

**2012**

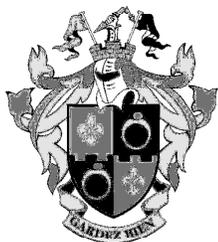
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

[www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)



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## Tuesday, January 17, 2012

- (1) 9:30-10:30 **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 Bethel World Outreach Church. (*6th Floor Council Conference Room*) (Zyontz/Faden)
- 10:45 **INVOCATION** - Reverend Kirby Lawrence Hill, Warner Memorial Presbyterian Church, Kensington
- 10:50 **PRESENTATION** - Proclamation to recognize Adventist HealthCare as the Largest Buyer of Green Energy for Health Care Providers, by Council President Berliner
- 10:55 **PRESENTATION** - Proclamation to recognize the Sandy Spring Friends School, by Council Vice President Navarro
- (2) 11:00 **GENERAL BUSINESS** (Lauer)
- A. **Announcements** - Agenda and Calendar Changes  
Public Hearing dates for the FY13 Capital Budget and FY13-18 Capital Improvements Program: February 7, 8, and 9, 2012 at 7:00 pm.  
*Persons wishing to testify should call 240-777-7803 beginning January 20, 2012.*
- B. **Acknowledgement** - Receipt of Petitions
- C. **Action** - Approval of Minutes: December 6, 2011
- (3) 11:05 **CONSENT CALENDAR**
- A. **Introduction** - Spending Affordability Guidelines for FY13 Operating Budget (Sesker)  
*Public Hearing is scheduled for 1/31/12 at 1:30 pm.*
- C. **Introduction** - Supplemental appropriation to the Maryland-National Capital Park and Planning Commission's FY12 Capital Budget and amendment to the FY11-16 Capital Improvements Program - \$1,058,940 for Acquisition: Local Parks (Source: Land Sales (P&P)) (Michaelson)  
*Public Hearing is scheduled for 2/7/12 at 1:30 pm.*

(3) 11:05 **CONSENT CALENDAR** *(continued)*

D. **Introduction** - Supplemental appropriation to the Maryland-National Capital Park and Planning Commission's FY12 Capital Budget and amendment to the FY11-16 Capital Improvements Program - \$325,000 for ADA Compliance: Non-Local Parks (Source: G.O. Bonds) (Michaelson)  
*Public Hearing is scheduled for 2/7/12 at 1:30 pm.*

E. **Introduction** - Amendment to the Washington Suburban Sanitary Commission's FY12-17 Capital Improvements Program - \$1.488 million for Mid-Pike Plaza Sewer Main, Phase I (Source: Developer Contribution) (Levchenko)  
*Public Hearing is scheduled for 2/7/12 at 1:30 pm.*

F. **Receipt and Release** - Office of Legislative Oversight Report 2012-3, Services for Students on the Autism Spectrum (Bonner-Tompkins)  
*ED Committee worksession tentatively scheduled for 1/23/12.*

11:10 **LEGISLATIVE SESSION Day # 2**

**Introduction of Bills:**

(4) A. **Bill 1-12**, Personnel - Special Days of Commemoration - Amendments, sponsored by Councilmember Ervin (Drummer)  
*Public Hearing is scheduled for 2/7/12 at 1:30 pm.*

(5) B. **Bill 2-12**, Personnel - Retirement Trust Funds - Emerging Investment Managers, sponsored by the Council President at the request of the County Executive (Drummer)  
*Public Hearing is scheduled for 2/14/12 at 1:30 pm.*

(6) 11:15 **ACTION** - Report and recommendations of the Education Committee on Office of Legislative Oversight Report 2012-2: A Review of MCPS Budget Category 12 (Trombka/Howard/Latham)

12:00 **RECESS** 12:15 - *Lunch Meeting with Board of Education (6CCR)*

(7) 1:30 **PUBLIC HEARING** - Subdivision Regulation Amendment 11-02, Minor Subdivisions (Zyontz)  
*PHED Committee worksession tentatively scheduled for 1/30/12.*

(8) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 11-06, Fenton Village Overlay Zone - Building Height (Zyontz)  
*PHED Committee worksession tentatively scheduled for 1/30/12.*

- (9) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 11-07, Telecommunications Facilities - Antenna Height (Zyontz)  
*PHED Committee worksession tentatively scheduled for 1/30/12.*
- (10) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY12 Operating Budget, Department of Economic Development - \$250,000 for BioHealth Innovation Inc. (Source: General Fund Undesignated Reserves) (Ferber/Sesker)  
*PHED Committee worksession tentatively scheduled for 1/23/12.*
- 1:50 **ADJOURN**
- 2:00 **Council Retreat**
- (11) 3:30 *or immediately following Council Retreat* - **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 Legislative Branch staffing. (6CCR) (Farber)

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30; repeated on 1/20/12 at 9 pm*

#### **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.**

<b>Jan 23, 2012</b>	12:30 pm	State Legislative Program
<b>Jan 24, 2012</b>	9:30 am	Regular Session
<b>Jan 30, 2012</b>	12:30 pm	State Legislative Program
<b>Jan 31, 2012</b>	9:30 am	Regular Session
<b>Feb 6, 2012</b>	12:30 pm	State Legislative Program
<b>Feb 7, 2012</b>	9:30 am	Regular Session
<b>Feb 13, 2012</b>	12:30 pm	State Legislative Program
<b>Feb 14, 2012</b>	9:30 am	Regular Session
<b>Feb 20, 2012</b>		HOLIDAY
<b>Feb 21 - 24, 2012</b>		RECESS
<b>Feb 27, 2012</b>	12:30 pm	State Legislative Program
<b>Feb 28, 2012</b>	9:30 am	Regular Session

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

**Jan 24, 2012**

- 1:30 pm **Bill 37-11**, Motor Vehicles and Traffic - School Bus Safety Cameras
- 1:30 pm **Bill 40-11**, Group Homes - Developmentally Disable Adults - Licensing
- 1:30 pm **Bill 39-11**, Taxation - Development Impact Tax
- 1:30 pm ZTA 11-08 Residential Zones - Accessory Commercial Kitchens

**Jan 31, 2012**

- 1:30 pm Spending Affordability Guidelines for FY13 Operating Budget

**Feb 7, 2012**

- 1:30 pm Supplemental appropriations to the M-NCPPC's FY12 Capital Budget and amendments to the FY11-16 Capital Improvements Program
  - \$1,058,940 for Acquisition: Local Parks
  - \$325,000 for ADA Compliance: Non-Local Parks
- 1:30 pm Amendment to the Washington Suburban Sanitary Commission's FY12-17 Capital Improvements Program - \$1.488 million for Mid-Pike Plaza Sewer Main, Phase I
- 7:00 pm FY13 Capital Budget and FY13-18 Capital Improvements Program

**Feb 8, 2012**

- 7:00 pm FY13 Capital Budget and FY13-18 Capital Improvements Program

**Feb 9, 2012**

- 7:00 pm FY13 Capital Budget and FY13-18 Capital Improvements Program - MCPS



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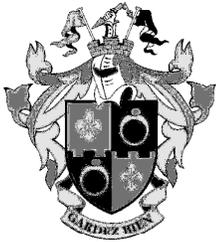
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## Monday, January 23, 2012

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

## Tuesday, January 24, 2012

9:30 **INVOCATION** - Mr. David R. Lambert, Christ Evangelical Lutheran Church of Bethesda

9:35 **PRESENTATION** - Proclamation recognizing the Montgomery College Women's Soccer Team for winning the National Junior College Athletic Association (NJCAA) championship, by Councilmembers Andrews, Ervin, and Rice

9:40 **PRESENTATION** - Proclamation recognizing The Penny Project, by Councilmember Leventhal

- (2) 9:45 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: December 13, 2011

- (3) 9:50 **CONSENT CALENDAR**

A. **Introduction** - Resolution regarding appointment of a Merit System Review Commission (Lauer)

*Action is tentatively scheduled for 1/31/12.*

B. **Action** - Approval of letter to City of Rockville regarding annexation petition for property located at 9608 Veirs Drive (ANX2011-00142) (Zyontz)

C. **Action** - Resolution to approve Economic Development Revenue Bond in an amount not to exceed \$17 million for the Sandy Spring Friends School (Sesker)

(3) 9:50 **CONSENT CALENDAR** (*continued*)

- D. **Introduction** - Supplemental appropriation to the Montgomery County Public Schools' FY12 Capital Budget and the FY11-16 Capital Improvements Program - \$1,339,200 for Education Rate (E-Rate) Program for the Technology Modernization project and a transfer for the Relocatable Classrooms project (Source: Federal funds and transfer of current revenue) (McGuire)  
*Public Hearing/Action is scheduled for 2/14/12 at 1:30 pm.*

9:55 **DISTRICT COUNCIL SESSION**

- (4) A. **Action** - Hearing Examiner's report and recommendation - Development Plan Amendment (DPA) 11-4, Keating Project Development, Inc., 7001 Arlington Road, Bethesda (Zyontz)

10:00 **LEGISLATIVE SESSION Day #3**

**Introduction of Bills:**

- (4.1) A. **Bill 3-12**, Personnel - Special Days of Commemoration - Additions, sponsored by Councilmembers Leventhal and Elrich (Drummer)  
*Public Hearing is scheduled for 2/14/12 at 1:30 pm.*

- (5) 10:05 **ACTION** - Recommendations on Corridor Cities Transitway - light rail/bus rapid transit (BRT) (Orlin)  
*T&E Committee recommendation will be available 1/19/12.*

- (6) 10:30 **PROPOSED CLOSED SESSIONS** for the purpose of:

- 1) Considering acquisition of real property for a public purpose and matters related directly thereto, and 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)(3) and (4). Topic is Smart Growth Initiative. (*6th floor Conference Room*) (McMillan/Faden)
- 2) 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 to discuss a specific company's retention in the County. (*6th floor Council Conference Room*) (Sesker/Faden)

12:30 **RECESS**

- (7) 1:30 **PUBLIC HEARING - Bill 37-11**, Motor Vehicles and Traffic - School Bus Safety Cameras (Drummer)  
*PS Committee worksession tentatively scheduled for 2/2/12.*

- (8) 1:30 **PUBLIC HEARING - Bill 39-11**, Taxation - Development Impact Tax - Exemptions (Faden)  
*GO Committee worksession tentatively scheduled for 1/30/12.*

- (9) 1:30 **PUBLIC HEARING - Bill 40-11**, Group Homes - Developmentally Disabled Adults - Licensing (Faden)  
*HHS Committee worksession tentatively scheduled for 2/9/12.*
- (10) 1:30 **PUBLIC HEARING - Zoning Text Amendment 11-08**, Residential Zones - Accessory Commercial Kitchens (Zyontz)  
*PHED Committee worksession tentatively scheduled for 1/30/12.*
- 2:30 **ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 1/27/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on January 31, 2012:**

