

AGENDAS - 2004

ADDENDUM #3
Tuesday, January 13, 2004

Add: (7.1) 1:45 **INTRODUCTION** - 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)
Public Hearing is scheduled for 2/3/04 at 1:30 pm and 2/5/04 at 7:00 pm

ADDENDUM #2
Tuesday, January 13, 2004

Add: 11:30 **PROPOSED CLOSED SESSION** to consult with counsel to obtain legal advice, pursuant to Maryland Code, State Government Article, §10-508 (a)(7). Topic is Strathmore Hall. (*6th floor Council Conference Room*) (Faden/Davidson)

ADDENDUM

Tuesday, January 13, 2004

(4) 11:05 **CONSENT CALENDAR**

Add:

J. **Introduction** - Amendment to the County Government's FY03-08 Capital Improvements Program - \$3,286,000 for Germantown Swim Center (Source: Revenue Authority Bonds)

(Sherer)

Public Hearing is scheduled for 2/3/04 at 1:30 pm.

*This meeting will be televised live on Channel 6; repeated on
1/16/04 at 8 pm and 1/17/04 at 9 am*

Monday, January 12, 2004

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

Tuesday, January 13, 2004

- (2) 9:30-10:30 **Biannual Meeting** with Montgomery County Representatives of the District of Columbia
Water and Sewer Authority (*6th floor Council Conference Room*) (Levchenko)
- 10:45 **INVOCATION** - Imam Shamshad Nasir, Baitur Rahman Mosque, Silver Spring
- 10:50 **PRESENTATION** - Proclamation to Carderock Springs Elementary School in
recognition of the Maryland Blue Ribbon School of Excellence award by Councilmember
Denis
- 10:55 **PRESENTATION** - Proclamation in recognition of the Quince Orchard High School
Volley Ball Team, 2003 Girls' Maryland Class 4A Champions by Councilmember
Andrews
- 11:00 **GENERAL BUSINESS**
- (3) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: November 25, 2003 (Edgar)
C. **Acknowledgement** - Receipt of Petitions (Lacefield)
- (4) 11:05 **CONSENT CALENDAR**
- A. **Receipt and Release** - Office of Legislative Oversight Report 2004-2, Study of
Montgomery County Government's Strategic Plans (Richards/Stutz/Howard)
MFP Committee worksession tentatively scheduled for 1/15/04.
- B. **Introduction** - Resolution to oppose slots and further expansion of legalized
gambling in the State of Maryland (Fitzgerald/Bare)

(4) 11:05 **CONSENT CALENDAR** *(continued)*

- C. **Introduction** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$1,000,000 for Smaller Learning Communities Initiative (Source: Federal Grant) (Planell)
Public Hearing is scheduled for 1/27/04 at 1:30 pm.
- D. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget, Montgomery County Fire and Rescue Service - \$1,100,000 for Weapons of Mass Destruction Grant (Source: Federal Grant) (Davidson)
Public Hearing is scheduled for 1/27/04 at 1:30 pm.
- E. **Introduction** - Resolution to approve Economic Development Revenue Bond in an amount not to exceed \$30 million for The George Meany Center for Labor Studies (Sherer)
Public Hearing/Action is scheduled for 2/3/04 at 1:30 pm.
- F. **Action** - Resolution regarding appointment of a Merit System Review Commission (Ferber)
- G. **Action** - Resolution to reappoint Director, Office of Legislative Oversight: Karen Orlansky (Ferber)
- H. **Action** - Resolution to extend Bethesda Urban Partnership (Healy)
- I. **Action** - Resolution to amend the FY04 Designation of Entities for Non-Competitive Award Status: Primary Care Coalition (McGuire)

11:10 **DISTRICT COUNCIL SESSION**

- (5) A. **Action** - Resolution to extend time for Council action until March 16, 2004 on Amendment to the Master Plan of Highways (Transportation): 1) HOV lanes on I-495 between American Legion Bridge and I-270 West Spur, and 2) grade-separated interchange at Randolph Road and Veirs Mill Road intersection (Orlin)
- (6) B. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
 - Application No:** G-811
 - Applicant:** Joav Steinbach
 - Action:** Rezone from R-200 Zone to R-T 6 Zone
 - Property:** 1.84 acres of land known as Parcel N109, Tax Map EU341, front on Liberty Mill Road, backing onto MD 118 between CSX rail line to north and Dawson Road to south, in Germantown
 - Recommendations:**
 - Planning Staff: Approve
 - Planning Board: Approve
 - Hearing Examiner: Approve

11:10 **DISTRICT COUNCIL SESSION** (*continued*)

- (7) C. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: G-810
Applicant: Twinbrook Commons LLC & WMATA
Action: Rezone from R-90 and I-4 Zones to TS-R Zone
Property: Twinbrook Metro Property, known as Blocks A, 8, 9 and 24, Parcels A & B, Part of Parcel A, Part of Lots 3-8, Lot 13 and a portion of Lot 14, Spring Lake Park Subdivision, located immediately adjacent to the Twinbrook Metro Station and bounded by Twinbrook Parkway to the east; the CSX and Metrorail tracks to the west; Wicomico Avenue and Parklawn Drive to the south and Ardennes Avenue to the north, Rockville
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Approve

11:30 **RECESS**

- (8) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 03-27, Building Height - Measurement(Wilson)
PHED Committee worksession will be scheduled at a later date.
- (9) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 03-26, Self Storage - Permitted Use - CBD-1 Zone (Wilson)
PHED Committee worksession tentatively scheduled for 2/2/04.
- (10) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 03-28, Established Building Line - R-200 Zone (Wilson)
PHED Committee worksession tentatively scheduled for 2/2/04.
- (11) 1:30 **PUBLIC HEARING** - **Bill 37-03**, Growth Policy - Process (Faden)
Action is tentatively scheduled for 1/27/04.
- (12) 1:30 **PUBLIC HEARING** - Resolution to approve the relocation of the Wheaton Volunteer Rescue Squad (Davidson)
PS Committee worksession tentatively scheduled for 2/2/04.
- (13) 1:30 **PUBLIC HEARING** - Resolution to transfer project balance within the MCPS' FY04 Capital Budget and amendment to FY03-08 Capital Improvements Program - \$2,950,000 for Matsunaga Elementary School addition and Watkins Mill Elementary School addition and Current Replacements/Modernizations (Source: G.O. Bonds) (Levchenko)
ED Committee worksession tentatively scheduled for 1/22/04.
- (14) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$162,423 for Limited English Proficiency Title III Grant (Source: State Grant) (Planell)
ED Committee worksession tentatively scheduled for 1/22/04.

January 13, 2004

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(15) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$102,497 for Title I Basic Grant (Source: State Grant) (Planell)
ED Committee worksession tentatively scheduled for 1/22/04.

(16) 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 - \$4,225,000 for Silver Spring Redevelopment Program (Source: Land Sale Proceeds, Contributions) (Ferber)
PHED Committee worksession tentatively scheduled for 1/15/04.

(17) 1:30 **PUBLIC HEARING - Bill 38-03**, Recreation - Violations - Amendments (Healy)
Action follows public hearing.

2:45 **LEGISLATIVE SESSION Day # 1**

A. Approval of Legislative Journal - October 28, 2003 (Edgar)
B. Introduction of Bills

(18) • **Bill 1-04**, Disruptive Behavior - Public Facilities, sponsored by the Council President at the request of the County Executive (Faden)
Public Hearing is scheduled for 2/3/04 at 1:30 pm.

C. Call of Bills for Final Reading
(17) • **Bill 38-03**, Recreation - Violations - Amendments (Healy)

3:00 **ADJOURN**

The following appointment was received from the County Executive and is tentatively scheduled for confirmation on January 20, 2004:

County's Labor Relations Administrator for the Fire and Rescue Collective Bargaining Unit: Andrew M. Strongin

The following appointment was received from the County Executive and is tentatively scheduled for interview on January 20, 2004:

Chief, Department of Police: J. Thomas Manger

COUNCIL MEETINGS

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

Jan 18, 2004		Holiday - Martin Luther King Jr.
Jan 20, 2004	9:00 am	Regular Session
Jan 26, 2004	12:30 pm	State Legislation
Jan 27, 2004	9:00 am	Regular Session
Jan 28, 2004	7:30 pm	Town Hall Meeting - at BlackRock Center for the Arts
Feb 2, 2004	12:30 pm	State Legislation
Feb 3, 2004	9:00 am	Regular Session
Feb 9, 2004	12:30 pm	State Legislation
Feb 10, 2004	9:00 am	Regular Session
Feb 16, 2004		Holiday - Presidents' Day
Feb 23, 2004	12:30 pm	State Legislation
Feb 24, 2004	9:45 am	Regular Session

Public Hearings - To Testify call 240-777-7931

January 20, 2004

7:00 pm Resolution regarding policy for funding of community grants in FY05

January 27, 2004

1:30 pm. 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

1:30 pm Supplemental appropriation to the MCPS' FY04 Operating Budget - \$1,000,000 for Smaller Learning Communities Initiative

February 3, 2004

1:30 pm Resolution to approve Economic Development Revenue Bond in an amount not to exceed \$30 million for The George Meany Center for Labor Studies

1:30 pm **Bill 1-04**, Disruptive Behavior - Public Facilities

February 5, 2004

7:00 pm FY05 Capital Budget and FY05-10 Capital Improvements Program

February 10, 2004

7:00 pm FY05 Capital Budget and FY05-10 Capital Improvements Program

February 12, 2004

7:00 pm FY05 Capital Budget and FY05-10 Capital Improvements Program - MCPS issues



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ADDENDUM

Tuesday, January 20, 2004

9:10 GENERAL BUSINESS

Add: B. **Action** - Approval of Minutes: October 23, November 6, December 2, December 9 and December 16, 2003

(2) 9:15 CONSENT CALENDAR

Add: H. **Introduction** - 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)
Public Hearing is scheduled for 2/10/04 at 1:30 pm.

Add: I. **Introduction** - 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)
Public Hearing is scheduled for 2/10/04 at 1:30 pm.

Add: J. **Introduction** - 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)
Public Hearing is scheduled for 2/10/04 at 1:30 pm.

Add: K. **Introduction** - 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)
Public Hearing is scheduled for 2/10/04 at 1:30 pm.

Add: L. **Introduction** - 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)
Public Hearing is scheduled for 2/10/04 at 1:30 pm.

This meeting will be televised live on Channel 6; repeated on 1/23/04 at 8 pm and 1/24/04 at 9 am

Tuesday, January 20, 2004

9:00 **MOMENT OF SILENCE**

9:05 **PRESENTATION** - Proclamation to Montgomery County Sheriff's Office in recognition of accreditation by the Commission on Accreditation for Law Enforcement Agencies, Inc. by Councilmember Subin

9:10 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:15 **CONSENT CALENDAR**

A. **Introduction/Suspension of Rules/Action** - Resolution regarding Montgomery County Wind Energy Purchase and Washington Suburban Sanitary Commission (Ervin)
Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.

B. **Introduction** - Resolution regarding the management plan for portions of Montgomery County designated as a Certified Maryland Heritage Area (Arthur)

C. **Action** - Supplemental appropriation to the County Government's FY04 Capital Budget and amendment to the FY03-08 Capital Improvements Program, Office of the County Executive - \$4,225,000 for Silver Spring Redevelopment Program (Source: Land Sale Proceeds, Contributions) (Ferber)
PHED Committee recommendation will be available 1/15/04.

D. **Action** - Abandonment of a portion of Archdale Road (Orlin)
T&E Committee recommendation will be available 1/15/04.

E. **Action** - MFP Committee report and recommendations on OLO Report 2004-1, An Evaluation of the Bethesda Urban Partnership (Kimball)

January 20, 2004

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(2) 9:15 **CONSENT CALENDAR** *(continued)*

F. **Action** - Confirmation of County Executive appointment of County's Labor Relations Administrator for the Fire and Rescue Collective Bargaining Unit: Andrew M. Strongin (Ferber)

G. **Action** - Extension of appointment as Acting Chief, Volunteer Fire and Rescue Services: Fred Welsh **DEFERRED** (Ferber)

(3) 9:20 **WORKSESSION** - Upper Rock Creek Master Plan (Michaelson)

12:30 **ADJOURN**

(4) 1:00 **INTERVIEW** - County Executive appointment of Chief, Department of Police: J. Thomas Manger *(3rd floor Council Conference Room)* (Ferber)

2:00 **PHED/T&E Committee** *(7th floor Council Hearing Room)*

3:00 **PHED Committee** *(7th floor Council Hearing Room)*

(5) 7:00 **PUBLIC HEARING** - Resolution on policy for funding of community grants in FY05 *(3rd floor Council Hearing Room)* (McGuire)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on January 27 2004:

Animal Matters Hearing Board: Edward Sakala, Erin O'Connor

Commission on Children and Youth: Kelley Brock, Colleen Robichaud

Commission on Crossroads: Captain John M. Cunningham, Deborah R. Resnick

County-wide Recreation Advisory Board: Stanley Fisher

East County Recreation Advisory Board: Terri Prayer, Kathleen M. Vanston, Kathryn J. Keller, Betty A. Smith

Ethics Commission: Richard N. Reback, Steven A. Shaw

Library Board: Anderson L. Reynolds

Long Branch Task Force: Joel Gallihue

Sign Review Board: Diana M. Campbell

COUNCIL MEETINGS

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

Jan 26, 2004	12:30 pm	State Legislation
Jan 27, 2004	9:00 am	Regular Session
Jan 28, 2004	7:30 pm	Town Hall Meeting - BlackRock Center for the Arts
Feb 2, 2004	12:30 pm	State Legislation
Feb 3, 2004	9:00 am	Regular Session
Feb 9, 2004	12:30 pm	State Legislation
Feb 10, 2004	9:00 am	Regular Session
Feb 16, 2004		Holiday - Presidents' Day
Feb 23, 2004	12:30 pm	State Legislation
Feb 24, 2004	8:30 am	Meeting with Board of Education
Feb 24, 2004	9:45 am	Regular Session

Public Hearings - To Testify call 240-777-7931

January 27, 2004

- 1:30 pm. 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
- 1:30 pm Supplemental appropriation to the MCPS' FY04 Operating Budget - \$1,000,000 for Smaller Learning Communities Initiative

February 3, 2004

- 1:30 pm **Bill 1-04**, Disruptive Behavior - Public Facilities
- 1:30 pm Amendment to the County Government's FY03-08 CIP - \$3,286,000 for Germantown Swim Center
- 1:30 pm Supplemental appropriation to the County Government's FY04 Capital Budget and amendment to the FY03-08 CIP, DPWT - \$6,600,000 for Strathmore Hall Arts Center
- 1:30 pm Resolution to approve Economic Development Revenue Bond in an amount not to exceed \$30 million for The George Meany Center for Labor Studies

February 5, 2004

- 7:00 pm FY05 Capital Budget and FY05-10 CIP
- 7:00 pm Supplemental appropriation to the County Government's FY04 Capital Budget and amendment to the FY03-08 CIP, DPWT - \$6,600,000 for Strathmore Hall Arts Center

February 10, 2004

- 7:00 pm FY05 Capital Budget and FY05-10 Capital Improvements Program

February 12, 2004

- 7:00 pm FY05 Capital Budget and FY05-10 Capital Improvements Program - MCPS issues



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COUNCIL MEETING

Thursday, January 22, 2004
6th floor Council Conference Room

1:00 **PROPOSED CLOSED SESSION** to consult with counsel to obtain legal advice, pursuant to Maryland Code, State Government Article, §10-508 (a)(7). Topic is Strathmore Hall. (*6th Floor Council Conference Room*) (Faden/Davidson)

COUNCIL MEETING

Thursday, January 22, 2004
6th floor Council Conference Room

1:30 **DISCUSSION/ACTION** - Round II Budget Savings Plan - Police Recruit Class (McMillan)

This meeting will be televised live on Channel 6; repeated on 1/30/04 at 8 pm and 1/31/04 at 9 am

Monday, January 26, 2004

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

Tuesday, January 27, 2004

REVISED AGENDA

- 1:30 **MOMENT OF SILENCE**
- (8) 1:30 **PUBLIC HEARING** - 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 worksession tentatively scheduled for 2/2/04.
- (9) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$1,000,000 for Smaller Learning Communities Initiative (Source: Federal Grant) (Planell)
ED Committee worksession tentatively scheduled for 2/5/04.
- 1:45 **PRESENTATION** - Proclamation honoring Dr. Robert E. Anastasi, Executive Director of the Montgomery County Business Roundtable for Education by Councilmember Subin
- 1:50 **GENERAL BUSINESS**
- A. **Announcement** - Agenda and Calendar Changes (Lauer)
- B. **Action** - Approval of Minutes: January 13 and January 15, 2004 (Edgar)
- (3) C. **Acknowledgement** - Receipt of Petitions (Lacefield)
- (4) 1:55 **CONSENT CALENDAR**
- A. **Action** - Resolution to transfer project balance within the MCPS' FY04 Capital Budget and amendment to FY03-08 Capital Improvements Program - \$2,950,000 for Matsunaga Elementary School addition and Watkins Mill Elementary School addition and Current Replacements/Modernizations (Source: G.O. Bonds) (Levchenko)
ED Committee recommendation will be available 1/22/04.

(4) 1:55 **CONSENT CALENDAR** *(continued)*

- B. **Action** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$162,423 for Limited English Proficiency Title III Grant (Source: State Grant) (Planell)
ED Committee recommendation will be available 1/22/04.
 - C. **Action** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$102,497 for Title I Basic Grant (Source: State Grant) (Planell)
ED Committee recommendation will be available 1/22/04.
 - D. **Action** - Executive Regulation 29-03, Long Branch/Takoma Park Enterprise Zone (Trombka)
PHED Committee recommends approval.
 - E. **Action** - Confirmation of County Executive appointments to Animal Matters Hearing Board: Edward Sakala, Erin O'Connor (Ferber)
 - F. **Action** - Confirmation of County Executive appointments to Commission on Children and Youth: Kelley Brock, Colleen Robichaud (Ferber)
 - G. **Action** - Confirmation of County Executive appointments to Commission on Crossroads: Captain John M. Cunningham, Deborah R. Resnick (Ferber)
 - H. **Action** - Confirmation of County Executive appointments to County-wide Recreation Advisory Board: Stanley Fisher (Ferber)
 - I. **Action** - Confirmation of County Executive appointments to East County Recreation Advisory Board: Terri Prayer, Kathleen M. Vanston, Kathryn J. Keller, Betty A. Smith (Ferber)
 - J. **Action** - Confirmation of County Executive appointments to Ethics Commission: Richard N. Reback, Steven A. Shaw (Ferber)
 - K. **Action** - Confirmation of County Executive appointments to Library Board: Anderson L. Reynolds (Ferber)
 - L. **Action** - Confirmation of County Executive appointments to Long Branch Task Force: Joel Gallihue (Ferber)
 - M. **Action** - Confirmation of County Executive appointments to Sign Review Board: Diana M. Campbell (Ferber)
 - N. **Action** - Extension of appointment as Acting Chief, Volunteer Fire and Rescue Services: Fred Welsh (Ferber)
- (5) 2:00 **ACTION** - Confirmation of Executive's Appointment of Chief, Department of Police: J. Thomas Manger (Ferber)

2:05 **DISTRICT COUNCIL SESSION**

- (6) A. **Action** - Zoning Text Amendment 03-25, Cemetery and Family Burial Site - Special Exception Authority (Wilson)
PHED Committee recommends approval.

- (7) 2:10 **RECEIPT AND RELEASE** - Office of Legislative Oversight Report 2004-3, Study of the Inspection, Maintenance, and Repair of Fire and Rescue Service Vehicles (Orlansky/Brown)
PS Committee worksession tentatively scheduled for 2/2/04.

3:00 **ADJOURN**

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on February 3, 2004:

Advisory Board on Victims and their Families: Sandy Bromley , Ryan S. Spiegel, Christine N. Whitaker, Martha C. Jones, Alan Silber, Monica Kinney-DelaCruz, Rabbi Tamara Miller, Kenneth Jay Hoffman, M.D.

Long Branch Task Force: Corrine Stevens

COUNCIL MEETINGS

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

Jan 28, 2004	7:30 pm	Town Hall Meeting - BlackRock Center for the Arts
Feb 2, 2004	12:30 pm	State Legislation
Feb 3, 2004	9:15 am	Regular Session
Feb 9, 2004	12:30 pm	State Legislation
Feb 10, 2004	9:15 am	Regular Session
Feb 16, 2004		Holiday - Presidents' Day
Feb 23, 2004	12:30 pm	State Legislation
Feb 24, 2004	8:30 am	Meeting with Board of Education
Feb 24, 2004	9:45 am	Regular Session
Mar 1, 2004	12:30 pm	State Legislation
Mar 2, 2004	8:30 am	Meeting with Washington Suburban Sanitary Commission
Mar 2, 2004	9:45 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

Public Hearings - To Testify call 240-777-7931

February 3, 2004

- 1:30 pm **Bill 1-04**, Disruptive Behavior - Public Facilities
- 1:30 pm Amendment to the County Government's FY03-08 CIP - \$3,286,000 for Germantown Swim Center
- 1:30 pm Supplemental appropriation to the County Government's FY04 Capital Budget and amendment to the FY03-08 CIP, DPWT - \$6,600,000 for Strathmore Hall Arts Center
- 1:30 pm Resolution to approve Economic Development Revenue Bond in an amount not to exceed \$30 million for The George Meany Center for Labor Studies

February 5, 2004

- 7:00 pm Supplemental appropriation to the County Government's FY04 Capital Budget and amendment to the FY03-08 CIP, DPWT - \$6,600,000 for Strathmore Hall Arts Center
- 7:00 pm FY05 Capital Budget and FY05-10 CIP

February 10, 2004

- 1:30 pm Supplemental appropriations to the County Government's FY04 Capital Budget
 - DOCR - \$1,160,000 for Montgomery County Correctional Facility
 - DPWT - \$1,666,000 for Parking - Bethesda - Woodmont Corner Garage
- 1:30 pm Supplemental appropriations to the County Government's FY04 Capital Budget and amendments to the FY03-08 Capital Improvements Program
 - Office of the County Executive - \$1,121,000 for Wheaton Redevelopment Program
 - DFRS - \$1,150,000 for West Germantown Fire Station
 - DPWT - \$2,600,000 for Shady Grove Metro Garage
- 7:00 pm FY05 Capital Budget and FY05-10 CIP

February 12, 2004

- 7:00 pm FY05 Capital Budget and FY05-10 CIP - MCPS issues



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CANCELLED

COUNCIL MEETING

Thursday, January 29, 2004

REVISED

- 1:00 **PROPOSED CLOSED SESSION** for the purpose of considering acquisition of real property for a public purpose and matters related directly thereto, pursuant to Maryland Code, State Government Article, §10-508 (a)(3). Topic is Strathmore Hall. (Davidson/Faden)
- 1:30 **DISCUSSION** - Strathmore Hall Arts Center (Davidson)
- 2:00 **ADJOURN**

ADDENDUM

Tuesday, February 3, 2004

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

Add:

D. **Introduction** - 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)
Action is scheduled for 2/10/04.

*This meeting will be televised live on Channel 6;
repeated on 2/6/04 at 8 pm and 2/7/04 at 9 am*

Monday, February 2, 2004

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

Tuesday, February 3, 2004

9:15 **INVOCATION** - Rabbi Mark Raphael, Kehilat Shalom, Gaithersburg

9:20 **GENERAL BUSINESS**

- (2) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: January 13, 2003, for reconsideration (Edgar)
C. **Acknowledgement** - Receipt of Petitions (Lacefield)

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

- A. **Introduction** - Resolution to support State Financing for Blair Park Apartments in Silver Spring (Trombka)
- B. **Action** - Confirmation of County Executive appointments to Advisory Board on Victims and their Families: Sandy Bromley, Ryan S. Spiegel, Christine N. Whitaker, Martha C. Jones, Alan Silber, Monica Kinney-DelaCruz, Rabbi Tamara Miller, Kenneth Jay Hoffman, M.D. (Ferber)
- Deferred C. **Action** - Confirmation of County Executive appointments to Long Branch Task Force: Corrine Stevens (Ferber)
- (4) 9:30 **ACTION** - Spending Affordability Guidelines for the FY05 Capital Budget and other general CIP assumptions (Orlin)
MFP Committee recommendations will be available 2/2/04.

10:00 **DISTRICT COUNCIL SESSION**

- (5) A. **Action** - Amendment to the Master Plan of Highways (Transportation): 1) HOV lanes on I-495 between American Legion Bridge and I-270 West Spur, and 2) grade-separated interchange at Randolph Road and Veirs Mill Road intersection (Orlin)
T&E Committee recommendation will be available 1/29/04.

- (6) 10:15 **ACTION** - Executive Regulation 16-03AMII, Requirements for the Working Parents Assistance Program (Planell)
HHS Committee recommends approval as amended.
- 10:30 **LEGISLATIVE SESSION Day #2**
- A. Approval of Legislative Journal - December 2, 2003 and January 16, 2004 (Edgar)
B. Introduction of Bills
C. Call of Bills for Final Reading:
- (7) • **Bill 37-03**, Growth Policy - Process (Faden)
- (8) 10:40 **RECEIPT and RELEASE** - Office of Legislative Oversight Report 2004-4, Analysis of MCPS' Spending on Special Education Services, Part I (Richards/Stutz/Howard)
ED Committee worksession tentatively scheduled for 2/5/04.
- (9) 11:15 **ACTION** - Resolution on policy for funding of community grants in FY05 (McGuire)
- 12:00 **RECESS**
- (10) 1:30 **PUBLIC HEARING - Bill 1-04**, Disruptive Behavior - Public Facilities (Faden)
PS Committee worksession tentatively scheduled for 3/29/04.
- (11) 1:30 **PUBLIC HEARING** - 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 worksession tentatively scheduled for 2/5/04.
- (12) 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 - \$6,600,000 for Strathmore Hall Arts Center (Source: State Aid and G.O. Bonds) (Davidson)
HHS Committee worksession tentatively scheduled for 2/9/04.
- (13) 1:30 **PUBLIC HEARING/ACTION** - Resolution to approve Economic Development Revenue Bond in an amount not to exceed \$30 million for The George Meany Center for Labor Studies (Sherer)
- (14) 2:30 **PROPOSED CLOSED SESSION** to consult with staff, consultants, or other individuals about pending or potential litigation, pursuant to Maryland Code, State Government Article, §10-508 (a)(8). Topic is MCPS. (6th Floor Council Conference Room) (Faden)
- 3:00 **ADJOURN**

Thursday, February 5, 2004

- (15) 7:00 **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 - \$6,600,000 for Strathmore Hall Arts Center (Source: State Aid and G.O. Bonds) (*3rd floor Council Hearing Room*) (Davidson)
HHS Committee worksession tentatively scheduled for 2/9/04.
- (16) 7:00 **PUBLIC HEARING** - FY05 Capital Budget and FY05-10 Capital Improvements Program (*3rd floor Council Hearing Room*) (Davidson)

The following appointment was received from the County Executive and is tentatively scheduled for confirmation on February 10, 2004:

Animal Matters Hearing Board: Diane M. Mohr, Debbie Kirkland, Valerie A. Braden, Alfred J. Ferruggiaro

The following appointment was received from the County Executive is tentatively scheduled for interview and confirmation at a later date:

Washington Suburban Sanitary Commission: Luis Valencia

COUNCIL MEETINGS

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

Feb 9, 2004	12:30 pm	State Legislation
Feb 10, 2004	9:15 am	Regular Session
Feb 16, 2004		Holiday - Presidents' Day
Feb 23, 2004	12:30 pm	State Legislation
Feb 24, 2004	8:30 am	Meeting with Board of Education
Feb 24, 2004	9:45 am	Regular Session
Mar 1, 2004	12:30 pm	State Legislation
Mar 2, 2004	8:30 am	Meeting with Washington Suburban Sanitary Commission
Mar 2, 2004	9:45 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

Public Hearings - To Testify call 240-777-7931

February 5, 2004

7:00 pm Supplemental appropriation to the County Government's FY04 Capital Budget and amendment to the FY03-08 CIP, DPWT - \$6,600,000 for Strathmore Hall Arts Center

7:00 pm FY05 Capital Budget and FY05-10 CIP

February 10, 2004

1:30 pm Supplemental appropriations to the County Government's FY04 Capital Budget

➤ DOCR - \$1,160,000 for Montgomery County Correctional Facility

➤ DPWT - \$1,666,000 for Parking - Bethesda - Woodmont Corner Garage

1:30 pm Supplemental appropriations to the County Government's FY04 Capital Budget and amendments to the FY03-08 CIP

➤ Office of the County Executive - \$1,121,000 for Wheaton Redevelopment Program

➤ DFRS - \$1,150,000 for West Germantown Fire Station

➤ DPWT - \$2,600,000 for Shady Grove Metro Garage

7:00 pm FY05 Capital Budget and FY05-10 CIP

February 12, 2004

7:00 pm FY05 Capital Budget and FY05-10 CIP - MCPS issues



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, 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)

*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:
- (8.5) • **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.

February 10, 2004

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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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ADDENDUM

Tuesday, February 24, 2004

(3) 9:30 **CONSENT CALENDAR**

B. Introduction - Resolutions to approve categorical transfers for MCPS' FY04
Operating Budget:

- Correction:**
- \$1,500,000 for Provision for Future Supported Projects (Planell)
 - \$514,690 for Pre-Kindergarten programs (Planell)

Add:

L. Introduction - Resolution regarding Flexibility in Implementation of Carry-in, Carry-Out Policy, sponsored by Councilmembers Perez, Leventhal, and Denis (Parr)

Add:

M. Action - Confirmation of County Executive appointment to the Washington Suburban Sanitary Commission: Luis Valencia (Ferber)

ADDENDUM #2
Tuesday, February 24, 2004

12:00 **PROPOSED CLOSED SESSION** to discuss appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, pursuant to Maryland Code, State Government Article, §10-508 (a)(1)(i). Topic is a personnel matter. *(6th floor Council Conference Room)* (Farber)

*This meeting will be televised live on Channel 6;
repeated on 2/27/04 at 8 pm and 2/28/04 at 9 am*

Monday, February 23, 2004

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

Tuesday, February 24, 2004

9:15 **INVOCATION** - Reverend Mark A. Hricko, Lutheran Church of Saint Andrew, Silver Spring

9:20 **PRESENTATION** - Read Across America: Reading activity with second grade students

9:25 **GENERAL BUSINESS**

- (2) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: January 20, February 2, and February 3, 2004 (Edgar)
C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(3) 9:30 **CONSENT CALENDAR**

A. **Introduction** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$626,713 for Emergency Response and Crisis Management Initiative (Source: Federal Grant) (Planell)
Public Hearing is scheduled for 3/9/04 at 1:30 pm.

B. **Introduction** - Resolutions to approve categorical transfers for MCPS' FY04 Operating Budget:
• \$1,500,000 for Provision for Future Supported Projects (Planell)
• \$514,690 for Provision for Future Supported Projects (Planell)
ED Committee worksession tentatively scheduled for 2/26/04.

C. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget, Departments of Permitting Services and Fire and Rescue Service - \$663,130 for Life Safety Systems - Residential Sprinkler Systems (Source: Fees) (Davidson)
Public Hearing is scheduled for 3/9/04 at 1:30 pm.

(3) 9:30 **CONSENT CALENDAR** *(continued)*

- D. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Housing and Community Affairs - \$870,000 for HUD Section 108 Program for Chelsea Tower (Source: Federal Funds) (Trombka)
Public Hearing/Action is scheduled for 3/9/04 at 1:30 pm.
- E. **Action** - Extension until May 23, 2004 of Temporary Executive Regulation 33-03T, Fuel Energy Tax for Agricultural Producers (Sherer/Faden)
- F. **Action** - MFP Committee report and recommendations on OLO Report 2004-2, Study of County Government's Strategic Plans (Richards/Stutz)
- G. **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 - \$2,600,000 for Shady Grove Metro Garage (Source: Revenue Bonds) (Orlin)
T&E Committee recommends approval.
- H. **Action** - 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 recommends approval.
- I. **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 recommends approval contingent on receipt of additional information.
- J. **Action** - Repeal of the following Executive Regulations:
- 39-95, Position Description for Chief, Accountability and Customer Service (Planell)
 - 40-95, Position Description for Chief, Public Health Services (Planell)
 - 43-95, Position Description for Chief, Crisis, Income and Victim Services (Planell)
 - 21-00, Position Description for Chief, Early Childhood Services (Planell)
- K. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Public Works and Transportation - \$5,772,120 for Solid Waste Services (Source: Solid Waste Disposal Fund) (Trombka)
Public Hearing is scheduled for 3/9/04 at 1:30 pm.

9:40 **DISTRICT COUNCIL SESSION**

- (4) A. **Introduction** - Zoning Text Amendment 04-04, Combination Retail Stores - Zoning Regulations, sponsored by Council President at request of County Executive (Wilson)
Action - Resolution to establish public hearing for 4/1/04 at 7:30 pm.

9:40 **DISTRICT COUNCIL SESSION** (*continued*)

- (5) B. **Introduction** - Resolution to approve amendment to Board of Appeals Rules of Procedure - Motion to dismiss (Wilson)
Public Hearing is scheduled for 3/23/04 at 1:30 pm.
- (6) C. **Action** - Zoning Text Amendment 03-26, Self Storage - Permitted Use - CBD-1 Zone (Wilson)
PHED Committee recommends approval with amendments.
- (7) D. **Action** - Zoning Text Amendment 03-28, Established Building Line - R-200 Zone (Wilson)
PHED Committee recommends approval with amendments.
- (8) E. **Action** - Rustic Roads Functional Master Plan, includes White Ground Road (Orlin)
T&E Committee recommends approved as amended.
- (9) F. **Action** - Upper Rock Creek Master Plan (Michaelson)

12:00 **ADJOURN**

The following appointment was received from the County Executive and is tentatively scheduled for confirmation on March 2, 2004:

Energy and Air Quality Advisory Committee: Suzanne Matwyshen-Gillen, Alan S. Miller

Rustic Roads Advisory Committee: Laura Van Etten, James D. Arnoult

Silver Spring Urban District Advisory Committee: M. Genevieve Hardesty

The following appointment received from the County Executive is tentatively scheduled for confirmation on March 2, 2004:

Chief, Special Needs Housing, Department of Health and Human Services: Corinne Stevens

COUNCIL MEETINGS

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

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	9:30 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 24, 2004	7:30 pm	Town Hall Meeting - Council Office Building
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
- 1:30 pm Resolution to increase Base Solid Waste Service Charge (Tipping Fee)

March 9, 2004

- 1:30 pm Supplemental appropriation to the MCPS' FY04 Operating Budget - \$626,713 for Emergency Response and Crisis Management Initiative
- 1:30 pm Supplemental appropriations to the County Government's FY04 Operating Budget,
 - DPS and DFRS - \$663,130 for Life Safety Systems - Residential Sprinkler Systems
 - DHCA - \$870,000 for HUD Section 108 Program for Chelsea Tower
 - DPWT, Division of Solid Waste Services - \$5,772,120 for Disposal Fund

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

March 23, 2004

- 1:30 pm Resolution to approve amendment to Board of Appeals Rules of Procedure - Motion to dismiss

April 1, 2004

- 7:30 pm ZTA 04-04, Combination Retail Stores - Zoning Regulations



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ADDENDUM
Tuesday, March 2, 2004

9:40 **DISTRICT COUNCIL SESSION**

Defer: (6 and 7) A. **Action** - Request for Oral Argument and/or Consideration of Hearing
Examiner's Report and Recommendation: (Wilson)
Application No: G-813 and G-814

11:45 **LEGISLATIVE SESSION Day #5** *(continued)*

Defer: (10) C. Call of Bills for Final Reading
• **Bill 29-03**, Forest Conservation - Equestrian facilities (Faden/Wilson)

Add: 11:45 **DISCUSSION** - State Legislative Program *(continued)*

*This meeting will be televised live on Channel 6;
repeated on 3/5/04 at 8 pm and 3/6/04 at 9 am*

Monday, March 1, 2004

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

Tuesday, March 2, 2004

9:15 **INVOCATION** - Reverend Francis G. Kazista, St. John the Baptist Catholic Church,
Silver Spring

9:20 **GENERAL BUSINESS**

A. Announcements:

- Agenda and Calendar Changes (Lauer)
- Public Hearing schedule for the FY05 Operating Budgets:
April 12, 13, 14, and 15, 2004 at 7:00 pm, and April 14, 2004 at 1:30 pm.
Persons wishing to testify should call 240-777-7931 beginning March 19, 2004.

