



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](http://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 2/5/10 at 9 pm*

**NOTE:** February 1 discussion of the State Legislative Program has been cancelled.

### Tuesday, February 2, 2010

- 9:30 **INVOCATION** - Chaplain Edco Bailey, Shady Grove Adventist Hospital, Rockville
- 9:35 **PRESENTATION** - Proclamation in recognition of Good Counsel football team by Councilmembers Knapp and Navarro
- 9:40 **PRESENTATION** - Proclamation in recognition of Abbott Roseman for his 65 years of government and community service by Councilmember Navarro
- 9:45 **PRESENTATION** - Proclamation in recognition of David Weitzer, recipient of Richard E. Lyng Award by Council President Floreen
- 9:50 **GENERAL BUSINESS** (Lauer)
- (2) A. **Announcement** - Agenda and Calendar Changes  
B. **Acknowledgement** - Receipt of Petitions  
C. **Action** - Approval of Minutes: January 19, 2010  
- Approval of Closed Session Minutes: January 12, 2010
- (3) 9:55 **CONSENT CALENDAR**
- A. **Introduction** - Special appropriation to the County Government's FY10 Operating Budget - \$18,000 for Independent Audit Non-Departmental Account (Source: General Fund Reserves) (Rubin)  
*Public Hearing/Action is scheduled for 2/23/10 at 1:30 pm.*
- B. **Introduction** - Supplemental appropriation to the County Government's FY10 Capital Budget and amendment to the FY09-14 Capital Improvements Program, Department of Transportation - \$1,000,000 for Traffic Signal System Modernization (Source: G.O. Bonds) (Orlin)  
*Public Hearing/Action is scheduled for 2/23/10 at 1:30 pm.*

(3) 9:55 **CONSENT CALENDAR** *(continued)*

- C. **Introduction** - Supplemental appropriation to the County Government's FY10 Capital Budget and amendment to the FY09-14 Capital Improvements Program, Department of Transportation - \$5,000,000 for Resurfacing: Residential/Rural Roads and Primary/Arterial Roads (Source: G.O. Bonds) (Orlin)  
*Public Hearing/Action is scheduled for 2/23/10 at 1:30 pm.*
- D. **Action** - Resolution to approve the designation of Enterprise Zones and Priority Funding Areas as "Recovery Zone" for issuance of Recovery Zone Bonds (Sherer)  
*MFP Committee recommends approval.*
- E. **Action** - Repeal of Executive Regulation 4-05AM, Procedures for Fire and Rescue Commission Appeal Hearings (Davidson)  
*PS Committee recommendation will be available 1/28/10.*
- F. **Action** - Amendment to the County Government's FY09-14 Capital Improvements Program, Montgomery County Fire and Rescue Service - Travilah Fire Station (Davidson)  
*PS Committee recommendation will be available 1/28/10.*
- G. **Action** - T&E Committee report and recommendations on Office of Legislative Oversight Report 2010-4, Evaluation of the Local Small Business Reserve Program(Renkema/Ru
- H. **Action** - Confirmation of County Executive appointment to the Adult Public Guardianship Review Board: Miriam Kely (Ferber)
- I. **Action** - Confirmation of County Executive appointment to the Advisory Committee on Consumer Protection: Sidney Daniels (Ferber)
- J. **Action** - Confirmation of County Executive appointment to the Board of License Commissioners: Eugene Thirolf (Ferber)
- K. **Action** - Confirmation of County Executive appointment to the Domestic Violence Coordinating Council: William Sollod (Ferber)
- L. **Action** - Confirmation of County Executive appointments to the Friendship Heights Transportation Management District Advisory Committee: Joseph Dixon, Kerri Gates (Ferber)
- M. **Action** - Confirmation of County Executive appointments to the Rustic Roads Advisory Committee: Robert Goldberg, Greg Deaver (Ferber)
- N. **Introduction** - Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant: Zyngenia, Inc. (Ferber)  
*Action is tentatively scheduled for 2/9/10.*

- (4) 10:00 **ACTION** - Spending Affordability Guidelines for the FY11 Capital Budget and other general CIP assumptions, and CIP overview (Orlin)  
*MFP Committee recommends approval.*

10:30 **LEGISLATIVE SESSION Day # 3**

A. Introduction of Bills

- (5) • **Bill 4-10**, Workforce Housing - Voluntary, sponsored by the PHED Committee (Zyontz)  
*Public Hearing is scheduled for 3/2/10 at 1:30 pm.*
- (6) • **Expedited Bill 5-10**, Biotech Credit Supplement, sponsored by Councilmember Knapp (Faden)  
*Public Hearing is scheduled for 2/23/10 at 1:30 pm.*

B. Call of Bills for Final Reading

- (8) • **Bill 37-09**, Contracts and Procurement - Equal Benefits (Drummer)  
*T&E Committee recommends approval with amendments.*
- (9) • **Bill 46-09**, Personnel - Regulations - Persons with Disabilities - Hiring Preference (Drummer)  
*MFP Committee recommends approval with amendments.*

