



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 12/4/09 at 9 pm

Tuesday, December 1, 2009

9:30 **MOMENT OF SILENCE**

9:35 **COMMENTS** by Council President Phil Andrews

10:00 **ELECTION OF COUNCIL OFFICERS**

10:30 **GENERAL BUSINESS**

(Lauer)

- (1) A. **Announcement** - Agenda and Calendar Changes
B. **Acknowledgement** - Receipt of Petitions
C. **Action** - Approval of Minutes: November 17, 2009

(2) 10:35 **CONSENT CALENDAR**

- A. **Action** - Resolutions to amend the MCPS' FY09-14 Capital Improvements Program: B-CC Cluster ES Solution; Clarksburg MS Solution; Northwest Cluster ES Solution; and Seneca Valley Cluster ES Solution (Orlin)
ED Committee recommends approval with amendments.
- B. **Action** - Resolution to approve Montgomery County Emergency Operations Plan (Davidson)
PS Committee recommends approval with amendments.
- C. **Action** - Confirmation of County Executive appointments to the Adult Public Guardianship Review Board: Roger Peele, Carol Yesley (Ferber)
- D. **Action** - Confirmation of County Executive appointment to the Alcoholic Beverages Advisory Board: Gordon Taylor (Ferber)

(2) 10:35 **CONSENT CALENDAR** *(continued)*

- E. **Action** - Confirmation of County Executive appointments to the Commission on Children and Youth: Melinda McCartin, Larissa Halstead (Ferber)
- F. **Action** - Confirmation of County Executive appointments to the Citizens Review Panel for Children: Ronna Cook, Charlotte Mullican, Migdalia Rivera-Goba, Lena Bond, Jennifer Carson (Ferber)
- G. **Action** - Confirmation of County Executive appointments to the Community Action Board: Tonya Hughes, Walter Woods (Ferber)
- H. **Action** - Confirmation of County Executive appointment to the Commission on Board of Registration for Building Contractors: Ralph Mollet (Ferber)
- I. **Action** - Confirmation of County Executive appointment to the Wheaton Urban District Advisory Committee: Sabrina Goris (Ferber)

10:40 **DISTRICT COUNCIL SESSION**

- (3) A. **Introduction** - Zoning Text Amendment 09-13, Transit Mixed-Use (TMX) Zone - Prior Approvals (Zyontz)
Action - Resolution to establish public hearing for 1/19/10 at 1:30 pm.

10:45 **LEGISLATIVE SESSION Day # 44**

- A. Introduction of Bills
 - (4) • **Expedited Bill 45-09**, Contracts and Procurement - Amendments, sponsored by the Council President at the request of the County Executive (Drummer)
Public Hearing is scheduled for 1/19/10 at 1:30 pm.
 - (5) • **Bill 46-09**, Personnel - Regulations - Persons with Disabilities - Hiring Preference, sponsored by Council President Andrews (Drummer)
Public Hearing is scheduled for 1/12/10 at 7:30 pm.
- B. Call of Bills for Final Reading
 - (6) • **Bill 36-09**, Elected Officials - Compensation (Drummer)
 - (7) • **Expedited Bill 44-09**, Buildings - Energy Efficiency - Deferral (Mihill)
 - (8) • **Expedited Bill 39-09**, Property Tax Credit - Renewable Energy - Annual Aggregate Limit (Mihill)
MFP Committee recommendation will be available 11/30/09.
 - (9) • **Expedited Bill 40-09**, Personnel - Audits - Trust Fund (Drummer)
MFP Committee recommends approval.