B. **Action** - Approval of Minutes: January 22, February 5 and February 10, 2004 (Edgar)

(2) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

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

A. **Introduction** - Resolution to oppose H.R. 2671, Clear Law Enforcement for Criminal Alien Removal (CLEAR) Act, as introduced in the U.S. House of Representatives, sponsored by Council President Silverman and Councilmembers Leventhal, Floreen, Subin, and Praisner (Langevin)

C. **Introduction** - Resolution to support State Financing for Airpark Apartments in Gaithersburg (Trombka)
Action is tentatively scheduled for 3/9/04.

D. **Action** - 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 recommends approval.

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

- E. **Action** - Resolutions for Categorical Transfers for MCPS' FY04 Operating Budget
- \$1,500,000 for Provision for Future Supported Projects (Planell)
 - \$514,690 for Provision for Pre-Kindergarten programs (Planell)
ED Committee recommendation will be available on 2/26/04.
- F. **Action** - Confirmation of County Executive appointment of Chief, Special Needs Housing, Department of Health and Human Services: Corinne Stevens (Ferber)
- G. **Action** - Confirmation of County Executive appointments to Energy and Air Quality Advisory Committee: Suzanne Matwyshe-Gillen, Alan S. Miller (Ferber)
- H. **Action** - Confirmation of County Executive appointments to Rustic Roads Advisory Committee: Laura Van Etten, James D. Arnoult (Ferber)
- I. **Action** - Confirmation of County Executive appointments to Silver Spring Urban District Advisory Committee: M. Genevieve Hardesty (Ferber)
- J. **Introduction** - Resolution authorizing issuance of General Obligation Refunding Bonds (Sherer)
- K. **Action** - Joint Resolution to support application to the State for designation of an area in Silver Spring as an Arts and Entertainment District (Ferber)

9:30 **LEGISLATIVE SESSION Day # 5**

- (4) A. Approval of Legislative Journal: December 9, 2003, January 13, February 3, and February 10, 2004 (Edgar)
- B. Introduction of Bills:
- (5) • **Bill 3-04**, Procurement - Use of County Funds, sponsored by Councilmembers Knapp and Denis (added later: Floreen and Leventhal) (Healy)
Public Hearing is scheduled for 3/23/04 at 1:30 pm.

9:40 **DISTRICT COUNCIL SESSION**

- (6) A. **Action** - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
- Application No: G-813**
- Applicant:** Artery/Ryland Fairland LLC and M-NCPPC (Barbara A. Sears, Mark M. Viani and Michele Rosenfeld, Attorneys)
- Action:** R-200 & RE-2 to PD-2
- Property:** Fairland Regional Park and Parcels P303, P400, N700, N581, N300, P454, P202, P181, P258, P340, P125, P440, P75, P700, P517, located generally south of Maryland Route 198, Burtonsville
- Recommendations:**
- | | |
|-------------------|---------|
| Planning Staff: | Approve |
| Planning Board: | Approve |
| Hearing Examiner: | Approve |

9:40 **DISTRICT COUNCIL SESSION** *(continued)*

- (7) B. **Action** - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: G-814
Applicant: Artery/Ryland Fairland LLC and M-NCPPC (Barbara A. Sears, Mark M. Viani, and Michele Rosenfeld, Attorneys)
Action: R-200 to PD-2
Property: Konterra Limited Partnership Property, Tract 9, Parcel A, located generally south of MD Route 198, Burtonsville
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Approve
- (8) C. **Action** - Zoning Text Amendment 03-21, Riding Stables - Revisions (Wilson)
PHED Committee recommends approval with amendments.
- (9) D. **Action** - Subdivision Regulation Amendment 03-01, Equestrian Facilities (Wilson)
PHED Committee recommends approval with amendments.

11:45 **LEGISLATIVE SESSION Day #5** *(continued)*

- (10) C. Call of Bills for Final Reading
• **Bill 29-03**, Forest Conservation - Equestrian facilities (Faden/Wilson)
PHED Committee recommends approval with amendments.

12:00 **RECESS**

- (11) 1:30 **PUBLIC HEARING - Bill 2-04**, Human Rights - Discrimination - Family Responsibilities (Faden)
HHS Committee worksession tentatively scheduled for 3/29/04.
- (12) 1:30 **PUBLIC HEARING** - Resolution to increase Base Solid Waste Service Charge (Tipping Fee) (Trombka)
T&E Committee worksession tentatively scheduled for 3/15/04.

2:15 **ADJOURN**

2:15 **T&E Committee** 7th floor Council Hearing Room

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on March 9, 2004:

Board of License Commissioners: Maria Pena-Faustino, Michael W. Gildea, Donald R. Gilchrist
Commission on Aging: Samuel D. Kramer, James W. Mayo, Ph.D., Lester Trachtman, Patricia Lesnick, Harold Wallach, Irwin Goldbloom, Ellen A. Sarnecky, Patrice J. Thomas, Judith Z. Jaffe
Commission on Juvenile Justice: Douglas Stagnaro, Linda McMillan
Friendship Heights Transportation Management District Advisory Committee: Mary Herman
Local Management Board for Children, Youth and Families: Shawn D. Bartley, Esq., Deirdre V. Cryor, Yvette Edghill-Smith, Arva J. Jackson, Tom Manatos, Phyllis F. Schwartz, Carol W. Garvey, M.D., MPH, Debbie Van Brunt, Gladys R. Gutierrez, Valerie Ervin, Delmas Wood, George Margolies, Ulder Tillman, M.D., Dr. Carey M. Wright, Pam Saunders, Kate Garvey, Emily McDonnell, Beryl Feinberg, Jerrilyn Matthews, Daryl Plevy, Captain Evelyn S. Cahalen
Range Approval Committee: Beth Anne Newman, James Piateski, William Warncke
Workforce Investment Board: Andrew B. Larson

COUNCIL MEETINGS

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

Mar 8, 2004	12:30 pm	State Legislation
Mar 9, 2004	9:30 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 24, 2004	7:30 pm	Town Hall Meeting - Council Office Building
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 9, 2004

1:30 pm Supplemental appropriation to the MCPS' FY04 Operating Budget - \$626,713 for Emergency Response and Crisis Management Initiative

1:30 pm Supplemental appropriations to the County Government's FY04 Operating Budget,

- DPS and DFRS - \$663,130 for Life Safety Systems - Residential Sprinkler Systems
- DHCA - \$870,000 for HUD Section 108 Program for Chelsea Tower
- DPWT - \$5,772,120 for Solid Waste Services

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

March 2, 2004

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FUTURE PUBLIC HEARINGS
To testify call 240-777-7931

March 23, 2004

1:30 pm Resolution to approve amendment to Board of Appeals Rules of Procedure - Motion to dismiss

1:30 pm **Bill 3-04**, Procurement - Use of County Funds

March 30, 2004

1:30 pm Franchise Agreement for Use of Public Right of Way: InSITE Solutions, LLC

April 1, 2004

7:30 pm ZTA 04-04, Combination Retail Stores - Zoning Regulations

April 12, 2004

7:00 pm FY05 Operating Budget

April 13, 2004

7:00 pm FY05 Operating Budget

April 14, 2004

1:30 pm FY05 Operating Budget

7:00 pm FY05 Operating Budget

April 15, 2004

7:00 pm FY05 Operating Budget



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ADDENDUM

Tuesday, March 9, 2004

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

R. **Introduction** - Special appropriation to the MCPS' FY04 Capital Budget and amendment to the FY03-08 Capital Improvements Program - \$5,000,000 for Relocatable Classrooms (Source: Current Revenue) (Levchenko)
Public Hearing is scheduled for 3/30/04 at 1:30 pm.

Add: 11:00 **PROPOSED CLOSED SESSION** to discuss appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, pursuant to Maryland Code, State Government Article, §10-508 (a)(1)(i). Topic is WSSC. (6th floor Council Conference Room) (Farber)

*This meeting will be televised live on Channel 6;
repeated on 3/12/04 at 8 pm and 3/13/04 at 9 am*

Monday, March 8, 2004

- (1) 12:30 **DISCUSSION** - State Legislative Program (*6th floor Council Conference Room*) (Wenger)
Note - This session may be cancelled. Please call 240-777-7900 to confirm.

Tuesday, March 9, 2004

- 9:30 **INVOCATION** - Chaplain Edco Bailey, Shady Grove Adventist Hospital, Rockville
- 9:35 **PRESENTATION** - Proclamation to Montgomery County Alumnae Chapter of Delta Sigma Theta Sorority, Inc. in recognition of Delta Youth Day in Montgomery County by Councilmember Silverman
- 9:40 **PRESENTATION** - Proclamation in recognition of the Springbrook High School Girls' Field Hockey Team, Winners of 2003 Maryland State Championship by Councilmember Praisner
- 9:45 **PRESENTATION** - Proclamation honoring John W. Smith, inductee into the Human Rights Hall of Fame by Councilmember Andrews
- 9:50 **GENERAL BUSINESS**
- (2) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: February 12, 2004 (Edgar)
C. **Acknowledgement** - Receipt of Petitions (Lacefield)
- (3) 9:55 **CONSENT CALENDAR**
- A. **Introduction** - Franchise Agreement for Use of Public Right of Way: InSITE Solutions, LLC (Healy)
Public Hearing is scheduled for 3/30/04 at 1:30 pm.
- B. **Introduction** - Resolution to approve Council contracts for Audit Services (Howard)
MFP Committee recommends approval.
- C. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Health and Human Services - \$35,870 for Youth Strategies-Interagency Support to Youth and Families Grant (Source: Federal grant) (Planell)
Public Hearing/Action is scheduled for 3/30/04 at 1:30 pm.

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

- D. **Action** - Resolution regarding the management plan for portions of Montgomery County designated as a Certified Maryland Heritage Area (Arthur)
- E. **Action** - Resolution to oppose H.R. 2671, Clear Law Enforcement for Criminal Alien Removal (CLEAR) Act, as introduced in the U.S. House of Representatives (Langevin)
- F. **Action** - Resolution to support State Financing for Airpark Apartments in Gaithersburg (Trombka)
- G. **Action** - Extension of time until June 30, 2004 for Council action on Executive Regulation 26-03, Cable Modem Service Standards (Healy)
- H. **Action** - Resolution authorizing issuance of General Obligation Refunding Bonds (Sherer)
- I. **Action** - Confirmation of County Executive appointments to the Board of License Commissioners: Maria Pena-Faustino, Michael W. Gildea, Donald R. Gilchrist (Ferber)
- J. **Action** - Confirmation of County Executive appointments to the Commission on Aging: Samuel D. Kramer, James W. Mayo, Ph.D., Lester Trachtman, Patricia Lesnick, Harold Wallach, Irwin Goldbloom, Ellen A. Sarnecky, Patrice J. Thomas, Judith Z. Jaffe (Ferber)
- K. **Action** - Confirmation of County Executive appointments to the Commission on Juvenile Justice: Douglas Stagnaro, Linda McMillan (Ferber)
- L. **Action** - Confirmation of County Executive appointment to the Friendship Heights Transportation Management District Advisory Committee: Mary Herman (Ferber)
- M. **Action** - Confirmation of County Executive appointments to the Local Management Board for Children, Youth and Families: Shawn D. Bartley, Esq., Deirdre V. Cryor, Yvette Edghill-Smith, Arva J. Jackson, Tom Manatos, Phyllis F. Schwartz, Carol W. Garvey, M.D., MPH, Debbie Van Brunt, Gladys R. Gutierrez, Valerie Ervin, Delmas Wood, George Margolies, Ulder Tillman, M.D., Dr. Carey M. Wright, Pam Saunders, Kate Garvey, Emily McDonell, Beryl Feinberg, Jerrilyn Matthews, Daryl Plevy, Captain Evelyn S. Cahalen (Ferber)
- N. **Action** - Confirmation of County Executive appointments to the Range Approval Committee: Beth Anne Newman, James Piatetski, William Warncke (Ferber)
- O. **Action** - Confirmation of County Executive appointment to the Workforce Investment Board: Andrew B. Larson (Ferber)
- P. **Action** - Extension until June 1, 2004 of Temporary Executive Regulation 1-04T, Enforcement Procedure for the Fire Administrator regarding Local Fire and Rescue Department Personnel (Davidson)

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

Q. **Introduction** - Special appropriation to the County Government's FY04 Operating Budget, Department of Health and Human Services - \$261,960 for Women's Health Services (Source: General Fund) (McGuire)

Public Hearing is scheduled for 3/23/04 at 1:30 pm.

10:05 **LEGISLATIVE SESSION** Day # 6

A. Approval of Legislative Journal (Edgar)

B. Introduction of Bills

(5) • **Bill 4-04**, Criminal Justice Coordinating Commission - Revisions, sponsored by the Council President at the request of the County Executive (McMillan)
Public Hearing is scheduled for 3/30/04 at 1:30 pm.

(6) • **Bill 5-04**, Transportation - Bus Advertising - Requirement, sponsored by Councilmembers Perez, Silverman, Floreen, Denis, and Praisner (Healy)
Public Hearing is scheduled for 3/30/04 at 1:30 pm.

(7) • **Bill 6-04**, Personal Property Business Tax Credit - Employee Home Computer Telecommuting Incentive, sponsored by Councilmembers Praisner and Denis (Healy)
Public Hearing is scheduled for 3/30/04 at 1:30 pm.

10:15 **DISTRICT COUNCIL SESSION**

(8) A. **Action** - Remand to Hearing Examiner: Local Map Amendments G-813 and G-814 (Wilson)

(9) B. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)

Application No: G-815

Applicant: 4302 East West LLC (Martin J. Hutt, Attorney)

Action: R-60 to OM

Property: Lot 2, Meadow Brook Village Subdivision, located at 4302 East West Highway, Bethesda

Recommendations: Planning Staff: Approve

Planning Board: Approve

Hearing Examiner: Approve

(10) 10:30 **PROPOSED CLOSED SESSION** to consult with staff, consultants, or other individuals about pending or potential litigation, pursuant to Maryland Code, State Government Article, §10-508 (a)(8). Topic is Montgomery County Correctional Facility (*6th floor Council Conference Room*) (McMillan)

11:30 **RECESS**

(11) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$626,713 for Emergency Response and Crisis Management Initiative (Source: Federal Grant) (Planell)

ED Committee worksession tentatively scheduled for 3/11/04.

March 9, 2004

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- (12) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY04 Operating Budget, Departments of Permitting Services and Fire and Rescue Service - \$663,130 for Life Safety Systems - Residential Sprinkler Systems (Source: Fees)(Levchenko/Davidson)
PS Committee worksession tentatively scheduled for 3/15/04.
- (13) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Public Works and Transportation - \$5,772,120 for Solid Waste Services (Source: Solid Waste Disposal Fund) (Trombka)
T&E Committee worksession tentatively scheduled for 3/15/04.
- (14) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Housing and Community Affairs - \$870,000 for HUD Section 108 Program for Chelsea Tower (Source: Federal Funds) (Trombka)

ADJOURN

2:15 **PS/HHS Committee** (*7th floor Council Hearing Room*)

COUNCIL MEETINGS

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

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
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FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

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

March 23, 2004

- 1:30 pm Resolution to approve amendment to Board of Appeals Rules of Procedure - Motion to dismiss
- 1:30 pm **Bill 3-04**, Procurement - Use of County Funds
- 1:30 pm Special appropriation - DHHS- \$261,960 for Women's Health Services

March 30, 2004

- 1:30 pm Franchise Agreement for Use of Public Right of Way: InSITE Solutions, LLC
- 1:30 pm Supplemental appropriation - DHHS - \$35,870 for Youth Strategies-Interagency Support to Youth and Families Grant
- 1:30 pm **Bill 4-04**, Criminal Justice Coordinating Commission - Revisions
- 1:30 pm **Bill 5-04**, Transportation - Bus Advertising - Requirement
- 1:30 pm **Bill 6-04**, Personal Property Business Tax Credit - Employee Home Computer Telecommuting Incentive

April 1, 2004

- 7:30 pm ZTA 04-04, Combination Retail Stores - Zoning Regulations

April 12, 2004

- 7:00 pm FY05 Operating Budget

April 13, 2004

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April 14, 2004

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- 7:00 pm FY05 Operating Budget



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**COUNTY COUNCIL SEEKS APPLICANTS FOR POSITION ON
MONTGOMERY COUNTY PLANNING BOARD**

Deadline 5:00 P.M., March 29, 2004

The Montgomery County Council is seeking applicants to fill a vacancy on the Montgomery County Planning Board. The term of Allison Bryant, Republican, will expire on June 14, 2004. Mr. Bryant has served one partial and one full term on the Board and is eligible for another term. Mr. Bryant has indicated that he will apply for reappointment.

No more than three members of the Planning Board may be from the same political party, and all members must be residents and registered voters of Montgomery County when appointed. Members serve four-year terms and are limited to two full terms. This position can be filled by a Republican (R) or a voter who declines to affiliate with a party, or is a member of another party officially recognized by the Board of Elections. Current members are: Derick Berlage, Chairman (D); Allison Bryant (R); Wendy Collins Perdue (D); John Robinson (D); and Meredith K. Wellington (R). Annual compensation for Board members is \$25,000.

The Planning Board serves as the Council's principal adviser on land use planning and community planning. Planning Board members also serve as Commissioners of the Maryland-National Capital Park and Planning Commission. Some of the Board's responsibilities with regard to planning are: 1) preparation and amendment of the County General Plan; 2) preparation and amendment of the Master Plans and functional plans; 3) formulation of subdivision regulations; 4) preparation of or recommendations on Text Amendments to the Zoning Ordinance; 5) implementation of the subdivision process by reviewing and approving all preliminary plans, site plans, and other plans for development; 6) advice on the planning implication of capital facilities and programs of the County Government, Montgomery College, Washington Suburban Sanitary Commission, and Montgomery County Public Schools; and 7) approval of the work program and the annual operating budget for the Park and Planning Department and Central Administrative Services.

The Planning Board sits as the Park Commission and approves the annual operating budget and Capital Improvements Program for the County park system, land acquisition contracts and major development contracts for parks, development plans for individual park facilities, policies for park operations, and park user fees. These functions require a meeting at least once each month.

The Montgomery County Planning Board meets all day every Thursday. The entire Maryland-National Capital Park and Planning Commission meets the second Wednesday of every month. Two full days a week are spent in meetings. Additionally, substantial time is required for preparatory work and other activities related to Planning Board responsibilities.

Letters expressing interest in the position, including a resume listing professional and civic experience, should be addressed to Council President Steven A. Silverman, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, and must be **received no later than 5:00 p.m., Monday, March 29, 2004**. It is the Council's policy not to consider applications received after the deadline. After the March 29 closing date, Councilmembers will review the letters of application and select applicants for interviews to be held in June.

The names of all applicants are published and available for public review, and interviews are open to the public. A financial statement of assets, debts, income, and family property interests will be required of all applicants; only the appointed candidate will be required to make the financial statement available to the public.

INFORMATION: Justina Ferber, 240-777-7938

#

ADDENDUM

Tuesday, March 16, 2004

(3) 9:35 **CONSENT CALENDAR**

Add:

H. Introduction - Resolution to approve franchise agreement for Clear Channel
Outdoor, Inc.: Billboard Removal and Bus Shelters/Advertising

(Orlin)

Public Hearing is scheduled for 3/30/04 at 1:30 pm.

*This meeting will be televised live on Channel 6;
repeated on 3/19/04 at 8 pm and 3/20/04 at 9 am*

Monday, March 15, 2004

- (1) 12:30 **DISCUSSION** - *State Legislative Program is cancelled.* (Wenger)

Tuesday, March 16, 2004

9:15 **INVOCATION** - Reverend Lon Dring, Presbyterian Church USA, Rockville

9:20 **GENERAL BUSINESS**

- (2) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: February 24, 2004 (Edgar)
C. **Acknowledgement** - Receipt of Petitions (Lacefield)

9:25 **PRESENTATION** - Proclamation in recognition of heroic acts of Shane Crawl, Paint Branch High School student by Councilmember Praisner

9:30 **PRESENTATION** - Proclamation honoring David Robinson, former graduate of Richard Montgomery High School, recipient of the Rhodes Scholarship by Councilmember Andrews

(3) 9:35 **CONSENT CALENDAR**

A. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Public Works and Transportation - \$5,441,650 for Hurricane Isabel (Source: General Fund Undesignated Reserves) (Orlin)
Public Hearing is scheduled for 3/30/04 at 1:30 pm.

B. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Housing and Community Affairs - \$223,537 for Long Branch Community Centers (Source: HUD Federal Grant) (Trombka)
Public Hearing is scheduled for 3/30/04 at 1:30 pm.

C. **Receipt and Release** - OLO Memorandum Report 2004-5: Comparative Research on the Governance Structure of Fire and Rescue Services in Four Neighboring Counties
PS Committee worksession tentatively scheduled for 3/18/04. (Orlansky/Brown)

D. **Action** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$626,713 for Emergency Response and Crisis Management Initiative (Source: Federal Grant) (Planell)
ED Committee recommendation will be available 3/11/04.

(3) 9:35 **CONSENT CALENDAR** *(continued)*

E. **Action** - Resolution to approve Council contracts for Audit Services (Howard)
MFP Committee recommends approval.

F. **Action** - Resolution to approve lease for former Montgomery Hills Junior High (Wilson)
MFP Committee recommends approval as amended.

G. **Action** - PS/HHS Committee recommendations regarding plaque for Betty Ann Krahnke Center (Planell)

9:40 **LEGISLATIVE SESSION** Day # 7

A. Approval of Legislative Journal - March 2, 2004 (Edgar)

B. Introduction of Bills

(4) • **Bill 7-04**, Off-the-Road Motorcycles - Registration and Operation, sponsored by Councilmember Praisner (Healy)
Public Hearing is scheduled for 6/15/04 at 7:30 pm.

9:45 **WORKSESSION - FY05-10 Capital Improvements Program:**

(5) • General Government projects MFP (Sherer)

(6) • Technology Investment Grant and Loan Funds (Trombka)

(7) • Integrated Justice Information System (IJIS) PS/MFP (McMillan)

(8) • Judicial Center Annex for the Circuit Court PS (McMillan)

(9) • Sheriff holding facility (McMillan)

(10) • Correction and Rehabilitation (McMillan)

(11) • Department of Liquor Control - Liquor Warehouse (Ferber)

(12) • Police PS (McMillan)

(13) • Fire and Rescue/Police joint projects (McMillan/Davidson)

(14) • Fire and Rescue (Davidson)

(15) • Department of Health and Human Services HHS (McGuire)

(16) • Public Arts Trust (Davidson)

(17) • Strathmore Hall (Davidson)

12:30 **RECESS**

(18) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-01, Increased building height in the CBD-2 Zone (Wilson)

PHED Committee worksession tentatively scheduled for 3/29/04.

(19) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-02, Variances and Special Exceptions - Duration of Validity - Revisions (Wilson)
PHED Committee worksession tentatively scheduled for 3/29/04.

(20) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-03, Special Exceptions - Hearing Provisions (Wilson)
PHED Committee worksession tentatively scheduled for 3/29/04.

2:00 **DISTRICT COUNCIL SESSION**

(21) A. **Introduction** - Zoning Text Amendment 04-05, Eating and Drinking Establishments - C-O Zone, sponsored by Councilmember Perez (Wilson)
Action - Resolution to establish public hearing for 4/27/04 at 1:30 pm.

(22) B. **Action** - Zoning Text Amendment 03-21, Riding Stables - Revisions (Wilson)
PHED Committee recommends approval with amendments.

(23) C. **Action** - Subdivision Regulation Amendment 03-01, Equestrian Facilities (Wilson)
PHED Committee recommends approval with amendments.

2:30 **WORKSESSION - FY05-10 Capital Improvements Program:**

(24) • Washington Suburban Sanitary Commission T&E (Levchenko)

(25) • Park and Planning PHED (Michaelson)

(26) • Conservation of Natural Resources T&E (Ferber)
- agricultural land preservation

(27) - storm drains, stormwater management (Levchenko)

5:00 **ADJOURN**

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on March 23, 2004:

Agricultural Advisory Committee: Wade Butler, David Scott, Jr., Jane Seigler, Kenneth R. Mason, Susan Offutt, Hall Sisson

Historic Preservation Commission: Julia O'Malley, Caroline Alderson, David S. Rotenstein

Silver Spring Citizens Advisory Board: Charlotte A. Coffield, Loyce I. Grigsby, Philip L. Olivetti, Marilyn Seitz, Laura Fenves, Mitchell S. Warren, Mark D. Woodard

Taxicab Services Advisory Committee: Robert McCeney, Carl Schmitt, Wilson Krahnke, Suzanne Mintz

COUNCIL MEETINGS

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

Mar 22, 2004	12:30 pm	State Legislation
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Mar 29, 2004	12:30 pm	State Legislation
Mar 30, 2004	9:15 am	Regular Session
Apr 5-9, 2004		Council Recess
Apr 13, 2004	9:15 am	Regular Session
Apr 19-30, 2004		Council Committee Budget Worksessions
Apr 20, 2004	8:30 am	Regular Session
Apr 27, 2004	8:30 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

March 23, 2004

- 1:30 pm Resolution to approve amendment to Board of Appeals Rules of Procedure - Motion to dismiss
- 1:30 pm **Bill 3-04**, Procurement - Use of County Funds
- 1:30 pm Special appropriation - DHHS- \$261,960 for Women's Health Services

March 30, 2004

- 1:30 pm Franchise Agreement for Use of Public Right of Way: InSITE Solutions, LLC
- 1:30 pm Supplemental appropriations to the County Government's FY04 Operating Budget
 - DHHS - \$35,870 for Youth Strategies-Interagency Support to Youth and Families Grant
 - Supplemental appropriation - DPWT - \$5,441,650 for Hurricane Isabel
 - Supplemental appropriation - DHCA - \$223,537 for Long Branch Community Centers
- 1:30 pm **Bill 4-04**, Criminal Justice Coordinating Commission - Revisions
- 1:30 pm **Bill 5-04**, Transportation - Bus Advertising - Requirement
- 1:30 pm **Bill 6-04**, Personal Property Business Tax Credit - Employee Home Computer Telecommuting Incentive
- 1:30 pm Special appropriation - MCPS - \$5,000,000 for Relocatable Classrooms

April 1, 2004

- 7:30 pm ZTA 04-04, Combination Retail Stores - Zoning Regulations

April 12, 2004

- 7:00 pm FY05 Operating Budget

April 13, 2004

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April 27, 2004

- 1:30 pm ZTA 04-05, Eating and Drinking Establishments - C-O Zone



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*This meeting will be televised live on Channel 6;
repeated on 3/26/04 at 8 pm and 3/27/04 at 9 am*

Monday, March 22, 2004

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

Tuesday, March 23, 2004

9:15 **INVOCATION** - Dilawar Singh Dhatt, Washington Metropolitan Sikh Association,
Gaithersburg

9:20 **GENERAL BUSINESS**

- (2) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: February 9, 23, March 1, 2, and 9, 2004 (Edgar)
C. **Acknowledgement** - Receipt of Petitions (Lacefield)

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

- A. **Introduction** - Resolution to support the Adult ESL Task Force Report Findings and
Recommendations: A Strategic Action Plan, sponsored by the ED Committee (Sherer)
- B. **Introduction** - Resolution to support state action allowing voters to cast write-in
votes in primary elections, sponsored by Councilmember Denis (Hartman)
- C. **Action** - Supplemental appropriation to the County Government's FY04 Operating
Budget, Departments of Permitting Services and Fire and Rescue Service - \$663,130
for Life Safety Systems - Residential Sprinkler Systems (Source: Fees)(Levchenko/Davidson)
PS Committee recommendation will be available 3/18/04.
- D. **Action** - 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 recommends approval with amendments.

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

E. **Action** - Confirmation of County Executive appointments to the Agricultural Advisory Committee: Wade Butler, David Scott, Jr., Jane Seigler, Kenneth R. Mason, Susan Offutt, Hall Sisson (Ferber)

F. **Action** - Confirmation of County Executive appointments to the Historic Preservation Commission: Julia O'Malley, Caroline Alderson, David S. Rotenstein (Ferber)

G. **Action** - Confirmation of County Executive appointments to the Silver Spring Citizens Advisory Board: Charlotte A. Coffield, Loyce I. Grigsby, Philip L. Olivetti, Marilyn Seitz, Laura Fenves, Mitchell S. Warren, Mark D. Woodard (Ferber)

H. **Action** - Confirmation of County Executive appointments to the Taxicab Services Advisory Committee: Robert McCeney, Carl Schmitt, Wilson Krahnke, Suzanne Mintz (Ferber)

9:30 **DISTRICT COUNCIL SESSION**

(4) A. **Action** - Resolution to establish public hearing for April 27, 2004 at 1:30 p.m. on the Corrective Map Amendment (G-816) - Bethesda CBD Sector Plan - 4504 Walsh Street, Chevy Chase (Wilson)

9:35 **WORKSESSION - FY05-10 Capital Improvements Program:**

(5) • Park and Planning PHED (Michaelson)

(6) • Montgomery County Public Schools ED (Levchenko)

(7) • Montgomery College ED (Sherer)

(8) • Libraries HHS (Davidson)

12:30 **RECESS**

(9) 1:30 **PUBLIC HEARING - Bill 3-04, Procurement - Use of County Funds** (Healy)
MFP Committee worksession will be scheduled at a later date.

(10) 1:30 **PUBLIC HEARING** - Special appropriation to the County Government's FY04 Operating Budget, Department of Health and Human Services - \$261,960 for Women's Health Services (Source: General Fund) (McGuire)
HHS Committee worksession tentatively scheduled for 3/25/04.

(11) 1:30 **PUBLIC HEARING/ACTION** - Resolution to approve amendment to Board of Appeals Rules of Procedure - Motion to dismiss (Wilson)

2:00 **WORKSESSION - FY05-10 Capital Improvements Program:**

- (12) • Transportation T&E (Orlin)
- (13) • Solid Waste Management T&E (Trombka)
- (14) - **Action** - Resolution to increase Base Solid Waste Service Charge (Tipping Fee)
- (15) - **Action** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Public Works and Transportation - \$5,772,120 for Solid Waste Services (Source: Solid Waste Disposal Fund) (Trombka)
T&E Committee recommends approval.

5:00 **ADJOURN**

COUNCIL MEETINGS

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

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Mar 29, 2004	12:30 pm	State Legislation
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FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

March 30, 2004

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April 14, 2004

- 1:30 pm FY05 Operating Budgets
- 7:00 pm FY05 Operating Budget - MCPS

April 15, 2004

- 7:00 pm FY05 Operating Budgets

**NEWS ADVISORY
MARCH 16, 2004**

**COUNCIL TO HOLD PUBLIC HEARING ON DEAL
TO TAKE DOWN BILLBOARDS, PUT UP BUS SHELTERS**

The proposed settlement agreement that would take down the last remaining billboards in the County while giving Clear Channel Outdoor the franchise to build and operate bus shelters was introduced into the Montgomery County Council today.

The franchise agreement, which requires Council approval, will be the subject of a Council public hearing on Tuesday afternoon, March 30. Those wishing to testify should call 240-777-7931.

When: Tuesday, March 30 1:30 PM

**Where: County Council Building, 100 Maryland Avenue in Rockville, 7th
Floor Council Chamber (unless otherwise indicated)**

Contact: Patrick Lacefield 240-777-7939 or Jean Arthur 240-777-7934

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ADDENDUM

Tuesday, March 30, 2004

Add: (3.5) 9:35 **ACTION** - Resolution regarding flexibility in implementation of Parks Carry-in, Carry-Out Policy (Michaelson/Trombka)

9:35 **DISTRICT COUNCIL SESSION**

Add: (4.5) AA. **Introduction** - Zoning Text Amendment 04-07 - Sign Regulations - Exemption for bus shelters and transit center kiosk advertising, sponsored by the Council President at the request of the County Executive (Wilson)
Action - Resolution to establish public hearing for 5/4/04 at 1:30 pm.

*This meeting will be televised live on Channel 6;
repeated on 4/2/04 at 8 pm and 4/3/04 at 9 am*

Monday, March 29, 2004

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

Tuesday, March 30, 2004

9:15 **INVOCATION** - Reverend Edgar Bankhead, Jr., First Agape A.M.E. Zion Church,
Potomac

9:20 **PRESENTATION** - Proclamation in recognition of Autism Awareness Month in
Montgomery County by Councilmember Knapp

9:25 **GENERAL BUSINESS**

(2) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: March 1 and 15, 2004 (Edgar)
C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(3) 9:30 **CONSENT CALENDAR**

A. **Introduction** - Resolution to establish the FY05 Work Program of the Interagency
Public Information Working Group (Lacefield)

B. **Introduction** - Resolution to establish the FY05 Work Program of the Interagency
Training Team (Ferber)

C. **Introduction** - Resolution to establish the FY05 Work Program of the Interagency
Procurement Coordinating Committee (Healy)

D. **Introduction** - Supplemental appropriation to the County Government's FY04
Operating Budget, Department of Public Works and Transportation - \$292,050 for
Cashiering for the Woodmont Corner Garage and Parking Media Store in Bethesda
(Source: Bethesda Parking Lot District Current Revenues) (Orlin)
Public Hearing is scheduled for 4/20/04 at 1:30 pm.

