation Advisory Board: Paul Harrison (Ferber)

(3) 9:50 **CONSENT CALENDAR** *(continued)*

- O. **Action** - Confirmation of County Executive appointment to the Noise Control Advisory Board: Janice Ruggles (Ferber)
- P. **Action** - Confirmation of County Executive appointments to the Silver Spring Citizens Advisory Board: Megan Moriarty, Constance A. Wynn, Mary Pat Spon, Darian W. Unger, Casey Anderson (Ferber)
- Q. **Action** - Confirmation of County Executive appointments to the Upcounty Recreation Advisory Board: John P. Cabrera, Valerie Oliver, Dipali Shah (Ferber)
- R. **Action** - Confirmation of County Executive appointment to the Workforce Investment Board: Mark Federici (Ferber)
- S. **Introduction** - Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant: OpGen, Inc. (Ferber)  
*Action is tentatively scheduled for 3/24/09.*
- T. **Introduction** - Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant: Lockheed Martin Corporation (Ferber)  
*Action is tentatively scheduled for 3/24/09.*

10:00 **DISTRICT COUNCIL SESSION**

- (4) A. **Introduction** - Zoning Text Amendment 09-01, Sandy Spring/Ashton Overlay Zone - Prohibited uses, sponsored by Councilmember Elrich (Zyontz)  
*Action - Resolution to establish public hearing for 4/21/09 at 1:30 pm.*
- (5) B. **Action** - Consideration of Hearing Examiner’s Report and Recommendation: (Zyontz)  
  - Application No:** G-849
  - Applicant:** Fifty, LLC (Stacy P. Silber, Attorney)
  - Property:** 4.917 acres located at 10113, 10119, 10123, 10127, 10131, 10201, and 10207 Darnestown Road, Rockville
  - Action:** Rezone from R-90 to RT-8
  - Recommendations:**
    - Planning Staff:** Approve
    - Planning Board:** Approve
    - Hearing Examiner:** Approve
- (6) 10:00 **WORKSESSION** - Resolution to amend the Ten-Year Comprehensive Solid Waste Management Plan (Levchenko)  
*T&E Committee recommends approval with amendments.*

10:45 **RECESS - 12:15 PM - MFP Committee - meeting as the Audit Committee (6CCR)**

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- (7) 1:30 **PUBLIC HEARING** - Subdivision Regulation Amendment 09-01, Adequate Public Facilities - Validity Period (Faden/Zyontz)  
*PHED Committee worksession tentatively scheduled for 3/23/09.*
- (8) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the Montgomery County Public Schools' FY09 Operating Budget - \$699,501 for Retrofit School Buses with Emission Reduction Devices (Source: Federal grant) (McGuire)  
*ED/T&E Committee worksession tentatively scheduled for 3/23/09.*
- (9) 1:30 **PUBLIC HEARING - Expedited Bill 8-09**, Parks Department - Golf Courses - Lease with Revenue Authority - Amendment (Foster)  
*PHED Committee worksession tentatively scheduled for 3/23/09.*
- (10) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the MNCPPC's FY09 Capital Budget and amendment to the FY09-14 Capital Improvements Program - \$150,000 for Shady Grove Maintenance Facility (Source: G.O. Bonds) (McMillan)  
*PS/T&E Committee recommends approval as amended.*
- 2:00 **WORKSESSION - Amendments to FY09-14 Capital Improvements Program:**
- (11) • Montgomery College ED (Sherer)
- (12) • Transportation T&E (Orlin)
- 4:00 **ADJOURN**
- (9) 7:30 **HOLD FOR PUBLIC HEARING - Expedited Bill 8-09**, Parks Department - Golf Courses - Lease with Revenue Authority - Amendment (*Continuation if necessary*) (Foster)

## Thursday, March 19, 2009

- 6:30 **Annual Meeting** with Montgomery County Chapter of the Maryland Municipal League  
(*5th floor Council Conference Room*)

### 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 18, 2009	7:30 pm	Town Hall Meeting
Mar 19, 2009	6:30 pm	Annual Meeting with Maryland Municipal League
Mar 23, 2009	12:30 pm	State Legislation
Mar 24, 2009	9:30 am	Regular Session
Mar 24, 2009	12:15 pm	Council Brown-Bag Lunch
Mar 30, 2009	12:30 pm	State Legislation
Mar 31, 2009	8:30 am	Coffee with the County Executive
Mar 31, 2009	9:30 am	Regular Session
Apr 6 -10, 2009		RECESS
Apr 13, 2009	12:30 pm	State Legislation
Apr 14, 2009	9:30 am	Regular Session
Apr 14, 2009	12:30 pm	Council Brown-Bag Lunch
Apr 20, 2009	12:30 pm	State Legislation
Apr 21, 2009	9:30 am	Regular Session
Apr 27, 2009	12:30 pm	State Legislation
Apr 28, 2009	9:30 am	Regular Session
Apr 28, 2009	12:30 pm	Council Brown-Bag Lunch

### FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

#### Mar 24, 2009

1:30 pm Expedited Bill 6-09, Home Energy Loan Program - Establishment

1:30 pm Bill 7-09, Schools and Camps - Workforce Investment Scholarship

#### Mar 31, 2009

1:30 pm Special appropriation to the MCPS' FY09 Capital Budget - \$3,125,000 for Relocatable Classrooms

1:30 pm Supplemental appropriation to the County Government's FY09 Operating Budget, NDA - \$10,000,000 for Future/Federal/State/Other Grants

1:30 pm Supplemental appropriation to the Montgomery College's FY09 Capital Budget and amendment to the FY09-14 CIP - \$3,217,000 for Germantown Science and Technology Park Infrastructure project

7:30 pm Historic Preservation Amendment 09-1, Historic Resource Preservation - Amendments

#### Apr 13, 2009

7:00 pm FY10 Operating Budget

#### Apr 14, 2009

7:00 pm FY10 Operating Budget

#### Apr 15, 2009

1:30 pm FY10 Operating Budget

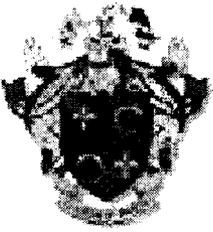
7:00 pm FY10 Operating Budget

#### Apr 16, 2009

7:00 pm FY10 Operating Budget



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](mailto:County.Council@montgomerycountymd.gov). This document is available in alternative formats upon request.



**Montgomery County Council**  
Legislative Information Services

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***Tuesday, March 17, 2009***

<b>Item Number</b>	<b>Note</b>	<b>Staff</b>
Agenda Item #1	There is no material for this item.	Foster



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### ADDENDUM

Tuesday, March 17, 2009

**Cancelled** 9:40 **PRESENTATION** - Proclamation in recognition of Monday, March 16, 2009, as Brain Education Day by Councilmember Andrews

**Evening Hold** 7:30 **HOLD FOR PUBLIC HEARING - Expedited Bill 8-09**, Parks Department -  
**Is Cancelled** Golf Courses - Lease with Revenue Authority - Amendment (*Continuation if necessary*)

(Foster)