



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 3/19/10 at 9 pm

Monday, March 15, 2010

8:30 **MEETING** with County Executive - Operating Budget transmittal (2nd floor EOB)

- (1) 12:30 **DISCUSSION** - State Legislative Program (Wenger)
(6th floor Council Conference Room - Not televised)

Tuesday, March 16, 2010

9:30 **INVOCATION** - Reverend Stephani Nagley, St. Luke's Episcopal Church, Bethesda

9:35 **GENERAL BUSINESS** (Lauer)

- (2) A. **Announcement** - Agenda and Calendar Changes
B. **Acknowledgement** - Receipt of Petitions
C. **Action** - Approval of Minutes: March 2, 2010

(3) 9:40 **CONSENT CALENDAR**

- A. **Action** - Resolution to approve Fire, Rescue, EMS, and Community Risk Reduction Master Plan Update (Davidson)
PS Committee recommends approval.
- B. **Action** - Confirmation of County Executive appointments to the Animal Matters Hearing Board: Shelley Janashek, Allan Cohen, Marlene Schooler, Dawn Forsythe, Lynn Novelli (Ferber)
- C. **Action** - Confirmation of County Executive appointments to the Commission on Aging: Myrna Cooperstein, Nhora Murphy, Beth Shapiro, Alicia Bazan-Jimenez, Elaine Binder, Michael Goldman, Leslie Marks, Mona Negm, Spencer Schron (Ferber)
- D. **Action** - Confirmation of County Executive appointment to the Commission on People with Disabilities: Betsy Jett (Ferber)

(3) 9:40 **CONSENT CALENDAR** *(continued)*

E. **Action** - Confirmation of County Executive appointments to the Mental Health Advisory Committee: Rhona Sollod, Scott Davis, Kathleen McCallum, Linda Bart, Donna (DJ) Jones-Reilly, J. Thomas Thornburgh (Ferber)

F. **Action** - Confirmation of County Executive appointments to the Sign Review Board: Brian Porto, Barbara Berschler, Coblens Scherr (Ferber)

G. **Action** - Confirmation of County Executive appointment to the Department of Permitting Services Advisory Committee: Sylke Knuppel (Ferber)

9:45 **LEGISLATIVE SESSION Day # 6**

A. Introduction of Bills

(4) • **Expedited Bill 8-10**, Finance - Public Facilities - Agricultural Easements, sponsored by PHED Committee (Mihill)
Public Hearing is scheduled for 4/6/10 at 1:30 pm.

B. Call of Bills for Final Reading

(5) • **Bill 2-10**, Personnel - Contracts - Retaliation (Drummer)
MFP Committee recommends approval with amendments.

(6) • **Expedited Bill 45-09**, Contracts and Procurement - Amendments (Drummer)
T&E Committee recommends approval with amendments.

(7) • **Expedited Bill 5-10**, Economic Development - Biotechnology Credit - County Supplement (Faden)
PHED Committee recommends approval with amendments.

(8) • **Bill 34-09**, Forest Conservation - Enforcement (Faden)
T&E Committee recommends approval with amendments.

(9) • **Bill 27-09**, Ethics - Amendments (Faden)
MFP Committee recommends approval with amendments.

(10) • **Bill 12-09**, Ethics - Ex Parte Communications (Faden)
MFP Committee recommends approval with amendments.

10:30 **DISTRICT COUNCIL SESSION**

(11) A. **Introduction** - Zoning Text Amendment 10-03, Exemptions - Legal Dwellings, sponsored by Councilmember Knapp (Zyontz)
Action - Resolution to establish public hearing for 4/20/10 at 1:30 pm.

(12) B. **Introduction** - Resolution to amend Growth Policy: White Flint Metro Station Policy Area (Orlin)
Public Hearing is scheduled for 3/23/10 at 1:30 pm.

10:30 **DISTRICT COUNCIL SESSION** *(continued)*

- (13) C. **Action** - Zoning Text Amendment 09-13, Transit Mixed-Use (TMX) Zone - Prior approvals (Zyontz)
PHED Committee recommends approval with amendments.
- (14) D. **Action** - Request for withdrawal without prejudice of Local Map Amendment: (Zyontz)
Application No: G-882
Applicant: Foundation for Advanced Education in Sciences (Stephen Z. Kaufman and Heather Dlhopsky, Attorneys)
Property: 4.08 acres located at 9204, 9206, 9208, 9214 Cypress Avenue and 5201, 5205 Cedar Lane, Bethesda
- (15) E. **Action** - Request for withdrawal without prejudice of Local Map Amendment: (Zyontz)
Application No: G-845
Applicant: Glenmont Layhill Associates, LLC (Steven A. Robins and Patrick L. O'Neil, Attorneys)
Property: 3.6 acres of land located at 11501 Georgia Avenue and 2413, 2411, and 2409 Blueridge Avenue, Silver Spring
- (16) F. **Action** - Request for withdrawal without prejudice of Local Map Amendment: (Zyontz)
Application No: G-848
Applicant: Olympus Real Estate Group, LLC (Jody S. Kline, Attorney)
Property: 4.7 acres of land located at 13991, 13999 and 14001 Old Columbia Pike, Silver Spring, between Briggs Chaney Road and Paint Branch High School
- (17) G. **Action** - Request for withdrawal without prejudice of Local Map Amendment: (Zyontz)
Application No: G-855
Applicant: East-West Residential, LLC, (Jody S. Kline, Attorney)
Property: 30,814 square feet of land located at 4350 Montgomery Avenue, Bethesda, Maryland, near the intersection of Montgomery Avenue and East West Highway
- (18) H. **Action** - Request for withdrawal without prejudice of Local Map Amendment: (Zyontz)
Application No: G-886
Applicant: Curtis and Carol Benesh, (C. Martin and Debra S. Borden, Attorneys)
Property: 16,475 square feet of land located at 19330 Liberty Mill Road, Germantown

