



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.

Council Sessions are now held in the 3rd Floor Council Hearing Room

This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30; repeated on 5/8/09 at 7 pm

Tuesday, May 5, 2009

REVISED

- (1) 8:30-8:45 **INTERVIEW** - County Executive appointment of Chief, Department of Fire and Rescue Services: Richard R. Bowers, Jr. (*3rd floor Council Conference Room*) (Ferber)
- 8:45 - 9:15 **COFFEE** with the County Executive (*3rd floor Council Conference Room*)
- 9:20 **MOMENT OF SILENCE**
- 9:25 **COUNCIL SITTING AS BOARD OF HEALTH** - *The Council sitting as the Board of Health will be briefed on the swine flu.*
- 9:45 **PRESENTATION** - Proclamation in recognition of May 7, 2009 as Potomac Elementary School Day by Councilmember Berliner
- 9:50 **PRESENTATION** - Proclamation in recognition of the Volunteer Mentor Group of Springbrook High School and the Rising Stars Mentor Group of Broadacres Elementary School by Council President Andrews and Councilmember Ervin
- 9:55 **PRESENTATION** - Proclamation in recognition of the Arc of Montgomery County Day by Councilmember Trachtenberg
- 10:00 **GENERAL BUSINESS** (Lauer)
- (2) A. **Announcement** - Agenda and Calendar Changes
B. **Acknowledgement** - Receipt of Petitions
C. **Action** - Approval of Minutes: April 16 and 21, 2009
- (3) 10:05 **CONSENT CALENDAR**
- A. **Introduction** - Resolution to approve WSSC System Development Charge (Levchenko)
Action is tentatively scheduled for 5/13/09.
- C. **Action** - Confirmation of County Executive appointments to the Animal Matters Hearing Board: Alfred J. Ferruggiaro, Allan S. Cohen (Ferber)



(3) 10:05 **CONSENT CALENDAR** *(continued)*

- D. **Action** - Confirmation of County Executive appointments to the Cable and Communications Advisory Committee: Mark H. Berman, Treffaney R. Lowe, Alex S. Cohen, Ling-Bing Kung, Jose Zegarra Holder, Mona Hall McKenzie, Noreene Wells (Ferber)
- E. **Action** - Confirmation of County Executive appointment to the Department of Permitting Services Advisory Committee: Daniel L. Harper (Ferber)
- F. **Action** - Confirmation of County Executive appointment to the Down County Recreation Advisory Board: Michael P. Sandner (Ferber)
- G. **Action** - Confirmation of County Executive appointments to the Local Management Board for Children, Youth and Families: Carol W. Garvey, Arva J. Jackson, Dolores A. Kozloski, Judith R. Covich (Ferber)
- H. **Action** - Confirmation of County Executive appointments to the Mental Health Advisory Committee: Julia Scheerer, Celia Young, Paula J. Puglisi, J. Thomas Thornburgh, Carol S. Allenza, Elizabeth Arnold, Sako Maki, Scott D. Greene (Ferber)
- I. **Action** - Confirmation of County Executive appointments to the Western Montgomery County Citizens Advisory Board: Marc Korman, Virginia A. Miller, Harlivleen (Livleen) Gill, Daniel Hoffman, Heather Dlhopsky, Sue F. Knapp, Syed M. Salahuddin (Ferber)

10:10 **DISTRICT COUNCIL SESSION**

- (4) A. **Action** - Resolution to establish public hearing on the Twinbrook Sector Plan Sectional Map Amendment (G-880) for June 9, 2009 at 1:30 pm. (Michaelson)
- (5) B. **Introduction** - Zoning Text Amendment 09-03, Home Occupations and Residential Off-street Parking, sponsored by the District Council at the request of the County Executive (Zyontz)
Action - Resolution to establish public hearing for 6/9/09 at 7:30 pm.
- (5.1) C. **Introduction** - Resolution regarding request for waiver of filing fee: Dr. Benesh requests a partial waiver of filing fee for a new zoning application on a 16,552 s.f. property in Germantown (Zyontz)

10:15 **LEGISLATIVE SESSION Day # 18**

- A. Introduction of Bills
- (6) • **Bill 22-09**, Enforcement of County Laws - Notice of Violation - Appeals, sponsored by the Council President at the request of the County Executive (Faden)
Public Hearing is scheduled for 6/9/09 at 7:30 pm.