(3) 9:30 **CONSENT CALENDAR**

- E. **Action** - Special appropriation to the County Government's FY04 Operating Budget, Department of Health and Human Services - \$261,960 for Women's Health Services (Source: General Fund) (McGuire)
HHS Committee recommendation will be available 3/25/04.
- F. **Action** - Resolution to amend the FY04 Designation of Entities for Non-Competitive Award Status: Holy Cross Hospital (McGuire)
- G. **Action** - Resolution to support the Adult ESL Task Force Report Findings and Recommendations: A Strategic Action Plan (Sherer)
ED Committee recommends approval.
- H. **Action** - Resolution to support state action allowing voters to cast write-in votes in primary elections (Hartman)
- I. **Action** - T&E Committee recommendations regarding Blue Plains Annotated Intermunicipal Agreement (IMA) (Levchenko)

9:35 **DISTRICT COUNCIL SESSION**

- (4) A. **Introduction** - Zoning Text Amendment 04-06, Site Plan Enforcement Agreements - Elimination, sponsored by District Council at request of Montgomery County Planning Board (Wilson)
- (5) B. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: G-808
Applicant: Battery Lane, LLC and Laurence Lipnick (Stephen Z. Kaufman and Yum Yu Cheng, Attorneys)
Action: Rezone from C-T Zone to PD-75 Zone
Property: Part of Lot 48, Block 2, Northwest Park Subdivision, located at 4811 Battery Lane, Bethesda
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Approve
- (6) C. **Action** - Development Plan Amendment **DPA 04-1** (Wilson)
Applicant: The Donohoe Companies, Inc., on behalf of WFP Front Lot Limited Partnership, Applicant (Emily J. Vaias, Attorney)
Action: Amendment to development plans approved in G-726 and DPA 01-1. Amendment applies to Phase 2B only originally approved for office/commercial use, and would now replace office/commercial building with residential high-rise and office/commercial space
Property: The TSM zoned property is located in northeast corner of Old Georgetown Road and Rockville Pike, Rockville
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: No Report

(7) 9:45 **ACTION** - Strategic Plan for Economic Development (Ferber)
PHED Committee recommends approval with amendments.

10:15 **WORKSESSION - FY05-10 Capital Improvements Program:**

(8) • Housing Opportunities Commission PHED (Healy)
(9) • Revenue Authority (Healy)
(10) • Recreation (Sherer)

(11) • Housing and Community Affairs PHED (Trombka)
(12) • Wheaton redevelopment (Trombka)
(13) • General Government projects (Ferber)
- Silver Spring Redevelopment projects (Ferber)
(14) - Life Sciences Technology Centers (Orlin)
(15) • Rockville Town Center (Orlin)

(16) • General Government - Broome School project MFP (Sherer)

12:30 **RECESS**

(17) 1:30 **PUBLIC HEARING** - Resolution to approve franchise agreement for Clear Channel Outdoor, Inc.: Billboard Removal and Bus Shelters/Advertising (Orlin)
T&E Committee worksession tentatively scheduled for 4/1/04.

(18) 1:30 **PUBLIC HEARING - Bill 5-04**, Transportation - Bus Advertising - Requirement (Healy)
T&E Committee worksession tentatively scheduled for 4/15/04.

(19) 1:30 **PUBLIC HEARING** - Franchise Agreement for Use of Public Right of Way: InSITE Solutions, LLC (Healy)
MFP Committee worksession tentatively scheduled for 4/12/04.

(20) 1:30 **PUBLIC HEARING - Bill 6-04**, Personal Property Business Tax Credit - Employee Home Computer Telecommuting Incentive (Healy)
MFP Committee worksession will be scheduled at a later date.

(21) 1:30 **PUBLIC HEARING - Bill 4-04**, Criminal Justice Coordinating Commission - Revisions(McMillan)
PS Committee worksession tentatively scheduled for 4/28/04.

(22) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Housing and Community Affairs - \$223,537 for Long Branch Community Centers (Source: HUD Federal Grant) (Trombka)
PHED Committee worksession tentatively scheduled for 4/1/04.

(23) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Public Works and Transportation - \$5,441,650 for Hurricane Isabel (Source: General Fund Undesignated Reserves) (Orlin)
T&E Committee recommendation will be available 3/25/04.

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- (24) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the MCPS' FY04 Capital Budget and amendment to the FY03-08 Capital Improvements Program - \$5,000,000 for Relocatable Classrooms (Source: Current Revenue) (Levchenko)
ED Committee recommends approval.
- (25) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Health and Human Services - \$35,870 for Youth Strategies-Interagency Support to Youth and Families Grant (Source: Federal grant) (Planell)
- 3:00 **ADJOURN**
- 3:00 **HHS/PS Committee** (*7th floor Council Hearing Room*)

Thursday, April 1, 2004

- 7:30 **PUBLIC HEARING** - Zoning Text Amendment 04-04, Combination Retail Stores - Zoning Regulations (Wilson)
PHED Committee worksession will be scheduled at a later date.

Monday, April 12, 2004

- 7:00 **PUBLIC HEARING** - FY05 Operating Budgets (*3rd floor Council Hearing Room*)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on April 13, 2004:

Cable Compliance Commission: Diona Danielle Coe

Solid Waste Advisory Committee: Sean M. Austin, V. Anthony Cammarota, Jr., David C. Frank, Thomas Jagodits, Maritza Figueroa-Mangene, Dennis F. Holt, Lee Levine, Benjamin Zindler, Denise Hawkins

COUNCIL MEETINGS

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

Apr 5-9, 2004		Council Recess
Apr 13, 2004	8:30 am	Regular Session
Apr 20, 2004	8:30 am	Regular Session
Apr 27, 2004	8:30 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

April 1, 2004

7:30 pm ZTA 04-04, Combination Retail Stores - Zoning Regulations

April 12, 2004

7:00 pm FY05 Operating Budgets

April 13, 2004

7:00 pm FY05 Operating Budgets

April 14, 2004

1:30 pm FY05 Operating Budgets

7:00 pm FY05 Operating Budget - MCPS

April 15, 2004

7:00 pm FY05 Operating Budgets

April 20, 2004

1:30 pm Supplemental appropriation - DPWT - \$292,050 for Cashiering for the Woodmont Corner Garage and Parking Media Store in Bethesda

April 27, 2004

1:30 pm ZTA 04-05, Eating and Drinking Establishments - C-O Zone

1:30 pm Corrective Map Amendment (G-816) - Bethesda CBD Sector Plan - 4504 Walsh Street, Chevy Chase

May 4, 2004

1:30 pm ZTA 04-06, Site Plan Enforcement Agreements - Elimination



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ADDENDUM #2
Tuesday, April 13, 2004

9:00 PROPOSED CLOSED SESSION to consult with counsel to obtain legal advice, pursuant to Maryland Code, State Government Article, §10-508 (a)(7). Topic is Franchise Agreement for Clear Channel Outdoor, Inc. (*7th Floor Conference room*) (Orlin)

ADDENDUM
Tuesday, April 13, 2004

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

B. Introduction of Bills

Add: (4.5)

- **Expedited Bill 9-04**, Parking Districts - Montgomery Hills - Use of Funds, sponsored by Councilmembers Perez and Praisner (Faden)
Public Hearing is scheduled for 4/27/04 at 1:30 pm.

C. Call of Bills for Final Reading

Defer: (5)

- **Bill 29-03**, Forest Conservation - Equestrian facilities (Faden/Wilson)

*This meeting will be televised live on Channel 6;
repeated on 4/16/04 at 8 pm and 4/17/04 at 9 am*

Tuesday, April 13, 2004

8:30 **INVOCATION** - Reverend Ben Shambaugh, St. John's Episcopal Church, Olney

8:35 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: March 16 and 18, 2004 (Edgar)

Approval of Closed Session Minutes: December 2, 2003, January 13, 22,
February 3, 24, and March 9, 2004

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 8:40 **CONSENT CALENDAR**

A. **Introduction** - Resolution to amend the Admissions and Amusement tax rate,
sponsored by Councilmember Praisner (Healy)
Public Hearing is scheduled for 5/11/04 at 7:30 pm.

B. **Introduction** - Resolution calling upon the District of Columbia to recognize
reciprocity by accepting out-of-state parking tags and placards designated for people
with disabilities, sponsored by Councilmembers Denis and Leventhal (Hartman)

C. **Action** - Resolution to establish the FY05 Work Program of the Interagency Public
Information Working Group (Lacefield)

D. **Action** - Abandonment of a portion of Parklawn Drive (Orlin)

E. **Action** - Extension until July 12, 2004 of Temporary Executive Regulation 5-04T,
Electricity Procurement Regulations (Healy)

F. **Action** - Resolution to establish the FY05 Work Program of the Interagency Training
Team (Ferber)

G. **Action** - Resolution to establish the FY05 Work Program of the Interagency
Procurement Coordinating Committee (Healy)

H. **Action** - Supplemental appropriation to the County Government's FY04 Operating
Budget, Department of Housing and Community Affairs - \$223,537 for Long Branch
Community Centers (Source: HUD Federal Grant) (Trombka)
PHED Committee recommends approval.

(2) 8:40 **CONSENT CALENDAR** *(continued)*

I. **Action** - Confirmation of County Executive appointments to the Cable Compliance Commission: Diona Danielle Coe (Ferber)

J. **Action** - Confirmation of County Executive appointments to the Solid Waste Advisory Committee: Sean M. Austin, Committee Chair, V. Anthony Cammarota, Jr., David C. Frank, Thomas Jagodits, Maritza Figueroa-Mangene, Dennis F. Holt, Lee Levine, Benjamin Zindler, Denise Hawkins, Committee Vice Chair (Ferber)

K. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget, Economic Development Fund - \$6,750,000 for Westfield Group and Bethesda Theatre Nederlander Project (Source: General Fund Undesignated Reserves and State Aid) (Ferber)
Public Hearing/Action is scheduled for 4/27/04 at 1:30 pm.

(3) 8:50 **ACTION** - Resolution to approve franchise agreement for Clear Channel Outdoor, Inc.: Billboard Removal and Bus Shelters/Advertising (Orlin)
T&E Committee has no recommendation.

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

A. Approval of Legislative Journal - March 9 and 16, 2004 (Edgar)

B. Introduction of Bills

(4) • **Bill 8-04**, Admissions and Amusement Tax - Amendments, sponsored by Councilmember Praisner (Healy)
Public Hearing is scheduled for 5/11/04 at 7:30 pm.

C. Call of Bills for Final Reading

(5) **Deferred** • **Bill 29-03**, Forest Conservation - Equestrian facilities (Faden/Wilson)
PHED Committee recommends approval as amended.

(6) • **Bill 2-04**, Human Rights - Discrimination - Family Responsibilities (Faden)
HHS Committee recommends approval with amendments.

(7) 10:30 **ANNUAL UPDATE** on Study of the Economy (Michaelson)

(8) 11:00 **BIANNUAL REPORT** of the Montgomery County Planning Board (Michaelson)

12:15 **RECESS**

(9) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-04, Combination Retail Stores - Zoning Regulations (Wilson)
PHED Committee worksession will be scheduled at a later date.

1:45 **DISTRICT COUNCIL SESSION**

- (10) A. **Action** - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: G-813
Applicant: Artery/Ryland Fairland LLC and M-NCPPC (Barbara A. Sears, Mark M. Viani and Michele Rosenfeld, Attorneys)
Action: R-200 & RE-2 to PD-2
Property: Fairland Regional Park and Parcels P303, P400, N700, N581, N300, P454, P202, P181, P258, P340, P125, P440, P75, P700, P517, located generally south of Maryland Route 198, Burtonsville
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Approve
- (11) B. **Action** - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: G-814
Applicant: Artery/Ryland Fairland LLC and M-NCPPC (Barbara A. Sears, Mark M. Viani, and Michele Rosenfeld, Attorneys)
Action: R-200 to PD-2
Property: Konterra Limited Partnership Property, Tract 9, Parcel A, located generally south of MD Route 198, Burtonsville
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Approve
- (12) C. **Action** - Zoning Text Amendment 04-03, Special Exceptions - Hearing Provisions (Wilson)
PHED Committee recommends approval with amendments.
- (13) D. **Action** - Zoning Text Amendment 04-01, Increased building height in the CBD-2 Zone under certain circumstances (Wilson)
PHED Committee recommends approval.

3:00 **ADJOURN**

- (14) 7:00 **PUBLIC HEARING** - FY05 Operating Budgets (*3rd floor Council Hearing Room*)

Wednesday, April 14, 2004

- 1:30 **PUBLIC HEARING** - FY05 Operating Budgets (*3rd floor Council Hearing Room*)
7:00 **PUBLIC HEARING** - FY05 Operating Budgets - MCPS (*3rd floor Council Hearing Room*)

Thursday, April 15, 2004

- 7:00 **PUBLIC HEARING** - FY05 Operating Budgets (*3rd floor Council Hearing Room*)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on April 20, 2004:

Agricultural Advisory Committee: Theodore H. Butz

Washington Suburban Transit Commission: Gordon J. Linton

COUNCIL MEETINGS

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

Apr 20, 2004	8:30 am	Regular Session
Apr 27, 2004	8:30 am	Regular Session
May 4, 2004	9:15 am	Regular Session
May 10, 2004	9:15 am	Council Budget Worksession
May 11, 2004	8:30 am	Meeting re: Bi-County Budgets
May 11, 2004	9:15 am	Council Budget Worksession
May 12, 2004	9:15 am	Council Budget Worksession
May 13, 2004	9:15 am	Council Budget Worksession
May 13, 2004	3:00 pm	BiCounty Budget Meeting with PG's County Council - Upper Marlboro
May 14, 2004	9:15 am	Council Budget Worksession

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

April 20, 2004

1:30 pm Supplemental appropriation - DPWT - \$292,050 for Cashiering for the WoodmontCorner Garage and Parking Media Store in Bethesda

April 27, 2004

1:30 pm ZTA 04-05, Eating and Drinking Establishments - C-O Zone

1:30 pm Corrective Map Amendment (G-816) - Bethesda CBD Sector Plan - 4504 Walsh Street, Chevy Chase

1:30 pm Supplemental appropriation - Economic Development Fund - \$6,750,000 for Westfield Group and Bethesda Theatre Nederlander Project

7:30 pm Strategic Plan for Economic Development

May 4, 2004

1:30 pm ZTA 04-06, Site Plan Enforcement Agreements - Elimination

1:30 pm ZTA 04-07, Sign Regulations - Exemption for bus shelters and transit center kiosk advertising

1:30 pm Supplemental appropriation - \$852,580 for FFY2003 State Homeland Security Grant Program - multi-departmental grant for Phase II Equipment Grant

May 11, 2004

7:30 pm Resolution to advertise proposed General Fund property tax rate for purposes of complying with state law regarding the Constant Yield Tax Rate (CYTR)

7:30 pm Resolution to establish FY05 Solid Waste Service Charges

7:30 pm Resolution to establish FY05 Water Quality Protection Charge

7:30 pm Resolution to amend the Admissions and Amusement tax rate

7:30 pm **Bill 8-04**, Admissions and Amusement Tax - Amendments



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ADDENDUM
Tuesday, April 20, 2004

11:15 **LEGISLATIVE SESSION** Day #10

B. Introduction of Bills

Add: (5.1)

- **Bill 13-04**, Special Capital Improvements Project - Father Hurley Boulevard Extended, sponsored by Council President at request of County Executive

(Orlin)

Public Hearing is scheduled for 5/11/04 at 1:30 pm.

*This meeting will be televised live on Channel 6;
repeated on 4/23/04 at 8 pm and 4/24/04 at 9 am*

Tuesday, April 20, 2004

- (1) 8:30-9:15 **DISCUSSION** - State Legislative Program (*6th floor Council Conference Room*) (Wenger)
- 9:30 **INVOCATION** - Reverend Hattie Jackson, Glenmont United Methodist Church, Wheaton
- 9:35 **GENERAL BUSINESS**
- A. **Announcement** - Agenda and Calendar Changes (Lauer)
- B. **Action** - Approval of Minutes: March 22, 23 and 30, 2004 (Edgar)
- (2) C. **Acknowledgement** - Receipt of Petitions (Lacefield)
- (3) 9:40 **CONSENT CALENDAR**
- A. **Introduction** - Resolution to establish FY05 Solid Waste Service Charges (Trombka)
Public Hearing is scheduled for 5/11/04 at 7:30 pm.
- B. **Introduction** - Resolution to establish FY05 Water Quality Protection Charge (Levchenko)
Public Hearing is scheduled for 5/11/04 at 7:30 pm.
- C. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget - \$852,580 for FFY2003 State Homeland Security Grant Program - multi-departmental grant for Phase II Equipment Grant (Source: Federal funds) (Davidson)
Public Hearing is scheduled for 5/4/04 at 1:30 pm.
- D. **Introduction** - Resolution to establish a voluntary program for securing lower-priced prescription drugs from Canada, sponsored by Councilmembers Perez, Denis and Leventhal (Parr)
MFP Committee worksession will be scheduled at a later date.
- E. **Action** - Resolution calling upon the District of Columbia to recognize reciprocity by accepting out-of-state parking tags and placards designated for people with disabilities (Hartman)
- F. **Action** - Executive Regulation 27-03AM, Procurement (Healy)
MFP Committee recommends approval as amended.

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

G. **Action** - Resolution to set public hearing on intent to consider increasing FY05 General Fund tax rate above the Constant Yield Tax Rate (CYTR) (Sherer)

Public Hearing is scheduled for 5/11/04 at 7:30 pm.

H. **Action** - Confirmation of County Executive appointment to the Washington Suburban Transit Commission: Gordon J. Linton (Ferber)

I. **Action** - Confirmation of County Executive appointments to the Agricultural Advisory Committee: Theodore H. Butz (Ferber)

J. **Introduction/Suspension of Rules/Action** - Resolution to support the April 25, 2004 March for Women's Lives, sponsored by Councilmember Floreen (Green)

Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.

K. **Introduction** - Resolution to change energy tax rates conditioned on reducing property tax rates, sponsored by Councilmember Andrews (Faden)

Public Hearing is scheduled for 5/11/04 at 7:30 pm.

(4) 9:50 **OVERVIEW** - FY05 Operating Budget (Farber)

(5) 10:30 **ACTION** - Consideration of Spending Affordability Guidelines for FY05 Operating Budget (Sherer)

MFP Committee recommendation will be available 4/15/04.

11:15 **LEGISLATIVE SESSION** Day #10

A. Approval of Legislative Journal (Edgar)

B. Introduction of Bills

(5.1) • **Bill 10-04**, Special Capital Improvements Project - Seven Locks Technical Center Phase II, sponsored by Council President at request of County Executive (Orlin)
Public Hearing is scheduled for 5/11/04 at 1:30 pm.

• **Bill 11-04**, Special Capital Improvements Project - Nebel Street Extended, sponsored by Council President at request of County Executive (Orlin)
Public Hearing is scheduled for 5/11/04 at 1:30 pm.

• **Bill 12-04**, Special Capital Improvements Project - Transfer Station and Related Ancillary Facilities, sponsored by Council President at request of County Executive (Orlin)
Public Hearing is scheduled for 5/11/04 at 1:30 pm.

C. Call of Bills for Final Reading

(6) • **Bill 5-04**, Transportation - Bus Advertising - Requirement (Faden)
T&E Committee recommendation will be available 4/15/04.

12:15 **RECESS**

- (7) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Public Works and Transportation - \$292,050 for Cashiering for the Woodmont Corner Garage and Parking Media Store in Bethesda (Source: Bethesda Parking Lot District Current Revenues) (Orlin)
T&E Committee worksession tentatively scheduled for 5/3/04.

1:45 **ADJOURN**

2:00 **MFP/T&E Committee** (7th floor Council Hearing Room)

2:30 **MFP Committee** (7th floor Council Hearing Room)

2:30 **T&E Committee** (3rd floor Council Conference Room)

7:00 **PS Committee** (7th floor Council Hearing Room) (Faden/Davidson)

COUNCIL MEETINGS

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

Apr 27, 2004	8:30 am	Regular Session
May 4, 2004	9:15 am	Regular Session
May 10, 2004	9:15 am	Council Budget Worksession
May 11, 2004	8:30 am	Meeting re: Bi-County Budgets
May 11, 2004	9:15 am	Council Budget Worksession
May 12, 2004	9:15 am	Council Budget Worksession
May 13, 2004	9:15 am	Council Budget Worksession
May 13, 2004	3:00 pm	BiCounty Budget Meeting with PG's County Council - Upper Marlboro
May 14, 2004	9:15 am	Council Budget Worksession

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

April 27, 2004

- 1:30 pm ZTA 04-05, Eating and Drinking Establishments - C-O Zone
- 1:30 pm Corrective Map Amendment (G-816) - Bethesda CBD Sector Plan - 4504 Walsh Street, Chevy Chase
- 1:30 pm Supplemental appropriation - Economic Development Fund - \$6,750,000 for Westfield Group and Bethesda Theatre Nederlander Project
- 1:30 pm **Expedited Bill 9-04**, Parking Districts - Montgomery Hills - Use of Funds
- 7:30 pm Strategic Plan for Economic Development

May 4, 2004

- 1:30 pm ZTA 04-06, Site Plan Enforcement Agreements - Elimination
- 1:30 pm ZTA 04-07, Sign Regulations - Exemption for bus shelters and transit center kiosk advertising
- 1:30 pm Supplemental appropriation - \$852,580 for FFY2003 State Homeland Security Grant Program - multi-departmental grant for Phase II Equipment Grant

April 20, 2004

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May 11, 2004

- 1:30 pm **Bill 10-04**, Special Capital Improvements Project - Seven Locks Technical Center Phase II
- 1:30 pm **Bill 11-04**, Special Capital Improvements Project - Nebel Street Extended
- 1:30 pm **Bill 12-04**, Special Capital Improvements Project - Transfer Station and Related Ancillary Facilities
- 7:30 pm Constant Yield Tax Rate (CYTR)
- 7:30 pm Resolution to establish FY05 Solid Waste Service Charges
- 7:30 pm Resolution to establish FY05 Water Quality Protection Charge
- 7:30 pm Resolution to amend the Admissions and Amusement tax rate
- 7:30 pm **Bill 8-04**, Admissions and Amusement Tax - Amendments



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*This meeting will be televised live on Channel 6;
repeated on 4/30/04 at 8 pm and 5/1/04 at 9 am*

Tuesday, April 27, 2004

8:30 **INVOCATION**

8:35 **PRESENTATION** - Award presentation for Sidewalks Are For Everyone (SAFE)
Golden Shovel Program by Councilmember Floreen

8:40 **PRESENTATION** - Proclamation in recognition of Blair High School students
competing in the National Science Bowl by Councilmember Perez

8:45 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: April 12, 14, and 15, 2004 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 8:50 **CONSENT CALENDAR**

A. **Action** - Extension of time until June 30, 2004 for Council action on Fire and Rescue
Commission Regulation 1-04, Enforcement Procedure for the Fire Administrator
regarding Local Fire and Rescue Department Personnel (Faden)

B. **Action** - Executive Regulation 2-04, Amendments to Personnel Regulations -
Classification and Disability Leave (Davidson)
MFP Committee recommends approval.

C. **Introduction** - Resolution to approve postponement of FY05 Audit of the
Montgomery County Classification and Compensation Plans and Procedures (Lauer)
Action is tentatively scheduled for 5/4/04.

8:55 **WORKSESSION/ACTION on the following:**

(3) A. Compensation and Benefits (all agencies) (Farber)
MFP Committee recommendation will be available 4/22/04.

8:55 **WORKSESSION/ACTION** (*continued*)

- (4) B. Indication of Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Fraternal Order of Police, Lodge 35 (Faden)
MFP Committee recommendation will be available 4/22/04.
- (5) C. Indication of Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Montgomery County Career Fire Fighters Association of the International Association of Fire Fighters, Local 1664, AFL-CIO (Faden)
MFP Committee recommendation will be available 4/22/04.
- (6) D. Indication of Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Municipal & County Government Employees' Organization, Local 1994 (Faden)
MFP Committee recommendation will be available 4/22/04.
- (7) 9:25 **WORKSESSION - Bill 36-03**, Fire and Rescue Services - Amendments (Faden/Davidson)
- (8) 11:30 **RECEIPT AND RELEASE** - Office of Legislative Oversight Report #2004-6 - Strategies to Increase Commercial Recycling (Richards/Stutz/Howard)
T&E Committee worksession tentatively scheduled for 4/29/04.

12:00 **RECESS**

- (9) 1:30 **PUBLIC HEARING - Expedited Bill 9-04**, Parking Districts - Montgomery Hills - Use of Funds (Faden)
T&E Committee worksession tentatively scheduled for 5/3/04.
- (10) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-05, Eating and Drinking Establishments - C-O Zone (Wilson)
PHED Committee worksession will be scheduled at a later date.
- (11) 1:30 **PUBLIC HEARING** - Corrective Map Amendment (G-816) - Bethesda CBD Sector Plan - 4504 Walsh Street, Chevy Chase (Wilson)
Action is tentatively scheduled for 5/4/04.
- (12) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY04 Operating Budget, Economic Development Fund - \$6,750,000 for Westfield Group and Bethesda Theatre Nederlander Project (Source: General Fund Undesignated Reserves and State Aid) (Ferber)
PHED Committee recommendations will be available 4/26/04.

2:00 **ADJOURN**

2:00 **PHED Committee** (*7th floor Council Conference Room*)

- (13) 7:30 **PUBLIC HEARING** - Strategic Plan for Economic Development (Ferber)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on May 4, 2004:

Long Branch Task Force: Sarah S. Pelham

County-wide Recreation Advisory Board: Joseph Fritsch

COUNCIL MEETINGS

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

May 4, 2004	9:15 am	Regular Session
May 10, 2004	9:15 am	Council Budget Worksession
May 11, 2004	8:30 am	Meeting re: Bi-County Budgets
May 11, 2004	9:15 am	Council Budget Worksession
May 12, 2004	9:15 am	Council Budget Worksession
May 13, 2004	9:15 am	Council Budget Worksession
May 13, 2004	3:00 pm	BiCounty Budget Meeting with PG's County Council - Upper Marlboro
May 14, 2004	9:15 am	Council Budget Worksession

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

May 4, 2004

1:30 pm ZTA 04-06, Site Plan Enforcement Agreements - Elimination
1:30 pm ZTA 04-07, Sign Regulations - Exemption for bus shelters and transit center kiosk advertising
1:30 pm Supplemental appropriation - \$852,580 for FFY2003 State Homeland Security Grant Program - multi-departmental grant for Phase II Equipment Grant

May 11, 2004

1:30 pm **Bill 10-04**, Special Capital Improvements Project - Seven Locks Technical Center Phase II
1:30 pm **Bill 11-04**, Special Capital Improvements Project - Nebel Street Extended
1:30 pm **Bill 12-04**, Special Capital Improvements Project - Transfer Station and Related Ancillary Facilities
1:30 pm **Bill 13-04**, Special Capital Improvements Project - Father Hurley Boulevard Extended
7:30 pm Constant Yield Tax Rate (CYTR)
7:30 pm Resolution to establish FY05 Solid Waste Service Charges
7:30 pm Resolution to establish FY05 Water Quality Protection Charge
7:30 pm Resolution to amend the Admissions and Amusement tax rate
7:30 pm **Bill 8-04**, Admissions and Amusement Tax - Amendments
7:30 pm Resolution to change energy tax rates conditioned on reducing property tax rates



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ADDENDUM
Tuesday, May 4, 2004

(2) 9:35 **CONSENT CALENDAR**

Add: G. **Introduction** - Resolution to approve waiver for extended absence of Board
of Appeals Member (Ferber)

Add: H. **Introduction** - Resolution to adopt the Environmental Issues and Actions
Report as County policy, sponsored by the T&E Committee (Levchenko)

*This meeting will be televised live on Channel 6;
repeated on 5/7/04 at 8 pm and 5/8/04 at 9 am*

Tuesday, May 4, 2004

9:15 **INVOCATION** - Reverend Ginger Luke, River Road Unitarian Church, Bethesda

9:20 **PRESENTATION** - Proclamation honoring Bodil P. Meloney for her artistic work with the Poetry Benches in Bethesda by Councilmember Floreen

9:25 **PRESENTATION** - Proclamation honoring the Montgomery County History Day Winners by Councilmember Andrews

9:30 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: April 13, 2004 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:35 **CONSENT CALENDAR**

A. **Introduction** - Resolution to establish Local Management Board (Planell)
Action is tentatively scheduled for 5/11/04.

B. **Introduction** - Resolution to provide Policy Guidance for Pre-Employment Background Check Practices of County, Bi-County, and County-Funded State Agencies, sponsored by MFP Committee (Howard)

C. **Action** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Public Works and Transportation - \$292,050 for Cashiering for the Woodmont Corner Garage and Parking Media Store in Bethesda (Source: Bethesda Parking Lot District Current Revenues) (Orlin)
T&E Committee recommendation will be available 5/3/04.

D. **Action** - Resolution to approve postponement of FY05 Audit of the Montgomery County Classification and Compensation Plans and Procedures (Lauer)

- (2) 9:35 **CONSENT CALENDAR** *(continued)*
- E. **Action** - Confirmation of County Executive appointment to the Long Branch Task Force: Sarah S. Pelham (Ferber)
- F. **Action** - Confirmation of County Executive appointment to the County-wide Recreation Advisory Board: Joseph Fritsch (Ferber)
- 9:40 **COUNCIL SITTING AS BOARD OF HEALTH** - *The Board will receive an update from the County Health Officer on June 29, 2004.*
- (3) A. **Introduction** - Resolution to approve Board of Health Regulation requiring defibrillators in fitness centers, sponsored by Councilmember Praisner (Faden)
- 9:45 **DISTRICT COUNCIL SESSION**
- (4) A. **Action** - Corrective Map Amendment (G-816) - Bethesda CBD Sector Plan - 4504 Walsh Street, Chevy Chase (Wilson)
- 9:50 **LEGISLATIVE SESSION Day # 11**
- A. Approval of Legislative Journal - April 13 and 20, 2004 (Edgar)
- B. Introduction of Bills
- C. Call of Bills for Final Reading
- (5) • **Bill 36-03**, Fire and Rescue Services - Amendments (Faden/Davidson)
- 12:15 **RECESS**
- (6) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY04 Operating Budget - \$852,580 for FFY2003 State Homeland Security Grant Program - multi-departmental grant for Phase II Equipment Grant (Source: Federal funds) (Davidson)
PS Committee worksession tentatively scheduled for 5/5/04.
- (7) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-06, Site Plan Enforcement Agreements - Elimination (Wilson)
PHED Committee worksession will be scheduled at a later date.
- (8) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-07, Sign Regulations - Exemption for bus shelters and transit center kiosk advertising (Wilson)
Action is tentatively scheduled to follow public hearing.
- 1:55 **DISTRICT COUNCIL SESSION** *(continued)*
- (9) B. **Action** - Zoning Text Amendment 04-07, Sign Regulations - Exemption for bus shelters and transit center kiosk advertising (Wilson)
PHED Committee recommends approval.
- 2:00 **ADJOURN**

2:00 **HHS Committee** (7th floor Council Hearing Room)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on May 11, 2004:

Facilities Implementation Group: Remy Esquenet, Richard N. Wright, Roger Gentry, Eric Cronquist, Florence Phillips

Western Montgomery County Citizens Advisory Board: Renee Kotz, Peter Gubser, Ginger Huang Dietrich, Larry A. Gordon, Sue F. Knapp, David M. Smith

COUNCIL MEETINGS

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

May 10, 2004	9:15 am	Council Budget Worksession
May 11, 2004	8:30 am	Meeting re: Bi-County Budgets
May 11, 2004	9:15 am	Council Budget Worksession
May 12, 2004	9:15 am	Council Budget Worksession
May 13, 2004	9:30 am	Council Budget Worksession
May 13, 2004	3:00 pm	BiCounty Budget Meeting with PG's County Council - Upper Marlboro
May 14, 2004	9:15 am	Council Budget Worksession
May 17, 2004	9:15 am	Council Budget Worksession

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

May 11, 2004

1:30 pm **Bill 10-04**, Special Capital Improvements Project - Seven Locks Technical Center Phase II
1:30 pm **Bill 11-04**, Special Capital Improvements Project - Nebel Street Extended
1:30 pm **Bill 12-04**, Special Capital Improvements Project - Transfer Station and Related Ancillary Facilities
1:30 pm **Bill 13-04**, Special Capital Improvements Project - Father Hurley Boulevard Extended
7:30 pm Constant Yield Tax Rate (CYTR)
7:30 pm Resolution to establish FY05 Solid Waste Service Charges
7:30 pm Resolution to establish FY05 Water Quality Protection Charge
7:30 pm Resolution to amend the Admissions and Amusement tax rate
7:30 pm **Bill 8-04**, Admissions and Amusement Tax - Amendments
7:30 pm Resolution to change energy tax rates conditioned on reducing property tax rates

May 18, 2004

1:30 pm CIP: Fairland Golf Course Project



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*This meeting will be televised live on Channel 6;
repeated on 5/13/04 at 8 pm*

COUNCIL MEETING

**Monday, May 10, 2004
7th floor Council Hearing Room**

9:15 WORKSESSION - FY05 Operating Budget

- | | | | |
|-----|--|------|--------------|
| (1) | • Washington Suburban Sanitary Commission | T&E | (Levchenko) |
| (2) | • Montgomery College | ED | (Sherer) |
| (3) | • CIP: Budget Adjustments - College | | (Sherer) |
| (4) | • Geographic Information System (all agencies) | MFP | (Michaelson) |
| (5) | • Utilities | | (Sherer) |
| (6) | • CIP: Budget Adjustment - Takoma Park Community Center | PHED | (Sherer) |

12:30 RECESS

1:30 WORKSESSION - FY05 Operating Budget

- | | | | |
|------|--|------|--------------|
| (7) | • MNCPPC: Administration and Parks | PHED | (Michaelson) |
| (8) | • CIP: Parks - Olney Manor Skateboard Facility, South Germantown, and Silver Place projects | | (Michaelson) |
| (9) | • Department of Housing and Community Affairs | PHED | (Trombka) |
| (10) | • NDA: Closing Cost Assistance | | (Trombka) |
| (11) | • NDA: Housing Opportunities Commission | | (Healy) |
| (12) | • NDA: Community Grants - City of Rockville Parking District | | (Orlin) |
| (13) | • Recreation | PHED | (Sherer) |

ADJOURN

ADDENDUM #2
Tuesday, May 11, 2004

1:45 **LEGISLATIVE SESSION Day # 12** *(continued)*

B. Introduction of Bills

Add: (14.5)

- **Expedited Bill 15-04**, Property Tax - Credits, sponsored by Council President Silverman

Public Hearing is scheduled for 6/15/04 at 1:30 pm.

ADDENDUM
Tuesday, May 11, 2004

(2) 9:35 **CONSENT CALENDAR** *(continued)*

Add: L. **Introduction** - Resolution to Request Solid Waste Plan Amendment to Ban the Disposal of Mixed Paper and Corrugated Cardboard (Langevin)
Action is tentatively scheduled for 5/19/04.

Add: M. **Introduction** - Resolution to adjust Fuel Energy Tax Rates for "Green" Electricity (Faden)
Public Hearing is scheduled for 6/15/04 at 1:30 pm.

Add: N. **Introduction** - 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 - \$1,753,000 for Forest Glen Pedestrian Bridge (Source: G.O. Bonds and Land Sale Proceeds) (Orlin)
Public Hearing is scheduled for 6/15/04 at 1:30 pm.

Add: O. **Action** - Resolution to establish public hearing on June 15, 2004 at 1:30 pm for the amendment to the Master Plan for Historic Preservation: Montgomery County Heritage Area Management Plan *(Council sitting as the District Council)*(Arthur)

Add: P. **Introduction** - Resolution to authorize the issuance of bonds by the County for Metrorail Garage Projects (Sherer)

Add: Q. **Introduction/Suspension of Rules/Action** - Resolution regarding comments by the Governor of Maryland regarding Multiculturalism, sponsored by Councilmember Leventhal (Ervin)
Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.