Advisory Board for the Montgomery Cares Program: Theora Hawkins

Cable and Communications Advisory Committee: Noreene Wells, Yen-Ju Chen

Commission on Veterans Affairs: Roland Kauffman, Lorrie Knight-Major, Lisa Stern, Vinod Kris Kumaroo, John Mendez

Community Action Board: Gail Gunod-Green

Criminal Justice Coordinating Commission: Marlene Beckman, James Frank

Fire and Emergency Services Commission: Raymond Richard Sanchez, Kevin Maloney

Library Board: Florence Jewell, Syed Amir, Paulette Dickerson

Mental Health Advisory Committee: Rachel Stein, Robert Walsh

### FUTURE COUNCIL MEETINGS

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<b>Jan 30, 2012</b>	12:30 pm	State Legislative Program
<b>Jan 31, 2012</b>	9:30 am	Regular Session
<b>Feb 6, 2012</b>	12:30 pm	State Legislative Program
<b>Feb 7, 2012</b>	9:30 am	Regular Session
<b>Feb 13, 2012</b>	12:30 pm	State Legislative Program
<b>Feb 14, 2012</b>	9:30 am	Regular Session
<b>Feb 20, 2012</b>		HOLIDAY
<b>Feb 21 - 24, 2012</b>		RECESS
<b>Feb 27, 2012</b>	12:30 pm	State Legislative Program
<b>Feb 28, 2012</b>	9:30 am	Regular Session

### FUTURE PUBLIC HEARINGS

To testify call 240-777-7803

#### Jan 31, 2012

1:30 pm Spending Affordability Guidelines for FY13 Operating Budget

#### Feb 7, 2012

1:30 pm Supplemental appropriations to the M-NCPPC's FY12 Capital Budget and amendments to the FY11-16 Capital Improvements Program

➤ \$1,058,940 for Acquisition: Local Parks

➤ \$325,000 for ADA Compliance: Non-Local Parks

1:30 pm Amendment to the Washington Suburban Sanitary Commission's FY12-17 Capital Improvements Program - \$1.488 million for Mid-Pike Plaza Sewer Main, Phase I

1:30 pm **Bill 1-12**, Personnel - Special Days of Commemoration - Amendments

7:00 pm FY13 Capital Budget and FY13-18 Capital Improvements Program

#### Feb 8, 2012

7:00 pm FY13 Capital Budget and FY13-18 Capital Improvements Program

#### Feb 9, 2012

7:00 pm FY13 Capital Budget and FY13-18 Capital Improvements Program - MCPS

#### Feb 14, 2012

1:30 pm **Bill 2-12**, Personnel - Retirement Trust Funds - Emerging Investment Managers

1:30 pm Supplemental appropriation to the MCPS' FY12 Capital Budget and the FY11-16 Capital Improvements Program - \$1,339,200 for E-Rate Program for the Technology Modernization project and a transfer for the Relocatable Classrooms project



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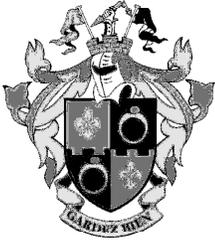
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## ADDENDUM

Tuesday, January 31, 2012

### 9:50 DISTRICT COUNCIL SESSION

**Add**  
**Sponsor:** (4)      A. **Introduction** - Zoning Text Amendment 12-01 Commercial Zones - Large Retail Uses, sponsored by Council President Berliner and Councilmember Ervin (Zyontz)  
*Public Hearing is scheduled for 3/13/12 at 7:30 pm.*

**Add**  
**Sponsors:** (5)      B. **Introduction** - Zoning Text Amendment 12 -02 Commercial Zones - Combination Retail Stores, sponsored by Councilmembers Ervin, Navarro, Elrich and Riemer (Zyontz)  
*Public Hearing is scheduled for 3/13/12 at 7:30 pm.*

### LEGISLATIVE SESSION Day #4

#### 9:55 Introduction of Bills:

**Add**  
**Sponsors:** (6)      A. **Bill 4-12**, Economic Development - Urban Renewal - Wage and Health Insurance Requirements, by Councilmembers Riemer, Ervin, Rice and Elrich (Drummer)  
*Public Hearing is scheduled for 3/13/12 at 7:30 pm.*

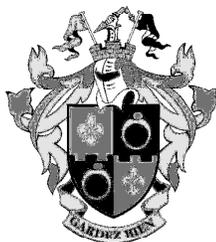
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## Monday, January 30, 2012

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

## Tuesday, January 31, 2012

9:30 **INVOCATION** - Reverend Dr. Cheryl Tatham, North Chevy Chase Christian Church, Chevy Chase

9:35 **PRESENTATION** - Proclamation recognizing Madeline Harrington for winning the Milken Educator Award, by Councilmember Andrews

- (2) 9:40 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: January 17, 2011

- Approval of Closed Session Minutes: January 17, 2011

- (3) 9:45 **CONSENT CALENDAR**

A. **Introduction** - Resolution to authorize a portion of the County for designation as a Sustainable Community by the Maryland Department of Housing and Community Development (McMillan)

*Action is tentatively scheduled for 2/7/12.*

B. **Introduction** - Supplemental appropriation to the County Government's FY12 Capital Budget and amendment to the FY11-16 Capital Improvements Program, Department of Transportation - \$2,458,537 for Ride On Bus Fleet (Source: Federal) (Orlin)

*Public Hearing is scheduled for 2/14/12 at 1:30 pm.*

C. **Action** - Supplemental appropriation to the County Government's FY12 Operating Budget, Department of Economic Development - \$250,000 for BioHealth Innovation Inc. (Source: General Fund Undesignated Reserves) (Sesker)

*PHED Committee recommends approval.*

(3) 9:45 **CONSENT CALENDAR** (*continued*)

- D. **Action** - Resolution regarding appointment of a Merit System Review Commission (Lauer)
- E. **Action** - Confirmation of County Executive appointment to the Advisory Board for the Montgomery Cares Program: Theora Hawkins (Lauer)
- F. **Action** - Confirmation of County Executive appointments to the Cable and Communications Advisory Committee: Noreene Wells, Yen-Ju Chen (Lauer)
- G. **Action** - Confirmation of County Executive appointments to the Commission on Veterans Affairs: Roland Kauffman, Lorrie Knight-Major, Lisa Stern, Vinod Kris Kumaroo, John Mendez (Lauer)
- H. **Action** - Confirmation of County Executive appointment to the Community Action Board: Gail Gunod-Green (Lauer)
- I. **Action** - Confirmation of County Executive appointments to the Criminal Justice Coordinating Commission: Marlene Beckman, James Frank (Lauer)
- J. **Action** - Confirmation of County Executive appointments to the Fire and Emergency Services Commission: Raymond Richard Sanchez, Kevin Maloney (Lauer)
- K. **Action** - Confirmation of County Executive appointments to the Library Board: Florence Jewell, Syed Amir, Paulette Dickerson (Lauer)
- L. **Action** - Confirmation of County Executive appointments to the Mental Health Advisory Committee: Rachel Stein, Robert Walsh (Lauer)

9:50 **DISTRICT COUNCIL SESSION**

- (4) A. **Introduction** - Zoning Text Amendment 12-01 Commercial Zones - Large Retail Uses, sponsored by Council President Berliner (Zyontz)  
*Public Hearing is scheduled for 3/13/12 at 7:30 pm.*
- (5) B. **Introduction** - Zoning Text Amendment 12 -02 Commercial Zones - Combination Retail Stores, sponsored by Councilmember Ervin (Zyontz)  
*Public Hearing is scheduled for 3/13/12 at 7:30 pm.*

**LEGISLATIVE SESSION Day #4**

9:55 **Introduction of Bills:**

- (6) A. **Bill 4-12**, Economic Development - Urban Renewal - Wage and Health Insurance Requirements, by Councilmember Riemer (Drummer)  
*Public Hearing is scheduled for 3/13/12 at 7:30 pm.*

- (7) 10:00 **SHAPING OUR FUTURE: ADAPTING TO CHANGE Session 1** - Briefing on County demographic trends and impact on services (Zyontz)
- 12:00 **RECESS**
- (8) 1:30 **PUBLIC HEARING** - Spending Affordability Guidelines for FY13 Operating Budget (Sesker)  
*GO Committee worksession tentatively scheduled for 2/6/12.*
- 1:45 **ADJOURN**
- 2:00 **T&E/GO Committee** (7th floor Council Hearing Room)

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 2/3/12 at 9 pm*

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<b>Feb 20, 2012</b>		HOLIDAY
<b>Feb 21 - 24, 2012</b>		RECESS
<b>Feb 27, 2012</b>	12:30 pm	State Legislative Program
<b>Feb 28, 2012</b>	9:30 am	Regular Session

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

**Feb 7, 2012**

- 1:30 pm Supplemental appropriations to the M-NCPPC's FY12 Capital Budget and amendments to the FY11-16 Capital Improvements Program
- \$1,058,940 for Acquisition: Local Parks
  - \$325,000 for ADA Compliance: Non-Local Parks
- 1:30 pm Amendment to the Washington Suburban Sanitary Commission's FY12-17 Capital Improvements Program - \$1.488 million for Mid-Pike Plaza Sewer Main, Phase I
- 1:30 pm **Bill 1-12**, Personnel - Special Days of Commemoration - Amendments
- 7:00 pm FY13 Capital Budget and FY13-18 Capital Improvements Program

**Feb 8, 2012**

- 7:00 pm FY13 Capital Budget and FY13-18 Capital Improvements Program

**Feb 9, 2012**

- 7:00 pm FY13 Capital Budget and FY13-18 Capital Improvements Program - MCPS

**Feb 14, 2012**

- 1:30 pm **Bill 2-12**, Personnel - Retirement Trust Funds - Emerging Investment Managers
- 1:30 pm **Bill 3-12**, Personnel - Special Days of Commemoration - Additions
- 1:30 pm Supplemental appropriation to the MCPS' FY12 Capital Budget and the FY11-16 Capital Improvements Program - \$1,339,200 for E-Rate Program for the Technology Modernization project and a transfer for the Relocatable Classrooms project
- 1:30 pm Supplemental appropriation to the County Government's FY12 Capital Budget and amendment to the FY11-16 CIP, DOT - \$2,458,537 for Ride On Bus Fleet



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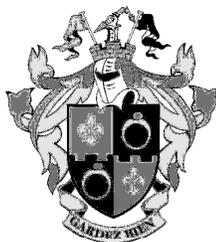
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## Monday, February 6, 2012

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

## Tuesday, February 7, 2012

- 9:00 **PHED Committee** - Interview of Marketing Manager: Sally Sternbach (Lauer)  
(*3rd floor Council Conference Room*)

- 9:30 **INVOCATION** - Iman Faizul Khan, Islamic Society of Washington Area, Silver Spring

