



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 to obtain current information.

This meeting will be televised live on Channel 6; repeated on 2/13/04 at 8 pm and 2/14/04 at 9 am

Monday, February 9, 2004

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

Tuesday, February 10, 2004

9:15 **INVOCATION** - Reverend Peter Bath, Sligo Adventist Church, Takoma Park

9:20 **GENERAL BUSINESS**

- (2) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: January 26 and 27, 2004 (Edgar)
C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(3) 9:25 **CONSENT CALENDAR**

- A. **Introduction/Suspension of Rules/Action** - Resolution to support for the Maryland General Assembly bills to prohibit smoking in all workplaces in the State of Maryland, sponsored by Councilmember Floreen (Green)
Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.
- B. **Action** - Appointment of Akin Gump Strauss Hauer & Feld, LLP, as special counsel for the Montgomery County Correctional Facility litigation (Faden)
- C. **Action** - Resolution to approve the relocation of the Wheaton Volunteer Rescue Squad (Davidson)
PS Committee recommends approval.
- D. **Action** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Fire and Rescue Service - \$1,100,000 for Weapons of Mass Destruction Grant (Source: Federal Grant) (Davidson)
PS Committee recommends approval.

(3) 9:25 **CONSENT CALENDAR** *(continued)*

- E. **Action** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$1,000,000 for Smaller Learning Communities Initiative (Source: Federal Grant) (Planell)
ED Committee recommendation will be available 2/5/04.
- F. **Action** - Amendment to the County Government's FY03-08 Capital Improvements Program - \$3,286,000 for Germantown Swim Center (Source: Revenue Authority Bonds) (Sherer)
PHED Committee recommendation will be available 2/5/04.
- G. **Action** - PS Committee report and recommendations on Office of Legislative Oversight Report 2004-3, Study of the Inspection, Maintenance, and Repair of Fire and Rescue Service Vehicles (Orlansky/Brown)
- H. **Action** - Executive Regulation 31-03, Position Description for Chief, Special Needs Housing, Department of Health and Human Services (Planell)
- I. **Action** - Executive Regulation 32-03, Position Description for Chief, Behavioral Health and Crisis Services, Department of Health and Human Services (McGuire)
- J. **Action** - Executive Regulation 28-03, Fire Safety Code - Fee Schedule for Permits, Licenses and Exceptions (Davidson)
PS Committee recommends approval.
- K. **Action** - Resolution to support State Financing for Blair Park Apartments in Silver Spring (Trombka)
- L. **Action** - Resolution calling on Pepco to establish a schedule for addressing the recommendations included in the recent report by James Lee Witt Associates and to establish customer service standards (Hartman)
- M. **Action** - Confirmation of County Executive appointments to Animal Matters Hearing Board: Diane M. Mohr, Debbie Kirkland, Valerie A. Braden, Alfred J. Ferruggiaro (Ferber)
- N. **Action** - Confirmation of County Executive appointments to Long Branch Task Force: Corrine Stevens (Ferber)

9:30 **DISTRICT COUNCIL SESSION**

- (4) A. **Introduction** - Zoning Text Amendment 04-01, Increased building height in the CBD-2 Zone, sponsored by District Council (Wilson)
Action - Resolution to establish public hearing for 3/16/04 at 1:30 pm.
- (5) B. **Introduction** - Zoning Text Amendment 04-02, Variances and Special Exceptions - Duration of Validity - Revisions, sponsored by District Council (Wilson)
Action - Resolution to establish public hearing for 3/16/04 at 1:30 pm.

9:30 **DISTRICT COUNCIL SESSION** *(continued)*

- (6) C. **Introduction** - Zoning Text Amendment 04-03, Special Exceptions - Hearing Provisions, sponsored by District Council (Wilson)
Action - Resolution to establish public hearing for 3/16/04 at 1:30 pm.
- (7) D. **Action** - Resolution to extend time for Issuance of Hearing Examiner's Report and Recommendation on Local Map Amendment G-813 and G-814 (Wilson)
- (8) E. **Action** - Resolution to extend time for Council action on Rustic Roads Functional Master Plan until April 23, 2004 (Orlin)

9:35 **LEGISLATIVE SESSION Day # 3**

- A. Approval of Legislative Journal (Edgar)
- B. Introduction of Bills:
• **Bill 2-04**, Human Rights - Discrimination - Family Responsibilities, sponsored by Councilmember Leventhal (Faden)
Public Hearing is scheduled for 3/2/04 at 1:30 pm.
- C. Call of Bills for Final Reading
- (9) 9:45 **ACTION** - FY04 Budget Savings Plan Round II (Farber)
- (10) 10:30 **BRIEFING** - Council Staff Report on Moderately Priced Dwelling Units Program (Trombka)
- (11) 11:30 **ACTION** - Supplemental appropriation to the County Government's FY04 Capital Budget and amendment to the FY03-08 Capital Improvements Program, Department of Public Works and Transportation - \$6,600,000 for Strathmore Hall Arts Center (Source: State Aid and G.O. Bonds) (Davidson)
HHS Committee recommendation will be available 2/9/04.