9:45 **LEGISLATIVE SESSION Day # 12**

Defer: (4) C. Call of Bills for Final Reading
• **Bill 29-03**, Forest Conservation - Equestrian facilities (Faden)

Change 4:30 **MEETING** regarding Bi-County Budgets *(6th floor Council Conference Room)* (Farber)

*This meeting will be televised live on Channel 6;
repeated on 5/14/04 at 8 pm and 5/15/04 at 9 am*

Tuesday, May 11, 2004

9:15 **MOMENT OF SILENCE**

9:20 **PRESENTATION** - Proclamation honoring Mary D. P. Wagner, recipient of the Agnes Meyer Outstanding Teacher Award for 2004 by Councilmember Floreen

9:25 **PRESENTATION** - Proclamation in recognition of Sterling Cleaners Workers and UNITE by Councilmember Perez

9:30 **GENERAL BUSINESS**

A. Announcements

- Agenda and Calendar Changes (Lauer)
- The Report and Recommendations of the Charter Review Commission will be presented to the Council on June 15, 2004. The Council will conduct a public hearing on these recommendations and other proposed Charter Amendments on June 29 at 7:30 pm.

B. **Action** - Approval of Minutes: April 20, 2004 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:35 **CONSENT CALENDAR**

A. **Introduction** - Resolution to approve WSSC System Development Charge (Levchenko)

B. **Action** - Resolution to approve waiver for extended absence of Board of Appeals Member (Ferber)

C. **Action** - Resolution to endorse the Environmental Issues and Actions Report (Levchenko)

D. **Action** - Supplemental appropriation to the County Government's FY04 Operating Budget - \$852,580 for FFY2003 State Homeland Security Grant Program - multi-departmental grant for Phase II Equipment Grant (Source: Federal funds) (Davidson)
PS Committee recommends approval.

(2) 9:35 **CONSENT CALENDAR** *(continued)*

- E. **Action** - Resolution to establish Local Management Board (Planell)
- F. **Action** - Resolution to provide Policy Guidance for Pre-Employment Background Check Practices of County, Bi-County, and County-Funded State Agencies (Howard)
- G. **Action** - Confirmation of County Executive appointments to the Facilities Implementation Group: Remy Esquenet, Richard N. Wright, Roger Gentry, Eric Cronquist, Florence Phillips (Ferber)
- H. **Action** - Confirmation of County Executive appointments to the Western Montgomery County Citizens Advisory Board: Renee Kotz, Peter Gubser, Ginger Huang Dietrich, Larry A. Gordon, Sue F. Knapp, David M. Smith (Ferber)
- I. **Introduction/Suspension of Rules/Action** - Resolution acknowledging election returns from Village of Drummond (Edgar)
Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.
- J. **Introduction** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$4,200,000 for Provision for Future Supported Projects (Source: Federal/State Grants) (Planell)
Public Hearing is scheduled for 6/15/04 at 1:30 p.m.
- K. **Action** - Resolution to amend the FY04 Designation of Entities for Non-Competitive Award Status: Silver Spring Community Vision, Inc. (McGuire)

9:45 **LEGISLATIVE SESSION Day # 12**

- A. Approval of Legislative Journal (Edgar)
- B. Introduction of Bills (3)
 - **Bill 14-04**, Taxicabs - Amendments, sponsored by the Council President at the request of the County Executive (Faden)
Public Hearing is scheduled for 6/17/04 at 7:30 pm.
- C. Call of Bills for Final Reading (4)
 - **Bill 29-03**, Forest Conservation - Equestrian facilities (Faden)
PHED Committee recommends approval with amendments.
- (4.5)
 - **Expedited Bill 9-04**, Parking Districts - Montgomery Hills - Use of Funds (Orlin/Faden)
T&E Committee recommends approval with amendments.

10:15 **WORKSESSION - FY05 Operating Budget**

- Department of Public Works and Transportation T&E
- (5) - Fleet Management and Motor Pool Fund Contribution NDA (Healy)
- (6) - Solid Waste Services, including FY05 Solid Waste Service Charges (Trombka)
- (7) - NDA Leases (Sherer)
- (8) - Selected General Fund programs (Sherer)

- (9) - General Fund (Orlin)
- (10) - NDA Homeowners Association Road Maintenance Reimbursement (Orlin)

12:30 **RECESS**

1:30 **PUBLIC HEARING on the following:**

- (11) • **Bill 10-04**, Special Capital Improvements Project - Seven Locks Technical Center Phase II (Orlin)
 - (12) • **Bill 11-04**, Special Capital Improvements Project - Nebel Street Extended (Orlin)
 - (13) • **Bill 12-04**, Special Capital Improvements Project - Transfer Station and Related Ancillary Facilities (Orlin)
 - (14) • **Bill 13-04**, Special Capital Improvements Project - Father Hurley Boulevard Extended (Orlin)
- Action is tentatively scheduled for 5/27/04.*

1:45 **WORKSESSION - FY05 Operating Budget**

- (15) • Department of Public Works and Transportation T&E (Orlin)
 - Mass Transit Fund
 - Parking Lot Districts
- (16) • **CIP**: Parking Lot Districts (Orlin)
- (17) • **CIP**: Budget Adjustments - Transportation (Orlin)

3:30 **ADJOURN**

3:35 **MEETING** regarding Bi-County Budgets (*or immediately following Council session*) (Farber)
(6th floor Council Conference Room)

7:30 **PUBLIC HEARING** on the following:

- (18) - Constant Yield Tax Rate (CYTR) (Sherer)
- (19) - Resolution to establish FY05 Solid Waste Service Charges (Trombka)
- (20) - Resolution to establish FY05 Water Quality Protection Charge (Levchenko)
- (21) - Resolution to amend the Admissions and Amusement tax rate (Healy)
- (22) - **Bill 8-04**, Admissions and Amusement Tax - Amendments (Healy)
- (23) - Resolution to change energy tax rates conditioned on reducing property tax rates (Faden)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation at a later date:

Board of Investment Trustees: Gino Renne

Committee for Ethnic Affairs: Soonhoon L. Ahn, Dolores Beasley, Arista Z. Brooks, Homa B. Chetry, Salvatore De Leva, Siham S. Eldadah, Shou-shan Fan, B. Alexis Kohn, Adam Liu, Preston Rico, Amrit Kaur Singh, Terry Vann

East County Citizens Advisory Board: Ryan Erenhouse, Stephen I. Jacobs, David C. Kelly, Allan K. Manuel, Ann W. Williams, Robert Gooding, Barbara Medina

Glen Echo Park Partnership for Arts and Culture, Inc. Board of Directors: Elise Pinkow Arena, Ben Bialek

Mid-County Recreation Advisory Board: Matthew B. Hoffman, Craig J. Zucker

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

May 18, 2004

1:30 pm CIP: Fairland Golf Course Project

June 15, 2004

1:30 pm Resolution to approve Board of Health Regulation requiring defibrillators in fitness centers

1:30 pm Supplemental appropriation to the MCPS' FY04 Operating Budget - \$4,200,000 for Provision for Future Supported Projects (Source: Federal/State Grants)

7:30 pm **Bill 7-04**, Off-the-Road Motorcycles - Registration and Operation

June 17, 2004

7:30 pm **Bill 14-04**, Taxicabs - Amendments

June 29, 2004

7:30 pm Proposed Charter Amendments and recommendations of Charter Review Commission

NOTICE:

The next regular Council Session is scheduled for June 15, 2004. The agenda and committee schedule will be mailed on June 10, 2004. Please visit the Council's website or contact our office to obtain information about the Council budget worksessions that will be held May 10 - May 27, 2004.



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COUNCIL MEETING

**Wednesday, May 12, 2004
7th floor Council Hearing Room**

9:15 WORKSESSION - FY05 Operating Budget

(1)	• Urban Districts	MFP/T&E	(Healy)
(2)	• Regional Services Centers	MFP	(Healy)
(3)	• Economic Development	PHED	(Ferber)
(4)	• Economic Development Fund		(Ferber)
(5)	• NDA: Conference Center		(Ferber)
(6)	• NDA: Conference and Visitor's Bureau		(Ferber)
(7)	• Board of License Commissioners	PS	(Ferber)
(8)	• Liquor Control		(Ferber)
(9)	• NDA: Historical Activities	PHED	(Arthur)
(10)	• Board of Appeals		(Lauer)
(11)	• Hearing Examiner		(Lauer)
(12)	• People's Counsel		(Lauer)
(16)	• Inspector General	MFP	(Lauer)
(13)	• Intergovernmental Relations		(Lauer)
(14)	• Merit System Protection Board		(Lauer)
(15)	• NDAs: County Associations, Public Technology, Inc., Council of Governments, and Boards, Committees, Commissions		(Lauer)
(16.5)	• Ethics Commission		(Ferber)

12:30 RECESS

1:30 **WORKSESSION - FY05 Operating Budget**

- | | | | |
|------|---|--------|--------------------|
| (17) | • Fire and Rescue Services | PS | (Davidson) |
| (18) | • CIP: Budget Adjustments - Fire/Rescue | | (Davidson) |
| (19) | • IJIS | MFP/PS | (McMillan/Trombka) |
| (20) | • Public Safety Communications System | | (McMillan/Trombka) |
| (21) | • CIP: Budget Adjustments (IJIS, PS Radio and Mobile Data Systems) | | (McMillan) |
| (22) | • Department of Technology Services | MFP | (Trombka) |
| (23) | • NDA: Interagency Technology Policy and Coordination Committee (ITPCC) | | (Trombka) |
| (24) | • NDA: Desktop Computer Modernization | | (Trombka) |
| (25) | • Technology Investment Fund | | (Trombka) |
| (26) | • CIP: FiberNet | | (Trombka) |

ADJOURN

*This meeting will be televised live on Channel 6;
repeated on 5/15/04 at 9 am*

REVISED

COUNCIL MEETING

**Thursday, May 13, 2004
7th floor Council Hearing Room**

9:30 WORKSESSION - FY05 Operating Budget

- | | | | |
|-----|---|-----|-------------|
| (1) | • Montgomery County Public Schools | ED | (Planell) |
| (2) | • Community Use of Public Facilities | | (Arthur) |
| (3) | • CIP: Amended request: Seven Locks Elem. replacement, PLAR and HVAC | | (Levchenko) |
| (4) | • NDA: Arts and Humanities Council | HHS | (Davidson) |
| (5) | • NDA: Support for the Arts and Recreation | | (Davidson) |

12:30 ADJOURN

PROPOSED CLOSED SESSION for the purpose of considering acquisition of real property for a public purpose and matters related directly thereto, pursuant to Maryland Code, State Government Article, §10-508 (a)(3). Topic is WSSC.

(6th floor Council Conference Room)

(Farber)

3:00 MEETING with Prince George's County Council regarding Bi-County Budgets
(Meeting to be held in Upper Marlboro)

(Farber)

*This meeting will be televised live on Channel 6;
repeated on 5/18/04 at 9 am*

COUNCIL MEETING

**Friday, May 14, 2004
7th floor Council Hearing Room**

9:15 WORKSESSION - FY05 Operating Budget

- | | | | |
|------|---|-----|-------------------|
| (1) | • County Executive | MFP | (Ferber) |
| (2) | • Office of Human Resources | | (Ferber/Davidson) |
| (3) | • NDA: Charter Review Commission | | (Ferber) |
| (4) | • Public Information Office | | (Ferber) |
| (10) | • Commission for Women | HHS | (Arthur) |
| (6) | • Libraries | | (Davidson) |
| (7) | • NDA: Takoma Park Library Annual Payment | | (Davidson) |
| (8) | • Human Rights Commission | | (Arthur) |
| (9) | • NDA: Historical Activities - Historical Society | | (Arthur) |
| (11) | • Office Management and Budget | MFP | (Sherer) |
| (12) | • County Attorney | | (Sherer) |
| (13) | • Finance, Risk Management, and NDAs for Risk Management, Working Families
Income Supplement, and Restricted Donations | | (Sherer) |
| (14) | • Debt Service | | (Sherer) |
| (15) | • NDAs: Grants to Municipalities in Lieu of Shares Tax, Future Federal/State/Other
Grants, Takoma Park Police Rebate | | (Sherer) |
| (16) | • NDA: Municipal Tax Duplication | | (Sherer) |
| (17) | • NDA: Community Grants - Glen Echo Park Partnership | | (Sherer) |
| (18) | • Procurement | MFP | (Healy) |
| (19) | • Board of Elections | | (Healy) |
| (20) | • Cable Television and Communications Plan | | (Healy) |
| (21) | • Office of Legislative Oversight and Independent Audit | | (Orlansky) |
| (22) | • Council Office | | (Farber) |
| (23) | • DPWT - Transportation - follow up issues | T&E | (Orlin) |

12:30 ADJOURN

1:30 MFP Committee - Revenue Measures

*This meeting will be televised live on Channel 6;
repeated on 5/20/04 at 8 pm*

COUNCIL MEETING

**Monday, May 17, 2004
7th floor Council Hearing Room**

9:15 **COMMEMORATION** of 50th Anniversary of the Brown vs. Board of Education U.S. Supreme Court Decision (Lacefield)

(1) 9:25 **Introduction/Suspension of Rules/Action** - Resolution to recognize the 50th Anniversary of the Brown vs. Board of Education U.S. Supreme Court Decision, sponsored by Councilmember Subin (D'Ovidio)
Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.

9:30 **WORKSESSION - FY05 Operating Budget**

(1.5)	• Criminal Justice Overview		(McMillan)
(2)	• Circuit Court	PS	(McMillan)
(3)	• State's Attorney		(McMillan)
(4)	• Sheriff		(McMillan)
(5)	• Department of Police		(McMillan)
(6)	• Correction and Rehabilitation		(McMillan)
(7)	• CIP: Budget Adjustments: PSTA and Detention Center Reuse		(McMillan)
(8)	• NDA Prisoner Medical Services		(McMillan)
(9)	• Department of Environmental Protection	T&E	(Levchenko)
(10)	• Department of Permitting Services		(Levchenko)
(10.5)	• Fire and Rescue Services (<i>continued</i>)	PS	(Davidson)

12:30 **RECESS**

1:30 **WORKSESSION - FY05 Operating Budget**

(11)	• Department of Health and Human Services	HHS	(Planell/McGuire)
(12)	• CIP: Budget Adjustments - Cost sharing: MCG		(McGuire)
(13)	• NDA: Community Grants		(McGuire)

ADJOURN

COUNCIL MEETING

Tuesday, May 18, 2004
7th floor Council Hearing Room

REVISED

(1) 1:30 **PUBLIC HEARING - CIP: Fairland Golf Course Project** (Michaelson)

Added: 2:00 **DISCUSSION - Wrap-up discussion of FY05 budget**

3:00 **MFP Committee *or immediately following Council session***
7th floor Council Hearing Room

*This meeting will be televised live on Channel 6;
repeated on 5/21/04 at 8 pm*

COUNCIL MEETING

**Wednesday, May 19, 2004
7th floor Council Hearing Room**

- (1) 9:15 **STATUS REPORT** - Overview of Revenues and Expenditures (Farber)
- (2) 9:45 **CONSENT CALENDAR**
- A. **Introduction** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$1,203,274 for Reading First Program (Source: Federal Grant) (Planell)
Public Hearing is scheduled for 6/15/04 at 1:30 pm.
- B. **Introduction** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$130,000 for Entrepreneurial Activities Fund (Source: Charges for Service) (Planell)
Public Hearing is scheduled for 6/15/04 at 1:30 pm.
- C. **Action** - Resolution to Request Solid Waste Plan Amendment to Ban the Disposal of Mixed Paper and Corrugated Cardboard (Langevin)
- D. **Action** - Executive Regulation 07-04, Residential Waste Estimates for System Benefit Charges (Trombka)
- E. **Action** - Resolution to establish FY05 Solid Waste Service Charges (Trombka)
- F. **Action** - Resolution to establish FY05 Water Quality Protection Charge (Levchenko)
- G. **Action** - Resolution to approve WSSC System Development Charge (Levchenko)
- H. **Action** - Franchise Agreement for Use of Public Right of Way: InSITE Solutions (Healy)

(2) 9:45 **CONSENT CALENDAR** *(continued)*

- I. **Action** - Resolution to authorize the issuance of bonds by the County for Metrorail Garage Projects (Sherer)
- J. **Action** - Confirmation of County Executive appointments to the Board of Investment Trustees: Gino Renne (Ferber)
- K. **Action** - Confirmation of County Executive appointments to the Committee for Ethnic Affairs: Soonhoon L. Ahn, Dolores Beasley, Arista Z. Brooks, Homa B. Chetry, Salvatore De Leva, Siham S. Eldadah, Shou-shan Fan , B. Alexis Kohn, Adam Liu, Preston Rico, Amrit Kaur Singh, Terry Vann (Ferber)
- L. **Action** - Confirmation of County Executive appointments to the Glen Echo Park Partnership for Arts and Culture, Inc. Board of Directors: Elise Pinkow Arena, Ben Bialek (Ferber)
- M. **Action** - Confirmation of County Executive appointments to the Mid-County Recreation Advisory Board: Matthew B. Hoffman, Craig J. Zucker (Ferber)

9:55 **LEGISLATIVE SESSION Day #14**

- A. Approval of Legislative Journal (Edgar)
 - B. Introduction of Bills
 - C. Call of Bills for Final Reading
- (3) • **Bill 8-04**, Admissions and Amusement Tax - Amendments (Healy)
MFP Committee recommendation will be available 5/18/04.

10:15 **WORKSESSION/ACTION on the following:**

- (4) • Resolution to amend the Admissions and Amusement tax rate (Healy)
- (5) • Resolution to change energy tax rates conditioned on reducing property tax rates (Faden)

11:30 **ADJOURN**

*This meeting will be televised live on Channel 6;
repeated on 5/22/04 at 9 am and 8 pm*

COUNCIL MEETING

**Thursday, May 20, 2004
7th floor Council Hearing Room**

REVISED AGENDA

10:30 WORKSESSION - CIP and Operating Budget:

- (1) • **CIP:** Fairland Golf Course Project PHED (Michaelson)
- (2) • Capital Budget Wrap-Up and CIP Reconciliation (Orlin)
- (3) • Council Reconciliation Items for FY05 Operating Budgets (Farber)

12:00 ACTION on the following:

- (4) • Resolution to amend the Admissions and Amusement tax rate (Healy)
- (5) • Resolution to change energy tax rates conditioned on reducing property tax rates (Faden)

12:15 ADJOURN

*This meeting will be televised live on Channel 6;
repeated on 5/27/04 at 8 pm, 5/28/04 at 10 am and 8 pm,
and 5/29/04 at 9 am and 8 pm*

COUNCIL MEETING

**Thursday, May 27, 2004
7th floor Council Hearing Room**

9:30 **ACTION** - Approval Resolutions for the FY05 Capital Budget and the FY05-10 Capital Improvements Program:

- 1) County Government (Orlin)
- 2) Montgomery County Public Schools (Levchenko)
- 3) Montgomery College (Sherer)
- 4) Maryland-National Capital Park and Planning Commission (Michaelson)
- 5) Revenue Authority (Healy)
- 6) Housing Opportunities Commission (Healy)
- 7) Aggregate Capital Budget for County General Obligation Bonds (Orlin)
- Spending Affordability Guidelines
- 8) Aggregate Capital Budget for Park and Planning Bonds (Orlin)
- Spending Affordability Guidelines
- 9) FY05 State Participation (Orlin)

ACTION - Approval Resolutions for FY05 Operating Budget:

- 10) County Government (McMillan/Levchenko)
- 11) Montgomery County Public Schools (Planell)
- 12) Montgomery College (Sherer)
- 13) Maryland-National Capital Park and Planning Commission (Michaelson)
- 14) Administrative Expense Budget of the Washington Suburban Transit Commission (Orlin)
- 15) Aggregate Operating Budget (Sherer)
- Spending Affordability Guidelines

ACTION - Resolutions to Approve:

- 16) WSSC - FY05-10 Capital Improvements Program (Levchenko)
- 17) WSSC - FY05 Capital and Operating Budgets (Levchenko)
- 18) Cable Television Communications Plan (Healy)

ACTION:

- 19) Resolution to establish the FY05 Property Tax Rates (Sherer)
- 20) Resolution to authorize the substitution of Current Revenue for General Obligation Bonds in FY05 (Orlin)

10:20 **LEGISLATIVE SESSION** Day # 15

- A. Approval of Legislative Journal (Edgar)
- B. Introduction of Bills
 - (20.5) • **Expedited Bill 16-04**, Transportation - Fees - Council Resolution, sponsored by the T&E Committee (Faden)
Public Hearing is scheduled for 6/22/04 at 1:30 pm.
 - C. Call of Bills for Final Reading:
 - (21) • **Bill 10-04**, Special Capital Improvements Project - Seven Locks Technical Center Phase II (Orlin)
 - (22) • **Bill 11-04**, Special Capital Improvements Project - Nebel Street Extended (Orlin)
 - (23) • **Bill 12-04**, Special Capital Improvements Project - Transfer Station and Related Ancillary Facilities (Orlin)
 - (24) • **Bill 13-04**, Special Capital Improvements Project - Father Hurley Boulevard Extended (Orlin)

(25) 10:25 **CONSENT CALENDAR**

- A. **Introduction** - Special appropriation to the County Government's FY04 Operating Budget, Department of Public Works and Transportation - \$2,986,440 for Snow Removal (Source: General Fund) (Orlin)
Public Hearing is scheduled for 6/15/04 at 1:30 pm.
- B. **Introduction** - Special appropriation to the County Government's FY05 Operating Budget, Department of Public Works and Transportation - \$261,780 for Taxi Initiative (Source: Mass transit funds) (Orlin)
Public Hearing is scheduled for 6/17/04 at 7:30 pm.

10:30 **ADJOURN**

- 10:30 **PROPOSED CLOSED SESSION** to consult with counsel to obtain legal advice, pursuant to Maryland Code, State Government Article, §10-508 (a)(7). Topic is proposed charter amendment. (6th Floor Council Conference Room) (Faden/Farber)
Note: Discussion held in open session - not closed

*This meeting will be televised live on Channel 6;
repeated on 6/18/04 at 8 pm and 6/19/04 at 9 am*

Tuesday, June 15, 2004

9:15 **INVOCATION** - Imam Shamshad A. Nasir, Baitur Rahman Mosque, Silver Spring

9:20 **PRESENTATION** - Proclamation in recognition of United Healthcare Physicians' service to Low-Income Women and Children by Councilmember Perez

9:25 **PRESENTATION** - Proclamation in recognition of David and Donna Owens, Outstanding Foster Parent Awardees by Councilmembers Denis and Leventhal

9:30 **PRESENTATION** - Proclamation in recognition of the 2004 Semifinalists of the Presidential Scholars Awards by Councilmembers Denis and Perez

9:35 **GENERAL BUSINESS**

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

(2) 9:40 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to support state financing for Clopper Mill Manor Apartments in Germantown (Trombka)
Action is tentatively scheduled for 6/22/04.
- B. **Introduction** - Resolution to support Federal Legislation to enable a study to determine the qualification of the Patuxent River for designation as a Federal Wild and Scenic River (Levchenko)
T&E Committee worksession tentatively scheduled for 6/17/04.
- C. **Introduction** - Special appropriation to the County Government's FY04 Operating Budget, Department of Health and Human Services - \$1,625,000 for Administration and Support (Source: FFP Revenue) (McGuire)
Public Hearing/Action is scheduled for 6/29/04.

(2) 9:40 **CONSENT CALENDAR** *(continued)*

D. **Introduction** - Supplemental appropriations to the County Government's FY04 Operating Budget, Department of Housing and Community Affairs (Trombka)
- \$447,080 for Fenton Street Village (Source: Federal Grant)
- \$223,540 for Wheaton Revitalization (Source: Federal Grant)
Public Hearing/Action is scheduled for 6/29/04 at 1:30 pm.

E. **Introduction** - Supplemental appropriations to the County Government's FY04 Operating Budget, Montgomery County Fire and Rescue Service (Davidson)
- \$524,130 for FFY2003 Assistance to Firefighters Grant Program (Source: Federal grant)
- \$1,337,940 for Local Fire and Rescue Departments, FY04 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant (Source: State grant)
Public Hearing/Action is scheduled for 6/29/04 at 1:30 pm.

F. **Action** - Confirmation of County Executive appointments to the East County Citizens Advisory Board: Ryan Erenhouse, Stephen I. Jacobs, David C. Kelly, Allan K. Manuel, Ann W. Williams, Robert Gooding, Barbara Medina (Ferber)

G. **Action** - Extension of appointment as Acting Chief, Volunteer Fire and Rescue Services: Fred Welsh (Ferber)

H. **Introduction** - Resolution to affirm need to protect County's farmland and formally opposes Techway through agricultural reserve, sponsored by Councilmembers Floreen, Silverman and Knapp (Steiner)

9:45 **DISTRICT COUNCIL SESSION**

(3) A. **Introduction** - Zoning Text Amendment 04-08, Security Pavilions - Residential and Agricultural Zones, sponsored by the District Council at request of County Executive(Wilson)
Action - Resolution to establish public hearing for 7/20/04 at 1:30 pm.

(4) 9:50 **PRESENTATION** - Report of the Charter Review Commission (Healy)
Public Hearing on recommendations of Charter Review Commission and proposed charter amendments is scheduled for 6/29/04 at 7:30 pm.

10:30 **LEGISLATIVE SESSION Day # 17**

A. Approval of Legislative Journal (Edgar)

B. Introduction of Bills

(5) • **Expedited Bill 17-04, Personnel - Retirement - Group G Amendments**, sponsored by the Council President at the request of the County Executive (Healy)
Public Hearing is scheduled for 6/22/04 at 1:30 pm.

10:30 **LEGISLATIVE SESSION Day # 17** *(continued)*

C. Call of Bills for Final Reading

- (6) • **Bill 29-03**, Forest Conservation - Equestrian facilities (Faden)
PHED Committee recommends approval with amendments.
- (7) • **Bill 1-04**, Disruptive Behavior - Public Facilities (Faden)
PS Committee recommends approval with amendments.
- (8) • **Bill 4-04**, Criminal Justice Coordinating Commission - Revisions (McMillan)
PS Committee recommends approval with amendments.

12:15 **RECESS**

- (9) 1:30 **PUBLIC HEARING - Expedited Bill 15-04**, Property Tax - Credits (Faden)
MFP Committee worksession is tentatively scheduled for 7/12/04.
- (10) 1:30 **PUBLIC HEARING - Resolution to adjust Fuel Energy Tax Rates for "Green" Electricity** (Faden)
Action is tentatively scheduled for 6/22/04.
- (11) 1:30 **PUBLIC HEARING - Resolution to approve Board of Health Regulation requiring defibrillators in fitness centers** (Faden)
HHS Committee worksession tentatively scheduled for 6/28/04.
- (12) 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 - \$1,753,000 for Forest Glen Pedestrian Bridge (Source: G.O. Bonds and Land Sale Proceeds)** (Orlin)
T&E Committee worksession tentatively scheduled for 6/17/04.
- (13) 1:30 **PUBLIC HEARING - Amendment to the Master Plan for Historic Preservation: Montgomery County Heritage Area Management Plan** (Arthur)
PHED Committee worksession tentatively scheduled for 7/8/04.
- (14) 1:30 **PUBLIC HEARING - Special appropriation to the County Government's FY04 Operating Budget, Department of Public Works and Transportation - \$2,986,440 for Snow Removal (Source: General Fund)** (Orlin)
T&E Committee worksession tentatively scheduled for 6/17/04.
- (15) 1:30 **PUBLIC HEARING/ACTION - Supplemental appropriations to the MCPS' FY04 Operating Budget**
- \$4,200,000 for Provision for Future Supported Projects (Source: Federal/State Grants) (Planell)
- \$1,203,274 for Reading First Program (Source: Federal Grant) (Planell)
- \$130,000 for Entrepreneurial Activities Fund (Source: Charges for Service) (Planell)

3:00 **ADJOURN**

June 15, 2004

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- (18) 3:00 **INTERVIEWS** - Applicants for Montgomery County Planning Board (Ferber)
(6th floor Council Conference Room)
- (19) 7:30 **PUBLIC HEARING by PS Committee - Bill 7-04**, Off-the-Road Motorcycles -
Registration and Operation (Healy)

Thursday, June 17, 2004

- 7:30 **PUBLIC HEARING on the following:**
- **Bill 14-04**, Taxicabs - Amendments (Faden)
 - Special appropriation to the County Government's FY05 Operating Budget, Department of Public Works and Transportation - \$261,780 for Taxi Initiative (Orlin)
(Source: Mass transit funds)
- T&E Committee worksession tentatively scheduled for 6/24/04.*

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on June 22, 2004:

Committee for Ethnic Affairs: Aneela Shah

Committee on Hate/Violence: Stacey Erd, Pamela Denise Hunter, Meredith Levert, Ali Nawaz Memon, Robert P. Mueck, Shannon W. Perry

Upcounty Citizens Advisory Board: George J. Donovan, Bradford H. Lewis, Gustavus A. McLeod, Brigid G. Nuta, Tufail Ahmad, Bruce Dunton, Michael Franklin

Water Quality Advisory Group: Charles Andrews, Jill Coutts, Todd Greenstone, Grace Delos Reyes, Meosotis C. Curtis, Terrance Valentine, Douglas C. Redmond, Christopher M. Choppin, M. Dustin Rood, Larry J. Silverman

COUNCIL MEETINGS

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

Jun 22, 2004	10:00 am	Regular Session
Jun 29, 2004	9:15 am	Regular Session
Jul 6, 2004	9:15 am	Regular Session
Jul 13, 2004	9:15 am	Regular Session
Jul 20, 2004	9:15 am	Regular Session
Jul 27, 2004	9:00 am	State Legislation
Jul 27, 2004	10:15 am	Regular Session
Aug 3, 2004	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

June 22, 2004

1:30 pm **Expedited Bill 16-04**, Transportation - Fees - Council Resolution

1:30 pm **Expedited Bill 17-04**, Personnel - Retirement - Group G Amendments

June 29, 2004

1:30 pm Special appropriation to the County Government's FY04 Operating Budget, DHHS - \$1,625,000 for Administration and Support

1:30 pm Supplemental appropriations to the County Government's FY04 Operating Budget, DHCA -

➤ \$447,080 for Fenton Street Village

➤ \$223,540 for Wheaton Revitalization

1:30 pm Supplemental appropriations to the County Government's FY04 Operating Budget, MCFRS -

➤ \$524,130 for FFY2003 Assistance to Firefighters Grant Program

➤ \$1,337, 940 for Local Fire and Rescue Departments, FY04 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant

7:30 pm Proposed Charter Amendments and recommendations of Charter Review Commission



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ADDENDUM
Tuesday, June 22, 2004

Add: 10:55 (6.5) **ACTION** - Amendment to Resolution 15-619, Admission and Amusement Tax to change effective date (Healy)

Add: 12:00 **PROPOSED CLOSED SESSION** to discuss appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, pursuant to Maryland Code, State Government Article, §10-508 (a)(1)(i). Topic is WSSC. (6th floor Council Conference Room) (Farber)

*This meeting will be televised live on Channel 6;
repeated on 6/25/04 at 8 pm and 6/26/04 at 9 am*

Tuesday, June 22, 2004

10:00 **INVOCATION** - Dilwar Sing Dhatt, Washington Metropolitan Sikh Association,
Gaithersburg

10:05 **PRESENTATION** - Recognition of Retirement of Drew Detrick from Maryland-
National Capital Park and Planning Commission by Council President Silverman

10:10 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: May 4, 10, 11, 13, 18, 19, and 27, 2004 (Edgar)

(.5) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(1) 10:15 **CONSENT CALENDAR**

A. **Introduction** - Resolution to endorse the Maryland Economic Development
Assistance Authority and Fund (MEDAAF) grant to TV One, LLC (Ferber)

B. **Action** - Resolution to affirm need to protect County's farmland and formally
opposes Techway through Montgomery County (Steiner)

C. **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 - \$1,753,000 for Forest Glen Pedestrian Bridge
(Source: G.O. Bonds and Land Sale Proceeds) (Orlin)
T&E Committee recommendation will be available 6/17/04.

D. **Action** - Special appropriation to the County Government's FY04 Operating Budget,
Department of Public Works and Transportation - \$2,986,440 for Snow Removal
(Source: General Fund) (Orlin)
T&E Committee recommendation will be available 6/17/04.

E. **Action** - Resolution to support Federal Legislation to enable a study to determine the
qualification of the Patuxent River for designation as a Federal Wild and Scenic River
T&E Committee recommendation will be available 6/17/04. (Levchenko)

(1) 10:15 **CONSENT CALENDAR** *(continued)*

- F. **Action** - Resolution to support state financing for Clopper Mill Manor Apartments in Germantown (Trombka)
- G. **Action** - Confirmation of County Executive appointments to the Upcounty Citizens Advisory Board: George J. Donovan, Bradford H. Lewis, Gustavus A. McLeod, Brigid G. Nuta, Tufail Ahmad, Bruce Dunton, Michael Franklin (Ferber)
- H. **Action** - Confirmation of County Executive appointments to the Water Quality Advisory Group: Charles Andrews, Jill Coutts, Todd Greenstone, Grace Delos Reyes, Meosotis C. Curtis, Terrance Valentine, Douglas C. Redmond, Christopher M. Choppin, M. Dustin Rood, Larry J. Silverman (Ferber)
- I. **Action** - Confirmation of County Executive appointment to the Committee for Ethnic Affairs: Aneela Shah (Ferber)
- J. **Action** - Confirmation of County Executive appointments to the Committee on Hate/Violence: Stacey Erd, Pamela Denise Hunter, Meredith Levert, Ali Nawaz Memon, Robert P. Mueck, Shannon W. Perry (Ferber)

10:25 **LEGISLATIVE SESSION Day #18**

- A. Approval of Legislative Journal: May 11, 19, and 27, 2004 (Edgar)
- B. Introduction of Bills
- (2) • **Bill 18-04**, Personnel - Retirement - Police, sponsored by the Council President at the request of the County Executive (Healy)
Public Hearing is scheduled for 7/13/04 at 1:30 pm.
- (3) • **Expedited Bill 19-04**, Personnel - Collective Bargaining - Police, sponsored by the Council President at the request of the County Executive (Faden)
Public Hearing is scheduled for 7/13/04 at 1:30 pm.