- 9:35 **PRESENTATION** - Proclamation recognizing the Teen Escape Club Youth Café, by Council Vice President Navarro

- (2) 9:40 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: January 23 and 24, 2012

- Approval of Closed Session Minutes: January 24, 2012

- (3) 9:45 **CONSENT CALENDAR**

- A. **Introduction** - End-of-Year Transfer for FY11 County Government Operating Budget (Sesker)

*Action is tentatively scheduled for 2/14/12.*

- B. **Action** - Resolution to authorize a portion of the County for designation as a Sustainable Community by the Maryland Department of Housing and Community Development (McMillan)

- C. **Introduction** - Supplemental appropriation to the County Government's FY12 Operating Budget, Sheriff's Office, Office of the State's Attorney, Departments of Police and Health and Human Services - \$998,950 for the Grants to Encourage Arrest Policies and Enforcement of Protection Orders (Source: Federal grant) (Frag)

*Public Hearing/Action is scheduled for 2/28/12 at 1:30 pm.*

(3) 9:45 **CONSENT CALENDAR** (*continued*)

D. **Introduction** - Resolution to support the 2012 Blue Plains Intermunicipal Agreement  
*Action is tentatively scheduled for 2/14/12.* (Levchenko)

9:50 **LEGISLATIVE SESSION Day #5**

**Introduction of Bills:**

(4) A. **Bill 5-12**, Administration - Small Business Navigator - Established, by Council  
President Berliner (Drummer)  
*Public Hearing is scheduled for 2/28/12 at 1:30 pm.*

(5) B. **Bill 6-12**, Economic Development - Small Business Assistance, by Council Vice  
President Navarro and Councilmembers Ervin, Floreen, Leventhal, and Council  
President Berliner (Drummer)  
*Public Hearing is scheduled for 2/28/12 at 1:30 pm.*

(6) 10:00 **ACTION** - Spending Affordability Guidelines for the FY13 Capital Budget and other  
general CIP assumptions, and CIP overview (Orlin)  
*GO Committee recommends approval.*

10:20 **DISTRICT COUNCIL SESSION**

(7) A. **Action** - Subdivision Regulation Amendment 11-02, Minor Subdivisions (Zyontz)  
*PHED Committee recommends approval with amendments.*

(8) B. **Action** - Zoning Text Amendment 11-06, Fenton Village Overlay Zone - Building  
Height (Zyontz)  
*PHED Committee recommends approval with amendments.*

(9) C. **Action** - Zoning Text Amendment 11-07, Telecommunications Facilities - Antenna  
Height (Zyontz)  
*PHED Committee recommends approval.*

(10) 10:45 **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 to discuss a specific  
company's retention in the County. (*6th Floor Council Conference Room*) (Sesker/Faden)

12:00 **RECESS**

(11) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the Maryland-National Capital  
Park and Planning Commission's FY12 Capital Budget and amendment to the FY11-16  
Capital Improvements Program - \$1,058,940 for Acquisition: Local Parks (Source: Land  
Sales (P&P)) (Michaelson)  
*PHED Committee worksession tentatively scheduled for 2/13/12.*

February 7, 2012

Page 3

- (12) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the Maryland-National Capital Park and Planning Commission's FY12 Capital Budget and amendment to the FY11-16 Capital Improvements Program - \$325,000 for ADA Compliance: Non-Local Parks (Source: G.O. Bonds) (Michaelson)  
*PHED Committee worksession tentatively scheduled for 2/13/12.*
- (13) 1:30 **PUBLIC HEARING/ACTION** - Amendment to the Washington Suburban Sanitary Commission's FY12-17 Capital Improvements Program - \$1.488 million for Mid-Pike Plaza Sewer Main, Phase I (Source: Developer Contribution) (Levchenko)
- (14) 1:30 **PUBLIC HEARING - Bill 1-12**, Personnel - Special Days of Commemoration - Amendments (Drummer)  
*GO Committee worksession tentatively scheduled for 3/12/12.*
- 1:45 **ADJOURN**
- 1:45 **PHED/GO Committee** (*3rd floor Council Hearing Room*)
- 7:00 **PUBLIC HEARING** - FY13 Capital Budget and FY13-18 Capital Improvements Program (*3rd floor Council Hearing Room*)

**Note** - The CIP public hearing scheduled for Wednesday, February 8 at 7:00 pm has been cancelled.

## **Thursday, February 9, 2012**

- 7:00 **PUBLIC HEARING** - FY13 Capital Budget and FY13-18 Capital Improvements Program - Montgomery County Public Schools (*3rd floor Council Hearing Room*)

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30; repeated on 2/10/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on February 14, 2012:**

Alcoholic Beverages Advisory Board: Kenneth Jones, Melissa Davis

Board of Electrical Examiners: James Holt, Donald Steinman, Charles Johnson

Board of License Commissioners: Margaret Baker

Cable and Communications Advisory Committee: Jon Eisenberg, Ashley Simmons

Citizens Review Panel for Children: Linda Moreno, Shaina Srivastava, Joanna DeWolfe

Commission on Landlord-Tenant Affairs: Laura Murray, Robyn Jones, Kenneth Lemberg, Jonathan Sachs, Beverly Flanagan

County-wide Recreation Advisory Board: Clara Pribluda, Donald Shulman

Criminal Justice Coordinating Commission: Frank Duncan

Forest Conservation Advisory Committee: John (Doug) Sievers

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on February 14, 2012 (*continued*):**

Human Rights Commission: Suresh Gupta, Betsy Jett, Stephanie Mason, Matthew Murguia, Tina Patterson, Selena Singleton, Terry Vann

Upcounty Citizens Advisory Board: Beth Daly, Ruyan Teng

**The following appointment was received from the County Executive and is tentatively scheduled for interview on February 7, 2012 and confirmation at a later date:**

Marketing Manager, Department of Economic Development: Sally L. Sternbach

### 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.**

<b>Feb 6, 2012</b>	12:30 pm	State Legislative Program
<b>Feb 7, 2012</b>	9:30 am	Regular Session
<b>Feb 13, 2012</b>	12:30 pm	State Legislative Program
<b>Feb 14, 2012</b>	9:30 am	Regular Session
<b>Feb 20, 2012</b>		HOLIDAY
<b>Feb 21 - 24, 2012</b>		RECESS
<b>Feb 27, 2012</b>	12:30 pm	State Legislative Program
<b>Feb 28, 2012</b>	9:30 am	Regular Session

### FUTURE PUBLIC HEARINGS

To testify call 240-777-7803

#### Feb 14, 2012

- 1:30 pm **Bill 2-12**, Personnel - Retirement Trust Funds - Emerging Investment Managers
- 1:30 pm **Bill 3-12**, Personnel - Special Days of Commemoration - Additions
- 1:30 pm Supplemental appropriation to the MCPS' FY12 Capital Budget and the FY11-16 Capital Improvements Program - \$1,339,200 for E-Rate Program for the Technology Modernization project and a transfer for the Relocatable Classrooms project
- 1:30 pm Supplemental appropriation to the County Government's FY12 Capital Budget and amendment to the FY11-16 CIP, DOT - \$2,458,537 for Ride On Bus Fleet

#### Feb 28, 2012

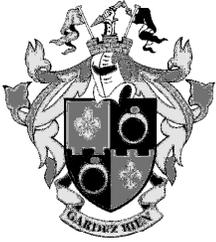
- 1:30 pm Supplemental appropriation to the County Government's FY12 Operating Budget, Sheriff's Office, Office of the State's Attorney, Departments of Police and Health and Human Services - \$998,950 for the Grants to Encourage Arrest Policies and Enforcement of Protection Orders

#### Mar 13, 2012

- 7:30 pm ZTA 12-01 Commercial Zones - Large Retail Uses
- 7:30 pm ZTA 12-02 Commercial Zones - Combination Retail Stores
- 7:30 pm **Bill 4-12**, Economic Development - Urban Renewal - Wage and Health Insurance Requirements



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Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

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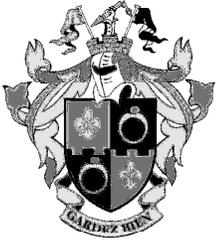
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**Thursday, February 9, 2012**

7:00 **PUBLIC HEARING - FY13 Capital Budget and FY13-18 Capital Improvements Program -**  
Montgomery County Public Schools  
*(3rd floor Council Hearing Room)*



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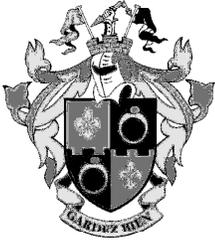
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## ADDENDUM

**Tuesday, February 14, 2012**

### POSTPONED UNTIL FURTHER NOTICE:

- (13) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the Montgomery County Public Schools' FY12 Capital Budget and the FY11-16 Capital Improvements Program - \$1,339,200 for Education Rate (E-Rate) Program for the Technology Modernization project and a transfer for the Relocatable Classrooms project (Source: Federal funds and transfer of current revenue) (McGuire)

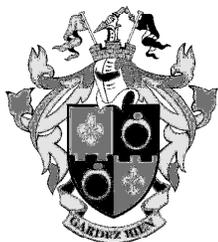
Montgomery County, Maryland

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## Monday, February 13, 2012

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

## Tuesday, February 14, 2012

9:30 **INVOCATION** - Reverend Dr. Leslie Klingensmith, St. Matthew Presbyterian Church, Silver Spring

9:35 **PRESENTATION** - Proclamation recognizing the work of Montgomery Cares, by Councilmember Leventhal

- (2) 9:40 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: January 31, 2012

- (3) 9:45 **CONSENT CALENDAR**

A. **Action** - End-of-Year Transfer for FY11 County Government Operating Budget (Sesker)

B. **Action** - Resolution to support the 2012 Blue Plains Intermunicipal Agreement (IMA) (Levchenko)

*T&E Committee recommends approval.*

C. **Action** - Supplemental appropriation to the Maryland-National Capital Park and Planning Commission's FY12 Capital Budget and amendment to the FY11-16 Capital Improvements Program - \$1,058,940 for Acquisition: Local Parks (Source: Land Sales (P&P)) (Michaelson)