10:15 **LEGISLATIVE SESSION Day # 18 (continued)**

A. Introduction of Bills (continued)

- (7) • **Bill 23-09**, Unused Vehicles - Storage, sponsored by the Council President at the request of the County Executive (Drummer)
Public Hearing is scheduled for 6/9/09 at 7:30 pm.
- (8) • **Bill 24-09**, Buildings - Permits and Inspections, sponsored by the Council President at the request of the County Executive (Faden)
Public Hearing is scheduled for 6/9/09 at 7:30 pm.
- (9) • **Expedited Bill 25-09**, Contracts and Procurement - Minority Owned Businesses - Amendments, sponsored by the Council President at the request of the County Executive (Drummer)
Public Hearing is scheduled for 6/9/09 at 1:30 pm.

B. Call of Bills for Final Reading

- DEFERRED**(10) • **Expedited Bill 37-08**, Personnel - Disability Retirement - Amendments (Drummer)
PS/MFP Committee recommends approval with amendments.

C. Miscellaneous Business:

- (11) • **Action** - Resolution to extend expiration date until December 31, 2009 of **Bill 38-07**, Moderately Priced Dwelling Units (MPDU) - Amendments (Lauer)

10:20 **CONSENT CALENDAR - FY10 Operating Budget**

- (12) • Hearing Examiner PHED (Foster)
- (13) • Board of Appeals (Foster)
- (14) • People's Counsel (Foster)
- (15) • NDA: Historical Activities (Zyontz)
- (16) • Department of Permitting Services (Sherer)
- (17) • NDA: Conference and Visitor's Bureau (Ferber)
- (18) • NDA: Conference Center (Ferber)
- (19) • NDA: Closing Cost Assistance (McMillan)
- (20) • CIP Amendments: HOC (McMillan)
- (21) • NDA: Housing Opportunities Commission (McMillan)
- (22) • CIP Amendments: Burtonsville Community Revitalization, Facility Planning: HCD (Davidson)
- (23) • Regional Services Centers (Davidson)
- (24) • Urban Districts (Davidson)

10:20 CONSENT CALENDAR - FY10 Operating Budget (continued)

- | | | | |
|--------|--|-----|-------------|
| (25) | • Board of Elections | MFP | (Mihill) |
| (26) | • NDA: Charter Review Commission | | (Mihill) |
| (27) | • Ethics Commission | | (Ferber) |
| (28) | • Debt Service | | (Sherer) |
| (29) | • Finance, Risk Management, and NDAs for Risk Management, Working Families
Income Supplement, State Property Tax Services, and Restricted Donations | | (Sherer) |
| (30) | • NDAs: Grants to Municipalities in Lieu of Shares Tax, Future Federal/State/Other
Grants, Takoma Park Police Rebate, Municipal Tax Duplication | | (Sherer) |
| (31) | • Office of Management and Budget | | (Sherer) |
| (32) | • County Attorney | | (Frag) |
| (33) | • Public Information Office | | (Ferber) |
| (34) | • Office of Human Resources | | (Frag) |
| (35) | • Merit System Protection Board | | (Frag) |
| (36) | • County Executive | | (Ferber) |
| (37) | • Inspector General | | (Frag) |
| (38) | • Intergovernmental Relations | | (Foster) |
| (39) | • NDAs: County Associations, Public Technology, Inc., Council of Governments,
and Boards, Committees, Commissions | | (Foster) |
| (40) | • Office of Legislative Oversight and Independent Audit NDA | | (Orlansky) |
| (41) | • Council Office | | (Farber) |
| | | | |
| (42) | • NDA: Takoma Park Library Annual Payment | HHS | (McGuire) |
| (44) | • Commission for Women | | (Yao) |
| (45) | • NDA: Historical Activities - Historical Society | | (Yao) |
| (46) | • Public Arts Trust | | (Davidson) |
| (47) | • CIP Amendments: Cost Sharing - MCG: Warren Historical Site Committee | | (Davidson) |
| | | | |
| HHS/ED | | | |
| (48) | • Foster Care Transportation, Kennedy Cluster Project, Linkages to Learning, School
Health Services, High School Wellness Center, and School-Based Prevention
Programs | | (Yao) |
| (49) | • Pre-Kindergarten Services, Child Care Subsidies, Services to Children with Special
Needs (Infants and Toddlers), Parent Support Services, Early Childhood Services | | (Yao) |
| | | | |
| (51) | • General Services: Facilities | T&E | (Sherer) |
| (52) | • General Services: Procurement and related programs | | (Toregas) |
| (54) | • CIP Amendments: General Services | | (Sherer) |
| (55) | • CIP Amendment: Agricultural Land Preservation Easements | | (Ferber) |
| (56) | • Department of Environmental Protection | | (Levchenko) |
| (57) | • CIP Amendments: DEP | | (Levchenko) |
| (58) | • NDA: Climate Change Implementation | | (Levchenko) |
| (58.1) | • CIP Amendment: Energy Conservation: MCG | | (Levchenko) |
| (58.2) | • CIP Amendments: Conservation of Natural Resources | | (Levchenko) |