10:30 **DISTRICT COUNCIL SESSION**

- (4) A. **Introduction** - Zoning Text Amendment 04-09, Eating and Drinking Establishments - Office buildings - Revisions, sponsored by Councilmembers Perez and Praisner (Wilson)
Action - Resolution to establish public hearing for 7/27/04 at 1:30 pm.
- (5) B. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: G-812
Applicant: Arrowsmith Court LC, Contract Purchaser (Jody S. Kline, Esquire)
Action: Rezone from R-200 to RT-10 (Optional Method)
Property: William P. Anderson, et ux, et al, Parcel 949, Montgomery Meadows/Seneca Whetstone Subdivisions, located on Arrowsmith Court, Gaithersburg
- | | | |
|-------------------------|-------------------|---------|
| Recommendations: | Planning Staff: | Approve |
| | Planning Board: | Approve |
| | Hearing Examiner: | Approve |

June 22, 2004

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- (6) 10:45 **ACTION** - Adoption over Executive Disapproval: Resolution 15-619, Admission and Amusement Tax (Healy)
- (7) 11:00 **ACTION** - Strategic Plan for Economic Development (Ferber)
- 12:15 **RECESS**
- (8) 1:30 **PUBLIC HEARING - Expedited Bill 16-04**, Transportation - Fees - Council Resolution(Faden)
T&E Committee worksession is tentatively scheduled for 6/24/04.
- (9) 1:30 **PUBLIC HEARING - Expedited Bill 17-04**, Personnel - Retirement - Group G Amendments (Healy)
Action is tentatively scheduled for 6/29/04.
- 1:55 **ADJOURN**
- 2:00 **T&E Committee** (3rd floor Council Conference Room)
- 3:00 **MFP Committee** (7th floor Council Hearing Room)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on June 29, 2004:

Adult Public Guardianship Review Board: June Colilla, Donna Clemons-Sacks, Harriette Rindner
Commission for Women: Deborah Horan, Resa Levy, Sheila C. Parker, Regina L. Oldak, Yun Jung Yang
Revenue Authority: Peter L. Gray

COUNCIL MEETINGS

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

Jun 29, 2004	9:15 am	Regular Session
Jul 13, 2004	9:15 am	Regular Session
Jul 20, 2004	9:15 am	Regular Session
Jul 27, 2004	9:00 am	State Legislation
Jul 27, 2004	10:15 am	Regular Session
Aug 3, 2004	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

June 29, 2004

- 1:30 pm Special appropriation to the County Government's FY04 Operating Budget, DHHS - \$1,625,000 for Administration and Support
- 1:30 pm Supplemental appropriations to the County Government's FY04 Operating Budget, DHCA -
 - \$447,080 for Fenton Street Village
 - \$223,540 for Wheaton Revitalization
- 1:30 pm Supplemental appropriations to the County Government's FY04 Operating Budget, MCFRS -
 - \$524,130 for FFY2003 Assistance to Firefighters Grant Program
 - \$1,337, 940 for Local Fire and Rescue Departments, FY04 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant
- 7:30 pm Proposed Charter Amendments and recommendations of Charter Review Commission

July 13, 2004

- 1:30 pm **Bill 18-04**, Personnel - Retirement - Police
- 1:30 pm **Expedited Bill 19-04**, Personnel - Collective Bargaining - Police

July 20, 2004

- 1:30 pm ZTA 04-08, Security Pavilions - Residential and Agricultural Zones

COUNTY COUNCIL SEEKS REPRESENTATIVE
ON THE COMMUNITY ACTION BOARD
DEADLINE 5:00 P.M., June 28, 2004

The Montgomery County Council is seeking applicants to represent the County Council on the Montgomery County Community Action Board. The Board advises the County Executive and the County Council on matters relating to the needs of the poor.

The Community Action Board has twenty-seven members. One third of members are representatives of low-income persons in the county, one third are public officials and the balance of the Board is composed of officials or members of business, industry, labor, religious, private welfare, private education, minority, civic, and other major private organizations interested in the activities of the agency. The Community Action Board meets on the fourth Tuesday evening of each month except August at 7 p.m. in Rockville.

Members of the Council's Health and Human Services Committee may interview some of the candidates. The person representing the Council on the Community Action Board will submit a quarterly report to the Chair of the Council's Health and Human Services Committee in the form of an information memorandum.

Citizens interested in serving should submit a letter of interest including a resume to the Council Office. There is no political affiliation requirement, and it is a noncompensated position. Members of County boards, committees and commissions may not serve on more than one such group at a time. The Council representative serves at the pleasure of the Council and the Executive.

Letters of application should be addressed to Council President Steven Silverman and must be received in the Office of the Montgomery County Council, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, no later than **5:00 p.m., Monday, June 28, 2004.**

FOR INFORMATION: Justina Ferber, 240-777-7938

COUNTY COUNCIL SEEKS APPLICANTS
FOR BOARD OF APPEALS
DEADLINE 5:00 P.M., September 1, 2004

The Montgomery County Council is seeking applicants for a four-year term on the County Board of Appeals. The term of Donald Spence (Democrat) will expire in September 2004. Mr. Spence also serves as Chairman of the Board and has indicated that he will **not** apply for reappointment. The law provides that the Council may designate a member of the Board for the position of Chairman. The Council will select a new Chairman in conjunction with this appointment process.

Duties of the Board of Appeals are: (1) hear and decide most applications for special exceptions as provided in the Zoning Ordinance, (2) hear and decide requests for variances from development standards contained in the Zoning Ordinance, and (3) hear appeals from certain administrative decisions rendered by County Government agencies.

The Board normally holds weekly hearings all day Wednesday and worksessions every other week. If necessary to accommodate an extended caseload or continued hearings, the Board schedules hearings on other weekdays. Members are expected to prepare for the hearings by reading the cases to be heard and to share the workload of drafting and editing opinions or to follow-up on investigations on specific cases. Members work approximately 15-25 hours a week.

Members of the Board receive \$12,999.84 annually, with the Chairman receiving \$18,615.38. Salaries are adjusted annually each December to reflect 50 percent of the change in the Washington Area Consumer Price Index.

The principal jurisdiction of the Board of Appeals (concerning special exceptions and variances under the Zoning Ordinance) does not include the municipalities of Brookeville, Poolesville, Laytonsville, Rockville, Barnesville, Gaithersburg, and Washington Grove. The normal Council practice is not to appoint residents of those municipalities to this Board.

Present Board members are: Donna Barron, (Republican); Angelo Caputo, (Republican); Allison Ishihara Fultz (Democrat); Louise Mayer (Democrat), and Donald Spence (Democrat), Chairman. By law, no more than three members of the Board shall be from the same political party. Members of County boards, committees and commissions may not serve on more than one such group at a time.

Letters of application, to serve as Chairman and/or member, including a resume, should be addressed to Council President Steven Silverman and must be received in the Office of the Montgomery County Council, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, no later than **5:00 p.m., Wednesday, September 1. It is the Council's policy not to consider applications received after the deadline.** A financial statement of assets, debts, income, and family property interests will be required of all applicants.

FOR INFORMATION: Justina Ferber, 240-777-7938



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www.montgomerycountymd.gov/council

ADDENDUM #2

Tuesday, June 29, 2004

Add: (11.5) 1:35 **Introduction/Action** - Resolution to extend time until July 27, 2004 for Council action on Executive Regulation 26-03AM, Cable Modem Service Standards (Healy)

ADDENDUM
Tuesday, June 29, 2004

(2) 10:40 **CONSENT CALENDAR**

Add:

- I. **Introduction** - Special appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$200,000 for Outreach and Recruitment (Source: General Fund)

Public Hearing is scheduled for 7/13/04 at 1:30 p.m.

(Parr)

*This meeting will be televised live on Channel 6;
repeated on 7/2/04 at 8 pm and 7/3/04 at 9 am*

Tuesday, June 29, 2004

9:00-10:30 **HHS/PHED Committee** 7th floor Council Hearing Room

10:30 **INVOCATION** - Cantor Marshall Kapell, B'nai Tzedek, Potomac

10:35 **GENERAL BUSINESS**

- (1) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: May 12, 17 and June 15, 2004 (Edgar)
C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 10:40 **CONSENT CALENDAR**

- A. **Introduction** - Amendment to the WSSC's FY05-10 Capital Improvements Program:
Piedmont Road Water Main and Clarksburg Area State 3 Water Main, Part 1 (Levchenko)
Public Hearing is scheduled for 7/20/04 at 1:30 pm.
- B. **Action** - Fire and Rescue Commission Regulation 1-04AM, Enforcement Procedure
for the Fire Administrator regarding Local Fire and Rescue Department Personnel (Faden)
PS Committee recommends approval as amended.
- C. **Action** - Resolution to petition the State for matching funds for Montgomery College:(Sherer)
• \$217,000 for roof replacements at the Rockville campus
• \$9,945,000 for the Takoma Park Campus Expansion
• \$1,321,500 for Central Plant project for the Takoma Park Campus
- D. **Action** - Appointment of Cheryl Guth, McGuire Woods, LLP as special counsel for
assistance with legal issues relating to development districts and special obligation
bonds (Faden)

(2) 10:40 **CONSENT CALENDAR** *(continued)*

E. **Action** - Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant to TV One, LLC (Ferber)

F. **Action** - Confirmation of County Executive appointments to the Adult Public Guardianship Review Board: June Colilla, Donna Clemons-Sacks, Harriette Rindner (Ferber)

G. **Action** - Confirmation of County Executive appointments to the Commission for Women: Deborah Horan, Resa Levy, Regina L. Oldak, Sheila C. Parker, Yun Jung Yang (Ferber)

H. **Action** - Confirmation of County Executive appointment to the Revenue Authority: Peter L. Gray (Ferber)

(3) 10:45 **ACTION** - Appointment to Montgomery County Planning Board (Ferber)

10:50 **DISTRICT COUNCIL SESSION**

(4) A. **Introduction** - Zoning Text Amendment 04-10, Accessory Apartments - Revisions, sponsored by the District Council at request of County Executive (Wilson)
Action - Resolution to establish public hearing for 9/30/04 at 7:30 pm.

10:55 **LEGISLATIVE SESSION Day # 19**

A. Approval of Legislative Journal (Edgar)

B. Introduction of Bills

(5) • **Bill 20-04**, Landlord-Tenant Relations - Accessory Apartments, sponsored by the Council President at the request of the County Executive (Faden)
Public Hearing is scheduled for 9/30/04 at 7:30 pm.

C. Call of Bills for Final Reading

(6) • **Expedited Bill 17-04**, Personnel - Retirement - Group G Amendments (Healy)
MFP Committee recommends approval.

(7) 11:00 **BOARD OF HEALTH** - Update from Dr. Ulder J. Tillman, County Health Officer (McGuire)

(8) 11:45 **ACTION** - Executive Regulation 26-03AM, Cable Modem Service Standards (Healy)
MFP Committee recommends approval as amended.

12:15 **RECESS**

(9) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the County Government's FY04 Operating Budget, Department of Health and Human Services - \$1,625,000 for Administration and Support (Source: FFP Revenue) (McGuire)
HHS Committee recommends approval.

- (10) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriations to the County Government's FY04 Operating Budget, Department of Housing and Community Affairs
 - \$447,080 for Fenton Street Village (Source: Federal Grant) (Trombka)
 - \$223,540 for Wheaton Revitalization (Source: Federal Grant) (Trombka)

- (11) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriations to the County Government's FY04 Operating Budget, Montgomery County Fire and Rescue Service
 - \$524,130 for FFY2003 Assistance to Firefighters Grant Program (Source: Federal grant) (Davidson)
 - \$1,337, 940 for Local Fire and Rescue Departments, FY04 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant (Source: State grant) (Davidson)

PS Committee recommends approval.

ADJOURN

- (12) 7:30 **PUBLIC HEARING** - Proposed Charter Amendments and recommendations of Charter Review Commission (Faden/Healy)
- Council worksession is tentatively scheduled for 7/13/04.*

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on July 13, 2004:

Local Management Board for Children, Youth and Families: David T. Jones, Ellie N. Salour
Mental Health Advisory Committee: Miriam L. Yarmolinsky, Kim-Renee Allen, Celia Young, Denise Fay-Guthrie, Randall R. Myers, Officer Joan Logan, Myriam Schinazi, Kenneth Ratcliffe
Silver Spring Urban District Advisory Committee: Bryant F. Foulger, Dale Mangum, Robert R. Middleton, Charles Atwell
Upcounty Citizens Advisory Board: Heinz Bachmann, David Whitcomb
Wheaton Urban District Advisory Committee: Filippo Leo, Brett Schneider

COUNCIL MEETINGS

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

Jul 13, 2004	9:15 am	Regular Session
Jul 20, 2004	9:15 am	Regular Session
Jul 27, 2004	9:00 am	State Legislation
Jul 27, 2004	10:15 am	Regular Session
Aug 3, 2004	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

July 13, 2004

- 1:30 pm **Bill 18-04**, Personnel - Retirement - Police
- 1:30 pm **Expedited Bill 19-04**, Personnel - Collective Bargaining - Police

July 20, 2004

- 1:30 pm ZTA 04-08, Security Pavilions - Residential and Agricultural Zones
- 1:30 pm Amendment to the WSSC's FY05-10 Capital Improvements Program: Piedmont Road Water Main and Clarksburg Area State 3 Water Main, Part 1

July 27, 2004

- 1:30 pm ZTA 04-09, Eating and Drinking Establishments - Office buildings - Revisions

**COUNCIL SEEKS APPLICANTS FOR
INSPECTOR GENERAL NOMINATING PANEL**

DEADLINE – 5:00 PM, JULY 7, 2004

The Montgomery County Council is seeking applicants for the Inspector General Nominating Panel. The three-member Nominating Panel will review applications for the position of Inspector General and submit a list of at least three qualified candidates to the Council, who will then make the appointment. **Applicants will be interviewed on July 13th at 4:30 p.m.**

The Office of the Inspector General was established by law in 1997. The goals of the Inspector General are to review the effectiveness and efficiency of programs and operations of County Government and independent County agencies; prevent and detect fraud, waste, and abuse in government activities; and propose ways to increase the legal, fiscal, and ethical accountability of County government departments and County-funded agencies.

The Nominating Panel consists of three County residents appointed by the County Council. Members of the nominating panel must not be employed by the County or any independent County agency during their service on the panel.

County residents who have knowledge of and interest in assuring effective and efficient operations of local government should send a letter of interest with resume to the Council Office. There is no political affiliation requirement with the position, and it is noncompensated. Letters of application should be addressed to Council President Steven Silverman and must be received in the Office of the Montgomery County Council, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, no later than **5:00 p.m. Wednesday, July 7, 2004. Please include your email address with your letter of application.**

FOR INFORMATION: Justina Ferber, 240-777-7938



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.

www.montgomerycountymd.gov/council

ADDENDUM
Tuesday, July 13, 2004

11:45 **LEGISLATIVE SESSION Day #20**

B. Introduction of Bills

Add: (6.5)

- **Bill 23-04**, Contracts and Procurement - Local Small Business Reserve Program, sponsored by Council President Silverman and Councilmembers Leventhal, Perez, and Floreen (Healy)
Public Hearing is scheduled for 9/14/04 at 1:30 pm.

C. Call of Bills for Final Reading

Add: (8)

- **Expedited Bill 19-04**, Personnel - Collective Bargaining - Police (Faden)
MFP Committee recommendation will be available 7/12/04.

*This meeting will be televised live on Channel 6;
repeated on 7/16/04 at 8 pm and 7/17/04 at 9 am*

Tuesday, July 13, 2004

9:15 **INVOCATION** - Father JohnENZler, Our Lady of Mercy, Potomac

9:20 **PRESENTATION** - Proclamation to the Maryland-National Capital Park and Planning Commission, recipient of the Congress for the New Urbanism's 2004 Charter Award of Excellence by Councilmember Andrews

9:25 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: May 14, June 17 and June 22, 2004 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:30 **CONSENT CALENDAR**

A. **Introduction** - Resolution to support State Financing for the Rehabilitation of Spring Garden Apartments in Silver Spring (Trombka)
Action is tentatively scheduled for 7/20/04.

B. **Introduction** - Resolution to support State Financing for the Rehabilitation of Chevy Chase Lake Apartments in Chevy Chase (Trombka)
Action is tentatively scheduled for 7/20/04.

C. **Introduction** - Resolution to consolidate the issuance of certain authorized bonds (Sherer)
Action is tentatively scheduled for 7/27/04.

D. **Introduction** - Resolution to consolidate new authority to issue commercial paper bond anticipation notes with all previously authorized notes (Sherer)
Action is tentatively scheduled for 7/27/04.

E. **Introduction** - Resolution to approve the FY05 schedule of revenue estimates and appropriations (Sherer)
Action is tentatively scheduled for 7/20/04.

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

- F. **Introduction** - Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant to the Mills Corporation (Ferber)
- G. **Action** - Extension until October 4, 2004 of Temporary Executive Regulation 8-04T, Emergency Taxicab Fare Surcharge (Orlin)
- H. **Action** - Executive Regulation 6-04AM, Amendments to Personnel Regulations - Sick Leave Donor Program (Davidson)
MFP Committee recommends approval as amended.
- I. **Action** - Supplemental appropriation to the County Government's FY04 Capital Budget and amendment to the FY03-08 Capital Improvements Program, Technology Investment Fund (TIF) - \$395,000 for Enterprise Resource Planning Requirements Study (Source: TIF Revolving Fund - Current Revenue) (Trombka)
MFP and ED Committees recommend approval as an FY05 special appropriation.
- J. **Action** - Confirmation of County Executive appointments the to Local Management Board for Children, Youth and Families: David T. Jones, Ellie N. Salour (Ferber)
- K. **Action** - Confirmation of County Executive appointments to the Mental Health Advisory Committee: Miriam L. Yarmolinsky, Kim-Renee Allen, Celia Young, Denise Fay-Guthrie, Randall R. Myers, Officer Joan Logan, Myriam Schinazi, Kenneth Ratcliffe (Ferber)
- L. **Action** - Confirmation of County Executive appointments to the Silver Spring Urban District Advisory Committee: Bryant F. Foulger, Dale Mangum, Robert R. Middleton, Charles Atwell (Ferber)
- M. **Action** - Confirmation of County Executive appointments to the Upcounty Citizens Advisory Board: Heinz Bachmann, David Whitcomb (Ferber)
- N. **Action** - Confirmation of County Executive appointments to the Wheaton Urban District Advisory Committee: Filippo Leo, Brett Schneider (Ferber)
- O. **Introduction/Suspension of Rules/Action** - Resolution to support Major League Baseball in the District of Columbia, sponsored by Councilmember Denis (Hartman)
Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.
- P. **Introduction** - Supplemental Appropriation to the County Government's FY05 Operating Budget, NDA Support for the Arts and Recreation - \$1,500,000 for Partnership for Arts and Recreation initiative (Source: Designated Reserves) (Davidson)
Public Hearing/Action is scheduled for 7/27/04 at 1:30 pm.

July 13, 2004

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9:35 **DISTRICT COUNCIL SESSION**

- (3) A. **Action** - Resolution to dismiss DPA 01-2, Auto Park Investment Partnership No. II (Wilson)
- (4) B. **Introduction** - Resolutions to approve use of Advance Land Acquisition Revolving Fund (ALARF) for acquisition of real property as follows: 1) Woodstock Equestrian Park Addition Lots 6, 7 & 8, Beallsville Property; 2) Linthicum East Elementary School Site (Wilson)
- (5) 9:40 **WORKSESSION** - Executive Regulation 26-03AM, Cable Modem Service Standards (Healy)
- (6) 10:45 **WORKSESSION** - Proposed Charter Amendments and recommendations of Charter Review Commission (Faden/Healy)
Action is tentatively scheduled for 7/27/04.

12:00 **RECESS**

- (7) 1:30 **PUBLIC HEARING - Bill 18-04**, Personnel - Retirement - Police (Healy)
MFP Committee worksession tentatively scheduled for 7/26/04.
- (8) 1:30 **PUBLIC HEARING/ACTION - Expedited Bill 19-04**, Personnel - Collective Bargaining - Police (Faden)
- (9) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$200,000 for Outreach and Recruitment (Source: General Fund) (Davidson)
PS Committee recommendation will be available 7/12/04.

2:00 **LEGISLATIVE SESSION Day # 20**

- A. Approval of Legislative Journal - June 22, 2004 (Edgar)
- B. Introduction of Bills
- (10) • **Expedited Bill 21-04**, Bond Authorization, sponsored by Council President at request of the County Executive (Sherer)
Public Hearing and action is scheduled for 7/27/04 at 1:30 pm.
- (11) • **Bill 22-04**, Health - Fitness Centers - Defibrillators, sponsored by Councilmember Praisner (Faden)
Public Hearing is scheduled for 9/14/04 at 1:30 pm.
- C. Call of Bills for Final Reading
- (12) • **Bill 29-03**, Forest Conservation - Equestrian facilities (Faden)
PHED Committee recommends approval with amendments.
- (13) • **Expedited Bill 16-04**, Transportation - Fees - Council Resolution (Faden)
T&E Committee recommends approval with amendments.

3:00 **ADJOURN**

3:00 **MFP Committee** (7th floor Council Hearing Room)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on July 20, 2004:

Advisory Board on Victims and their Families: Nancy C. Barash, Sally Rogers, Craig L. Rice, Manjit Singh

Board of Electrical Examiners: Evan Bestland

Commission on Children and Youth: Diego Uriburu, Colleen Fee, John C. Munson, Allan Shedlin, Jr., Esther Breger, Christina Craver, James A. Davis, Katelyn Kinker, Adam M. Susser, Michael Williams, Cristina I. Vessels

Commission on Health: Cynthia Chao, Wayne E. Sauseda, Eva Feder, Arthur Williams, Paul Jung, M.D., Nancy J. Miller

Community Action Board: Traci Thompson Ferguson, M.D., Terry Seamens, Alyssa Sanders, Beverly Brown, Lauren Newman, Daniel Ehrenberg

Energy and Air Quality Advisory Committee: Mary E. Fowler, J. Michael Galway, Jason A. Holstine, Suzanne Matwyshen-Gillen, Jonathan Powell

Human Rights Commission : Lisa P. Kinard

Strathmore Hall Foundation Board of Directors: Marvin Address, Mary Kay Shartle-Galotto

COUNCIL MEETINGS

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

Jul 20, 2004	9:15 am	Regular Session
Jul 27, 2004	9:00 am	Regular Session
Jul 27, 2004	12:30 pm	State Legislation
Aug 9-Sep 10, 2004		Recess
Sep 6, 2004		Holiday

ADDENDUM
Tuesday, July 20, 2004

(2) 9:35 **CONSENT CALENDAR**

Defer: G. **Action** - Executive Regulations 34-03AM, Towing Rules and Regulations (McMillan)
PS Committee worksession tentatively scheduled for 8/2/04.

Add: Q. **Introduction/Suspension of Rules/Action** - Resolution to designate the Collaboration Council for Children, Youth and Families as the Local Council for an Early Learning Opportunities Federal Grant application (Planell)
Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.

Add: R. **Introduction** - Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant for the Bethesda Theatre Nederlander Project (Ferber)

(3) 9:45 **DISTRICT COUNCIL SESSION**

Defer: H. **Action** - Zoning Text Amendment 04-05, Eating and Drinking Establishments - C-O Zone (Wilson)

Add: 2:00 **PROPOSED CLOSED SESSION** to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, pursuant to Maryland Code, State Government Article, §10-508 (a)(4). Topic is Economic Development Fund. (6th Floor Council Conference Room)(Ferber/Faden)

Add: 2:30 **PROPOSED CLOSED SESSION** to discuss appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, pursuant to Maryland Code, State Government Article, §10-508 (a)(1)(i). Topic is a personnel matter. (6th floor Council Conference Room) (Farber)

Note: The 2:00 ED Committee is cancelled.

*This meeting will be televised live on Channel 6;
repeated on 7/23/04 at 8 pm and 7/24/04 at 9 am*

Tuesday, July 20, 2004

9:15 **INVOCATION** - Reverend Rosetta Robinson, Community Ministry of Montgomery County, Rockville

9:20 **PRESENTATION** - Proclamation in recognition of American Speech and Hearing Association and Macro International's awards - "Greater Washington's Best Workplaces for Commuters" by Councilmembers Floreen and Knapp

9:25 **PRESENTATION** - Proclamation to Mier Wolf in recognition of 20 years of community service by Councilmember Floreen

9:30 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

- **Bill 27-03**, Moderately Priced Dwelling Units (MPDU) - Amendments, sponsored by Councilmembers Perez, Andrews, and Leventhal, is scheduled for public hearing on 9/23/04 at 7:30 p.m.

This bill was introduced by the Council on 7/29/03.

- Additional testimony is invited on **ZTA 03-09**, Moderately Priced Dwelling Units (MPDU) - Large lot zones, sponsored by District Council at the request of MNCPPC, at the public hearing on 9/23/04 at 7:30 p.m.

This ZTA was introduced by the Council on 5/13/03.

B. **Action** - Approval of Minutes: May 20 and June 29, 2004 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:35 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to approve the Office of Legislative Oversight's FY05 Work Program (Orlansky)
Action is tentatively scheduled for 7/27/04.
- B. **Introduction** - Resolutions to transfer project balance within the MCPS' FY05 Capital Budget and FY05-10 Capital Improvements Program: (Levchenko)
1) \$750,000 from Damascus High School improvement project to MCPS Local Unliquidated Surplus Account (Source: G.O. Bonds)
2) \$750,000 from MCPS Local Unliquidated Surplus Account to Gaithersburg Elementary School Addition (Source: G.O. Bonds)
ED Committee worksession tentatively scheduled for 7/20/04.
- C. **Action** - Resolution to support State Financing for the Rehabilitation of Spring Garden Apartments in Silver Spring (Trombka)
- D. **Action** - Resolution to support State Financing for the Rehabilitation of Chevy Chase Lake Apartments in Chevy Chase (Trombka)
- E. **Action** - Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant to the Mills Corporation (Ferber)
- F. **Action** - Resolution to approve the FY05 schedule of revenue estimates and appropriations (Sherer)
- G. **Action** - Executive Regulations 34-03AM, Towing Rules and Regulations (McMillan)
PS Committee recommends approval as amended.
- H. **Action** - Executive Regulation 5-04, Electricity Procurement Regulations (Healy)
MFP Committee recommends approval.
- I. **Action** - Confirmation of County Executive appointments to the Board of Electrical Examiners: Evan Bestland (Ferber)
- J. **Action** - Confirmation of County Executive appointments to the Commission on Children and Youth: Diego Uriburu, Colleen Fee, John C. Munson, Allan Shedlin, Jr., Esther Breger, Christina Craver, James A. Davis, Katelyn Kinker, Adam M. Susser, Michael Williams, Cristina I. Vessels (Ferber)
- K. **Action** - Confirmation of County Executive appointments to the Commission on Health: Cynthia Chao, Wayne E. Sauseda, Eva Feder, Arthur Williams, Paul Jung, M.D., Nancy J. Miller (Ferber)
- L. **Action** - Confirmation of County Executive appointments to the Community Action Board: Traci Thompson Ferguson, M.D., (Primary), Terry Seamens (Primary), Alyssa Sanders, (Alternate), Beverly Brown, Lauren Newman, Daniel Ehrenberg (Ferber)

(2) 9:35 **CONSENT CALENDAR** *(continued)*

- M. **Action** - Confirmation of County Executive appointments to the Energy and Air Quality Advisory Committee: Mary E. Fowler, J. Michael Galway, Jason A. Holstine, Suzanne Matwyshen-Gillen, Jonathan Powell (Ferber)
- N. **Action** - Confirmation of County Executive appointments to the Human Rights Commission: Lisa P. Kinard (Ferber)
- O. **Action** - Confirmation of County Executive appointments to the Strathmore Hall Foundation Board of Directors: Marvin Address, Mary Kay Shartle-Galotto (Ferber)
- P. **Action** - Confirmation of County Executive appointments to the Advisory Board on Victims and their Families: Nancy C. Barash, Sally Rogers, Craig L. Rice, Manjit Singh (Ferber)

(3) 9:45 **DISTRICT COUNCIL SESSION**

- A. **Introduction** - Zoning Text Amendment 04-11, Moderately Priced Dwelling Units (MPDU) - Building coverage and green area standards - Multi-Family Zones, sponsored by Councilmembers Floreen, Silverman, Subin, Knapp and Leventhal (Wilson)
Action - Resolution to establish public hearing for 9/23/04 at 7:30 pm.
- B. **Introduction** - Zoning Text Amendment 04-12, Moderately Priced Dwelling Units (MPDU) - Density bonus and public space requirement - CBD and Transit Station Zones, sponsored by Councilmembers Floreen, Silverman, Subin, Knapp and Leventhal (Wilson)
Action - Resolution to establish public hearing for 9/23/04 at 7:30 pm.
- C. **Introduction** - Zoning Text Amendment 04-13, Moderately Priced Dwelling Units (MPDU) - Master Plan and Sector Plan conformity requirement exception - CBD, RMX and Development Plan Zones, sponsored by Councilmembers Floreen, Silverman, Subin, Knapp and Leventhal (Wilson)
Action - Resolution to establish public hearing for 9/23/04 at 7:30 pm.
- D. **Introduction** - Zoning Text Amendment 04-14, Moderately Priced Dwelling Units (MPDU) - Dwelling unit types - one-family residential zones, sponsored by Councilmembers Floreen, Silverman, Subin, Knapp and Leventhal (Wilson)
Action - Resolution to establish public hearing for 9/23/04 at 7:30 pm.
- E. **Introduction** - Subdivision Regulation Amendment 04-01, Moderately Priced Dwelling Units (MPDU) - Exceptions - Master Plan conformity requirement and Tertiary Road requirement, sponsored by Councilmembers Floreen, Silverman, Subin, Knapp and Leventhal (Wilson)
Action - Resolution to establish public hearing for 9/23/04 at 7:30 pm.
- F. **Action** - Resolution to establish public hearing for the Master Plan of Bikeways for September 28, 2004 at 7:30 p.m. (Orlin)

9:45 **DISTRICT COUNCIL SESSION** *(continued)*

G. **Action** - Amendment to the Master Plan for Historic Preservation: Montgomery County Heritage Area Management Plan (Arthur)
PHED Committee recommends approval.

H. **Action** - Zoning Text Amendment 04-05, Eating and Drinking Establishments - C-O Zone (Wilson)
PHED Committee recommends approval with amendments.

I. **Action** - Zoning Text Amendment 04-06, Site Plan Enforcement Agreements - Elimination (Wilson)
PHED Committee recommends approval.

J. **Action** - Resolutions to approve use of Advance Land Acquisition Revolving Fund (ALARF) for acquisition of real property as follows: 1) Woodstock Equestrian Park Addition Lots 6, 7 & 8, Beallsville Property; 2) Linthicum East Elementary School Site (Wilson)

10:30 **LEGISLATIVE SESSION** Day # 21

A. Approval of Legislative Journal - June 29, 2004 (Edgar)

B. Introduction of Bills

(4) • **Bill 24-04**, Moderately Priced Dwelling Units (MPDU) - Amendments, sponsored by Councilmembers Floreen, Silverman, Subin, Knapp and Leventhal (Faden)
Public Hearing is scheduled for 9/23/04 at 7:30 pm.

(5) • **Bill 25-04**, Moderately Priced Dwelling Units (MPDU) - Amendments, sponsored by Councilmembers Praisner and Leventhal (Faden)
Public Hearing is scheduled for 9/23/04 at 7:30 pm.

(6) • **Bill 26-04**, Vendors - Amendments, sponsored by Councilmember Denis (Faden)
Public Hearing is scheduled for 9/14/04 at 1:30 pm.

(6.5) • **Expedited Bill 27-04**, Inspector General - Nominating Panel - Membership, sponsored by the MFP Committee (Faden)
Public Hearing is scheduled for 7/27/04 at 1:30 pm.

(7) 10:45 **WORKSESSION** - Proposed Charter Amendments and recommendations of Charter Review Commission (Faden/Healy)
Action is tentatively scheduled for 7/27/04.

12:00 **RECESS**

(8) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-08, Security Pavilions - Residential and Agricultural Zones (Wilson)
PHED Committee worksession tentatively scheduled for 7/26/04.

July 20, 2004

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(9) 1:30 **PUBLIC HEARING** - Amendment to the WSSC's FY05-10 Capital Improvements Program: Piedmont Road Water Main and Clarksburg Area Stage 3 Water Main, Part 1(Levchenko)
T&E Committee worksession tentatively scheduled for 7/22/04.

2:00 **ADJOURN**

2:00 **ED Committee** (*7th floor Council Hearing Room*)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on July 27, 2004:

Alcohol and Other Drug Abuse Advisory Council: Dawn A. Levinson, David P. Lunden, Kathy Houser, Frederick J. Oeltjen, William A. Saunders, Joanne Nightingale, Neal Berch

Commission on Child Care: Kate Barnes, Grace Loverde Ibarra, Ruth Figueroa, Maryanne Lazarchick, Naseem Hoque, Sandra M. Axelrod, David Winstead, JoAnn K. Barnes

Commission on Common Ownership Communities: Charles H. Fleischer, Antoinette Negro, Vicki Satern Vergagni, Andrew Oxendine, Jeffrey R. Williams, Kevin Gannon

Friendship Heights Transportation Management District Advisory Committee: Leonard J. Grant, Stacey Wahlert, Howard Byron, Jessica Adams

Silver Spring Transportation System Management Advisory Committee: Erin N. Grace, Richard W. Hayman, Michael Hunston

Washington Suburban Transit Commission: Gary Erenrich

COUNCIL MEETINGS

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

Jul 27, 2004	9:00 am	Regular Session
Jul 27, 2004	12:30 pm	State Legislation
Aug 9-Sep 10, 2004		Recess
Sep 6, 2004		Holiday

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

July 27, 2004

- 1:30 pm ZTA 04-09, Eating and Drinking Establishments - Office buildings - Revisions
- 1:30 pm **Expedited Bill 21-04**, Bond Authorization
- 1:30 pm Supplemental appropriation to the County Government's FY05 Operating Budget, NDA Support for the Arts and Recreation - \$1,500,000 for Partnership for Arts and Recreation initiative
- 1:30 pm **Expedited Bill 27-04**, Inspector General - Nominating Panel - Membership

September 14, 2004

- 1:30 pm **Bill 22-04**, Health - Fitness Centers - Defibrillators
- 1:30 pm **Bill 23-04**, Contracts and Procurement - Local Small Business Reserve Program
- 1:30 pm **Bill 26-04**, Vendors - Amendments

September 23, 2004

- 7:30 pm **Bill 27-03**, Moderately Priced Dwelling Units (MPDU) - Amendments
- 7:30 pm ZTA 03-09, Moderately Priced Dwelling Units - Large lot zones
- 7:30 pm ZTA 04-11, Moderately Priced Dwelling Units (MPDU) - Building coverage and green area standards - Multi-Family Zones
- 7:30 pm ZTA 04-12, Moderately Priced Dwelling Units (MPDU) - Density bonus and public space requirement - CBD and Transit Station Zones
- 7:30 pm ZTA 04-13, Moderately Priced Dwelling Units (MPDU) - Master Plan and Sector Plan conformity requirement exception - CBD, RMX and Development Plan Zones
- 7:30 pm ZTA 04-14, Moderately Priced Dwelling Units (MPDU) - Dwelling unit types - one-family residential zones
- 7:30 pm SRA 04-01, Moderately Priced Dwelling Units (MPDU) - Exceptions - Master Plan conformity requirement and tertiary road requirement
- 7:30 pm **Bill 24-04**, Moderately Priced Dwelling Units (MPDU) - Amendments
- 7:30 pm **Bill 25-04**, Moderately Priced Dwelling Units (MPDU) - Amendments

September 28, 2004

- 7:30 pm Master Plan of Bikeways

September 30, 2004

- 7:30 pm ZTA 04-10, Accessory Apartments - Revisions
- 7:30 pm **Bill 20-04**, Landlord-Tenant Relations - Accessory Apartments



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.

www.montgomerycountymd.gov/council

ADDENDUM
Tuesday, July 27, 2004

(2) 9:10 **CONSENT CALENDAR**

- Add:** P. **Introduction** - Special appropriation to the MNCPPC's FY05 Capital Budget - \$691,000 for Rock Creek Trail Pedestrian Bridge (Source: General Obligation Bonds) (Michaelson)
Public Hearing/Action is scheduled for 9/14/04 at 1:30 p.m.
- Add:** Q. **Introduction** - Resolution to establish a countywide prescription drug discount card program sponsored by Councilmembers Perez, Praisner, Denis, Leventhal, and Andrews (Parr)
- Add:** R. **Action** - Resolution to amend the FY05 Designation of Entities for Non-Competitive Award Status: CASA of Maryland, Inc. (Trombka)

*This meeting will be televised live on Channel 6;
repeated on 7/30/04 at 8 pm and 7/31/04 at 9 am*

Tuesday, July 27, 2004

9:00 **INVOCATION** - Reverend Glenn Sackett, Shady Grove Adventist Hospital, Pastoral Care, Rockville

9:05 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Closed Session Minutes: April 13, May 13 and June 22, 2004 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:10 **CONSENT CALENDAR**

A. **Introduction** - Resolution to amend the Ten-Year Comprehensive Solid Waste Management Plan (Trombka)

Public Hearing is scheduled for 10/5/04 at 7:30 pm.