*PHED Committee recommendation will be available 2/13/12.*

D. **Action** - Executive Regulation 19-11, Financial Disclosure (Drummer)  
*GO Committee recommends approval.*

(3) 9:45 **CONSENT CALENDAR** *(continued)*

- E. **Action** - Resolution to amend Resolution 17-149 for the FY12 Designation of Entities for Non-Competitive Award Status: Cultural and Diversity Enrichment Services-USA, Inc. (CADES-USA) (McMillan)
- F. **Action** - Confirmation of County Executive appointments to the Alcoholic Beverages Advisory Board: Kenneth Jones, Melissa Davis (Lauer)
- G. **Action** - Confirmation of County Executive appointments to the Board of Electrical Examiners: James Holt, Donald Steinman, Charles Johnson (Lauer)
- H. **Action** - Confirmation of County Executive appointment to the Board of License Commissioners: Margaret Baker (Lauer)
- I. **Action** - Confirmation of County Executive appointments to the Cable and Communications Advisory Committee: Jon Eisenberg, Ashley Simmons (Lauer)
- J. **Action** - Confirmation of County Executive appointments to the Citizens Review Panel for Children: Linda Moreno, Shaina Srivastava, Joanna DeWolfe (Lauer)
- K. **Action** - Confirmation of County Executive appointments to the Commission on Landlord-Tenant Affairs: Laura Murray, Robyn Jones, Kenneth Lemberg, Jonathan Sachs, Beverly Flanagan (Lauer)
- L. **Action** - Confirmation of County Executive appointments to the County-wide Recreation Advisory Board: Clara Pribluda, Donald Shulman (Lauer)
- M. **Action** - Confirmation of County Executive appointment to the Criminal Justice Coordinating Commission: Frank Duncan (Lauer)
- N. **Action** - Confirmation of County Executive appointment to the Forest Conservation Advisory Committee: John (Doug) Sievers (Lauer)
- O. **Action** - Confirmation of County Executive appointments to the Human Rights Commission: Suresh Gupta, Betsy Jett, Stephanie Mason, Matthew Murguia, Tina Patterson, Selena Singleton, Terry Vann (Lauer)
- P. **Action** - Confirmation of County Executive appointments to the Upcounty Citizens Advisory Board: Beth Daly, Ruyan Teng (Lauer)
- Q. **Action** - Confirmation of County Executive's appointee as Marketing Manager, Economic Development: Sally Sternbach (Lauer)  
*PHED Committee recommends approval.*

**DISTRICT COUNCIL SESSION**

- (4) A. **Introduction** - Zoning Text Amendment 12-03 Agricultural zones - Wineries, sponsored by Councilmembers Rice, Floreen, and Elrich (Zyontz)  
*Public Hearing is scheduled for 3/27/12 at 1:30 pm.*
- (5) B. **Introduction** - Zoning Text Amendment 12-04, Site Plan - Surety Requirements, sponsored by the District Council at the request of the Planning Board (Zyontz)  
*Public Hearing is scheduled for 3/27/12 at 1:30 pm.*
- (6) C. **Action** - Resolution to extend time until April 19, 2012, for Council action on Kensington Sector Plan (Michaelson)
- (7) D. **Action** - Resolution to extend time until May 2, 2012, for Council action on Takoma/Langley Crossroads Sector Plan (Michaelson)
- (8) **ACTION** - Spending Affordability Guidelines for FY13 Operating Budget (Sesker)  
*GO Committee recommends approval.*
- (9) **COG REPORTS** - Updates from Councilmembers serving on Council of Governments

**RECESS**

- (10) 1:30 **PUBLIC HEARING - Bill 2-12**, Personnel - Retirement Trust Funds - Emerging Investment Managers (Drummer)  
*GO Committee worksession tentatively scheduled for 2/27/12.*
- (11) 1:30 **PUBLIC HEARING - Bill 3-12**, Personnel - Special Days of Commemoration - Additions (Drummer)  
*GO Committee worksession tentatively scheduled for 3/12/12.*
- (12) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY12 Capital Budget and amendment to the FY11-16 Capital Improvements Program, Department of Transportation - \$2,458,537 for Ride On Bus Fleet (Source: Federal) (Orlin)
- (13) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the Montgomery County Public Schools' FY12 Capital Budget and the FY11-16 Capital Improvements Program - \$1,339,200 for Education Rate (E-Rate) Program for the Technology Modernization project and a transfer for the Relocatable Classrooms project (Source: Federal funds and transfer of current revenue) (McGuire)  
*ED Committee recommends approval.*

1:35 **ADJOURN**

- (14) 1:45 **PROPOSED CLOSED SESSION** for the purpose of consulting with counsel to obtain legal advice, and to consult about pending or potential litigation, pursuant to Maryland Code, State Government Article, §10-508 (a) (7) and (8). Topic is *Montgomery County, et al v. Montgomery County Board of Elections*. (6CCR) (Drummer)

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 2/17/12 at 9 pm*

**The next regular Council Session is scheduled for February 28, 2012. The agenda schedule will be mailed and posted to the web site on February 23, 2012. Please see the listing below for future Council meetings and public hearings. Please see the Committee agenda for a list of Committee meetings.**

### FUTURE COUNCIL MEETINGS

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

<b>Feb 20, 2012</b>		HOLIDAY
<b>Feb 21 - 24, 2012</b>		RECESS
<b>Feb 27, 2012</b>	12:30 pm	State Legislative Program
<b>Feb 28, 2012</b>	9:30 am	Regular Session
<b>March 5, 2012</b>	12:30 pm	State Legislative Program
<b>March 6, 2012</b>	9:30 am	Regular Session
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<b>March 26, 2012</b>	12:30 pm	State Legislative Program
<b>March 27, 2012</b>	9:30 am	Regular Session

### FUTURE PUBLIC HEARINGS

To testify call 240-777-7803

#### Feb 28, 2012

1:30 pm Supplemental appropriation to the County Government's FY12 Operating Budget, Sheriff's Office, Office of the State's Attorney, Departments of Police and Health and Human Services - \$998,950 for the Grants to Encourage Arrest Policies and Enforcement of Protection Orders

7:30 pm **Bill 5-12**, Administration - Small Business Navigator - Established

7:30 pm **Bill 6-12**, Economic Development - Small Business Assistance

#### Mar 13, 2012

7:30 pm ZTA 12-01 Commercial Zones - Large Retail Uses

7:30 pm ZTA 12-02 Commercial Zones - Combination Retail Stores

7:30 pm **Bill 4-12**, Economic Development - Urban Renewal - Wage and Health Insurance Requirements



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#### FUTURE COUNCIL MEETINGS

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#### FUTURE PUBLIC HEARINGS

To testify call 240-777-7803

##### Feb 28, 2012

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##### Mar 27, 2012

:30 pm ZTA 12-03 Agricultural zones - Wineries,

1:30 pm ZTA12-04, Site Plan - Surety Requirements



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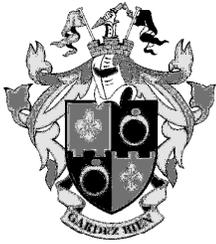
Montgomery County, Maryland

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## Monday, February 27, 2012

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

## Tuesday, February 28, 2012

9:30 **INVOCATION** - Lynn Mandujano, First Church of Christ, Scientist, Rockville

9:35 **PRESENTATION** - Proclamation recognizing the legacy of Historic African American Communities in Montgomery County by Councilmember Ervin

- (2) 9:40 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: February 7 and 9, 2012

- (3) 9:45 **CONSENT CALENDAR**

A. **Action** - Supplemental appropriation to the Maryland-National Capital Park and Planning Commission's FY12 Capital Budget and amendment to the FY11-16 Capital Improvements Program - \$325,000 for ADA Compliance: Non-Local Parks (Source:

G.O. Bonds)

(Michaelson)

*PHED Committee recommends approval with amendments.*

9:50 **DISTRICT COUNCIL SESSION**

- (4) A. **Introduction** - Zoning Text Amendment 12-05, Commercial/Residential Zones – Grandfathering, sponsored by the Planning, Housing, and Economic Development Committee

(Zyontz)

*Public Hearing is scheduled for 4/10/12 at 1:30 pm.*

- (5) 9:55 **BRIEFING** - MCPS' School Modernization Program (Levchenko)

- (6) 10:30 **DISCUSSION** - State Pension Shift proposal (Farber)

11:15 **RECESS**

- (7) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY12 Operating Budget, Sheriff's Office, Office of the State's Attorney, Departments of Police and Health and Human Services - \$998,950 for the Grants to Encourage Arrest Policies and Enforcement of Protection Orders (Source: Federal grant) (Farag)
- (8) 1:40 **WORKSESSION** - Kensington Sector Plan (Michaelson)
- 5:00 **ADJOURN**
- (9) 7:30 **PUBLIC HEARING - Bill 5-12**, Administration - Small Business Navigator - Established (Drummer)  
*PHED Committee worksession tentatively scheduled for 3/19/12.*
- (10) 7:30 **PUBLIC HEARING - Bill 6-12**, Economic Development - Small Business Assistance(Drummer)  
*PHED Committee worksession tentatively scheduled for 3/19/12.*

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 3/2/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on March 6, 2012:**

Committee Evaluation and Review Board: Carole Brown, Andrew DaSilva, Qi Duan, Janice Freeman, Bruce Goldensohn, Barry Gorman, Tomiesenia Wiles, Richard Jones II, Benjamin Peck, Odessa Shannon, Kim Jones  
Community Action Board: Shiela Ortiz, Deanna Greene  
Department of Permitting Services Advisory Committee: Susan Zusy

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March 6, 2012	9:30 am	Regular Session
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March 19, 2012	12:30 pm	State Legislative Program
March 20, 2012	9:30 am	Regular Session
March 26, 2012	12:30 pm	State Legislative Program
March 27, 2012	9:30 am	Regular Session
Apr 2 - 5, 2012		RECESS

### FUTURE PUBLIC HEARINGS

To testify call 240-777-7803

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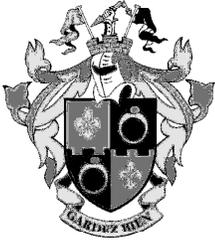
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## ADDENDUM

**Tuesday, March 6, 2012**

(3) 9:45 **CONSENT CALENDAR** (*continued*)

D. **Introduction** - Transfer of unexpended project balance within the MCPS' FY12 Capital Budget - \$8,000,000 from Seven Locks Elementary School Addition/Modernization and Rehab/Renovation of Closed Schools to MCPS' Local Unliquidated Surplus Account (Levchenko)

**Add PH date:** *Public Hearing is scheduled for 3/27/12 at 1:30pm.*

E. **Introduction** - Amendments to the MCPS' FY11-16 Capital Improvements Program and transfer of unexpended project balance within the MCPS' FY12 Capital Budget - \$8,000,000 from MCPS' Local Unliquidated Surplus Account to Bradley Hills Elementary School Addition and Darnestown Elementary School Addition (Levchenko)

**Add PH date:** *Public Hearing is scheduled for 3/27/12 at 1:30pm.*

10:55 **DISTRICT COUNCIL SESSION**

**Add: (4.1)** A. **Introduction** - Zoning Text Amendment 12-06, Commercial/Residential Zones - Transit Proximity Definition, sponsored by Councilmembers Leventhal and Elrich (Zyontz)  
*Public Hearing is scheduled for 4/10/12 at 1:30 pm.*

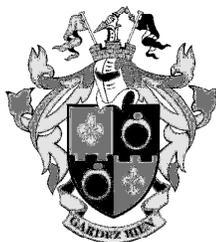
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## Monday, March 5, 2012

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

## Tuesday, March 6, 2012

9:30 **INVOCATION** - Deacon Kevin Byrne, Chaplain, Holy Cross Hospital, Silver Spring

9:35 **PRESENTATION** - Proclamation recognizing Rachel Carson Elementary School named Maryland Blue Ribbon School, by Councilmember Ervin and Councilmember Andrews

- (2) 9:40 **GENERAL BUSINESS** (Lauer)

**A. Announcements:** (Lauer)

- Agenda and Calendar Changes
- A public hearing on the **Wheaton Sectional Map Amendment (G-911)** is scheduled for April 10, 2012 at 1:30 pm.