10:20 CONSENT CALENDAR - FY10 Operating Budget (continued)

- (59) • Sheriff PS (Frag)
- (60) • State's Attorney (Frag)
- (61) • Circuit Court (Frag)
- (62) • Office of Consumer Protection (Frag)
- (63) • NDA Prisoner Medical Services (Frag)
- (64) • Liquor Control (Ferber)
- (65) • Emergency Management and Homeland Security (Davidson)
- (66) • CIP Amendments: Fire and Rescue (Davidson)
- (67) • CIP Amendments: Wheaton Rescue Squad Relocation (Davidson)

- (68) • Community Use of Public Facilities ED (Yao)
- (69) • NDA: Montgomery Coalition for Adult English Literacy (MCAEL) (Sherer)

10:30 WORKSESSION - FY10 Operating Budget

- (70) • NDA: Leases MFP (Sherer)
- (71) • Correction and Rehabilitation PS (Frag)
- (72) • CIP Amendments - PHED (Ferber/Davidson)
Cost Sharing-MCG: Adventist HealthCare Project, and
Long Branch Town Center Redevelopment

12:30 RECESS - Brown Bag Lunch for Councilmembers to discuss budget and other issues (6CCR)

1:30 WORKSESSION - FY10 Operating Budget (continued)

- (73) • Department of Transportation (including CIP amendments) (Orlin)
- (74) • NDA: HOA Road Maintenance Reimbursement (Orlin)
- (75) • NDA: Rockville Parking District (Orlin)

ADJOURN

7:30 PUBLIC HEARING on the following:

- (76) • Resolution to revise Taxicab Fees (Orlin)
- (77) • Resolution to set amount of Property Tax Credit for Income Tax Offset (Faden)
- (78) • **Expedited Bill 15-09** - Recordation Tax - Use of Revenue (Faden)
- (79) • **Expedited Bill 16-09** - Room Rental and Transient Tax - Amendments (Faden)
- (80) • **Expedited Bill 17-09**, Parking Lot Districts - Use of Revenue (Mihill)
- (81) • **Expedited Bill 18-09**, Personnel - Retirement - Imputed Compensation (Drummer)
- (82) • **Bill 19-09**, Board of Investment Trustees - Membership (Drummer)

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 6, 2009	10:00 am	Council Budget Worksession
May 7, 2009	8:30 am	Breakfast with Congresswoman Donna Edwards
May 7, 2009	9:30 am	Council Budget Worksession
May 7, 2009	3:00 pm	Mtg. w/ Prince George's County Council - Bi-County Budgets
May 11, 2009	9:30 am	Council Budget Worksession
May 12, 2009	9:30 am	Regular Session & Council Budget Worksession
May 12, 2009	12:15 pm	Council Brown-Bag Lunch
May 13, 2009	9:30 am	Council Budget Worksession
May 14, 2009	9:30 am	Council Budget Worksession
May 15, 2009	9:30 am	Council Budget Worksession
May 21, 2009		Council Budget - Final Action
May 25, 2009		HOLIDAY
May 26 - June 5, 2009		RECESS

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

May 12, 2009

1:30 pm **Bill 20-09**, Boards, Committees, and Commissions - Committee Evaluation Review Board (CERB) Recommendations
1:30 pm **Bill 21-09**, Boards, Committees, and Commissions - Amendments
1:30 pm Resolution to repeal the Dickerson Area Facilities Implementation Group
1:30 pm Resolution to implement recommendations of the Committee Evaluation Review Board (CERB)
7:30 pm Germantown Sector Plan

June 9, 2009

1:30 pm Amendment to Chapter 33A, Planning Procedures - Master Plan Process - public hearing timing period
1:30 pm ZTA 09-02, Special Provision - Parcel consolidation



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. This document is available in alternative formats upon request.



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.

ADDENDUM

Tuesday, May 5, 2009

10:15 **LEGISLATIVE SESSION Day # 18** *(continued)*

B. Call of Bills for Final Reading

Deferred:(10)

- **Expedited Bill 37-08**, Personnel - Disability Retirement - Amendments(Drummer)

This item has been rescheduled for 5/12/09.

10:30 **WORKSESSION - FY10 Operating Budget**

Deferred: (70)

- NDA: Leases

MFP

(Sherer)

This item has been rescheduled for 5/11/09.