B. **Action** - Executive Regulation 26-03AM, Cable Modem Service Standards (Healy)

C. **Action** - Extension of time until December 14, 2004 for Council action on Executive Regulation 34-03AM, Towing Rules and Regulations (McMillan)

PS Committee worksession tentatively scheduled for 9/20/04.

D. **Action** - Resolution to approve the Office of Legislative Oversight's FY05 Work Program (Orlansky)

E. **Action** - Amendment to the WSSC's FY05-10 Capital Improvements Program: Piedmont Road Water Main and Clarksburg Area Stage 3 Water Main, Part 1 (Levchenko)

T&E Committee recommendations will be available 7/22/04.

F. **Action** - Extension of time for Council action on resolutions due to expire August 31, 2004 (Edgar)

G. **Action** - Resolutions to transfer project balance within the MCPS' FY05 Capital Budget and FY05-10 Capital Improvements Program: (Levchenko)

1) \$750,000 from Damascus High School improvement project to MCPS Local Unliquidated Surplus Account (Source: G.O. Bonds)

2) \$750,000 from MCPS Local Unliquidated Surplus Account to Gaithersburg Elementary School Addition (Source: G.O. Bonds)

- (2) 9:10 **CONSENT CALENDAR** *(continued)*
- H. **Action** - Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant for the Bethesda Theatre Nederlander Project (Ferber)
 - I. **Action** - Confirmation of County Executive appointments to the Alcohol and Other Drug Abuse Advisory Council: Dawn A. Levinson, David P. Lunden, Kathy Houser, Frederick J. Oeltjen, William A. Saunders, Joanne Nightingale, Neal Berch (Ferber)
 - J. **Action** - Confirmation of County Executive appointments to the Commission on Child Care: Kate Barnes, Grace Loverde Ibarra, Ruth Figueroa, Maryanne Lazarchick, Naseem Hoque, Sandra M. Axelrod, David Winstead, JoAnn K. Barnes (Ferber)
 - K. **Action** - Confirmation of County Executive appointments to the Commission on Common Ownership Communities: Charles H. Fleischer, Antoinette Negro, Vicki Satern Vergagni, Andrew Oxendine, Jeffrey R. Williams, Kevin Gannon (Ferber)
 - L. **Action** - Confirmation of County Executive appointments to the Friendship Heights Transportation Management District Advisory Committee: Leonard J. Grant, Stacey Wahlert, Howard Byron, Jessica Adams (Ferber)
 - M. **Action** - Confirmation of County Executive appointments to the Silver Spring Transportation System Management Advisory Committee: Erin N. Grace, Richard W. Hayman, Michael Hunston (Ferber)
 - N. **Action** - Confirmation of County Executive appointments to the Washington Suburban Transit Commission: Gary Erenrich (Ferber)
 - O. **Action** - Extension until November 16, 2004 of Temporary Executive Regulation 10-04T, Possession, Sale, or Release of Northern Snakehead Fish (McMillan)
- (3) 9:30 **ACTION** - Proposed Charter Amendments: (Faden)
- A. Resolution to certify petitions to place Charter Amendments on ballot
 - B. Resolution to place proposed amendments to County Charter on November ballot and approve ballot language
- (4) 10:00 **WORKSESSION** - Resolution to establish a voluntary program for securing safe, high quality, lower-priced prescription maintenance drugs for employees and retirees of County and bi-County agencies (Farber)
- (4.5) 12:15 **RECESS** 12:30 - Lunch Meeting - Discussion of State Legislative Program (Wenger)
(6th floor Council Conference Room)
- (5) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-09, Eating and Drinking Establishments - Office buildings - Revisions (Wilson)
PHED Committee worksession tentatively scheduled for 9/20/04.

- (6) 1:30 **PUBLIC HEARING - Expedited Bill 21-04**, Bond Authorization (Sherer)
Action follows this afternoon's public hearings.
- (7) 1:30 **PUBLIC HEARING - Expedited Bill 27-04**, Inspector General - Nominating Panel - Membership (Faden)
Action follows this afternoon's public hearings.
- (8) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY05 Operating Budget, NDA Support for the Arts and Recreation - \$1,500,000 for Partnership for Arts and Recreation initiative (Source: Designated Reserves) (Davidson)
- 2:30 **LEGISLATIVE SESSION Day # 22**
- A. Approval of Legislative Journal (Edgar)
- B. Introduction of Bills
- (9) • **Bill 28-04**, Weapons - Technical Amendments, sponsored by the Council President at the request of the County Executive (Healy)
Public Hearing is scheduled for 9/14/04 at 1:30 pm.
- (9.1) • **Bill 29-04**, Sewers, Sewage Disposal and Drainage - Water and Sewer Category Changes - Procedures and Fees, sponsored by the Council President at the request of the County Executive (Healy)
Public Hearing is scheduled for 9/14/04 at 1:30 pm.
- C. Call of Bills for Final Reading
- (10) • **Expedited Bill 21-04**, Bond Authorization (Sherer)
- (11) • **Expedited Bill 27-04**, Inspector General - Nominating Panel - Membership (Faden)
- (12) 2:40 **CONSENT CALENDAR** (*continued*)
- A. **Action** - Appointments to Inspector General Nominating Panel (Ferber)
- B. **Action** - Resolution to consolidate the issuance of certain authorized bonds (Sherer)
- C. **Action** - Resolution to consolidate new authority to issue commercial paper bond anticipation notes with all previously authorized notes (Sherer)
- 2:45 **DISTRICT COUNCIL SESSION**
- (13) A. **Introduction** - Zoning Text Amendment 04-15, Historic District Preservation - PD Zone waivers, sponsored by Councilmember Perez (Wilson)
Action - Resolution to establish public hearing for 9/14/04 at 1:30 pm.
- (14) B. **Introduction** - Zoning Text Amendment 04-16, Local Map Amendment Traffic Test - Metro Station Policy Area, sponsored by Councilmember Silverman (Wilson)
Action - Resolution to establish public hearing for 9/14/04 at 1:30 pm.

2:45 **DISTRICT COUNCIL SESSION** *(continued)*

- (15) C. **Introduction** - Zoning Text Amendment 04-17, Rural Neighborhood Cluster Zone - Open Space Requirements, sponsored by District Council (Wilson)
Action - Resolution to establish public hearing for 9/14/04 at 7:30 pm.
- (16) D. **Introduction** - Zoning Text Amendment 04-18, Environmental Overlay Zone - Upper Rock Creek Special Protection area, sponsored by District Council (Wilson)
Action - Resolution to establish public hearing for 9/14/04 at 7:30 pm.
- (17) E. **Introduction** - Resolution to change Office of Zoning and Administrative Hearings' Local Map Amendment Fee Schedule (Wilson)
Public Hearing/Action is scheduled for 9/14/04 at 1:30 pm.
- (18) F. **Introduction** - Resolution to change Board of Appeals' Special Exception Filing Fees (Wilson)
Public Hearing/Action is scheduled for 9/14/04 at 1:30 pm.
- (19) G. **Action** - Zoning Text Amendment 04-05, Eating and Drinking Establishments - C-O Zone (Wilson)
PHED Committee recommends approval with amendments.
- (20) H. **Action** - Resolution to establish public hearing on the Olney Master Plan for September 21, 2004 at 7:30 p.m. (Michaelson)
- (21) I. **Action** - Zoning Text Amendment 04-08, Security Pavilions - Residential and Agricultural Zones (Wilson)
PHED Committee recommendation will be available 7/26/04.
- (22) J. **Action** - Consideration of Hearing Examiner's Supplemental Report and Recommendation: (Wilson)
Application No: G-812
Applicant: Arrowsmith Court LC, Contract Purchaser (Jody S. Kline, Esquire)
Action: Rezone from R-200 to RT-10 (Optional Method)
Property: William P. Anderson, et ux, et al, Parcel 949, Montgomery Meadows/Seneca Whetstone Subdivisions, located on Arrowsmith Court, Gaithersburg
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Approve
- (23) K. **Action** - Resolution to establish public hearing on the Upper Rock Creek Sectional Map Amendment (G-827) for September 14, 2004 at 7:30 pm. (Michaelson)

3:30 **LEGISLATIVE SESSION Day # 22** *(continued)*

- (24) C. Call of Bills for Final Reading (Healy)
• **Bill 18-04**, Personnel - Retirement - Police
MFP Committee recommendation will be available 7/26/04.

July 27, 2004

Page 5

3:30 **LEGISLATIVE SESSION Day # 22** (*continued*)

(25) • **Bill 29-03**, Forest Conservation - Equestrian facilities (Faden)
PHED Committee recommends approval with amendments.

(26) 4:15 **DISCUSSION** - FY06 Budget Process (*6th floor Council Conference Room*) (Farber)

5:30 **ADJOURN**

COUNCIL MEETINGS

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

Aug 9-Sep 10, 2004

Recess

Sep 6, 2004

Holiday

Sep 14, 2004

9:15 am

Regular Session

Sep 21, 2004

9:15 am

Regular Session

Sep 28, 2004

9:00 am

Meeting with Board of Appeals

Sep 28, 2004

10:15 am

Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

August 17, 2004

9:00 am County Executive's Public Hearing: Economic Development Revenue Bond - Sandy Spring Friends School, Inc. (**To testify call 240-777-8860**)

September 14, 2004

1:30 pm **Bill 22-04**, Health - Fitness Centers - Defibrillators

1:30 pm **Bill 23-04**, Contracts and Procurement - Local Small Business Reserve Program

1:30 pm **Bill 26-04**, Vendors - Amendments

1:30 pm **Bill 28-04**, Weapons - Technical Amendments

1:30 pm **Bill 29-04**, Sewers, Sewage Disposal and Drainage - Water and Sewer Category Changes - Procedures and Fees

1:30 pm ZTA 04-15, Historic District Preservation - PD Zone waivers

1:30 pm ZTA 04-16, Local Map Amendment Traffic Test - Metro Station Policy Area

1:30 pm Resolution to change Office of Zoning and Administrative Hearings' Local Map Amendment Fee Schedule

1:30 pm Resolution to change Board of Appeals' Special Exception Filing Fees

7:30 pm Upper Rock Creek Sectional Map Amendment

7:30 pm ZTA 04-17, Rural Neighborhood Cluster Zone - Open Space Requirements

7:30 pm ZTA 04-18, Environmental Overlay Zone - Upper Rock Creek Special Protection area

September 21, 2004

7:30 pm Olney Master Plan

September 23, 2004

7:30 pm Revisions to MPDU Program

September 28, 2004

7:30 pm Master Plan of Bikeways

September 30, 2004

7:30 pm ZTA 04-10, Accessory Apartments - Revisions

7:30 pm **Bill 20-04**, Landlord-Tenant Relations - Accessory Apartments

COUNTY COUNCIL SEEKS APPLICANTS
FOR BOARD OF APPEALS
DEADLINE 5:00 P.M., September 1, 2004

The Montgomery County Council is seeking applicants for a four-year term on the County Board of Appeals. The term of Donald Spence (Democrat) will expire in September 2004. Mr. Spence also serves as Chairman of the Board and has indicated that he will **not** apply for reappointment. The law provides that the Council may designate a member of the Board for the position of Chairman. The Council will select a new Chairman in conjunction with this appointment process.

Duties of the Board of Appeals are: (1) hear and decide most applications for special exceptions as provided in the Zoning Ordinance, (2) hear and decide requests for variances from development standards contained in the Zoning Ordinance, and (3) hear appeals from certain administrative decisions rendered by County Government agencies.

The Board normally holds weekly hearings all day Wednesday and worksessions every other week. If necessary to accommodate an extended caseload or continued hearings, the Board schedules hearings on other weekdays. Members are expected to prepare for the hearings by reading the cases to be heard and to share the workload of drafting and editing opinions or to follow-up on investigations on specific cases. Members work approximately 15-25 hours a week.

Members of the Board receive \$12,999.84 annually, with the Chairman receiving \$18,615.38. Salaries are adjusted annually each December to reflect 50 percent of the change in the Washington Area Consumer Price Index.

The principal jurisdiction of the Board of Appeals (concerning special exceptions and variances under the Zoning Ordinance) does not include the municipalities of Brookeville, Poolesville, Laytonsville, Rockville, Barnesville, Gaithersburg, and Washington Grove. The normal Council practice is not to appoint residents of those municipalities to this Board.

Present Board members are: Donna Barron, (Republican); Angelo Caputo, (Republican); Allison Ishihara Fultz (Democrat); Louise Mayer (Democrat), and Donald Spence (Democrat), Chairman. By law, no more than three members of the Board shall be from the same political party. Members of County boards, committees and commissions may not serve on more than one such group at a time.

Letters of application, to serve as Chairman and/or member, including a resume, should be addressed to Council President Steven Silverman and must be received in the Office of the Montgomery County Council, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, no later than **5:00 p.m., Wednesday, September 1. It is the Council's policy not to consider applications received after the deadline.** A financial statement of assets, debts, income, and family property interests will be required of all applicants.

FOR INFORMATION: Justina Ferber, 240-777-7938



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ADDENDUM

Tuesday, September 14, 2004

(2) 10:25 **CONSENT CALENDAR**

Add:

K. **Action** - Resolution to amend the FY05 Designation of Entities for Non-Competitive Award Status: Interages Inc., Community Services for Autistic Adults and Children (CSAAC), and The George B. Thomas Learning Academy, Inc. (McGuire)

*This meeting will be televised live on Channel 6;
repeated on 9/17/04 at 8 pm and 9/18/04 at 9 am*

Tuesday, September 14, 2004

10:00 **INVOCATION** - Reverend Jan P. Lookingbill, Emmanuel Lutheran Church, Bethesda

10:05 **PRESENTATION** - Proclamation in recognition of the Chesapeake Climate Action Network's presentation of the documentary "We Are All Smith Islanders" by Councilmember Leventhal **Deferred**

10:10 **PRESENTATION**- Proclamation in recognition of William H. Hudnut, III, Mayor of Chevy Chase, for his many years of community service by Councilmember Denis - **Moved to 9/21/04**

10:15 **PRESENTATION**- Proclamation in recognition of Constitution Week, September 17-23, 2004 by Councilmember Knapp **Deferred**

10:20 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: July 13 and 20, 2004 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 10:25 **CONSENT CALENDAR**

A. **Introduction** - Resolution to set transportation fees, charges, and fares (Orlin)
Public Hearing/Action is scheduled for 9/28/04 at 1:30 pm.

B. **Introduction** - Resolution to establish County policy regarding personnel costs in capital budget, sponsored by Management and Fiscal Policy Committee (Orlin)

C. **Introduction** - Resolution to establish the Interagency Telework Initiative, sponsored by the Management and Fiscal Policy Committee (Davidson)

D. **Introduction** - Supplemental appropriation to the County Government's FY05 Operating Budget, DHCA, Montgomery Housing Initiative Fund - \$3,727,660 for Seneca Heights Apartment project (Source: State grant) (Trombka)
Public Hearing/Action is scheduled for 9/28/04 at 1:30 pm.

E. **Introduction** - Supplemental appropriation to the County Government's FY05 Capital Budget, Department of Health and Human Services - \$408,000 for School Based Health Centers (Source: G.O. Bonds) (McGuire)
Public Hearing is scheduled for 9/28/04 at 1:30 pm.

(2) 10:25 **CONSENT CALENDAR** *(continued)*

- F. **Introduction** - Supplemental appropriation to the Montgomery College's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program - \$2,650,000 for Takoma Park King Street Art Center (Source: Montgomery College Major Facilities Reserve Fund) (Sherer)
Public Hearing is scheduled for 10/5/04 at 1:30 pm.
- G. **Introduction** - Special appropriation to the County Government's FY05 Operating Budget - \$11,180 for Independent Audit Non-Departmental Account (Source: General Fund Reserves) (Howard)
Public Hearing/Action is scheduled for 9/21/04 at 1:30 pm.
- H. **Introduction** - Amendment to WSSC's FY05-10 Capital Improvements Program, Blue Plains WWTP: Liquid Train Projects, Part II - \$14.2 million for costs related to the McGaughan Company claim (Levchenko)
Public Hearing is scheduled for 10/5/04 at 1:30 pm.
- I. **Action** - Resolution to approve Economic Development Revenue Bonds for Sandy Spring Friends School (Sherer)
- J. **Introduction** - Supplemental appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$4,270,560 for EMS Transport Fee & Apparatus Management Plan (Source: EMS Transport Fees)(Davidson)
Public Hearing is scheduled for 10/19/04 at 7:00 pm.

- (3) 10:30 **PRESENTATION** - Report of Committee Evaluation Review Board (CERB) (Ferber)
MFP Committee worksession tentatively scheduled for 9/20/04.

10:50 **DISTRICT COUNCIL SESSION**

- (4) A. **Introduction** - Zoning Text Amendment 04-19, Large Retail Stores, sponsored by Council President Silverman (Wilson)
Action - Resolution to establish public hearing for 10/19/04 at 7:00 pm.
- (5) B. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: G-818
Applicant: Sarah G. Mirtaghavi (Anne C. Martin, Attorney)
Action: Rezone from R-90 to RT-12.5 (Opt)
Property: 0.54 acres of land known as Parcel P977, located at 12129 Georgia Avenue, Silver Spring
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Approve

11:00 **LEGISLATIVE SESSION Day # 26**

- A. Approval of Legislative Journal - June 15, July 13 and 20, 2004 (Edgar)
B. Introduction of Bills
- (6) • **Bill 30-04**, Homestead Property Tax Credit - 2005 Tax Year (Healy)
Public Hearing is scheduled for 10/5/04 at 1:30 pm.
- (7) • **Bill 31-04**, Streets and Roads - Snow Removal - Amendments, sponsored by Councilmembers Leventhal and Knapp (Healy)
Public Hearing is scheduled for 10/12/04 at 1:30 pm.
- (7.1) • **Bill 32-04**, Fire and Rescue Service - Emergency Medical Services Transport Fee, sponsored by the Council President at the request of the County Executive (Healy)
Public Hearing is scheduled for 10/19/04 at 7:00 pm.
- (7.2) • **Bill 33-04**, Homeland Security - Reorganization, sponsored by the Council President at the request of the County Executive (Healy)
Public Hearing is scheduled for 10/5/04 at 1:30 pm.
- (8) 11:10 **RECEIPT AND RELEASE** - Office of Legislative Oversight Report #2004-7, Limited English Proficient Persons: Access to County Government Services (Brown)
PS/HHS Committee worksession tentatively scheduled for 9/21/04; MFP Committee worksession tentatively scheduled for 10/7/04.

12:15 **RECESS**

- (9) 1:30 **PUBLIC HEARING - Bill 22-04**, Health - Fitness Centers - Defibrillators (Faden)
HHS Committee worksession tentatively scheduled for 10/4/04.
- (10) 1:30 **PUBLIC HEARING - Bill 23-04**, Contracts and Procurement - Local Small Business Reserve Program (Healy)
MFP Committee worksession tentatively scheduled for 10/11/04.
- (11) 1:30 **PUBLIC HEARING - Bill 26-04**, Vendors - Amendments (Faden)
PS Committee worksession tentatively scheduled for 10/4/04.
- (12) 1:30 **PUBLIC HEARING - Bill 28-04**, Weapons - Technical Amendments (Healy)
PS Committee worksession tentatively scheduled for 9/20/04.
- (13) 1:30 **PUBLIC HEARING - Bill 29-04**, Sewers, Sewage Disposal and Drainage - Water and Sewer Category Changes - Procedures and Fees (Healy)
T&E Committee worksession tentatively scheduled for 9/23/04.
- (14) 1:30 **PUBLIC HEARING - Zoning Text Amendment 04-15**, Historic District Preservation - PD Zone waivers (Wilson)
PHED Committee worksession tentatively scheduled for 9/20/04.
- (15) 1:30 **PUBLIC HEARING - Zoning Text Amendment 04-16**, Local Map Amendment Traffic Test - Metro Station Policy Area (Wilson)
PHED Committee worksession tentatively scheduled for 9/20/04.

- (16) 1:30 **PUBLIC HEARING/ACTION** - Resolution to change Office of Zoning and Administrative Hearings' Local Map Amendment Fee Schedule (Wilson)
- (17) 1:30 **PUBLIC HEARING/ACTION** - Resolution to change Board of Appeals' Special Exception Filing Fees (Wilson)
- (18) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the MNCPPC's FY05 Capital Budget - \$691,000 for Rock Creek Trail Pedestrian Bridge (Source: General Obligation Bonds) (Michaelson)
- 3:30 **ADJOURN**
- 3:30 **HHS/MFP Committee** (*7th floor Council Hearing Room*)
- (19) 7:30 **PUBLIC HEARINGS on the following items relating to the Upper Rock Creek Master Plan:** (Michaelson)
- Upper Rock Creek Sectional Map Amendment (G-827)
 - ZTA 04-17, Rural Neighborhood Cluster Zone - Open Space Requirements
 - ZTA 04-18, Environmental Overlay Zone - Upper Rock Creek Special Protection area
PHED Committee worksession tentatively scheduled for 9/27/04.

COUNCIL MEETINGS

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

Sep 21, 2004	8:30 am	Meeting with HOC
Sep 21, 2004	9:30 am	Meeting with MACo
Sep 21, 2004	10:15 am	Regular Session
Sep 28, 2004	9:00 am	Meeting with Board of Appeals
Sep 28, 2004	10:15 am	Regular Session
Sep 29, 2004	7:30 pm	Town Hall Meeting - Kensington Library
Oct 5, 2004	9:15 am	Regular Session
Oct 12, 2004	9:15 am	Regular Session
Oct 19, 2004	8:30 am	Meeting with Board of Education
Oct 19, 2004	9:15 am	Regular Session
Oct 26, 2004	8:30 am	State Legislation
Oct 26, 2004	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

September 14, 2004

- 1:30 pm **Bill 22-04**, Health - Fitness Centers - Defibrillators
- 1:30 pm **Bill 23-04**, Contracts and Procurement - Local Small Business Reserve Program
- 1:30 pm **Bill 26-04**, Vendors - Amendments
- 1:30 pm **Bill 28-04**, Weapons - Technical Amendments
- 1:30 pm **Bill 29-04**, Sewers, Sewage Disposal and Drainage - Water and Sewer Category Changes - Procedures and Fees
- 1:30 pm ZTA 04-15, Historic District Preservation - PD Zone waivers
- 1:30 pm ZTA 04-16, Local Map Amendment Traffic Test - Metro Station Policy Area
- 1:30 pm Resolution to change Office of Zoning and Administrative Hearings' Local Map Amendment Fee Schedule
- 1:30 pm Resolution to change Board of Appeals' Special Exception Filing Fees
- 1:30 pm Special appropriation to the MNCPPC's FY05 Capital Budget - \$691,000 for Rock Creek Trail Pedestrian Bridge
- 7:30 pm Upper Rock Creek Sectional Map Amendment (G-827)
- 7:30 pm ZTA 04-17, Rural Neighborhood Cluster Zone - Open Space Requirements
- 7:30 pm ZTA 04-18, Environmental Overlay Zone - Upper Rock Creek Special Protection area

September 21, 2004

- 1:30 pm Special appropriation to the County Government's FY 05 Operating Budget - \$11,180 for Independent Audit NDA
- 7:30 pm Olney Master Plan

September 23, 2004

- 7:30 pm Revisions to MPDU Program

September 28, 2004

- 1:30 pm Supplemental appropriation to the County Government's FY05 Operating Budget, DHCA, Montgomery Housing Initiative Fund - \$3,727,660 for Seneca Heights Apartment project
- 1:30 pm Supplemental appropriation to the County Government's FY05 Capital Budget, DHHS - \$408,000 for School Based Health Centers
- 1:30 pm Resolution to set transportation fees, charges, and fares
- 7:30 pm Master Plan of Bikeways

September 30, 2004

- 7:30 pm ZTA 04-10, Accessory Apartments - Revisions
- 7:30 pm **Bill 20-04**, Landlord-Tenant Relations - Accessory Apartments

October 5, 2004

- 7:30 pm Resolution to amend the Ten-Year Comprehensive Solid Waste Management Plan



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ADDENDUM

Tuesday, September 21, 2004

(4) 10:25 **CONSENT CALENDAR**

Add:

E. **Introduction** - Resolution to approve Temporary Regulation 17-04T,
Temporary Taxicab Emergency Fuel Surcharge

(Orlin)

*This meeting will be televised live on Channel 6;
repeated on 9/24/04 at 8 pm and 9/25/04 at 9 am*

Tuesday, September 21, 2004

- (1) 8:30- 9:30 **MEETING** - Housing Opportunities Commission (*6th floor Council Conference Room*) (Healy)
- (2) 9:30-10:00 **MEETING** - Maryland Association of Counties (*6th floor Council Conference Room*) (Lauer)
- 10:15 **INVOCATION** - Reverend Timothy B. Cargal, Ph.D., Northwood Presbyterian Church,
Silver Spring
- 10:20 **GENERAL BUSINESS**
- (3) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: July 27, 2004 (Edgar)
C. **Acknowledgement** - Receipt of Petitions (Lacefield)
- (4) 10:25 **CONSENT CALENDAR**
- A. **Introduction** - Resolution for Categorical Transfers for Montgomery County Public
Schools' FY04 Operating Budget (Planell)
ED Committee worksession tentatively scheduled for 9/23/04.
- B. **Introduction** - Resolution to support state financing for the rehabilitation of Barclay
Apartments in Bethesda (Trombka)
- C. **Action** - Resolution to establish the Interagency Telework Initiative, sponsored by the
Management and Fiscal Policy Committee (Davidson)
- D. **Action** - Resolution to establish County policy regarding personnel costs in capital
budget, sponsored by Management and Fiscal Policy Committee (Orlin)

10:30 **DISTRICT COUNCIL SESSION**

- (5) A. **Reconsideration** - Zoning Text Amendment 04-08, Security Pavilions - Residential and Agricultural Zones (Wilson)
Note: Motion to reconsider was approved on 9/14/04.

10:45 **LEGISLATIVE SESSION Day # 27**

- A. Approval of Legislative Journal (Edgar)
B. Introduction of Bills
C. Call of Bills for Final Reading
(6) • **Bill 3-04**, Procurement - Use of County Funds (Healy)
MFP Committee recommends approval as amended.
- (7) 11:00 **ACTION** - Resolution to establish a voluntary program for securing safe, high quality, lower-priced prescription maintenance drugs for employees and retirees of County and bi-County agencies (Farber)

12:15 **RECESS Lunch with Washington Gas 3CCR**

- (8) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the County Government's FY05 Operating Budget - \$11,180 for Independent Audit Non-Departmental Account (Source: General Fund Reserves) (Howard)

1:40 **ADJOURN**

- (9) 1:45 **INTERVIEWS** - Board of Appeals Applicants (6th floor Council Conference Room) (Ferber)

3:30 **PS/HHS Committee** (7th floor Council Hearing Room)

- (10) 7:15 **BRIEFING** - Olney Master Plan (Michaelson)

- (11) 7:30 **PUBLIC HEARING** - Olney Master Plan (Michaelson)
PHED Committee worksession tentatively scheduled for 9/30/04.

Thursday, September 23, 2004

- 7:30 **PUBLIC HEARING on the following proposals to amend the County's Moderately Priced Dwelling Unit (MPDU) Program :** (Wilson/Faden)

- ZTA 04-11, MPDU - Building coverage and green area standards - Multi-Family Zones
- ZTA 04-12, MPDU - Density bonus and public space requirement - CBD and Transit Station Zones
- ZTA 04-13, MPDU - Master Plan and Sector Plan conformity requirement exception - CBD, RMX and Development Plan Zones

Thursday, September 23, 2004

7:30 **PUBLIC HEARING on the following proposals to amend the County's Moderately Priced Dwelling Unit (MPDU) Program** *(continued)* : **(Wilson/Faden)**

- ZTA 04-14, MPDU - Dwelling unit types - one-family residential zones
- SRA 04-01, MPDU - Exceptions - Master Plan conformity requirement and Tertiary Road requirement
- **Bill 24-04**, MPDU - Amendments
- **Bill 25-04**, MPDU - Amendments
- **Bill 27-03**, MPDU - Amendments
- ZTA 03-09, MPDU - Large lot zones

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on September 28, 2004:

Agricultural Advisory Committee: James R. Clifford, Sr.

Commission on Aging: Nguyen Minh Chau

Commission on Health: Dan Moskowitz

Commission on Juvenile Justice: Lola Demma, Mario A. Ellis, Leon T. Geter, Eric V. Kothari, Mary A. Harrell, Alicia Muhammad, Jeffrey M. Penn, Carrie Fried Mulford, Leonard Briskman, David Eddy, David Cook, Judith B. Morenoff

Commission for Women: Holly Fechner

Criminal Justice Coordinating Commission: Mary Betters, Dolores A. Kozloski, Roger Fairfax, Roger Manno, Craig Uchida, Delegate Kathleen M. Dumais

East County Citizens Advisory Board: Rochelle L. Rollins

Mental Health Advisory Committee: Lauren Milner

Mid-County Citizens Advisory Board: Walter S. Booth, Alexandra Tsiros, L. Blaine Charak, James C. Wallace, Patricia Lee, Alec J. Stone, Tuva K. Welp

Noise Control Advisory Board: Martin J. Beam, Stephen R. Herm, Timothy M. Reed, Janice Ruggles, Sgt. Michael J. Watts, Fonda E. Woodard

Silver Spring Citizens Advisory Board: Alan S. Bowser

Silver Spring Transportation System Management Advisory Committee: Catherine S. Wilde

Upcounty Citizens Advisory Board: Nicholas Alexander

Wheaton Urban District Advisory Committee: Harold Weinberg

COUNCIL MEETINGS

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

Sep 28, 2004	9:00 am	Meeting with Board of Appeals
Sep 28, 2004	10:15 am	Regular Session
Sep 29, 2004	7:30 pm	Town Hall Meeting - Kensington Library
Oct 5, 2004	9:15 am	Regular Session
Oct 12, 2004	9:15 am	Regular Session
Oct 19, 2004	8:30 am	Meeting with Board of Education
Oct 19, 2004	9:15 am	Regular Session
Oct 26, 2004	8:30 am	State Legislation
Oct 26, 2004	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

September 28, 2004

- 1:30 pm Supplemental appropriation to the County Government's FY05 Operating Budget, DHCA, Montgomery Housing Initiative Fund - \$3,727,660 for Seneca Heights Apartment project
- 1:30 pm Supplemental appropriation to the County Government's FY05 Capital Budget, DHHS - \$408,000 for School Based Health Centers
- 1:30 pm Resolution to set transportation fees, charges, and fares
- 7:30 pm Master Plan of Bikeways

September 30, 2004

- 7:30 pm ZTA 04-10, Accessory Apartments - Revisions
- 7:30 pm **Bill 20-04**, Landlord-Tenant Relations - Accessory Apartments

October 5, 2004

- 1:30 pm Amendment to WSSC's FY05-10 CIP, Blue Plains WWTP: Liquid Train Projects, Part II - \$14.2 million for costs related to the McGaughan Company claim
- 1:30 pm Supplemental appropriation to the Montgomery College's FY05 Capital Budget and amendment to the FY05-10 CIP - \$2,650,000 for Takoma Park King Street Art Center
- 1:30 pm **Bill 30-04**, Homestead Property Tax Credit - 2005 Tax Year
- 1:30 pm **Bill 33-04**, Homeland Security - Reorganization
- 7:30 pm Resolution to amend the Ten-Year Comprehensive Solid Waste Management Plan

October 12, 2004

- 1:30 pm **Bill 31-04**, Streets and Roads - Snow Removal - Amendments

October 19, 2004

- 7:00 pm Supplemental appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$4,270,560 for EMS Transport Fee & Apparatus Management Plan
- 7:00 pm **Bill 32-04**, Fire and Rescue Service - Emergency Medical Services Transport Fee
- 7:00 pm ZTA 04-19, Large Retail Stores



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COUNCIL MEETING

Tuesday, September 28, 2004

**9:00 am - Meeting with Board of Appeals
6th Floor Conference Room**

Topics for Discussion:

1. Current Board workload/operation of the hearing examiner referral system.
2. Automatic intervention by the County in appeals from Board decisions.
3. Extension of validity ZTA
4. Summary disposition rule change
5. Accessory apartments legislation

ADDENDUM

Tuesday, September 28, 2004

(3) 10:30 CONSENT CALENDAR

Defer:

N. **Action** - Confirmation of County Executive appointments to the Mid-County Citizens Advisory Board: Walter S. Booth, Alexandra Tsiros, L. Blaine Charak, James C. Wallace, Patricia Lee, Alec J. Stone, Tuva K. Welp (Ferber)

*This meeting will be televised live on Channel 6;
repeated on 10/1/04 at 8 pm and 10/2/04 at 9 am*

Tuesday, September 28, 2004

- (1) 9:00-10:00 **MEETING** - Board of Appeals (*6th floor Council Conference Room*) (Lauer)
- 10:15 **INVOCATION** - Reverend Connie Miller, Saint Luke Lutheran Church, Derwood
- 10:20 **PRESENTATION** - Proclamation in recognition of October 2004 as “Mentor Month”
by Councilmember Andrews
- 10:25 **GENERAL BUSINESS**
- A. **Announcement** - Agenda and Calendar Changes (Lauer)
- B. **Action** - Approval of Minutes: September 14, 2004 (Edgar)
- (2) C. **Acknowledgement** - Receipt of Petitions (Lacefield)
- (3) 10:30 **CONSENT CALENDAR**
- A. **Introduction** - Supplemental appropriation to the County Government’s FY05
Operating Budget, Department of Housing and Community Affairs - \$350,000 for
Maryland Community Legacy Grant (Source: Maryland Department of Housing and
Community Development) (Trombka)
Public Hearing is scheduled for 10/12/04 at 1:30 pm.
- B. **Introduction** - Special appropriation to the County Government’s FY05 Operating
Budget, Montgomery County Fire and Rescue Service - \$760,000 for Apparatus
Maintenance Improvements (Source: Fire Tax District Fund Balance) (Davidson)
Public Hearing is scheduled for 10/5/04 at 1:30 pm.
- C. **Action** - Resolution to approve Temporary Regulation 17-04T, Temporary Taxicab
Emergency Fuel Surcharge (Orlin)
- D. **Action** - Resolution to support state financing for the rehabilitation of Barclay
Apartments in Bethesda (Trombka)
- E. **Action** - Resolution for Categorical Transfers for Montgomery County Public
Schools’ FY04 Operating Budget (Planell)
ED Committee recommendation will be available on 9/23/04.