**B. Acknowledgement** - Receipt of Petitions

**C. Action** - Approval of Minutes: January 30, February 6, 13, and 14, 2012  
- Approval of Closed Session Minutes: February 7 and 14, 2012

- (3) 9:45 **CONSENT CALENDAR**

**A. Action** - Confirmation of County Executive appointments to the Committee Evaluation and Review Board: Carole Brown, Andrew DaSilva, Qi Duan, Janice Freeman, Bruce Goldensohn, Barry Gorman, Tomiesenia Wiles, Richard Jones II, Benjamin Peck, Odessa Shannon, Kim Jones (Lauer)

**B. Action** - Confirmation of County Executive appointment to the Community Action Board: Shiela Ortiz, Deanna Greene (Lauer)

**C. Action** - Confirmation of County Executive appointment to the Department of Permitting Services Advisory Committee: Susan Zusy (Lauer)

(3) 9:45 **CONSENT CALENDAR** (*continued*)

D. **Introduction** - Transfer of unexpended project balance within the MCPS' FY12 Capital Budget - \$8,000,000 from Seven Locks Elementary School Addition/Modernization and Rehab/Renovation of Closed Schools to MCPS' Local Unliquidated Surplus Account (Levchenko)  
*ED Committee worksession tentatively scheduled for 3/19/12.*

E. **Introduction** - Amendments to the MCPS' FY11-16 Capital Improvements Program and transfer of unexpended project balance within the MCPS' FY12 Capital Budget - \$8,000,000 from MCPS' Local Unliquidated Surplus Account to Bradley Hills Elementary School Addition and Darnestown Elementary School Addition (Levchenko)  
*ED Committee worksession tentatively scheduled for 3/19/12.*

(4) 9:50 **WORKSESSION** - Kensington Sector Plan (Michaelson)

(5) 11:00 **BRIEFING** - Update on the financing plan for the full Smart Growth Initiative (McMillan)

12:15 **RECESS**

1:30 **WORKSESSION - FY13-18 Capital Improvements Program:**

(6) • Washington Suburban Sanitary Commission (WSSC) T&E (Levchenko)

(7) • Conservation of Natural Resources - storm drains, stormwater mgmt (Levchenko)

(8) • Revenue Authority PHED (Zyontz)

(9) • Fire and Rescue PS (McGuire)

(10) • Police (Frag)

(11) • Correction and Rehabilitation (Frag)

(12) • Judicial Center Annex (Frag)

(13) • General Government projects GO (Sesker)

3:00 **LEGISLATIVE SESSION Day #7**

**Introduction of Bills:**

(14) A. **Expedited Bill 7-12**, Employees' Retirement System - Automatic Distributions, sponsored by the Council President at the request of the County Executive (Drummer)  
*Public Hearing is scheduled for 3/27/12 at 1:30 pm.*

(15) B. **Expedited Bill 8-12**, Retirement Savings Plan - Amendments, sponsored by the Council President at the request of the County Executive (Drummer)  
*Public Hearing is scheduled for 3/27/12 at 1:30 pm.*

3:00 **LEGISLATIVE SESSION Day #7 (continued)**

**Introduction of Bills (continued):**

- (16) C. **Bill 9-12**, Commission on Juvenile Justice - Membership, sponsored by the Council President at the request of the County Executive (Mihill)  
*Public Hearing is scheduled for 3/27/12 at 1:30 pm.*
- (17) D. **Bill 10-12**, Community Action Board - Membership, sponsored by the Council President at the request of the County Executive (Mihill)  
*Public Hearing is scheduled for 3/27/12 at 1:30 pm.*

**Call of Bills for Final Reading:**

- (18) A. **Bill 2-12**, Personnel - Retirement Trust Funds - Emerging Investment Managers (Drummer)  
*GO Committee recommends enactment.*
- (19) B. **Bill 37-11**, School Bus Safety Cameras (Drummer)  
*PS Committee recommends enactment.*
- (20) C. **Bill 40-11**, Group Homes - Developmentally Disabled Adults - Licensing (Faden)  
*HHS Committee recommends enactment.*

3:30 **ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 3/9/12 at 9 pm*

**NOTICE OF UPCOMING COUNCIL MEETINGS**

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**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)  
**Packets:** <http://www.montgomerycountymd.gov/cs/tmlpl.asp?url=/content/council/packet/index.asp>  
**Bills:** <http://www.montgomerycountymd.gov/cs/tmlpl.asp?url=/content/council/leg/bill/index.asp>  
**Resolutions:** <http://www.montgomerycountymd.gov/cs/tmlpl.asp?url=/content/council/leg/res/index.asp>  
**Zoning:** <http://www.montgomerycountymd.gov/cs/tmlpl.asp?url=/content/council/leg/zta/index.asp>

**View Current Live Session:** [http://montgomerycountymd.granicus.com/MediaPlayer.php?publish\\_id=4](http://montgomerycountymd.granicus.com/MediaPlayer.php?publish_id=4)

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**Other:** <http://www.montgomerycountymd.gov/cs/tmlpl.asp?url=/content/council/index.asp>

**Future Council Meetings:**

<b>March 12, 2012</b>	12:30 pm	State Legislative Program
<b>March 13, 2012</b>	9:30 am	Regular Session
<b>March 14, 2012</b>	9:30 am	Briefing on The New Economy
<b>March 15, 2012</b>	6:30 pm	Meeting with Montgomery County Chapter of the Maryland Municipal League
<b>March 19, 2012</b>	12:30 pm	State Legislative Program
<b>March 20, 2012</b>	9:30 am	Regular Session
<b>March 26, 2012</b>	12:30 pm	State Legislative Program
<b>March 27, 2012</b>	9:30 am	Regular Session
<b>Apr 2 - 5, 2012</b>		RECESS

**Public Hearing List: To testify call 240-777-7803**

**Mar 13, 2012**

- 7:30 pm ZTA 12-01 Commercial Zones - Large Retail Uses
- 7:30 pm ZTA 12-02 Commercial Zones - Combination Retail Stores
- 7:30 pm **Bill 4-12**, Economic Development - Urban Renewal - Wage and Health Insurance Requirements

**Mar 27, 2012**

- 1:30 pm ZTA 12-03 Agricultural zones - Wineries,
- 1:30 pm ZTA12-04, Site Plan - Surety Requirements
- 1:30 pm Transfer of unexpended project balance within the MCPS' FY12 Capital Budget - \$8,000,000 from Seven Locks Elementary School Addition/Modernization and Rehab/Renovation of Closed Schools to MCPS' Local Unliquidated Surplus Account
- 1:30 pm Amendments to the MCPS' FY11-16 CIP and transfer of unexpended project balance within the MCPS' FY12 Capital Budget - \$8,000,000 from MCPS' Local Unliquidated Surplus Account to Bradley Hills Elementary School Addition and Darnestown Elementary School Addition

**Apr 10, 2012**

- 1:30 pm ZTA 12-05, Commercial/Residential Zones – Grandfathering
- 1:30 pm Wheaton Sectional Map Amendment (G-911)



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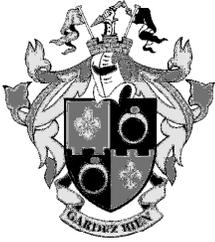
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

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## ADDENDUM

**Tuesday, March 13, 2012**

**Deferred: (10) 1:30 BRIEFING - IG Report - Evaluation of Budget and Financial Information provided by MCPS (McGuire)**



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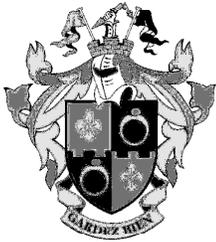
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## Monday, March 12, 2012

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

## Tuesday, March 13, 2012

9:30 **INVOCATION** - Mrs. Jennie Y. Kellogg, Baha'i Faith Community of Montgomery County Northwest, Gaithersburg

9:35 **PRESENTATION** - Proclamation recognizing the Montgomery County Posse Scholars, by Councilmember Riemer

- (2) 9:40 **GENERAL BUSINESS** (Lauer)

A. **Announcements:** Agenda and Calendar Changes

The public hearings on the FY13 Operating Budget are scheduled for April 10, 11 and 12, 2012 at 7:00 pm, and April 11 and 12, 2012 at 1:30 pm.

*Persons wishing to testify should call 240-777-7803 beginning March 15, 2012.*

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: February 27 and 28, 2012

- (3) 9:45 **CONSENT CALENDAR**

A. **Receipt and Release** - Office of Legislative Oversight Report 2012-4, Alternative Education in Montgomery County (Bonner-Tompkins/Richards)

*ED Committee worksession tentatively scheduled for 3/26/12.*

B. **Introduction** - Supplemental appropriation to the County Government's FY12 Operating Budget, Montgomery County Fire and Rescue Service - \$1,313,296 for FY11 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant (Source: State Grant) (McGuire)

*Public Hearing is scheduled for 3/27/12 at 1:30 pm.*

9:50 **LEGISLATIVE SESSION Day # 8**

**Introduction of Bills:**

- (4) A. **Expedited Bill 11-12**, County Property - Disposition, sponsored by Councilmembers Leventhal, Elrich, Berliner, Andrews, Riemer and Navarro (Faden)  
*Public Hearing is scheduled for 3/20/12 at 1:30 pm*

10:00 **WORKSESSION - FY13-18 Capital Improvements Program:**

- |     |                                       |      |              |
|-----|---------------------------------------|------|--------------|
| (5) | • Housing Opportunities Commission    | PHED | (McMillan)   |
| (6) | • DHCA-Community development projects |      | (Michaelson) |
| (7) | • Recreation                          |      | (Yao)        |
| (8) | • General Government: Fuel management | T&E  | (Farang)     |
| (9) | • Transportation                      |      | (Orlin)      |

12:30 **RECESS**

- (10) 1:30 **BRIEFING** - IG Report - Evaluation of Budget and Financial Information provided by MCPS (McGuire)
- (11) 2:00 **SHAPING OUR FUTURE: ADAPTING TO CHANGE** (Yao)

Briefing on our Growing Population of Seniors:

