



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 12/3/04 at 8 pm and 12/4/04 at 9 am*

Tuesday, November 30, 2004

9:15 **INVOCATION** - Rabbi Michael Feshbach, Temple Shalom, Chevy Chase

9:20 **GENERAL BUSINESS**

- A. **Announcement** - Agenda and Calendar Changes (Lauer)
- B. **Action** - Approval of Minutes: November 9 and 16, 2004 (Edgar)
- (1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:25 **CONSENT CALENDAR**

- A. **Action** - Resolution regarding Montgomery County Public Schools' State funding request for school construction (Levchenko)
ED Committee recommends approval.
- B. **Action** - End-of-Year Transfer for FY04 County Government Operating Budget - \$11,659,390 (Sherer)
- C. **Action** - Resolution requesting U. S. Army Corps of Engineers – Washington Aqueduct – for extension of the public comment period on the Washington Aqueduct Water Treatment Project (Steiner)
- D. **Action** - Confirmation of County Executive appointment to the Commission on Health: Henry M. Wise, Jr., M.D. (Ferber)
- E. **Action** - Confirmation of County Executive appointment to the Community Action Board: Pamela F. Luckett (Ferber)
- F. **Action** - Confirmation of County Executive appointment to the Mid-County Citizens Advisory Board: Sheldon Fishman (Ferber)



9:30 **LEGISLATIVE SESSION Day #35**

- A. Approval of Legislative Journal - November 9, 2004 (Edgar)
- B. Introduction of Bills
- C. Call of Bills for Final Reading
- (3) • **Bill 24-04**, Moderately Priced Dwelling Units (MPDU) - Amendments (Faden)
- (4) • **Bill 25-04**, Moderately Priced Dwelling Units (MPDU) - Amendments (Faden)
- (5) • **Bill 27-03**, Moderately Priced Dwelling Units (MPDU) - Amendments (Faden)

10:30 **DISTRICT COUNCIL SESSION**

- (6) A. **Action** - Zoning Text Amendment 04-11, MPDU - Building coverage and green area standards - Multi-Family Zones (Wilson)
- (7) B. **Action** - Zoning Text Amendment 04-12, MPDU - Density bonus and public space requirement - CBD and Transit Station Zones (Wilson)
- (8) C. **Action** - Zoning Text Amendment 04-13, MPDU - Master Plan and Sector Plan conformity requirement exception - CBD, RMX and Development Plan Zones (Wilson)
- (9) D. **Action** - Zoning Text Amendment 04-14, MPDU - Dwelling unit types - one-family residential zones (Wilson)
- (10) E. **Action** - Zoning Text Amendment 03-09, MPDU - Large lot zones (Wilson)
- (11) F. **Action** - Subdivision Regulation Amendment 04-01, MPDU - Exceptions - Master Plan conformity requirement and Tertiary Road requirement (Wilson)

12:15 **RECESS**

- (12) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-25, Camp retreat - Rural Cluster Zone (Wilson)
PHED Committee worksession will be scheduled at a later date.
- (13) 1:30 **PUBLIC HEARING** - Franchise Agreement for Use of Public Right of Way: Jewish Federation of Greater Washington, Inc. (Healy)
MFP Committee worksession tentatively scheduled for 12/6/04.
- (14) 1:30 **PUBLIC HEARING** - **Bill 37-04**, Animal Control - Revisions (Healy)
PS Committee worksession tentatively scheduled for 1/20/05.

- (15) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program, Department of Correction and Rehabilitation - \$4,993,000 for Montgomery County Detention Center (MCDC) Reuse (Source: G. O. Bonds and State aid) (McMillan)
PS Committee worksession will be scheduled at a later date.
- (16) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the County Government's FY05 Operating Budget, Department of Health and Human Services - \$150,000 for Rental Assistance Program (Source: General Fund Undesignated Reserves) (Planell)
- (17) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the MCPS' FY05 Operating Budget - \$3,300,952 for Utility Rate Increases (Source: General Fund Undesignated Reserves) (Planell)
- (18) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the County Government's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program, DPWT - \$4,678,000 for Parking Facility Garage 49 Structural Restoration (Source: Bethesda Parking Lot District Current Revenues) (Orlin)
T&E Committee recommends approval with amendments.
- (19) 1:45 **INTRODUCTION** - Resolution regarding Spending Affordability Guidelines for FY06 Operating Budget (Sherer)
Public Hearing is scheduled for 12/7/04 at 1:30 pm.
- 2:00 **LEGISLATIVE SESSION Day #35 (continued if necessary)**
- C. Call of Bills for Final Reading
- (3) • **Bill 24-04**, Moderately Priced Dwelling Units (MPDU) - Amendments (Faden)
- (4) • **Bill 25-04**, Moderately Priced Dwelling Units (MPDU) - Amendments (Faden)
- (5) • **Bill 27-03**, Moderately Priced Dwelling Units (MPDU) - Amendments (Faden)
- 2:45 **DISTRICT COUNCIL SESSION (continued if necessary)**
- (6) A. **Action** - Zoning Text Amendment 04-11, MPDU - Building coverage and green area standards - Multi-Family Zones (Wilson)
- (7) B. **Action** - Zoning Text Amendment 04-12, MPDU - Density bonus and public space requirement - CBD and Transit Station Zones (Wilson)
- (8) C. **Action** - Zoning Text Amendment 04-13, MPDU - Master Plan and Sector Plan conformity requirement exception - CBD, RMX and Development Plan Zones (Wilson)
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2:45 **DISTRICT COUNCIL SESSION** *(continued if necessary)*

(10) E. **Action** - Zoning Text Amendment 03-09, MPDU - Large lot zones (Wilson)

(11) F. **Action** - Subdivision Regulation Amendment 04-01, MPDU - Exceptions - Master Plan conformity requirement and Tertiary Road requirement (Wilson)

(20) 3:15 **ACTION** - Resolution to support the Intercounty Connector on the Master Plan Alignment (Steiner)

4:00 **ADJOURN**

(21) 4:00 **INTERVIEWS** - Applicants for Merit System Protection Board *(6th floor Council Conference Room)* (Ferber)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on December 7, 2004:
Wheaton Urban District Advisory Committee: Artie L. Harris, Jr.
Silver Spring Recreation Advisory Board: Carl Blake, Zakiya Kainu, Vernie McLendon

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 7, 2004	9:15 am	Regular Session
Dec 7, 2004	12:30 pm	State Legislation
Dec 14, 2004	9:15 am	Regular Session
Dec 20, 2004 to Jan 14, 2005		Recess

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

December 7, 2004

1:30 pm **Bill 36-04**, Commission on Human Rights - Discrimination in Housing - Amendments

1:30 pm Resolution regarding Spending Affordability Guidelines for FY06 Operating Budget

December 14, 2004

7:30 pm **Bill 36-04**, Commission on Human Rights - Discrimination in Housing - Amendments



If persons with disabilities need services or aides to participate in any Council activity, please call 240-777-7900 five days in advance. This agenda is available in an alternative format upon request.

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ADDENDUM

Tuesday, November 30, 2004

(2) 9:25 CONSENT CALENDAR

Delete:

C. **Action** - Resolution requesting U. S. Army Corps of Engineers – Washington Aqueduct – for extension of the public comment period on the Washington Aqueduct Water Treatment Project

(Steiner)

NOTE: Action was taken on 11/23/04.

Add: (20.5) 3:30

INTRODUCTION - Resolution for extension of the public comment period on the Environmental Impact Statement for the Intercounty Connector, sponsored by Councilmembers Andrews and Praisner

(Walton)