(3) 10:30 **CONSENT CALENDAR** *(continued)*

- F. **Action** - Confirmation of County Executive appointment to the Agricultural Advisory Committee: James R. Clifford, Sr. (Ferber)
- G. **Action** - Confirmation of County Executive appointment to the Commission on Aging: Nguyen Minh Chau (Ferber)
- H. **Action** - Confirmation of County Executive appointment to the Commission on Health: Dan Moskowitz (Ferber)
- I. **Action** - Confirmation of County Executive appointments to the Commission on Juvenile Justice: Lola Demma, Mario A. Ellis, Leon T. Geter, Eric V. Kothari, Mary A. Harrell, Alicia Muhammad, Jeffrey M. Penn, Carrie Fried Mulford, Leonard Briskman, David Eddy, David Cook (Ferber)
- J. **Action** - Confirmation of County Executive appointment to the Commission for Women: Holly Fechner (Ferber)
- K. **Action** - Confirmation of County Executive appointments to the Criminal Justice Coordinating Commission: Mary Betters, Dolores A. Kozloski, Roger Fairfax, Roger Manno, Craig Uchida, Delegate Kathleen M. Dumais (Ferber)
- L. **Action** - Confirmation of County Executive appointment to the East County Citizens Advisory Board: Rochelle L. Rollins (Ferber)
- M. **Action** - Confirmation of County Executive appointment to the Mental Health Advisory Committee: Lauren Milner (Ferber)
- N. **Action** - Confirmation of County Executive appointments to the Mid-County Citizens Advisory Board: Walter S. Booth, Alexandra Tsiros, L. Blaine Charak, James C. Wallace, Patricia Lee, Alec J. Stone, Tuva K. Welp (Ferber)
- O. **Action** - Confirmation of County Executive appointments to the Noise Control Advisory Board: Martin J. Beam, Stephen R. Herm, Timothy M. Reed, Janice Ruggles, Sgt. Michael J. Watts, Fonda E. Woodard (Ferber)
- P. **Action** - Confirmation of County Executive appointment to the Silver Spring Citizens Advisory Board: Alan S. Bowser (Ferber)
- Q. **Action** - Confirmation of County Executive appointment to the Silver Spring Transportation System Management Advisory Committee: Catherine S. Wilde (Ferber)
- R. **Action** - Confirmation of County Executive appointment to the Wheaton Urban District Advisory Committee: Harold Weinberg (Ferber)
- S. **Action** - Confirmation of County Executive appointment to the Upcounty Citizens Advisory Board: Nicholas Alexander (Ferber)

- (4) 10:35 **ACTION** - Executive Regulations 34-03AMII, Towing Rules and Regulations (McMillan)
PS Committee recommends approval as amended.
Note: Worksession only - Action postponed to 10/5

10:50 **LEGISLATIVE SESSION Day # 28**

- A. Approval of Legislative Journal - July 27 and September 14, 2004 (Edgar)
B. Introduction of Bills
C. Call of Bills for Final Reading
- (5) • **Bill 29-04**, Sewers, Sewage Disposal and Drainage - Water and Sewer Category Changes - Procedures and Fees (Healy)
T&E Committee recommendation will be available 9/23/04.
- (6) • **Bill 28-04**, Weapons - Technical Amendments (Healy)
PS Committee recommends approval.

11:00 **DISTRICT COUNCIL SESSION**

- (7) A. **Introduction** - Zoning Text Amendment 04-20, Building Height Standards - revisions under certain circumstances - C-2 Zone, sponsored by Councilmember Denis (Wilson)
Action - Resolution to establish public hearing for 11/9/04 at 1:30 pm.
- (8) B. **Action** - Resolution to establish public hearing on the Shady Grove Sector Plan for November 4, 2004 at 6:30 pm (Michaelson)
- (9) C. **Action** - Zoning Text Amendment 04-15, Historic District Preservation - PD Zone waivers (Wilson)
PHED Committee recommends approval with amendments.
- (10) D. **Action** - Resolution to change Board of Appeals' Special Exception Filing Fees (Wilson)
- (11) E. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: G-817
Applicant: Noyes Lane, LLC (C. Robert Dalrymple and Anne C. Martin, Attorneys)
Action: Rezone from R-60 to RT-12.5
Property: 2.7 acres west side of Georgia Ave, north and south of Noyes Drive, Silver Spring
- | | | |
|-------------------------|-------------------|---------|
| Recommendations: | Planning Staff: | Approve |
| | Planning Board: | Approve |
| | Hearing Examiner: | Approve |

11:00 **DISTRICT COUNCIL SESSION** (*continued*)

- (12) F. **Action** - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation: (Wilson)

DPA 03-2

Applicant: Sandy Spring Builders, LLC (Martin J. Hutt, Attorney)

Action: Approval of six residential townhouses, instead of eight originally planned for Parcel A (one unit will also house a dental office)

Property: Property located on the northeast corner of Arlington Road and Edgemoor Lane, Bethesda, consisting of 12,832 sq ft

Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Approve

- (13) 11:30 **RECEIPT AND RELEASE** - Office of Legislative Oversight Report 2004-8, An Interagency Study of Tree Management Practices (Richards)
T&E Committee worksession tentatively scheduled for 10/7/04.

12:00 **RECESS**

- (14) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY05 Capital Budget, Department of Health and Human Services - \$408,000 for School Based Health Centers (Source: G.O. Bonds) (McGuire)
HHS Committee worksession tentatively scheduled for 10/4/04.

- (15) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY05 Operating Budget, DHCA, Montgomery Housing Initiative Fund - \$3,727,660 for Seneca Heights Apartment project (Source: State grant) (Trombka)

- (16) 1:30 **PUBLIC HEARING/ACTION** - Resolution to set transportation fees, charges, and fares (Orlin)
NOTE: Action postponed until 10/12/04.

2:10 **ADJOURN**

- (17) 2:15 **INTERVIEWS** - Board of Appeals Applicants (*continued*) (6th floor Council Conference Room) (Ferber)

- (18) 7:30 **PUBLIC HEARING** - Master Plan of Bikeways (Orlin)
T&E Committee worksession tentatively scheduled for 11/18/04.

Thursday, September 30, 2004

- 7:30 **PUBLIC HEARING** - Zoning Text Amendment 04-10, Accessory Apartments - Revisions and **Bill 20-04**, Landlord-Tenant Relations - Accessory Apartments (Wilson/Faden)
PHED Committee worksession will be scheduled at a later date.

The following appointments were received from the County Executive and are tentatively scheduled for interview on October 5, 2004 and for confirmation at a later date:

Chief, Fire and Rescue Service: Thomas W. Carr, Jr.

Director, Department of Public Works and Transportation: Arthur Holmes, Jr.

The following Council appointment is tentatively scheduled for confirmation on October 5, 2004:

Nominating Committee for the Board of Trustees of Montgomery College: Marlana Valdez

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

October 5, 2004

- 1:30 pm Amendment to WSSC's FY05-10 CIP, Blue Plains WWTP: Liquid Train Projects, Part II - \$14.2 million for costs related to the McGaughan Company claim
- 1:30 pm Supplemental appropriation to the Montgomery College's FY05 Capital Budget and amendment to the FY05-10 CIP - \$2,650,000 for Takoma Park King Street Art Center
- 1:30 pm Special appropriation to the County Government's FY05 Operating Budget, MCFRS - \$760,000 for Apparatus Maintenance Improvements
- 1:30 pm **Bill 30-04**, Homestead Property Tax Credit - 2005 Tax Year
- 1:30 pm **Bill 33-04**, Homeland Security - Reorganization

October 12, 2004

- 1:30 pm **Bill 31-04**, Streets and Roads - Snow Removal - Amendments

October 19, 2004

- 7:00 pm Supplemental appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$4,270,560 for EMS Transport Fee & Apparatus Management Plan
- 7:00 pm **Bill 32-04**, Fire and Rescue Service - Emergency Medical Services Transport Fee
- 7:00 pm ZTA 04-19, Large Retail Stores



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ADDENDUM

Tuesday, October 5, 2004

(2) 1:15 **CONSENT CALENDAR**

Add: H. **Action** - Resolution to establish a countywide prescription drug discount card program (Farber)
HHS/MFP Committee recommends approval with amendments.

Defer: (11.5) 3:35 **ACTION** - Executive Regulations 34-03AMII, Towing Rules and Regulations(McMillan)
PS Committee recommends approval as amended.

Add: 4:30 **PROPOSED CLOSED SESSION** to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, pursuant to Maryland Code, State Government Article, §10-508 (a)(4). Topic is business relocation. (6th Floor Council Conference Room) (Ferber/Faden)

*This meeting will be televised live on Channel 6;
repeated on 10/8/04 at 8 pm and 10/9/04 at 9 am*

Tuesday, October 5, 2004

9:30 **T&E Committee** (*7th floor Council Hearing Room*)

1:00 **INVOCATION** - Reverend Charlene B. Zellmer, Cedar Lane Unitarian Universalist Church, Bethesda

1:05 **PRESENTATION** - Proclamation in recognition of Juliette Rizzo "Ms. Wheelchair America 2005" by Councilmember Andrews

1:10 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: September 23, 2004 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 1:15 **CONSENT CALENDAR**

A. **Introduction** - Resolution to establish FY06 Spending Control Limits for the Washington Suburban Sanitary Commission (Levchenko)

T&E worksession is scheduled for 10/7/04; Public hearing/Action is scheduled for 10/12/04 at 1:30 pm.

B. **Introduction** - Resolution to support project in Wheaton for the State of Maryland's Neighborhood Business Development Loan Program (Trombka)

Action is scheduled for 10/12/04.

C. **Action** - Extension of time until December 14, 2004 for Council action on Executive Regulation 33-03, Fuel Energy Tax for Agricultural Producers (Sherer)

D. **Action** - Appointment of Council representative to Nominating Committee for the Board of Trustees of Montgomery College: Marlana Valdez (Ferber)

(2) 1:15 **CONSENT CALENDAR** (*continued*)

E. **Introduction** - Resolutions to transfer \$264,000 project balance within the MCPS' FY05 Capital Budget and FY05-10 Capital Improvements Programs: (Levchenko)

- from Germantown Elementary School Addition to the MCPS Local Unliquidated Surplus Account;
- from MCPS Local Unliquidated Surplus Account to Forest Knolls Elementary School Addition

F. **Introduction** - Resolution to approve a Certain Finance Plan of the Washington Suburban Sanitary Commission for the Issuance of Refunding Bonds (Levchenko)

G **Action** - Confirmation of County Executive appointments to the Mid-County Citizens Advisory Board: Walter S. Booth, Alexandra Tsiros, L. Blaine Charak, James C. Wallace, Patricia Lee, Alec J. Stone, Tuva K. Welp (Ferber)

(3) 1:20 **ACTION** - Appointment of member to the Board of Appeals; appointment of Board Chair (Ferber)

1:25 **LEGISLATIVE SESSION Day # 29**

A. Approval of Legislative Journal - September 21, 2004 (Edgar)

B. Introduction of Bills

(4)

- **Bill 34-04**, Ethics - Lobbying Disclosure - Amendments, sponsored by Councilmembers Praisner and Andrews (Healy)

Public Hearing is scheduled for 10/26/04 at 1:30 pm.

(5) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the Montgomery College's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program - \$2,650,000 for Takoma Park King Street Art Center (Source: Montgomery College Major Facilities Reserve Fund) (Sherer)

ED Committee worksession tentatively scheduled for 10/7/04.

(6) 1:30 **PUBLIC HEARING** - Special appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$760,000 for Apparatus Maintenance Improvements (Source: Fire Tax District Fund Balance) (Davidson)

(7) 1:30 **PUBLIC HEARING** - Amendment to WSSC's FY05-10 Capital Improvements Program, Blue Plains WWTP: Liquid Train Projects, Part II - \$14.2 million for costs related to the McGaughan Company claim (Levchenko)

T&E Committee worksession tentatively scheduled for 10/7/04.

(8) 1:30 **PUBLIC HEARING - Bill 30-04**, Homestead Property Tax Credit - 2005 Tax Year (Healy)

MFP Committee worksession tentatively scheduled for 10/11/04.

(9) 1:30 **PUBLIC HEARING - Bill 33-04**, Homeland Security - Reorganization (Healy)

HSC/PS Committee worksession tentatively scheduled for 10/19/04.

(10) 2:15 **BIANNUAL REPORT** of the Montgomery County Planning Board (Michaelson)

3:15 **DISTRICT COUNCIL SESSION**

(11) A. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)

Application No: G-817

Applicant: Noyes Lane, LLC (C. Robert Dalrymple and Anne C. Martin, Attorneys)

Action: Rezone from R-60 to RT-12.5

Property: 2.7 acres west side of Georgia Ave, north and south of Noyes Drive, Silver Spring

Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Approve

(11.5) 3:35 **ACTION** - Executive Regulations 34-03AMII, Towing Rules and Regulations (McMillan)
PS Committee recommends approval as amended.

(12) 4:00 **ACTION** - State Transportation Priorities Lists (Orlin)
T&E Committee recommends approval.

4:25 **ADJOURN**

(13) 4:30 **INTERVIEWS** - County Executive's appointees for Chief, Fire and Rescue Service, and Director, Department of Public Works and Transportation (*6th floor Council Conference Room*) (Ferber)

(14) 7:30 **PUBLIC HEARING** - Resolution to amend the Ten-Year Comprehensive Solid Waste Management Plan (Trombka)
NOTICE: This public hearing has been continued to 10/12/04 at 1:30 pm. All speakers will be heard at that time.

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on October 12, 2004:

Alcoholic Beverages Advisory Board: Eric J. Ellman, David Friedman

Board of Social Services: Margarita Correa, Tonia Bair, Carolyn Branson, Ralph W. Cole, Susan Golonka, Carol Hendler, Maurice M. Shihadi, G. Bruce Vanderver, M.D.

Interagency Coordinating Board for Community Use of Public Facilities: Riley M. Chung

Workforce Investment Board: Lester Coffey, Louis S. Jacobson, Kazem Kazempour, Nhora Barrera Murphy, Michael T. Flynn, Carmen Ortiz Larsen, Sheryl Brissett-Chapman, Karen J. Lee, Shelley Johnson, David Edgerley, David Scott Minton, Sharon Julius, Patrick Baker

COUNCIL MEETINGS

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

Oct 12, 2004	9:15 am	Regular Session
Oct 19, 2004	8:30 am	Meeting with Board of Education
Oct 19, 2004	9:15 am	Regular Session
Oct 26, 2004	8:30 am	State Legislation
Oct 26, 2004	9:15 am	Regular Session
Nov 9, 2004	9:15 am	Regular Session
Nov 16, 2004	9:15 am	Regular Session
Nov 23, 2004	9:15 am	Regular Session
Nov 30, 2004	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

October 12, 2004

- 1:30 pm Supplemental appropriation to the County Government's FY05 Operating Budget, Department of Housing and Community Affairs -\$350,000 for Maryland Community Legacy Grant
- 1:30 pm Resolution to amend the Ten-Year Comprehensive Solid Waste Management Plan
- 1:30 pm **Bill 31-04**, Streets and Roads - Snow Removal - Amendments

October 19, 2004

- 7:00 pm Supplemental appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$4,270,560 for EMS Transport Fee & Apparatus Management Plan
- 7:00 pm **Bill 32-04**, Fire and Rescue Service - Emergency Medical Services Transport Fee
- 7:00 pm ZTA 04-19, Large Retail Stores

November 4, 2004

- 6:30 pm Shady Grove Sector Plan

November 9, 2004

- 1:30 pm ZTA 04-20, Building Height Standards - revisions under certain circumstances - C-2 Zone



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*This meeting will be televised live on Channel 6;
repeated on 10/15/04 at 8 pm and 10/16/04 at 9 am*

Tuesday, October 12, 2004

9:15 **INVOCATION** - Reverend Francis Kazista, St. John the Baptist Catholic Church, Silver Spring

9:20 **PRESENTATION** - To proclaim October 15, 2004 as "White Cane Safety Day" by Councilmember Praisner

9:25 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: September 21 and 28, 2004 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:30 **CONSENT CALENDAR**

A. **Introduction** - Emergency Operations Plan Annexes Resolution (Davidson)
PS Committee recommends approval.

B. **Action** - Supplemental appropriation to the County Government's FY05 Capital Budget, Department of Health and Human Services - \$408,000 for School Based Health Centers (Source: G.O. Bonds) (McGuire)
HHS Committee recommends approval.

C. **Action** - Resolution to approve a certain finance plan of the Washington Suburban Sanitary Commission for the issuance of refunding bonds (Levchenko)

D. **Action** - Amendment to WSSC's FY05-10 Capital Improvements Program, Blue Plains WWTP: Liquid Train Projects, Part II - \$14.2 million for costs related to the McGaughan Company claim (Levchenko)
T&E Committee recommendation will be available 10/7/04.

E. **Action** - Supplemental appropriation to the Montgomery College's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program - \$2,650,000 for Takoma Park King Street Art Center (Source: Montgomery College Major Facilities Reserve Fund) (Sherer)
ED Committee recommendation will be available 10/7/04.

(2) 9:30 **CONSENT CALENDAR** *(continued)*

- F. **Action** - Resolution to support project in Wheaton for the State of Maryland's Neighborhood Business Development Loan Program (Trombka)
- G. **Action** - Resolutions to transfer \$264,000 project balance within the MCPS' FY05 Capital Budget and FY05-10 Capital Improvements Programs: (Levchenko)
- from Germantown Elementary School Addition to the MCPS Local Unliquidated Surplus Account;
 - from MCPS Local Unliquidated Surplus Account to Forest Knolls Elementary School Addition
- H. **Action** - Confirmation of County Executive appointments to the Alcoholic Beverages Advisory Board: Eric J. Ellman, David Friedman (Ferber)
- I. **Action** - Confirmation of County Executive appointments to the Board of Social Services: Margarita Correa, Tonia Bair, Carolyn Branson, Ralph W. Cole, Susan Golonka, Carol Hendler, Maurice M. Shihadi, G. Bruce Vanderver, M.D. (Ferber)
- J. **Action** - Confirmation of County Executive appointments to the Interagency Coordinating Board for Community Use of Public Facilities: Riley M. Chung (Ferber)
- K. **Action** - Confirmation of County Executive appointments to the Workforce Investment Board: Lester Coffey, Louis S. Jacobson, Kazem Kazempour, Nhora Barrera Murphy, Michael T. Flynn, Carmen Ortiz Larsen, Sheryl Brissett-Chapman, Karen J. Lee, Shelley Johnson, David Edgerley, David Scott Minton, Sharon Julius, Patrick Baker (Ferber)
- (3) 9:35 **ACTION** - Confirmation of County Executive's appointment of Chief, Division of Fire and Rescue Services: Thomas West Carr, Jr. (Ferber)
- (4) 9:40 **ACTION** - Confirmation of County Executive's appointment of Director, Department of Public Works and Transportation: Arthur Holmes, Jr. (Ferber)
- (5) 9:45 **ACTION** - Resolution to set transportation fees, charges, and fares (Orlin)

The following appointment was received from the County Executive and is tentatively scheduled for confirmation on October 19, 2004:

District of Columbia Water and Sewer Authority: Bruce Romer, Paul Folkers

COUNCIL MEETINGS

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

Oct 19, 2004	9:00 am	State Legislation
Oct 19, 2004	10:15 am	Regular Session
Oct 26, 2004	8:30 am	State Legislation
Oct 26, 2004	9:15 am	Regular Session
Nov 9, 2004	9:15 am	Regular Session
Nov 16, 2004	9:15 am	Regular Session
Nov 23, 2004	9:15 am	Regular Session
Nov 30, 2004	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

October 19, 2004

7:00 pm Supplemental appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$4,270,560 for EMS Transport Fee & Apparatus Management Plan

7:00 pm **Bill 32-04**, Fire and Rescue Service - Emergency Medical Services Transport Fee

7:00 pm ZTA 04-19, Large Retail Stores

October 20, 2004

10:00 am County Executive's Public Hearing: Economic Development Revenue Bond - Holy Cross Hospital
(To testify call 240-777-8860)

October 26, 2004

1:30 pm **Bill 34-04**, Ethics - Lobbying Disclosure - Amendments

November 4, 2004

6:30 pm Shady Grove Sector Plan

November 9, 2004

1:30 pm ZTA 04-20, Building Height Standards - revisions under certain circumstances - C-2 Zone



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**FOR INFORMATION: Justina Ferber, 240-777-7938 or
ig.application@montgomerycountymd.gov**

COUNTY COUNCIL SEEKS APPLICANTS FOR INSPECTOR GENERAL

DEADLINE DECEMBER 1, 2004

The Inspector General Nominating Panel is seeking applicants for the position of Inspector General for Montgomery County, Maryland. The Inspector General will lead the County's independent and objective Office of Inspector General and is responsible ultimately to the County citizenry for enhancing the productivity, effectiveness, and efficiency of County government, including the independent County agencies. Established in 1997, the Inspector General is a member of one of the most technologically advanced county governments in the United States, with a \$3.3 billion operating budget, a \$2.3 billion capital improvements program, and more than 900,000 county residents.

The Inspector General provides both the Montgomery County Council and the Montgomery County Executive with the products required – in terms of independent audit, investigative, and inspection reports – to increase legal, fiscal, and ethical accountability, to prevent and detect fraud, waste, and abuse, and to improve the effectiveness and efficiency of County programs and operations. In developing recommendations, the Inspector General may: (a) conduct investigations, budgetary analyses, and financial, management, or performance audits and similar reviews; and (b) seek assistance from any other government agency or private party, or undertake any project jointly with any other governmental agency or private body.

The Inspector General must be professionally qualified, by experience or education, in auditing, government operations, law enforcement, or financial management, and will be selected solely on the basis of professional ability and personal integrity, without regard to political affiliation. Graduation from an accredited college or university with a Master's Degree in a discipline related to the position, such as public or business administration, public policy, political science, criminal justice, accounting, financial management, program evaluation, or a related discipline is preferred. An equivalent combination of education and experience may be substituted.

The Inspector General is appointed by the Montgomery County Council to a statutory four-year term, and an incumbent appointed to a full term may serve not more than two four-year terms. The Council expects to appoint an Inspector General for the remainder of the current un-expired term that ends on June 30, 2005, and, after the appointee takes office, to appoint the new Inspector General to the full four-year term that begins on July 1, 2005. The Inspector General position is established at the salary range of \$80,025 to \$124,087.

Applications for the position of Inspector General will be reviewed by the five-member Inspector General Nominating Panel, which was appointed by the Council on July 27, 2004. The Nominating Panel may conduct interviews of qualified candidates in reaching its recommendations, and the Panel will forward the names of at least three final candidates to the Council for consideration. Each of the final candidates will be required to complete a financial disclosure statement. Members of the Panel are Chairperson Earl E. Devaney, Vice Chairperson Glenn A. Fine, Gregg E. Bauer, Elizabeth M. Dean, and Marvin Weinman.

-MORE-

October 12, 2004

Page 6

Applications will be accepted by the Inspector General Nominating Panel. Candidates wishing to apply should contact **Ms. Justina Ferber at 240-777-7938 or ig.application@montgomerycountymd.gov** to obtain application materials or for any additional information. Application information is also available at the Montgomery County Government Web Page, **www.montgomerycountymd.gov/content/council/2004news/1001IG.pdf**. Candidates must complete and submit the application by December 1, 2004. Montgomery County is an EEO/Affirmative Action employer. The Panel can be reached at the following addresses:

Mail: **Inspector General Nominating Panel**
 c/o Ms. Justina J. Ferber, Legislative Analyst
 Montgomery County Council Office
 Council Office Building, 5th Floor
 100 Maryland Avenue
 Rockville, MD 20850

Email: **ig.application@montgomerycountymd.gov**

###

ADDENDUM

Tuesday, October 19, 2004

11:40 DISTRICT COUNCIL SESSION

Add: (6.5)

D. Introduction - Zoning Text Amendment 04-24, U.S.29/Cherry Hill Road
Employment Overlay Zone - Revisions, sponsored by Councilmembers
Praisner and Perez

Action - Resolution to establish public hearing for 11/23/04 at 1:30 pm.

(Wilson)

*This meeting will be televised live on Channel 6;
repeated on 10/22/04 at 8 pm and 10/23/04 at 9 am*

Tuesday, October 19, 2004

- (1) 10:00 **DISCUSSION** - State Legislative Program (*6th floor Council Conference Room*) (Wenger)
- 11:15 **INVOCATION** - Reverend Roy Howard, Saint Mark Presbyterian, Rockville
- 11:20 **PRESENTATION** - Proclamation in recognition of local author, Brigadier General Lewis Marshall Helm's (AUS, Ret.) first book "Black Horse Cavalry" by Councilmember Denis
- 11:25 **PRESENTATION** - Proclamations in recognition of October 18-22, 2004 as "National Business Women's Week" in Montgomery County and Patricia Gallalee as Montgomery County Business and Professional Women's "2004 Woman of the Year" by Councilmember Floreen
- 11:30 **GENERAL BUSINESS**
- A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: September 30, 2004 (Edgar)
- (2) C. **Acknowledgement** - Receipt of Petitions (Lacefield)
- (3) 11:35 **CONSENT CALENDAR**
- A. **Action** - Emergency Operations Plan Annexes Resolution (Davidson)
PS Committee recommends approval with amendments.
- B. **Action** - Executive Regulation 33-03, Fuel Energy Tax for Agricultural Producers (Sherer)
MFP Committee recommends approval.
- C. **Action** - Health and Human Services Committee recommendation regarding appointment of Council representative to Community Action Board (Ferber)
- D. **Action** - Confirmation of County Executive appointments to the District of Columbia Water and Sewer Authority: Bruce Romer, Paul Folkers (Ferber)

11:40 **DISTRICT COUNCIL SESSION**

- (4) A. **Introduction** - Zoning Text Amendment 04-21, Country Inn Zone - Remedial map amendment process, sponsored by Councilmember Knapp (Wilson)
Action - Resolution to establish public hearing for 11/23/04 at 1:30 pm.
- (5) B. **Introduction** - Zoning Text Amendment 04-22, South Silver Spring Overlay Zone - Building Height, sponsored by Councilmembers Perez and Silverman (Wilson)
Action - Resolution to establish public hearing for 11/23/04 at 1:30 pm.
- (6) C. **Introduction** - Zoning Text Amendment 04-23, Private Educational Institution - I-1 Zone, sponsored by Councilmembers Perez and Silverman (Wilson)
Action - Resolution to establish public hearing for 11/23/04 at 1:30 pm.

11:50 **LEGISLATIVE SESSION Day #30**

- A. Approval of Legislative Journal - September 28 and October 5, 2004 (Edgar)
B. Introduction of Bills
- (7) • **Bill 35-04**, Personnel - Retirement - Deferred Compensation, Board of Investment Trustees, sponsored by the Council President at the request of the County Executive (Faden)
Public Hearing will be scheduled at a later date.
- C. Call of Bills for Final Reading
- (8) • **Bill 30-04**, Homestead Property Tax Credit - 2005 Tax Year (Healy)
MFP Committee recommends approval.
- (9) 11:55 **ACTION** - Special appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$760,000 for Apparatus Maintenance Improvements (Source: Fire Tax District Fund Balance) (Davidson)

12:15 **ADJOURN**

2:00 **HSC/PS Committee** (7th floor Council Hearing Room)

- (10) 7:00 **PUBLIC HEARING - Bill 32-04**, Fire and Rescue Service - Emergency Medical Services Transport Fee (Healy)
PS Committee worksession tentatively scheduled for 10/25/04.
- (11) 7:00 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$4,270,560 for EMS Transport Fee & Apparatus Management Plan (Source: EMS Transport Fees) (Davidson)
PS Committee worksession tentatively scheduled for 10/25/04.
- (12) 7:00 **PUBLIC HEARING** - Zoning Text Amendment 04-19, Large Retail Stores (Wilson)
PHED Committee worksession tentatively scheduled for 10/26/04.

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on October 26, 2004:

Board of Registration for Building Contractors: William Kane, Marla Dalton

Criminal Justice Coordinating Commission: John Arney, Delmas Wood, Sandy Bromley

Library Board: Linda Stoloff Frueh, Anne J. Kilcullen, Talat "Bano" Makhdoom, Stephanie Weber

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.

Oct 26, 2004	9:15 am	Regular Session
Nov 9, 2004	9:15 am	Regular Session
Nov 16, 2004	9:15 am	Regular Session
Nov 17, 2004	7:30 pm	Town Hall Meeting- Argyle M.S.
Nov 23, 2004	9:15 am	Regular Session
Nov 30, 2004	9:15 am	Regular Session
Dec 7, 2004	9:15 am	Regular Session
Dec 14, 2004	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

October 20, 2004

10:00 am County Executive's Public Hearing: Economic Development Revenue Bond - Holy Cross Hospital
(To testify call 240-777-8860)

October 26, 2004

1:30 pm **Bill 34-04**, Ethics - Lobbying Disclosure - Amendments

November 4, 2004

6:30 pm Shady Grove Sector Plan

November 9, 2004

1:30 pm ZTA 04-20, Building Height Standards - revisions under certain circumstances - C-2 Zone



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ADDENDUM

Tuesday, October 26, 2004

(2) 9:35 **CONSENT CALENDAR** *(continued)*

Add: H. **Introduction** - Resolution to support Emergency Health Care for Up County residents, sponsored by Councilmember Knapp (Fuhrmann)

9:40 **DISTRICT COUNCIL SESSION**

**Change
title:** (3)

A. **Introduction** - Zoning Text Amendment 04-25, Camp retreat - Rural Cluster Zone, sponsored by Councilmembers Floreen and Knapp (Wilson)

10:30 **LEGISLATIVE SESSION Day # 31**

B. Introduction of Bills

(5) **Add sponsor:** • **Bill 36-04**, Commission on Human Rights - Discrimination in Housing - Amendments, sponsored by Councilmembers Perez and Subin (Healy)

*This meeting will be televised live on Channel 6;
repeated on 10/29/04 at 8 pm and 10/30/04 at 9 am*

Tuesday, October 26, 2004

9:15 **INVOCATION** - Venkataramany Balakrishnan and Nathan Krishnan, Sri Siva Vishnu Temple

9:20 **PRESENTATION** - Proclamation to Carderock Springs Elementary School in recognition of the National Blue Ribbon School of Excellence award for 2004-2005 by Councilmember Denis

9:25 **PRESENTATION** - Proclamation in recognition of the 217th anniversary of the Constitution of the United States by Councilmember Knapp

9:30 **GENERAL BUSINESS**

A. Announcements:

- Agenda and Calendar Changes (Lauer)
- The public hearing on **Bill 35-04**, Personnel - Retirement - Deferred Compensation, Board of Investment Trustees, has been scheduled for November 16, 2004 at 1:30 pm. (Faden)

B. **Action** - Approval of Minutes: October 5 and 12, 2004 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:35 **CONSENT CALENDAR**

A. **Introduction** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)
Public Hearing is scheduled for 11/16/04 at 7:30 pm.

(2) 9:35 **CONSENT CALENDAR** *(continued)*

- B. **Introduction** - Amendment to the MCPS' FY05-10 Capital Improvements Program and transfers within the MCPS' FY05 Capital Budget: (Levchenko)
- \$4,425,000 from the following projects: Baker Middle School Addition, Damascus HS Corridor Circulation Improvements, Clarksburg Area Middle School, and Quince Orchard Middle School #2 to the MCPS Local Unliquidated Surplus Account (Source: G.O. Bonds); and
 - \$4,627,000 from MCPS Local Unliquidated Surplus Account to Clarksburg Area High School project (Source: G.O. Bonds)
- Public Hearing is scheduled for 11/16/04 at 1:30 pm.*
- C. **Action** - Supplemental appropriation to the County Government's FY05 Operating Budget, Department of Housing and Community Affairs - \$350,000 for Maryland Community Legacy Grant (Source: Maryland Department of Housing and Community Development) (Trombka)
- PHED Committee recommendation will be available 10/21/04.*
- D. **Action** - Resolution to approve Economic Development Revenue Bond for Trinity Health/Holy Cross Hospital (Sherer)
- E. **Action** - Confirmation of County Executive appointments to the Board of Registration for Building Contractors: William Kane, Marla Dalton (Ferber)
- F. **Action** - Confirmation of County Executive appointments to the Criminal Justice Coordinating Commission: John Arney, Delmas Wood, Sandy Bromley (Ferber)
- G. **Action** - Confirmation of County Executive appointments to the Library Board: Linda Stoloff Frueh, Anne J. Kilcullen, Talat "Bano" Makhdoom, Stephanie Weber (Ferber)

9:40 **DISTRICT COUNCIL SESSION**

- (3) A. **Introduction** - Zoning Text Amendment 04-25, Campground - Rural Cluster Zone, sponsored by Councilmembers Floreen and Knapp (Wilson)
- Action - Resolution to establish public hearing for 11/30/04 at 1:30 pm.*

- (4) 9:45 **BOARD OF HEALTH** - Update from Dr. Ulder J. Tillman, County Health Officer (McGuire)

10:30 **LEGISLATIVE SESSION Day # 31**

- A. Approval of Legislative Journal (Edgar)
- B. Introduction of Bills
- (5) • **Bill 36-04**, Commission on Human Rights - Discrimination in Housing - Amendments, sponsored by Councilmembers Perez and Subin (Healy)
- Public Hearing is scheduled for 12/7/04 at 1:30 pm.*

10:30 **LEGISLATIVE SESSION Day # 31** *(continued)*

C. Call of Bills for Final Reading

- (6) • **Bill 33-04**, Homeland Security - Reorganization (Healy)
HSC/PS Committee recommends approval with amendments.

10:50 **WORKSESSION/ACTION** on the following:

- (7) • Zoning Text Amendment 04-17, Rural Neighborhood Cluster Zone - Open Space Requirements (Michaelson)
PHED Committee recommends approval with amendments.
- (8) • Zoning Text Amendment 04-18, Environmental Overlay Zone - Upper Rock Creek Special Protection area (Michaelson)
PHED Committee recommends approval with amendments.
- (9) • Upper Rock Creek Sectional Map Amendment (G-827) (Michaelson)
PHED Committee recommends approval with amendments.

12:15 **RECESS**

- (10) 1:30 **PUBLIC HEARING - Bill 34-04**, Ethics - Lobbying Disclosure - Amendments (Healy)
MFP Committee worksession tentatively scheduled for 11/8/04.