- Sandy Markwood, CEO, National Association of Area Agencies on Aging
- Elinor Ginzler, Director, Cahnmann Center for Supportive Services, Jewish Council for the Aging
- Michael Marcus, Program Director, Older Adults, Harry & Jeannette Weinberg Foundation
- Hank Greenberg, AARP State Director for Maryland

3:30 **WORKSESSION - FY13-18 Capital Improvements Program:**

- Transportation (*continued, if necessary*) (Orlin)

5:00 **ADJOURN**

**THE FOLLOWING PUBLIC HEARINGS HAVE BEEN POSTPONED:**

- (12) 7:30 **PUBLIC HEARING** - ZTA 12-01 Commercial Zones - Large Retail Uses (Zyontz)  
*This public hearing has been postponed to 3/20/12 at 1:30 pm.  
Staff packet is available online or by calling 240-777-7929.*

March 13, 2012

Page 3

- (13) 7:30 **PUBLIC HEARING - ZTA 12-02 Commercial Zones - Combination Retail Stores** (Zyontz)  
*This public hearing has been postponed to 3/20/12 at 1:30 pm.  
Staff packet is available online or by calling 240-777-7929.*
- 7:30 **PUBLIC HEARING - Bill 4-12, Economic Development - Urban Renewal - Wage and Health Insurance Requirements** (Drummer)  
*This public hearing has been postponed to 3/20/12 at 1:30 pm.*

### **Wednesday, March 14, 2012**

- 9:30 **SHAPING OUR FUTURE: ADAPTING TO CHANGE** - Briefing on The New Economy

### **Thursday, March 15, 2012**

- 6:30 **Meeting** with Montgomery County Chapter of the Maryland Municipal League  
(5th floor Council Conference Room)

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 3/16/12 at 9 pm*

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**Future Council Meetings:**

<b>March 19, 2012</b>	12:30 pm	State Legislative Program
<b>March 20, 2012</b>	9:30 am	Regular Session
<b>March 26, 2012</b>	12:30 pm	State Legislative Program
<b>March 27, 2012</b>	9:30 am	Regular Session
<b>Apr 2 - 5, 2012</b>		RECESS
<b>Apr 10, 2012</b>	9:30 am	Regular Session
<b>Apr 10, 2012</b>	12:30 pm	Lunch with Board of Education
<b>Apr 17, 2012</b>	9:30 am	Regular Session
<b>Apr 24, 2012</b>	9:30 am	Regular Session

**Public Hearing List: To testify call 240-777-7803**

**Mar 20, 2012**

- 1:30 pm ZTA 12-01 Commercial Zones - Large Retail Uses
- 1:30 pm ZTA 12-02 Commercial Zones - Combination Retail Stores
- 1:30 pm **Bill 4-12**, Economic Development - Urban Renewal - Wage and Health Insurance Requirements

**Mar 27, 2012**

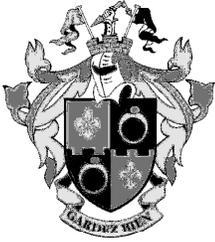
- 1:30 pm ZTA 12-03, Agricultural zones - Wineries,
- 1:30 pm ZTA 12-04, Site Plan - Surety Requirements
- 1:30 pm Transfer of unexpended project balance within the MCPS' FY12 Capital Budget - \$8,000,000 from Seven Locks Elementary School Addition/Modernization and Rehab/Renovation of Closed Schools to MCPS' Local Unliquidated Surplus Account
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- 1:30 pm **Expedited Bill 7-12**, Employees' Retirement System - Automatic Distributions
- 1:30 pm **Expedited Bill 8-12**, Retirement Savings Plan - Amendments
- 1:30 pm **Bill 9-12**, Commission on Juvenile Justice - Membership
- 1:30 pm **Bill 10-12**, Community Action Board - Membership
- 1:30 pm Supplemental appropriation to the County Government's FY12 Operating Budget, MCFRS - \$1,313,296 for FY11 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant

**Apr 10, 2012**

- 1:30 pm ZTA 12-05, Commercial/Residential Zones - Grandfathering
- 1:30 pm ZTA 12-06, Commercial/Residential Zones - Transit Proximity Definition
- 1:30 pm Wheaton Sectional Map Amendment (G-911)



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## ADDENDUM

**Tuesday, March 20, 2012**

9:50 **LEGISLATIVE SESSION Day # 9**

### Introduction of Bills:

#### Added

**Sponsors:** (6) C. **Bill 14-12**, Economic Development Fund - Amendments, sponsored by Councilmembers Berliner, Riemer, Ervin, and Elrich (Drummer)

(18) 1:30 **PUBLIC HEARING - Expedited Bill 11-12**, County Property - Disposition (Faden)

**Continuation:** *This hearing will be continued on 3/27/12 at 1:30 pm to allow for additional speakers.*

2:30 **WORKSESSION - FY13-18 Capital Improvements Program:**

**Deferred:** (23) • General Government - Technology Modernization GO (Toregas)  
**Deferred:** (29) • Wheaton Redevelopment project PHED (Sesker)

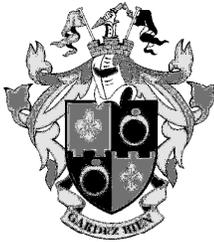
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## Monday, March 19, 2012

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

## Tuesday, March 20, 2012

9:30 **INVOCATION** - Mr. Greg Twombly, The Lutheran Church of St. Andrew, Silver Spring

9:35 **PRESENTATION** - Proclamation recognizing 100 years of the Federation of American Societies for Experimental Biology, by Councilmember Leventhal

- (2) 9:40 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: March 5 and 6, 2012

- (3) 9:45 **CONSENT CALENDAR**

A. **Introduction** - Resolution to extend Covanta Montgomery's service agreement for the Resource Recovery Facility (RRF) and Transfer Station (Levchenko)  
*T&E Committee worksession tentatively scheduled for 3/22/12.*

B. **Introduction** - Resolution to approve FY13 Transportation Fees, Charges, and Fares (Orlin)  
*Public Hearing is scheduled for 4/24/12 at 1:30 pm.*

C. **Introduction** - Resolution regarding implementation of recommendations of the Task Force on Employee Wellness and Consolidation of Agency Group Insurance Programs (McMillan)  
*Action is tentatively scheduled for 3/27/12.*

D. **Introduction** - Special appropriation to the Montgomery County Public Schools' FY12 Capital Budget and amendment to the FY11-16 Capital Improvements Program - \$4,000,000 for Relocatable Classrooms (Source: Current Revenue) (Levchenko)  
*Public Hearing is scheduled for 4/10/12 at 1:30 pm.*

9:50 **LEGISLATIVE SESSION Day # 9**

**Introduction of Bills:**

- (4) A. **Expedited Bill 12-12**, Bond Authorization - Stormwater Management, sponsored by the Council President at the request of the County Executive (Sesker)  
*Public Hearing is scheduled for 4/10/12 at 1:30 pm.*
- (6) C. **Bill 14-12**, Economic Development Fund - Amendments, sponsored by Councilmembers Berliner and Riemer (Drummer)  
*Public Hearing is scheduled for 4/10/12 at 1:30 pm.*

**Call of Bills for Final Reading:**

- (7) A. **Bill 1-12**, Personnel - Special Days of Commemoration - Amendments (Drummer)  
*GO Committee recommends enactment.*
- (8) B. **Bill 3-12**, Personnel - Special Days of Commemoration - Additions (Drummer)  
*GO Committee recommends enactment.*

**Miscellaneous Business:**

- (9) A. **Action** - Resolution to extend expiration date until December 31, 2012 for **Expedited Bill 51-10**, Administration - Council Budget Office (Mihill)
- (10) B. **Action** - Resolution to extend expiration date until December 31, 2012 for **Bill 58-10**, Contracts and Procurement - Sale of Surplus School - Amendments (Drummer)

10:05 **DISTRICT COUNCIL SESSION**

- (11) A. **Action** - Kensington Sector Plan (Michaelson)

10:20 **WORKSESSION - FY13-18 Capital Improvements Program:**

- (12) • Montgomery College ED (Ferber)

- (13) 10:50 **COG REPORTS** - Updates from Councilmembers serving on Council of Governments

11:00 **SHAPING OUR FUTURE: ADAPTING TO CHANGE**

- (14) Briefing on Training the Workforce of the Future (Sesker)
- Harry Holzer, Georgetown University, Professor
  - Karen Elzey, Aspen Institute, Director of Skills for America's Future

12:30 **RECESS**

- (15) 1:30 **PUBLIC HEARING - ZTA 12-01 Commercial Zones - Large Retail Uses** (Zyontz)  
*PHED Committee worksession tentatively scheduled for 3/26/12.*
- (16) 1:30 **PUBLIC HEARING - ZTA 12-02 Commercial Zones - Combination Retail Stores** (Zyontz)  
*PHED Committee worksession tentatively scheduled for 3/26/12.*
- (17) 1:30 **PUBLIC HEARING - Bill 4-12, Economic Development - Urban Renewal - Wage and Health Insurance Requirements** (Drummer)  
*PHED Committee worksession tentatively scheduled for 3/26/12.*
- (18) 1:30 **PUBLIC HEARING - Expedited Bill 11-12, County Property - Disposition** (Faden)  
*GO Committee worksession tentatively scheduled for 3/26/12.*

2:30 **WORKSESSION - FY13-18 Capital Improvements Program:**

- (19) • Wheaton Community Recreation Center and Library PHED/HHS (Yao)
- (20) • Libraries HHS (Yao)
- (21) • Health and Human Services (Yao)
- (22) • Public Arts Trust (Ferber)
- (23) • General Government - Technology Modernization GO (Toregas)
- (24) • FiberNet (Toregas)
- (25) • Public Safety System Modernization PS/GO (Toregas/McMillan)
- (26) • Integrated Justice Information System (IJIS) (Toregas)
- (27) • General Government: Economic Development projects PHED (Sesker)  
(includes Universities at Shady Grove)
- (28) • Conservation of Natural Resources - agricultural land preservation (Sesker)
- (29) • Wheaton Redevelopment project PHED (Sesker)
- (30) • Parks (Michaelson)

5:00 **ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 3/23/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on March 27, 2012:**

Commission on Aging: Will Hellams, Lance Kilpatrick, Reuben Rosenfeld, Frederic Burke, Morton Davis, Jerry Morenoff, John "Jack" Sprague, Selma Sweetbaum, Revathi Vikram, Judith Welles

Commission on Children and Youth: Nancy Kaplan, David Anderson, Stuart Grossman

Commission on Landlord-Tenant Affairs: Mora Rogers

Commission for Women: Elizabeth Callihan

Committee for Ethnic Affairs: Merceda Gooding, Ava Gupta, Patricia Lesnick, Jeffery Lynch, Kumud Mathur, Mirin Phool