11:00 **DISTRICT COUNCIL SESSION**

- (10) A. **Action** - Zoning Text Amendment 09-12, Rural Service Zone - Development standards (Zyontz)  
*PHED Committee recommends approval.*
- (11) B. **Action** - Zoning Text Amendment 09-13, Transit Mixed-Use (TMX) Zone - Prior approvals (Zyontz)  
*PHED Committee recommends approval with amendments.*
- (12) C. **Action** - Zoning Text Amendment 09-14, Hearing Examiner - Report dissemination (Zyontz)  
*PHED Committee recommends approval.*

11:20 **BOARD OF HEALTH**

- (13) A. **Action** - Resolution to adopt Board of Health Regulation requiring a disclaimer for certain pregnancy resource centers (Mihill)  
*HHS Committee recommends approval with amendments.*

11:30 **RECESS 12:00 - Lunch Meeting with Montgomery County Planning Board**  
*(5<sup>th</sup> floor Council Conference Room - Not televised)*

- (14) 1:30 **PUBLIC HEARING** - Spending Affordability Guidelines for FY11 Operating Budget (Sherer)  
*MFP Committee worksession tentatively scheduled for 2/8/10.*

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- (15) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the Montgomery County Public Schools' FY10 Operating Budget - \$350,000 for Real Estate Management Fund (Source: Real Estate Management Fund) (McGuire)
- (16) 1:45 **OVERVIEW** - Kensington and Vicinity Sector Plan (Michaelson)
- 2:30 **ADJOURN**
- (17) 7:30 **PUBLIC HEARING** - Kensington and Vicinity Sector Plan (Michaelson)  
*PHED Committee worksession tentatively scheduled for 3/15/10.*

### Thursday, February 4, 2010

- 7:30 **PUBLIC HEARING** - Resolution to amend FY10 Transportation Fees, Charges, and Fares (Orlin)  
*Council action is scheduled for 2/9/10.*

### 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.**

Feb 3, 2010	7:00 pm	Town Hall Meeting - Council Office Building
Feb 8, 2010	12:30 pm	State Legislative Program
Feb 9, 2010	9:00 am	Meeting with DC WASA
Feb 9, 2010	10:15 am	Regular Session
Feb 15, 2010		HOLIDAY
Feb 16-19, 2010		RECESS
Feb 22, 2010	12:30 pm	State Legislative Program
Feb 23, 2010	9:30 am	Regular Session
Mar 2, 2010	9:30 am	Regular Session
Mar 2, 2010	12:30 pm	Lunch Meeting with Board of Education
Mar 8, 2010	12:30 pm	State Legislative Program
Mar 9, 2010	9:30 am	Regular Session
Mar 9, 2010	12:30 pm	Lunch Meeting w/ MCREA

**FUTURE PUBLIC HEARINGS**  
**To testify call 240-777-7803**

**Feb 9, 2010**

- 1:30 pm Amendments to the County Government's FY09-14 Capital Improvements Program reflecting the County Executive's FY10 Savings Plan, Round 2
- 1:30 pm **Bill 1-10**, Development - Coordination, Oversight
- 1:30 pm **Bill 2-10**, Personnel - Contracts - Retaliation
- 1:30 pm **Expedited Bill 3-10**, Streets and Roads - Sidewalks - Public hearing requirement
- 7:00 pm FY11 Capital Budget and FY11-16 CIP

**Feb 10, 2010**

- 7:00 pm FY11 Capital Budget and FY11-16 CIP

**Feb 11, 2010**

- 7:00 pm FY11 Capital Budget and FY11-16 CIP

**Feb 23, 2009**

- 1:30 pm Supplemental appropriations to the County Government's FY10 Capital Budget and amendments to the FY09-14 CIP
  - DOT - \$1,000,000 for Traffic Signal System Modernization
  - DOT - \$5,000,000 for Resurfacing: Residential/Rural Roads and Primary/Arterial Roads
- 1:30 pm Special appropriation to the County Government's FY10 Operating Budget - \$18,000 for Independent Audit NDA

**Mar 2, 2010**

- 1:30 pm ZTA 10-01, Workforce Housing - Voluntary



**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, February 2, 2010***

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Item Number	Note	Staff
Agenda Item #16 & 17	Councilmembers should bring a copy of the Sector Plan to the meeting.	Michaelson

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### ADDENDUM

Tuesday, February 2, 2010

#### 10:30 LEGISLATIVE SESSION Day # 3

##### A. Introduction of Bills

- Change:** (6) • **Expedited Bill 5-10**, Economic Development - Biotechnology Credit - County Supplement, sponsored by Councilmembers Knapp, Ervin, Leventhal, Floreen and Trachtenberg (Faden)

#### 11:00 DISTRICT COUNCIL SESSION

- Deferred:** (11) B. **Action** - Zoning Text Amendment 09-13, Transit Mixed-Use (TMX) Zone - Prior approvals (Zyontz)