11:00 **WORKSESSION - FY11-16 Capital Improvements Program:**

- (19) • Health and Human Services HHS (Yao)
(20) • Libraries (McGuire)
- (21) • Recreation PHED (Yao)
(22) • Revenue Authority (McGuire)

12:00 **RECESS - 12:15 MFP Committee - meeting as the Audit Committee (5CCR)**

- 1:30 **PUBLIC HEARING** - Germantown Sectional Map Amendment (G-887) (Michaelson)
Note: This hearing has been postponed to 7:30 pm this evening.
- (24) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 10-02, Residential Townhouse (RT) (Zyontz)
Zones - Existing dwellings
PHED Committee worksession will be scheduled at a later date.
- (25) 1:30 **PUBLIC HEARING/ACTION** - Resolution to extend designation of the County's Local Management Board (Yao)
- (26) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the Montgomery County Public Schools' FY10 Capital Budget and amendment to the FY09-14 Capital Improvements Program - \$6.75 million, for relocatable classrooms (Source: Current Revenue) (Levchenko)
ED Committee recommendation will be available 3/11/10.
- 1:45 **WORKSESSION - FY11-16 Capital Improvements Program:**
- (27) • Judicial Center Annex PS (Farag)
(28) • Public Safety Training Academy (McMillan)
(29) • Fire and Rescue (Davidson)
- (30) • Cost Sharing-MCG PHED (Ferber)
(31) • Conservation of Natural Resources - agricultural land preservation (Ferber)
(32) • General Government: Economic Development projects (Ferber)
- (33) • General Government projects MFP (Sherer)
(34) • General Government - Technology Modernization (Toregas)
(35) • FiberNet (Toregas)
- (36) • Integrated Justice Information System (IJIS) MFP/PS (Toregas)
- (38) • Transportation T&E (Orlin)
- 5:00 **ADJOURN**
- (39) 7:30 **PUBLIC HEARING** - Germantown Sectional Map Amendment (G-887) (Michaelson)
PHED Committee worksession tentatively scheduled for 4/5/10.

Thursday, March 18, 2010

- 6:30 **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 22, 2010	12:30 pm	State Legislative Program
Mar 23, 2010	9:30 am	Regular Session
Mar 24, 2010	7:30 pm	Town Hall Meeting - Kensington/Wheaton
Mar 29, to Apr 2, 2010		RECESS
Apr 6, 2010	8:30 am	Coffee with County Executive
Apr 6, 2010	9:45 am	Regular Session
Apr 13, 2010	9:30 am	Regular Session
Apr 20, 2010	9:30 am	Regular Session
Apr 27, 2010	9:30 am	Regular Session
May 4, 2010	9:30 am	Regular Session
May 10, 2010	9:30 am	Council Budget Worksession
May 11, 2010	9:30 am	Regular Session & Council Budget Worksession
May 12, 2010	9:30 am	Council Budget Worksession
May 12, 2010	1:30 pm	Interviews - MCPB Chair
May 13, 2010	9:30 am	Council Budget Worksession
May 13, 2010	3:00 pm	Meeting with Prince George's County Council
May 14, 2010	9:30 am	Council Budget Worksession
May 17, 2010	9:30 am	Council Budget Worksession
May 18, 2010	9:30 am	Regular Session & Council Budget Worksession
May 19, 2010	9:30 am	Council Budget Worksession
May 20, 2010	9:30 am	Council Budget Worksession
May 21, 2010	9:30 am	Council Budget Worksession

FUTURE PUBLIC HEARINGS

To testify call 240-777-7803

Mar 23, 2010

1:30 pm Resolution to amend Growth Policy: White Flint Metro Station Policy Area

7:30 pm **Bill 6-10**, Noise Control - Arts and Entertainment Activities

7:30 pm **Expedited Bill 7-10**, Motor Vehicles and Traffic - Speed monitoring systems

April 5, 2010

7:00 pm FY11 Operating Budget

April 6, 2010

7:00 pm FY11 Operating Budget

April 7, 2010

1:30 pm FY11 Operating Budget

7:00 pm FY11 Operating Budget

April 8, 2010

7:00 pm FY11 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. This document is available in alternative formats upon request.



Montgomery County Council
Legislative Information Services

Packet Index

Tuesday, March 16, 2010

Item Number	Note	Staff
Agenda Item #27	This item has been deferred until March 23, 2010	Farag
Agenda Item #29	This item will be available on Monday, March 15.	Davidson



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ADDENDUM

Tuesday, March 16, 2010

10:30 DISTRICT COUNCIL SESSION *(continued)*

- Deferred:(14)** D. **Action** - Request for withdrawal without prejudice of Local Map Amendment: (Zyontz)
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Property: 4.08 acres located at 9204, 9206, 9208, 9214 Cypress Avenue and 5201, 5205 Cedar Lane, Bethesda
- (15) E. **Action** - Request for withdrawal without prejudice of Local Map Amendment: (Zyontz)
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Applicant: Georgia Avenue, Inc. (Jody S. Kline, Attorney)
Property: 3.6 acres of land located at 11501 Georgia Avenue and 2413, 2411, and 2409 Blueridge Avenue, Silver Spring
- Correction:**
- Add: (18.1)** I. **Introduction** - Zoning Text Amendment 10-04, C-2 Zone - Automobile Filling Stations, sponsored by the District Council at the request of the County Executive(Zyontz)
Action - Resolution to establish public hearing for 4/20/10 at 1:30 pm.

1:45 WORKSESSION - FY11-16 Capital Improvements Program:

- Deferred: (27)** • Judicial Center Annex (Farag)