County-wide Recreation Advisory Board: Paul Lofgren

East County Citizens Advisory Board: Fatmata Barrie, Brian Champion, Raul (Roy) Chavera, Alison Klumpp, Allan Mulligan, Peter Myo Khin, Jerold Samet, Christine Stephan

Historic Preservation Commission: Sandra Heiler, William Kirwan, Max van Balgooy

Mid-County Citizens Advisory Board: Nedgie Metellus

Mid-County Recreation Advisory Board: Paul Lofgren

Pedestrian, Bicycle, and Traffic Safety Advisory Committee: Valerie Ervin, John Hall, Peter Moe, Angel Garcia-Ablanque, David Sharp, Thomas Didone, Erwin Mack, Alan Migdall, Jack Strausman

Water Quality Advisory Group: Annette Rosenblum, Scott Roser, Cameron Tana

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**Public Participation:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/about/pub.asp>

**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>

**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)

**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agm.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agm.pdf)

**Packets:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/packet/index.asp>

**Bills:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/bill/index.asp>

**Resolutions:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/res/index.asp>

**Zoning:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/zta/index.asp>

**View Current Live Session:** [http://montgomerycountymd.granicus.com/MediaPlayer.php?publish\\_id=4](http://montgomerycountymd.granicus.com/MediaPlayer.php?publish_id=4)

**View Archives:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/ondemand/index.asp>

**Other:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/index.asp>

**Future Council Meetings:**

<b>March 19, 2012</b>	12:30 pm	State Legislative Program
<b>March 20, 2012</b>	9:30 am	Regular Session
<b>March 26, 2012</b>	12:30 pm	State Legislative Program
<b>March 27, 2012</b>	9:30 am	Regular Session
<b>Apr 2 - 6, 2012</b>		RECESS
<b>Apr 10, 2012</b>	9:30 am	Regular Session
<b>Apr 10, 2012</b>	12:30 pm	Lunch meeting with Board of Education
<b>Apr 17, 2012</b>	9:30 am	Regular Session
<b>Apr 24, 2012</b>	9:30 am	Regular Session
<b>May 1, 2012</b>	9:30 am	Regular Session
<b>May 7, 2012</b>	10:15 am	Council Budget Worksession
<b>May 8, 2012</b>	9:30 am	Regular Session & Council Budget Worksession
<b>May 9, 2012</b>	9:30 am	Council Budget Worksession
<b>May 10, 2012</b>	9:30 am	Council Budget Worksession
<b>May 10, 2012</b>	3:00 pm	Meeting w/ Prince George's County Council
<b>May 11, 2012</b>	9:30 am	Council Budget Worksession

**Public Hearing List: To testify call 240-777-7803**

**Mar 27, 2012**

- 1:30 pm ZTA 12-03, Agricultural zones - Wineries,
- 1:30 pm ZTA 12-04, Site Plan - Surety Requirements
- 1:30 pm Transfer of unexpended project balance within the MCPS' FY12 Capital Budget - \$8,000,000 from Seven Locks Elementary School Addition/Modernization and Rehab/Renovation of Closed Schools to MCPS' Local Unliquidated Surplus Account
- 1:30 pm Amendments to the MCPS' FY11-16 CIP and transfer of unexpended project balance within the MCPS' FY12 Capital Budget - \$8,000,000 from MCPS' Local Unliquidated Surplus Account to Bradley Hills Elementary School Addition and Darnestown Elementary School Addition
- 1:30 pm **Expedited Bill 7-12**, Employees' Retirement System - Automatic Distributions
- 1:30 pm **Expedited Bill 8-12**, Retirement Savings Plan - Amendments
- 1:30 pm **Bill 9-12**, Commission on Juvenile Justice - Membership
- 1:30 pm **Bill 10-12**, Community Action Board - Membership
- 1:30 pm Supplemental appropriation to the County Government's FY12 Operating Budget, MCFRS - \$1,313,296 for FY11 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant

**Apr 10, 2012**

- 1:30 pm ZTA 12-05, Commercial/Residential Zones - Grandfathering
- 1:30 pm ZTA 12-06, Commercial/Residential Zones - Transit Proximity Definition
- 1:30 pm Wheaton Sectional Map Amendment (G-911)
- 1:30 pm Special appropriation to the MCPS' FY12 Capital Budget and amendment to the FY11-16 CIP - \$4,000,000 for Relocatable Classrooms
- 7:00 pm FY13 Operating Budget

**Apr 11, 2012**

- 1:30 pm FY13 Operating Budget
- 7:00 pm FY13 Operating Budget

**Apr 12, 2012**

- 1:30 pm FY13 Operating Budget
- 7:00 pm FY13 Operating Budget



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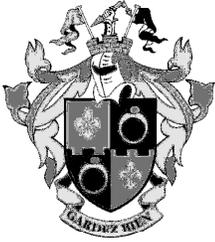
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

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## ADDENDUM

**Tuesday, March 27, 2012**

(3) 9:50 **CONSENT CALENDAR**

### Deferred

G. **Action** - Confirmation of County Executive appointments to the Commission on Aging: Will Hellams, Lance Kilpatrick, Reuben Rosenfeld, Frederic Burke, Morton Davis, Jerry Morenoff, John "Jack" Sprague, Selma Sweetbaum, Revathi Vikram, Judith Welles

(Lauer)

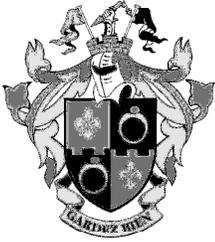
Montgomery County, Maryland

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## Monday, March 26, 2012

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

## Tuesday, March 27, 2012

9:30 **INVOCATION** - Reverend Evan Keely, Cedar Lane Unitarian Universalist Church, Bethesda

9:35 **PRESENTATION** - Proclamation recognizing MS Awareness Week, by Council President Berliner

9:40 **PRESENTATION** - Proclamation recognizing Women's History Month, by Councilmember Ervin

- (2) 9:45 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: March 12, 13, 14, and 15, 2012

- (3) 9:50 **CONSENT CALENDAR**

A. **Introduction** - Resolution to set amount of Property Tax Credit for Income Tax Offset (Sesker)

*Public Hearing is scheduled for 4/24/12 at 1:30 pm.*

B. **Introduction** - Resolution to establish FY13 Solid Waste Service Charges (Levchenko)

*Public Hearing is scheduled for 4/24/12 at 1:30 pm.*

C. **Introduction** - Resolution to establish FY13 Water Quality Protection Charge (Levchenko)

*Public Hearing is scheduled for 4/24/12 at 1:30 pm.*

D. **Introduction** - Joint resolution to support application for the re-designation of Bethesda Central Business District as an Arts and Entertainment District (Sesker)

*Action is tentatively scheduled for 4/10/12.*

(3) 9:50 **CONSENT CALENDAR** (*continued*)

- E. **Action** - Resolution to approve Covanta Montgomery's service agreement for the Resource Recovery Facility (RRF) and Transfer Station (Levchenko)  
*T&E Committee recommendation will be available 3/22/12.*
- F. **Action** - Resolution regarding implementation of recommendations of the Task Force on Employee Wellness and Consolidation of Agency Group Insurance Programs (McMillan)
- G. **Action** - Confirmation of County Executive appointments to the Commission on Aging: Will Hellams, Lance Kilpatrick, Reuben Rosenfeld, Frederic Burke, Morton Davis, Jerry Morenoff, John "Jack" Sprague, Selma Sweetbaum, Revathi Vikram, Judith Welles (Lauer)
- H. **Action** - Confirmation of County Executive appointments to the Commission on Children and Youth: Nancy Kaplan, David Anderson, Stuart Grossman (Lauer)
- I. **Action** - Confirmation of County Executive appointment to the Commission for Women: Elizabeth Callihan (Lauer)
- J. **Action** - Confirmation of County Executive appointments to the Committee for Ethnic Affairs: Merceda Gooding, Ava Gupta, Patricia Lesnick, Jeffery Lynch, Kumud Mathur, Mirin Phool (Lauer)
- K. **Action** - Confirmation of County Executive appointment to the County-wide Recreation Advisory Board: Paul Lofgren (Lauer)
- L. **Action** - Confirmation of County Executive appointments to the East County Citizens Advisory Board: Fatmata Barrie, Brian Champion, Raul (Roy) Chavera, Alison Klumpp, Allan Mulligan, Peter Myo Khin, Jerold Samet, Christine Stephan (Lauer)
- M. **Action** - Confirmation of County Executive appointments to the Historic Preservation Commission: Sandra Heiler, William Kirwan, Max van Balgooy (Lauer)
- N. **Action** - Confirmation of County Executive appointment to the Mid-County Citizens Advisory Board: Nedgie Metellus (Lauer)
- O. **Action** - Confirmation of County Executive appointment to the Mid-County Recreation Advisory Board: Paul Lofgren (Lauer)
- P. **Action** - Confirmation of County Executive appointments to the Pedestrian, Bicycle, and Traffic Safety Advisory Committee: Valerie Ervin, John Hall, Peter Moe, Angel Garcia-Ablanque, David Sharp, Thomas Didone, Erwin Mack, Alan Migdall, Jack Strausman (Lauer)

(3) 9:50 **CONSENT CALENDAR** (*continued*)

Q. **Action** - Confirmation of County Executive appointments to the Water Quality Advisory Group: Annette Rosenblum, Scott Roser, Cameron Tana (Lauer)

R. **Action** - Confirmation of County Executive appointment to the Commission on Landlord-Tenant Affairs: Mora Rogers (Lauer)

9:55 **WORKSESSION - FY13-18 Capital Improvements Program:**

(5) • Montgomery County Public Schools ED (McGuire/Levchenko)

(6) • Smart Growth projects: MCPS Food Distribution Facility; Food Services Equipment Replacement; MCPS Bus Depot and Maintenance Relocation; MCPS & M-NCPPC Maintenance Facilities Relocation (McMillan)

(7) 10:25 **WORKSESSION** - Takoma/Langley Crossroads Sector Plan (Michaelson)

11:00 **SHAPING OUR FUTURE: ADAPTING TO CHANGE**

(8) Briefing on Preserving and Creating Affordable Housing: (McMillan)

- Roger Lewis, Architect, Professor Emeritus, University of Maryland School of Architecture, and Columnist, "Shaping the City," The Washington Post
- Michael Bodaken, Executive Director, National Housing Trust
- Ralph Bennett, Architect and Professor Emeritus, University of Maryland School of Architecture

12:30 **RECESS**

(9) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 12-03, Agricultural zones - Wineries (Zyontz)

*PHED Committee worksession will be scheduled at a later date.*

(10) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 12-04, Site Plan - Surety Requirements (Zyontz)

*PHED Committee worksession will be scheduled at a later date.*

(11) 1:30 **PUBLIC HEARING - Expedited Bill 7-12**, Employees' Retirement System - Automatic Distributions (Drummer)