12:15 **RECESS**

- (12) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY04 Capital Budget, Department of Correction and Rehabilitation - \$1,160,000 for Montgomery County Correctional Facility (Source: G.O. Bonds) (McMillan)
PS Committee recommendation will be available 2/10/04.
- (13) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY04 Capital Budget and amendment to the FY03-08 Capital Improvements Program, Office of the County Executive - \$1,121,000 for Wheaton Redevelopment Program (Source: G.O. Bonds) (Trombka)
PHED Committee worksession tentatively scheduled for 2/26/04.

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- (14) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY04 Capital Budget and amendment to the FY03-08 Capital Improvements Program, Department of Fire and Rescue Service - \$1,150,000 for West Germantown Fire Station (Source: G.O. Bonds) (Davidson)
PS Committee worksession tentatively scheduled for 2/23/04.
- (15) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY04 Capital Budget and amendment to the FY03-08 Capital Improvements Program, Department of Public Works and Transportation - \$2,600,000 for Shady Grove Metro Garage (Source: Revenue Bonds) (Orlin)
T&E Committee worksession tentatively scheduled for 2/12/04.
- (16) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY04 Capital Budget, Department of Public Works and Transportation - \$1,666,000 for Parking - Bethesda - Woodmont Corner Garage (Source: Bethesda PLD Current Revenues) (Orlin)
T&E Committee worksession tentatively scheduled for 2/12/04.
- 2:00 **ADJOURN**
- 2:00 **PS Committee** or immediately following Council session (*7th floor Council Hearing Room*)
- 2:00 **T&E Committee** or immediately following Council session (*6th floor Council Conference Room*)
- 7:00 **PUBLIC HEARING** - FY05 Capital Budget and FY05-10 Capital Improvements Program (*3rd floor Council Hearing Room*) (Orlin)

Thursday, February 12, 2004

- 7:00 **PUBLIC HEARING** - FY05 Capital Budget and FY05-10 Capital Improvements Program (*3rd floor Council Hearing Room*) (Levchenko)

COUNCIL MEETINGS

Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.

Feb 16, 2004		Holiday - Presidents' Day
Feb 17-20, 2004		Council Recess
Feb 23, 2004	12:30 pm	State Legislation
Feb 24, 2004	9:15 am	Regular Session
Mar 1, 2004	12:30 pm	State Legislation
Mar 2, 2004	9:15 am	Regular Session
Mar 8, 2004	12:30 pm	State Legislation
Mar 9, 2004	9:15 am	Regular Session
Mar 15, 2004	12:30 pm	State Legislation
Mar 16, 2004	9:15 am	Regular Session
Mar 22, 2004	12:30 pm	State Legislation
Mar 23, 2004	9:15 am	Regular Session
Mar 29, 2004	12:30 pm	State Legislation
Mar 30, 2004	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

March 2, 2004

1:30 pm **Bill 2-04, Human Rights - Discrimination - Family Responsibilities**

March 16, 2004

1:30 pm ZTA 04-01, Increased building height in the CBD-2 Zone

1:30 pm ZTA 04-02, Variances and Special Exceptions - Duration of Validity - Revisions

1:30 pm ZTA 04-03, Special Exceptions - Hearing Provisions



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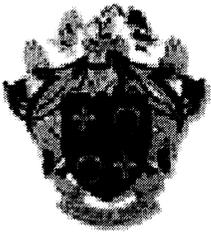
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ADDENDUM

Tuesday, February 10, 2004

(3) 9:25 **CONSENT CALENDAR**

- Defer:** F. **Action** - Amendment to the County Government's FY03-08 Capital Improvements Program - \$3,286,000 for Germantown Swim Center (Source: Revenue Authority Bonds) (Sherer)
- Add:** O. **Introduction** - Resolution to increase Base Solid Waste Service Charge (Tipping Fee) (Trombka)
Public Hearing is scheduled for 3/2/04 at 1:30 pm.
- Add:** (10.5) 11:20 **ACTION** - Resolution to approve partial defrayment of maintenance and utilities costs by Strathmore Hall Foundation (Davidson)



Montgomery County Council
Legislative Information Services

Packet Index

Tuesday, February 10, 2004

Item Number	Note	Staff
Agenda Item #2	There were no petitions received in LIS this week.	Lacefield
Agenda Item #3D	This item will be available Monday, February 9, 2004.	Davidson
Agenda Item #3F	This item will be considered on Tuesday, February 24, 2004.	Sherer
Agenda Item #3J	This item will be available Monday, February 9, 2004.	Davidson
Agenda Item #3N	This item will be available Monday, February 9, 2004.	Ferber