10:45 **LEGISLATIVE SESSION Day # 44 (continued)**

C. Miscellaneous Business:

- (10) • **Action** - Resolution to extend expiration dates of **Bill 13/38-07**, Moderately Priced Dwelling Units -Amendments, until December 31, 2010 (Lauer)
- (11) 11:30 **UPDATE** - Update on economic indicators and County Fiscal Plan (Farber)
 Addendum on the Fiscal Plan update.
- 12:30 **RECESS** Addendum 2: Revenue Update.
- (12) 1:30 **PUBLIC HEARING** - Housing Element of General Plan
 PHED Committee worksession will be scheduled at a later date.
- (13) 1:30 **PUBLIC HEARING** - **Bill 37-09**, Contracts and Procurement - Equal Benefits (Drummer)
 T&E Committee worksession will be scheduled at a later date.
- (14) 1:30 **PUBLIC HEARING** - **Bill 38-09**, Growth Policy - Amendments (Faden)
 PHED Committee worksession tentatively scheduled for 1/21/10.
- (15) 1:30 **PUBLIC HEARING** - Resolution to adopt Board of Health Regulation requiring a disclaimer for certain pregnancy resource centers (Mihill)
 HHS Committee worksession tentatively scheduled for 12/10/09.
 NOTE: This hearing has been postponed to 7:30 pm.
- (16) 1:30 **PUBLIC HEARING/ACTION** - Resolution to amend FY10 Transportation Fees, Charges, and Fares (Orlin)
- 2:30 **ADJOURN**
- (15) 7:30 **PUBLIC HEARING** - Board of Health Regulation requiring a disclaimer for certain pregnancy resource centers (Mihill)
 HHS Committee worksession tentatively scheduled for 12/10/09.

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on December 8, 2009:

- Advisory Committee on Consumer Protection: Walter Woods, Jeffrey Bloch, Meena Gowda, Yosefi Seltzer
Cable and Communications Advisory Committee: Kelly Cameron, Suzanne Weiss, Alex Cohen, Benjamin Wu
County-wide Recreation Advisory Board: Arquilla Ridgell, Peter Freeman, Ronald MacNab
Criminal Justice Coordinating Commission: Chiquita Arrington, Steven Berry, Vanessa Hall
Department of Permitting Services Advisory Committee: David Kochanski, Andrew Einsmann
Friendship Heights Transportation Management District Advisory Committee: Marc Esposito, David Torchinsky
Forest Conservation Advisory Committee: Jeffrey Schwartz, David Plummer, Linda Silversmith, Mark Buscaino, Kenneth Ferebee, W. Don Galloway, Kevin Smith
Noise Control Advisory Board: Rose Anuri, Wendy Davis, L. Shea De Lutis-Smith, Jared Hosid, Patrick Kapust, Dave Samuelson
Victim Services Advisory Board: H. David Rose, Rachel Goldfarb, Marille Herrman, Linda Anderson, Sandra Barnhard, Lisa Fadden, Virginia Lyons
Upcounty Recreation Advisory Board: Soma Datta

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.

Dec 8, 2009	8:30 am	Coffee with the County Executive
Dec 8, 2009	9:30 am	Regular Session
Dec 14, 2009 to Jan 8, 2010		RECESS
Dec 25, 2009		HOLIDAY
Jan 1, 2010		HOLIDAY
Jan 12, 2010	9:30 am	Regular Session
Jan 18, 2010		HOLIDAY
Jan 19, 2010	9:30 am	Regular Session
Jan 26, 2010	9:30 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7803

Dec 8, 2009

11:30 am Supplemental appropriation to the County Government's FY10 Operating Budget, DHHS - \$450,000 for Positive Youth Development - Up County Youth Opportunity Center

Jan 12, 2010

1:30 pm ZTA 09-11, Residential Zones - Agricultural vending
1:30 pm ZTA 09-12, Rural Service Zone - Development standards
1:30 pm **Expedited Bill 41-09**, Taxation - Property Tax Credit - Business Incubator
1:30 pm **Bill 42-09**, Common Ownership Communities - Dispute Resolution
1:30 pm **Bill 43-09**, Callithea Farm Stables - Lease Amendment and Extension



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.



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ADDENDUM

Tuesday, December 1, 2009

Add: 9:35 **PRESENTATION** - Proclamation in recognition of Joseph A. Monte, longest-serving guidance counselor in the Montgomery County Public Schools' system, by Council President Andrews