1:50 **ADJOURN**

- (11) 2:00 **DISCUSSION** - State Legislative Program *(6th floor Council Conference Room)* (Wenger)
- 3:00 **PHED Committee** *(7th floor Council Hearing Room)*

Thursday, November 4, 2004

- 6:30 **PUBLIC HEARING** - Shady Grove Sector Plan *(3rd floor Council Hearing Room)*

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on November 9, 2004:

Bethesda Urban Partnership, Inc. Board of Directors: Michael S. Magruder, Elliot Schnitzer, Carol Trawick, Renee Kotz

Commission on Juvenile Justice: Steven Mandel, Carol Weiss, Lt. Harold Allen, Loretta Shapero

Commission on People with Disabilities: Michael W. Briese, Roberta S. Carlin, Nelson Jackson, Russell J. Holt, Aileen R. O'Hare, Hillary Vaughan, Alan P. Laskin, Beryl Neurman, Joan B. Riley, Philip G. Smakula, Francie Gilman

NOTICE:

*The next Council Session is scheduled for Tuesday, November 9, 2004.
The agenda for this session will be mailed and posted to the web site on November 4th.*

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.

Nov 9, 2004	9:15 am	Regular Session
Nov 16, 2004	9:15 am	Regular Session
Nov 17, 2004	7:30 pm	Town Hall Meeting- Argyle M.S.
Nov 23, 2004	9:15 am	Regular Session
Nov 30, 2004	9:15 am	Regular Session
Dec 7, 2004	9:15 am	Regular Session
Dec 14, 2004	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

October 20, 2004

10:00 am County Executive's Public Hearing: Economic Development Revenue Bond - Holy Cross Hospital
(To testify call 240-777-8860)

October 26, 2004

1:30 pm **Bill 34-04**, Ethics - Lobbying Disclosure - Amendments

November 4, 2004

6:30 pm Shady Grove Sector Plan

November 9, 2004

1:30 pm ZTA 04-20, Building Height Standards - revisions under certain circumstances - C-2 Zone

November 16, 2004

1:30 pm Amendment to the MCPS' FY05-10 Capital Improvements Program and transfers within the MCPS' FY05 Capital Budget:

- \$4,425,000 from the following projects: Baker Middle School Addition, Damascus HS Corridor Circulation Improvements, Clarksburg Area Middle School, and Quince Orchard Middle School #2 to the MCPS Local Unliquidated Surplus Account; and
- \$4,627,000 from MCPS Local Unliquidated Surplus Account to Clarksburg Area High School project

1:30 pm **Bill 35-04**, Personnel - Retirement - Deferred Compensation, Board of Investment Trustees



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ADDENDUM

Tuesday, November 9, 2004

(2) 9:30 CONSENT CALENDAR

Add: H. **Action** - Resolution to support Emergency Health Care for Up County residents (Fuhrmann)

Defer: (3) 9:35 **BRIEFING** - by Chief Administrative Officer Bruce Romer on the Executive Branch's Limited English Proficient (LEP) Policy and Implementation Plan (Orlansky)

10:15 LEGISLATIVE SESSION Day #33

Defer:(4.5) B. Introduction of Bills
• **Bill 38-04, Agricultural Land Preservation - Public Sale of Development Rights**, sponsored by **Councilmember Subin** (Healy)
Public Hearing will be scheduled at a later date.

Defer: (5) C. Call of Bills for Final Reading
• **Bill 26-04, Vendors - Amendments** (Faden)

10:45 DISTRICT COUNCIL SESSION

Add: (6.5) **Action** - Resolution to extend time for Issuance of Hearing Examiner's Report and Recommendation on Local Map Amendment G-819 (Wilson)

Defer: 2:00 **WORKSESSION** on the following:
(9) • **Bill 14-04, Taxicabs - Amendments** (Faden)
(10) • Special appropriation FY05 Operating Budget - DPWT - \$261,780 for Taxi Initiative (Orlin)

*This meeting will be televised live on Channel 6;
repeated on 11/12/04 at 8 pm and 11/13/04 at 9 am*

Tuesday, November 9, 2004

9:15 **INVOCATION** - Reverend Lon Dring, Jr., Retired Executive Director Community Ministry of Montgomery County

9:20 **PRESENTATION** - Proclamation in recognition of Reverend Peter Long's work with Mobile Medical and the Montgomery County community by Councilmember Leventhal

9:25 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: October 19, 2004 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:30 **CONSENT CALENDAR**

A. **Introduction** - Franchise Agreement for Use of Public Right of Way: Jewish Federation of Greater Washington, Inc. (Healy)

Public Hearing is scheduled for 11/30/04 at 1:30 pm.

B. **Action** - Report and recommendations of the MFP and PS/HHS Committees on Office of Legislative Oversight Report #2004-7, Limited English Proficient Persons: Access to County Government Services (Brown)

C. **Action** - Confirmation of County Executive appointments to the Bethesda Urban Partnership, Inc. Board of Directors: Michael S. Magruder, Elliot Schnitzer, Carol Trawick, Renee Kotz (Ferber)

D. **Action** - Confirmation of County Executive appointments to the Commission on Juvenile Justice: Steven Mandel, Carol Weiss, Lt. Harold Allen, Loretta Shapero (Ferber)

(2) 9:30 **CONSENT CALENDAR** *(continued)*

E. **Action** - Confirmation of County Executive appointments to the Commission on People with Disabilities: Michael W. Briese, Roberta S. Carlin, Nelson Jackson, Russell J. Holt, Aileen R. O'Hare, Hillary Vaughan, Alan P. Laskin, Beryl Neurman, Joan B. Riley, Philip G. Smakula, Francie Gilman (Ferber)

F. **Introduction** - 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)
Public Hearing is scheduled for 11/30/04 at 1:30 pm.

G. **Introduction** - 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)
Public Hearing is scheduled for 11/30/04 at 1:30 pm.

(3) 9:35 **BRIEFING** - by Chief Administrative Officer Bruce Romer on the Executive Branch's Limited English Proficient (LEP) Policy and Implementation Plan (Orlansky)

10:15 **LEGISLATIVE SESSION Day #33**

A. Approval of Legislative Journal - October 19, 2004 (Edgar)

B. Introduction of Bills

(4) • **Bill 37-04**, Animal Control - Revisions, sponsored by the Council President at the request of the County Executive (Healy)
Public Hearing is scheduled for 11/30/04 at 1:30 pm.

(4.5) • **Bill 38-04**, Contracts and Procurement - Transferable Development Rights, sponsored by Councilmembers Subin and Floreen (Healy)
Public Hearing will be scheduled at a later date.

C. Call of Bills for Final Reading

(5) • **Bill 26-04**, Vendors - Amendments (Faden)
PS Committee recommends approval with amendments.

(6) 10:30 **ACTION** - Executive Regulations 34-03AMII, Towing Rules and Regulations (McMillan)
PS Committee recommends approval as amended.

10:45 **DISTRICT COUNCIL SESSION**

- (7) **A. Action on the following:** (Wilson)
- Zoning Text Amendment 04-19, Large Retail Stores
PHED Committee has no recommendation.
 - Zoning Text Amendment 04-04, Combination Retail Stores - Zoning Regulations
PHED Committee recommends disapproval.

12:15 **RECESS**

- (8) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-20, Building Height Standards - revisions under certain circumstances - C-2 Zone (Wilson)
PHED Committee worksession tentatively scheduled for 11/15/04.

2:00 **WORKSESSION** on the following:

- (9) • **Bill 14-04**, Taxicabs - Amendments (Faden)
- (10) • Special appropriation FY05 Operating Budget - DPWT - \$261,780 for Taxi Initiative (Orlin)

- (11) 4:30 **DISCUSSION** - State Legislative Program (*6th floor Council Conference Room*) (Wenger)

5:30 **ADJOURN**

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on November 16, 2004:

Pedestrian Safety Advisory Committee: William Arnold, Donald A. Barclay, William A. Bronrott, Linda Sobel Katz, Susan W. Morris, Arthur Holmes, Jr., Chief J. Thomas Manger, Lawrence Cole, Deborah Snead, George Branyan

The following appointment was received from the County Executive and is tentatively scheduled for interview on 11/16/04 with confirmation at a later date:

Director, Department of Homeland Security: Gordon A Aoyagi

FUTURE COUNCIL MEETINGS

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

Nov 16, 2004	9:00 am	Interview - Director, Dept. of Homeland Security
Nov 16, 2004	9:30 am	Regular Session
Nov 17, 2004	7:30 pm	Town Hall Meeting at Argyle M.S.
Nov 23, 2004	8:30 am	State Legislation
Nov 23, 2004	9:15 am	Regular Session
Nov 30, 2004	8:30 am	State Legislation
Nov 30, 2004	9:15 am	Regular Session
Dec 7, 2004	8:30 am	State Legislation
Dec 7, 2004	9:15 am	Regular Session
Dec 14, 2004	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

November 16, 2004

- 1:30 pm Amendment to the MCPS' FY05-10 Capital Improvements Program and transfers within the MCPS' FY05 Capital Budget:
- \$4,425,000 from the following projects: Baker Middle School Addition, Damascus HS Corridor Circulation Improvements, Clarksburg Area Middle School, and Quince Orchard Middle School #2 to the MCPS Local Unliquidated Surplus Account; and
 - \$4,627,000 from MCPS Local Unliquidated Surplus Account to Clarksburg Area High School project
- 1:30 pm **Bill 35-04**, Personnel - Retirement - Deferred Compensation, Board of Investment Trustees
- 7:30 pm Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes

November 23, 2004

- 1:30 pm ZTA 04-21, Country Inn Zone - Remedial map amendment process
- 1:30 pm ZTA 04-22, South Silver Spring Overlay Zone - Building Height
- 1:30 pm ZTA 04-23, Private Educational Institution - I-1 Zone
- 1:30 pm ZTA 04-24, U.S.29/Cherry Hill Road Employment Overlay Zone

November 30, 2004

- 1:30 pm ZTA 04-25, Camp retreat - Rural Cluster Zone
- 1:30 pm Supplemental appropriation to the County Government's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program, DOCR - \$4,993,000 for Montgomery County Detention Center (MCDC) Reuse
- 1:30 pm 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

December 7, 2004

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



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*This meeting will be televised live on Channel 6;
repeated on 11/12/04 at 8 pm and 11/13/04 at 9 am*

Revised Agenda

Tuesday, November 9, 2004

- (11) 9:00 **DISCUSSION** - State Legislative Program (*6th floor Council Conference Room*) (Wenger)
- 10:15 **INVOCATION** - Reverend Lon Dring, Jr., Retired Executive Director Community Ministry of Montgomery County
- 10:20 **PRESENTATION** - Proclamation in recognition of Reverend Peter Long's work with Mobile Medical and the Montgomery County community by Councilmember Leventhal
- 10:25 **GENERAL BUSINESS**
- A. **Announcement** - Agenda and Calendar Changes (Lauer)
- B. **Action** - Approval of Minutes: October 19, 2004 (Edgar)
- (1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)
- (2) 10:30 **CONSENT CALENDAR**
- A. **Introduction** - Franchise Agreement for Use of Public Right of Way: Jewish Federation of Greater Washington, Inc. (Healy)
Public Hearing is scheduled for 11/30/04 at 1:30 pm.
- B. **Action** - Report and recommendations of the MFP and PS/HHS Committees on Office of Legislative Oversight Report #2004-7, Limited English Proficient Persons: Access to County Government Services (Brown)
- C. **Action** - Confirmation of County Executive appointments to the Bethesda Urban Partnership, Inc. Board of Directors: Michael S. Magruder, Elliot Schnitzer, Carol Trawick, Renee Kotz (Ferber)
- D. **Action** - Confirmation of County Executive appointments to the Commission on Juvenile Justice: Steven Mandel, Carol Weiss, Lt. Harold Allen, Loretta Shapero (Ferber)
- E. **Action** - Confirmation of County Executive appointments to the Commission on People with Disabilities: Michael W. Briese, Roberta S. Carlin, Nelson Jackson, Russell J. Holt, Aileen R. O'Hare, Hillary Vaughan, Alan P. Laskin, Beryl Neurman, Joan B. Riley, Philip G. Smakula, Francie Gilman (Ferber)

(2) 10:30 **CONSENT CALENDAR** *(continued)*

F. **Introduction** - 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)
Public Hearing is scheduled for 11/30/04 at 1:30 pm.

G. **Introduction** - 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)
Public Hearing is scheduled for 11/30/04 at 1:30 pm.

H. **Action** - Resolution to support Emergency Health Care for Up County residents (Fuhrmann)

10:35 **LEGISLATIVE SESSION Day #33**

A. Approval of Legislative Journal - October 19, 2004 (Edgar)

B. Introduction of Bills

- (4) • **Bill 37-04**, Animal Control - Revisions, sponsored by the Council President at the request of the County Executive (Healy)
Public Hearing is scheduled for 11/30/04 at 1:30 pm.

- (6) 10:40 **ACTION** - Executive Regulations 34-03AMII, Towing Rules and Regulations (McMillan)
PS Committee recommends approval as amended.

11:00 **DISTRICT COUNCIL SESSION**

- (6.5) A. **Action** - Resolution to extend time for Issuance of Hearing Examiner's Report and Recommendation on Local Map Amendment G-819 (Wilson)

- (7) B. **Action on the following:** (Wilson)

- Zoning Text Amendment 04-19, Large Retail Stores
PHED Committee has no recommendation.

- Zoning Text Amendment 04-04, Combination Retail Stores - Zoning Regulations
PHED Committee recommends disapproval.

12:15 **RECESS**

- (8) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-20, Building Height Standards - revisions under certain circumstances - C-2 Zone (Wilson)
PHED Committee worksession tentatively scheduled for 11/15/04.

2:00 **ADJOURN**

ADDENDUM

Tuesday, November 16, 2004

2:00 **LEGISLATIVE SESSION Day # 34** *(continued)*

B. Introduction of Bills

Add: (7.5)

- **Bill 38-04**, Contracts and Procurement - Transfer of Development Rights,
sponsored by Councilmember Subin (Healy)
Public Hearing will be scheduled at a later date.

*This meeting will be televised live on Channel 6;
repeated on 11/19/04 at 8 pm and 11/20/04 at 9 am*

Tuesday, November 16, 2004

- (1) 9:00-9:15 **INTERVIEW** - County Executive appointment of Director, Department of Homeland Security: Gordon A. Aoyagi (*6th floor Council Conference Room*) (Ferber)
- 9:30 **INVOCATION** - Reverend E. Scott Winnette, Bradley Hills Presbyterian Church
- 9:35 **GENERAL BUSINESS**
- A. **Announcement** - Agenda and Calendar Changes (Lauer)
- B. **Action** - Approval of Minutes: October 26 and November 4, 2004 (Edgar)
- (2) C. **Acknowledgement** - Receipt of Petitions (Lacefield)
- (3) 9:40 **CONSENT CALENDAR**
- A. **Introduction** - Special appropriation to the MCPS' FY05 Operating Budget - \$3,300,952 for Utility Rate Increases (Source: General Fund Undesignated Reserves)(Plancell)
Public Hearing is scheduled for 11/30/04 at 1:30 pm.
- B. **Introduction** - End-of-Year Transfer for FY04 County Government Operating Budget - \$11,659,390 (Sherer)
- C. **Action** - Confirmation of County Executive appointments to the Pedestrian Safety Advisory Committee: William Arnold, Donald A. Barclay, William A. Bronrott, Linda Sobel Katz, Susan W. Morris, Arthur Holmes, Jr., Chief J. Thomas Manger, Lawrence Cole, Deborah Snead, George Branyan (Ferber)
- 9:45 **WORKSESSION** on the following:
- (4) • **Bill 14-04**, Taxicabs - Amendments (Faden)
- (5) • Special appropriation FY05 Operating Budget - DPWT - \$261,780 for Taxi Initiative (Orlin)
- 11:45 **LEGISLATIVE SESSION Day # 34**
- C. Call of Bills for Final Reading
- (4) • **Bill 14-04**, Taxicabs - Amendments (Faden)
T&E Committee recommends approval with amendments.

- (5) 12:00 **ACTION** - Special appropriation FY05 Operating Budget - DPWT - \$261,780 for Taxi Initiative (Orlin)
T&E Committee recommends approval with amendments.
- 12:15 **RECESS**
- (6) 1:30 **PUBLIC HEARING** - Amendment to the MCPS' FY05-10 Capital Improvements Program and transfers within the MCPS' FY05 Capital Budget: (Levchenko)
• \$4,425,000 from the following projects: Baker Middle School Addition, Damascus HS Corridor Circulation Improvements, Clarksburg Area Middle School, and Quince Orchard Middle School #2 to the MCPS Local Unliquidated Surplus Account (Source: G.O. Bonds); and
• \$4,627,000 from MCPS Local Unliquidated Surplus Account to Clarksburg Area High School project (Source: G.O. Bonds)
ED Committee worksession tentatively scheduled for 11/18/04.
- (7) 1:30 **PUBLIC HEARING - Bill 35-04**, Personnel - Retirement - Deferred Compensation, Board of Investment Trustees (Faden)
MFP Committee worksession tentatively scheduled for 11/22/04.
- 2:00 **LEGISLATIVE SESSION Day # 34 (continued)**
- A. Approval of Legislative Journal - October 26, 2004 (Edgar)
B. Introduction of Bills
C. Call of Bills for Final Reading
- (8) • **Bill 34-04**, Ethics - Lobbying Disclosure - Amendments (Healy)
MFP Committee recommends approval.
- (9) • **Bill 31-04**, Streets and Roads - Snow Removal - Amendments (Healy)
T&E/PS Committee recommends disapproval.
- (10) • **Bill 22-04**, Health - Fitness Centers - Defibrillators (Faden)
HHS Committee recommends approval with amendments.
- 3:00 **ADJOURN**
- (11) 7:30 **PUBLIC HEARING by T&E Committee** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)
T&E Committee worksession tentatively scheduled for 12/9/04.

FUTURE COUNCIL MEETINGS

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

Nov 17, 2004	7:30 pm	Town Hall Meeting at Argyle M.S.
Nov 23, 2004	8:30 am	State Legislation
Nov 23, 2004	9:15 am	Regular Session
Nov 30, 2004	8:30 am	State Legislation
Nov 30, 2004	9:15 am	Regular Session
Dec 7, 2004	8:30 am	State Legislation
Dec 7, 2004	9:15 am	Regular Session
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

November 23, 2004

- 1:30 pm ZTA 04-21, Country Inn Zone - Remedial map amendment process
- 1:30 pm ZTA 04-22, South Silver Spring Overlay Zone - Building Height
- 1:30 pm ZTA 04-23, Private Educational Institution - I-1 Zone
- 1:30 pm ZTA 04-24, U.S.29/Cherry Hill Road Employment Overlay Zone

November 30, 2004

- 1:30 pm ZTA 04-25, Camp retreat - Rural Cluster Zone
- 1:30 pm Supplemental appropriation to the County Government's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program, DOCR - \$4,993,000 for Montgomery County Detention Center (MCDC) Reuse
- 1:30 pm 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
- 1:30 pm Special appropriation to the MCPS' FY05 Operating Budget - \$3,300,952 for Utility Rate Increases

December 7, 2004

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



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ADDENDUM

Tuesday, November 23, 2004

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

Add: E. **Introduction** - 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)
Public Hearing/Action is scheduled for 11/30/04 at 1:30 pm.

Add: F. **Introduction** - Resolution to support the Intercounty Connector on the Master Plan Alignment (Steiner)

Add: (4.5) 12:30 **DISCUSSION** - State Legislative Program (6CCR) (Wenger)

*This meeting will be televised live on Channel 6;
repeated on 11/26/04 at 8 pm and 11/27/04 at 9 am*

Tuesday, November 23, 2004

9:15 **INVOCATION** - Reverend Connie Paulson, Millian Memorial United Methodist Church, Rockville

9:20 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

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

A. **Action** - Amendment to the MCPS' FY05-10 Capital Improvements Program and transfers within the MCPS' FY05 Capital Budget: (Levchenko)

- \$4,425,000 from the following projects: Baker Middle School Addition, Damascus HS Corridor Circulation Improvements, Clarksburg Area Middle School, and Quince Orchard Middle School #2 to the MCPS Local Unliquidated Surplus Account (Source: G.O. Bonds); and
- \$4,627,000 from MCPS Local Unliquidated Surplus Account to Clarksburg Area High School project (Source: G.O. Bonds)

ED Committee recommendation will be available 11/18/04.

B. **Action** - Resolution to amend the FY05 Designation of Entities for Non-Competitive Award Status: The Peoples Foundation (McGuire)

C. **Introduction** - Resolution regarding Montgomery County Public Schools' State funding request for school construction (Levchenko)

Action is scheduled for 11/30/04.

D. **Introduction** - 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)

Action is tentatively scheduled for 11/30/04.

November 23, 2004

Page 2

- (3) 9:30 **ACTION** - Confirmation of County Executive appointment of Director, Department of Homeland Security: Gordon A. Aoyagi (Ferber)
- (4) 9:35 **WORKSESSION** - Revisions to Moderately Priced Dwelling Unit (MPDU) Program
- 12:15 **RECESS - 12:30 Discussion** - State Legislative Program (6CCR) (Wenger)
- (5) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-21, Country Inn Zone - Remedial map amendment process (Wilson)
PHED Committee worksession tentatively scheduled for 12/6/04.
- (6) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-22, South Silver Spring Overlay Zone - Building Height (Wilson)
PHED Committee worksession tentatively scheduled for 12/6/04.
- (7) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-23, Private Educational Institution - I-1 Zone (Wilson)
PHED Committee worksession tentatively scheduled for 12/6/04.
- (8) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-24, U.S.29/Cherry Hill Road Employment Overlay Zone (Wilson)
PHED Committee worksession tentatively scheduled for 12/6/04.
- (4) 2:00 **WORKSESSION** - Revisions to MPDU Program (*continued if necessary*)

ADJOURN

TBA **PHED Committee** to convene immediately following Council session

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on November 30, 2004:

Commission on Health: Henry M. Wise, Jr., M.D.

Community Action Board: Pamela F. Lockett

Mid-County Citizens Advisory Board: Sheldon Fishman

FUTURE COUNCIL MEETINGS

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

Nov 30, 2004	9:15 am	Regular Session
Nov 30, 2004	12:30 pm	State Legislation
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

November 30, 2004

1:30 pm ZTA 04-25, Camp retreat - Rural Cluster Zone

1:30 pm Franchise Agreement for Use of Public Right of Way: Jewish Federation of Greater Washington, Inc.

1:30 pm Supplemental appropriation to the County Government's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program, DOCR - \$4,993,000 for Montgomery County Detention Center (MCDC) Reuse

1:30 pm 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

1:30 pm Special appropriation to the MCPS' FY05 Operating Budget - \$3,300,952 for Utility Rate Increases

1:30 pm **Bill 37-04**, Animal Control - Revisions

December 7, 2004

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



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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)
NOTE: Council waived rules and adopted the resolution

*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**

- (1) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: November 9 and 16, 2004 (Edgar)
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. Lockett (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)
- (9) D. **Action** - Zoning Text Amendment 04-14, MPDU - Dwelling unit types - one-family residential zones (Wilson)

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

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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



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NOTES re Traditional Order of Business for Election of Officers

Comments from Outgoing President

Election of Officers:

- Thanks to outgoing Council President
- Nomination for Council President
- Vote on Council President
- Nomination for Vice President
- Vote on Vice President
- New CP presents plaque to outgoing CP
- Comments from new Council President
- Comments from new Vice President

*This meeting will be televised live on Channel 6;
repeated on 12/10/04 at 8 pm and 12/11/04 at 9 am*

Tuesday, December 7, 2004

9:15 **INVOCATION** - Reverend Bruce Jones, Concord-St. Andrew's UMC, Bethesda

9:20 **ELECTION OF COUNCIL OFFICERS**

10:00 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 10:05 **CONSENT CALENDAR**

A. **Action** - Confirmation of County Executive appointment to the Wheaton Urban District Advisory Committee: Artie L. Harris, Jr. (Ferber)

B. **Action** - Confirmation of County Executive appointments to the Silver Spring Recreation Advisory Board: Carl Blake, Zakiya Kainu, Vernie McLendon (Ferber)

(3) 10:10 **BRIEFING** - by Chief Administrative Officer Bruce Romer on the Executive Branch's Limited English Proficient (LEP) Policy and Implementation Plan (Orlansky)

10:40 **DISTRICT COUNCIL SESSION**

(4) A. **Action** - Resolution to extend time for Council action on the Master Plan of Bikeways until March 14, 2005 (Orlin)

(5) 10:45 **OVERVIEW** - Economic Indicators and Fiscal Plan (Farber)

11:00 **LEGISLATIVE SESSION Day # 36**

- A. Approval of Legislative Journal (Edgar)
- B. Introduction of Bills
- C. Call of Bills for Final Reading
- (6) • **Bill 35-04**, Personnel - Retirement - Deferred Compensation, Board of Investment Trustees (Faden)
MFP Committee recommends 11/29/04.
- (7) 11:50 **ACTION** - Resolutions to approve Memoranda of Agreement between County Government and the collective bargaining units regarding deferred compensation plans (Faden)
- 12:00 **RECESS** *Interviews in 6th floor Council Conference Room:* (Ferber)
- (8) 12:15 pm - Applicant for Merit System Protection Board
- (9) 12:30 pm - Executive appointees to the Washington Suburban Sanitary Commission
- (10) 1:30 **PUBLIC HEARING** - Resolution regarding Spending Affordability Guidelines for FY06 Operating Budget (Sherer)
MFP Committee worksession tentatively scheduled for 12/13/04.
- 1:30 **PUBLIC HEARING - Bill 36-04**, Commission on Human Rights - Discrimination in Housing - Amendments (Healy)
NOTICE: This public hearing has been continued to 12/14/04 at 7:30 pm. All speakers will be heard at that time.
- (11) 1:50 **ACTION** - Confirmation of County Executive appointments to Washington Suburban Sanitary Commission: Stanley J. Botts and Marc P. Lieber (Ferber)
- (12) 2:00 **WORKSESSION** - Olney Master Plan (Michaelson/Orlin)
- 4:30 **ADJOURN**

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on December 14, 2004:

Commission on People with Disabilities: Kathy L. Kolan, Angela J. Washington-Bivans
County-wide Recreation Advisory Board: Donna Bartko, Joe Felperin, Seth P. Gerson, Kenneth S. Kramer, George Tarrico, Solly J. Thomas, Jr., David Magill, Stephen D. Earll, Noah Grosfeld-Katz, Sean Thomas Smith
Criminal Justice Coordinating Commission: Steven G. Berry

The following appointment was received from the County Executive and is tentatively scheduled for interview on December 6, 2004:

Marketing Manager, Department of Economic Development: Robert W. McGlotten, Jr.

The following appointments were received from the County Executive and are tentatively scheduled for interview and confirmation on December 7, 2004:

Washington Suburban Sanitary Commission: Stanley J. Botts, Marc P. Lieber

December 7, 2004

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FUTURE COUNCIL MEETINGS

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

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 14, 2004

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



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ADDENDUM

Tuesday, December 14, 2004

(3) 9:40 CONSENT CALENDAR

- Deferred:** D. **Action** - Executive Regulation 11-03AM, Amendments to Montgomery County Personnel Regulations on Grievance procedures and other amendments (Faden)
- Add:** J. **Action** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)
T&E Committee recommends approval. SOME REQUESTS DEFERRED
- Add:** K. **Introduction/Suspension of Rules/Action** - Resolution to appoint Elda Dodson as the Acting Clerk of the Montgomery County Council (Farber)
Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.
- Add:** L. **Action** - Resolution to amend Resolution 15-748 regarding Temporary Regulation 17-40T, Emergency Taxicab Fuel Surcharge (Orlin)
- Add:** M. **Action** - 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) DEFERRED (McMillan)
PS Committee recommends approval with amendments.
- Add:** N. **Action** - Supplemental appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$4,270,560 for EMS Transport Fee & Apparatus Management Plan (Source: EMS Transport Fees) (Davidson)
PS Committee recommends approval with amendments to purpose, amount and funding source.

12:15 LEGISLATIVE SESSION Day # 37

**Change
Title:** (13)

- B. Introduction of Bills
- **Bill 39-04, Energy Policy - Clean Energy Rewards Program**, sponsored by Councilmember Leventhal (Faden)

*This meeting will be televised live on Channel 6;
repeated on 12/17/04 at 8 pm and 12/18/04 at 9 am*

Tuesday, December 14, 2004

- (1) 8:30-9:00 **DISCUSSION** - State Legislative Program (*6th floor Council Conference Room*) (Wenger)
- 9:15 **INVOCATION** - Reverend Peter Bath, Sligo Adventist Church, Takoma Park
- 9:20 **PRESENTATION** - Proclamation in recognition of retirement of Mary Edgar, Clerk of the Council by Council President Perez
- 9:25 **PRESENTATION** - Certificates in recognition of eight Montgomery County high school students selected to the 2004 All-State Soccer Teams by Council President Perez
- 9:30 **PRESENTATION** - Proclamation in recognition of William H. Hudnut, III, Mayor of the Town of Chevy Chase, for his many years of community service by Councilmember Denis
- 9:35 **GENERAL BUSINESS**
- A. **Announcement** - Agenda and Calendar Changes (Lauer)
- B. **Action** - Approval of Minutes: (Edgar)
- (2) C. **Acknowledgement** - Receipt of Petitions (Lacefield)
- (3) 9:40 **CONSENT CALENDAR**
- A. **Introduction** - Special appropriation to the MNCPCCC's FY05 Capital Budget and amendment to the FY05-10 Capital Improvement Program - \$600,000 for Small Grant/Donor-Assisted Capital Improvements (Source: General and Park and Planning Current Revenue and Contributions) (Michaelson)
Public Hearing is scheduled for 1/18/05 at 1:30 pm.
- B. **Action** - Appointment to the Merit System Protection Board (Ferber)
- C. **Action** - Extension of appointment as Acting Chief, Volunteer Fire and Rescue Services: Fred Welsh (Ferber)

- (3) 9:40 **CONSENT CALENDAR** *(continued)*
- D. **Action** - Executive Regulation 11-03AM, Amendments to Montgomery County Personnel Regulations on Grievance procedures and other amendments (Faden)
- E. **Action** - Franchise agreement for use of public right of way: Jewish Federation of Greater Washington, Inc. (Healy)
MFP Committee recommends approval with amendments.
- F. **Action** - Confirmation of County Executive appointments to the Commission on People with Disabilities: Kathy L. Kolan, Angela J. Washington-Bivans (Ferber)
- G. **Action** - Confirmation of County Executive appointments to the County-wide Recreation Advisory Board: Donna Bartko, Joe Felperin, Seth P. Gerson, Kenneth S. Kramer, George Tarrico, Solly J. Thomas, Jr., David Magill, Stephen D. Earll, Noah Grosfeld-Katz, Sean Thomas Smith (Ferber)
- H. **Action** - Confirmation of County Executive appointments to the Criminal Justice Coordinating Commission: Steven G. Berry (Ferber)
- I. **Action** - Confirmation of County Executive appointment of Marketing Manager, Department of Economic Development: Robert W. McGlotten, Jr. (Ferber)
- (4) 9:45 **BRIEFING** - Intercounty Connector Environmental Impact Statement (Orlin)
- (5) 11:00 **ACTION** - Resolution regarding Spending Affordability Guidelines for FY06 Operating Budget (Sherer)
MFP Committee recommendation will be available 12/13/04.
- 11:30 **DISTRICT COUNCIL SESSION**
- (6) A. **Introduction** - Zoning Text Amendment 04-26, Mixed-Use Town Center Zone, sponsored by the Council President at the request of the Planning Board (Michaelson)
Action - Resolution to establish public hearing for 1/18/05.
- (7) B. **Action** - Zoning Text Amendment 04-23, Private Educational Institution - I-1 Zone (Wilson)
PHED Committee recommends disapproval.
- (8) C. **Action** - Zoning Text Amendment 04-22, South Silver Spring Overlay Zone - Building Height (Wilson)
PHED Committee recommends approval with amendments.
- (9) D. **Action** - Zoning Text Amendment 04-21, Country Inn Zone - Remedial map amendment process (Wilson)
PHED Committee recommends approval.

11:30 **DISTRICT COUNCIL SESSION** (*continued*)

- (10) E. **Action** - Zoning Text Amendment 04-24, U.S.29/Cherry Hill Road Employment Overlay Zone - Revisions (Wilson)
PHED Committee recommends approval.
- (11) F. **Action** - Zoning Text Amendment 04-20, Building Height Standards - revisions under certain circumstances - C-2 Zone (Wilson)
PHED Committee recommends approval with amendments.
- (12) G. **Action** - Development Plan Amendment **DPA 04-3** (Wilson)
Applicant: Clarksburg Skylark, LLC (Roger Bain Attorney)
Property: Clarksburg: bounded by Newcut Road, Skylark Road, and Maryland Route 97
Action: Approval of DPA to add 2,000 sq. feet of indoor community space and certain conditions regarding use of that space
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Not Required
- (12.5) H. **Introduction** - Zoning Text Amendment 04-27, Total Lot Coverage Requirements for the RE-2, RE-1, Rural, RC and RDT Zones (Wilson)
Action - Resolution to establish public hearing for 1/18/05 at 7:00 pm.
NOTE: RESOLUTION TO SET PH WAS DEFERRED

12:15 **LEGISLATIVE SESSION Day # 37**

- A. Approval of Legislative Journal - May 4, and November 16, 2004 (Edgar)
- B. Introduction of Bills
- (13) • **Bill 39-04**, Environmental Protection - Green Rewards Program, sponsored by Councilmember Leventhal NOTE: title changed (Faden)
Public Hearing is scheduled for 2/1/05 at 1:30 pm.
- C. Call of Bills for Final Reading
- (14) • **Bill 26-04**, Vendors - Amendments (Faden)
PS Committee recommends approval with amendments.

12:30 **ADJOURN**

- (15) 7:30 **PUBLIC HEARING - Bill 36-04**, Commission on Human Rights - Discrimination in Housing - Amendments (*7th floor Council Hearing Room*) (Healy)
HHS Committee worksession tentatively scheduled for 1/20/05.

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on January 18, 2005:

Mental Health Advisory Committee: Swaroop G. Rao, M.D., Miriam L. Yarmolinsky, Susan S. Magazine, Kenneth E. Ratcliffe, Roy Turner

Solid Waste Advisory Committee: Amy E. Schaffer, Philip A. Browne

FUTURE COUNCIL MEETINGS

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

Dec 20, 2004 to Jan 14, 2005		Recess
Jan 18, 2005	8:30 am	Meeting with Board of Education
Jan 18, 2005	9:45 am	Regular Session
Jan 24, 2005	12:30 pm	State Legislation
Jan 25, 2005	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

January 18, 2005

- 1:30 pm Special appropriation to the MNCPC's FY05 Capital Budget and amendment to the FY05-10 CIP - \$600,000 for Small Grant/Donor-Assisted Capital Improvements
- 1:30 pm ZTA 04-26, Mixed-Use Town Center Zone

NOTICE:

The next Council Session is scheduled for Tuesday, January 18, 2005. Committee sessions will resume Tuesday, January 18th. The agendas for these sessions will be mailed and posted to the web site on January 13th.

Upcoming public hearings are listed below.



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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