*GO Committee worksession tentatively scheduled for 4/16/12.*

(12) 1:30 **PUBLIC HEARING - Expedited Bill 8-12**, Retirement Savings Plan - Amendments (Drummer)

*GO Committee worksession tentatively scheduled for 4/16/12.*

(13) 1:30 **PUBLIC HEARING - Bill 9-12**, Commission on Juvenile Justice - Membership (Mihill)

*PS Committee worksession tentatively scheduled for 4/17/12.*

- (14) 1:30 **PUBLIC HEARING - Bill 10-12**, Community Action Board - Membership (Mihill)  
*Action is tentatively scheduled for 4/17/12.*
- (15) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY12 Operating Budget, Montgomery County Fire and Rescue Service - \$1,313,296 for FY11 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant (Source: State Grant) (McGuire)  
*PS Committee worksession tentatively scheduled for 3/29/12.*
- (16) 1:30 **PUBLIC HEARING/ACTION** - Transfer of unexpended project balance within the MCPS' FY12 Capital Budget - \$8,000,000 from Seven Locks Elementary School Addition/Modernization and Rehab/Renovation of Closed Schools to MCPS' Local Unliquidated Surplus Account (Levchenko)  
*ED Committee recommends approval.*
- (17) 1:30 **PUBLIC HEARING/ACTION** - Amendments to the MCPS' FY11-16 Capital Improvements Program and transfer of unexpended project balance within the MCPS' FY12 Capital Budget - \$8,000,000 from MCPS' Local Unliquidated Surplus Account to Bradley Hills Elementary School Addition and Darnestown Elementary School Addition (Levchenko)  
*ED Committee recommends approval.*
- (18) 1:30 **PUBLIC HEARING - Expedited Bill 11-12**, County Property - Disposition (*continued*) (Faden)  
*GO Committee worksession tentatively scheduled for 3/29/12.*
- (19) 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 Legislative Branch staffing. (*6th floor Council Conference Room*) (Farber)
- 3:00 **ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 3/30/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on April 10, 2012:**

Committee Evaluation and Review Board: Enas Elhanafi  
Historic Preservation Commission: Jorge Rodriguez

**The next regular Council Session is scheduled for April 10, 2012. The agenda schedule will be mailed and posted to the web site on April 5, 2012. Please see the listing below for future Council meetings and public hearings. Council Committees will meet on March 26, 2012; see the Committee agenda for a list of meetings.**

### NOTICE OF UPCOMING COUNCIL MEETINGS

Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, and on the Council's website at <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FutureMtgs.pdf>

#### Visit the Council website for other valuable resources:

**Councilmembers:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/index.asp>  
**Public Participation:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/about/pub.asp>  
**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>  
**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)  
**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)  
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**Bills:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/bill/index.asp>  
**Resolutions:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/res/index.asp>  
**Zoning:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/zta/index.asp>

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#### Future Council Meetings:

<b>Apr 2 - 6, 2012</b>		RECESS
<b>Apr 10, 2012</b>	9:30 am	Regular Session
<b>Apr 10, 2012</b>	12:30 pm	Lunch meeting with Board of Education
<b>Apr 17, 2012</b>	9:30 am	Regular Session
<b>Apr 24, 2012</b>	9:30 am	Regular Session
<b>May 1, 2012</b>	9:30 am	Regular Session
<b>May 7, 2012</b>	10:15 am	Council Budget Worksession
<b>May 8, 2012</b>	9:30 am	Regular Session & Council Budget Worksession
<b>May 9, 2012</b>	9:30 am	Council Budget Worksession
<b>May 10, 2012</b>	9:30 am	Council Budget Worksession
<b>May 10, 2012</b>	3:00 pm	Meeting w/ Prince George's County Council
<b>May 11, 2012</b>	9:30 am	Council Budget Worksession
<b>May 14, 2012</b>	9:30 am	Council Budget Worksession

**Public Hearing List: To testify call 240-777-7803**

**Apr 10, 2012**

- 1:30 pm ZTA 12-05, Commercial/Residential Zones - Grandfathering
- 1:30 pm ZTA 12-06, Commercial/Residential Zones - Transit Proximity Definition
- 1:30 pm Wheaton Sectional Map Amendment (G-911)
- 1:30 pm Special appropriation to the MCPS' FY12 Capital Budget and amendment to the FY11-16 CIP - \$4,000,000 for Relocatable Classrooms
- 1:30 pm **Expedited Bill 12-12**, Bond Authorization - Stormwater Management
- 1:30 pm **Bill 14-12**, Economic Development Fund - Amendments
- 7:00 pm FY13 Operating Budget

**Apr 11, 2012**

- 1:30 pm FY13 Operating Budget
- 7:00 pm FY13 Operating Budget

**Apr 12, 2012**

- 1:30 pm FY13 Operating Budget
- 7:00 pm FY13 Operating Budget

**Apr 24, 2012**

- 7:30 pm Resolution to approve FY13 Transportation Fees, Charges, and Fares



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**Future Council Meetings:**

<b>Apr 2 - 6, 2012</b>		RECESS
<b>Apr 9, 2012</b>	9:30 am	Closed Session - Interviews
<b>Apr 10, 2012</b>	9:30 am	Regular Session
<b>Apr 10, 2012</b>	12:30 pm	Lunch meeting with Board of Education
<b>Apr 11, 2012</b>	9:30 am	Closed Session - Interviews
<b>Apr 12, 2012</b>	9:30 am	Closed Session - Interviews
<b>Apr 17, 2012</b>	9:30 am	Regular Session
<b>Apr 24, 2012</b>	9:30 am	Regular Session
<b>May 1, 2012</b>	9:30 am	Regular Session
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<b>May 10, 2012</b>	3:00 pm	Meeting w/ Prince George's County Council
<b>May 11, 2012</b>	9:30 am	Council Budget Worksession
<b>May 14, 2012</b>	9:30 am	Council Budget Worksession
<b>May 15, 2012</b>	9:30 am	Regular Session & Council Budget Worksession
<b>May 16, 2012</b>	9:30 am	Council Budget Worksession
<b>May 17, 2012</b>	9:30 am	Council Budget Worksession
<b>May 18, 2012</b>	9:30 am	Council Budget Worksession
<b>May 24, 2012</b>		Final Budget Action

**Public Hearing List: To testify call 240-777-7803**

**Apr 10, 2012**

- 1:30 pm ZTA 12-05, Commercial/Residential Zones - Grandfathering
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**Apr 12, 2012**

- 1:30 pm FY13 Operating Budget
- 7:00 pm FY13 Operating Budget

**Apr 24, 2012**

- 1:30 pm Resolution to establish FY13 Solid Waste Service Charges
- 1:30 pm Resolution to establish FY13 Water Quality Protection Charge
- 1:30 pm Resolution to set amount of Property Tax Credit for Income Tax Offset
- 1:30 pm Intent to consider increasing FY13 General Fund tax rate above the Constant Yield Tax Rate (CYTR)
- 7:30 pm Resolution to approve FY13 Transportation Fees, Charges, and Fares



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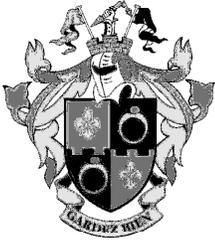
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## **ADDENDUM**

**Tuesday, April 10, 2012**

**Add:** 11:00 **DISCUSSION** - Report from Annapolis, by Melanie Wenger, Director, Office of Intergovernmental Relations

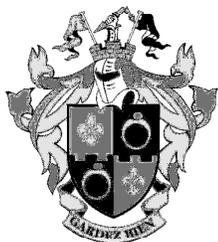
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## Monday, April 9, 2012

- (1) 9:30 **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 interviews for Director, Office of Legislative Oversight. (3rd floor Council Conference Room) (Farber)

## Tuesday, April 10, 2012

- 9:30 **INVOCATION** - Reverend Tim Warner, Montgomery County Office of Community Partnerships, Rockville
- 9:35 **PRESENTATION** - Proclamation recognizing National Donate Life Month, by Council President Berliner
- (2) 9:40 **GENERAL BUSINESS** (Lauer)
- A. **Announcement** - Agenda and Calendar Changes
  - B. **Acknowledgement** - Receipt of Petitions
  - C. **Action** - Approval of Minutes: March 15, 19 and 20, 2012
- (3) 9:45 **CONSENT CALENDAR**
- A. **Introduction** - Resolution to amend Fuel/Energy tax rates, sponsored by the Council President at the request of the County Executive (Faden)  
*Public Hearing is scheduled for 5/1/12 at 7:30 pm.*
  - B. **Action** - Supplemental appropriation to the County Government's FY12 Operating Budget, Montgomery County Fire and Rescue Service - \$1,313,296 for FY11 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant (Source: State Grant) (McGuire)  
*PS Committee recommends approval.*
  - C. **Action** - Joint resolution to support application for the re-designation of Bethesda Central Business District as an Arts and Entertainment District (Sesker)

(3) 9:45 **CONSENT CALENDAR** (*continued*)

D. **Action** - Recommendation to County Executive for appointment of Council representative to the Board of Investment Trustees for the Montgomery County Employee Retirement Plans and the Board of Trustees for the Consolidated Retiree Health Benefits Trust: Mr. Arjan Berkelaar (Lauer)

E. **Action** - Confirmation of County Executive appointment to the Committee Evaluation and Review Board: Enas Elhanafi (Lauer)

F. **Action** - Confirmation of County Executive appointment to the Historic Preservation Commission: Jorge Rodriguez (Lauer)

G. **Action** - Confirmation of County Executive appointments to the Commission on Aging: Will Hellams, Lance Kilpatrick, Reuben Rosenfeld, Frederic Burke, Morton Davis, Jerry Morenoff, John "Jack" Sprague, Selma Sweetbaum, Revathi Vikram, Judith Welles (Lauer)

9:50 **DISTRICT COUNCIL SESSION**

(4) A. **Action** - Zoning Text Amendment 12-01, Commercial Zones - Large Retail Uses (Zyontz)  
*PHED Committee recommends approval with amendments.*

(5) B. **Action** - Zoning Text Amendment 12-04, Site Plan - Surety Requirements (Zyontz)

10:00 **WORKSESSION - FY13-18 Capital Improvements Program:**

- (6) • Wheaton Redevelopment project PHED (Sesker)
- (7) • MNCPPC Headquarters project (Michaelson)

(8) 11:30 **BRIEFING** - Inspector General Report - Evaluation of Budget and Financial Information provided by MCPS (McGuire)

12:15 **RECESS** 12:30 - *Lunch Meeting with Board of Education (6CCR)*

(9) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 12-05, Commercial/Residential Zones - Grandfathering (Zyontz)  
*PHED Committee worksession will be scheduled at a later date.*

(10) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 12-06, Commercial/Residential Zones - Transit Proximity Definition (Zyontz)  
*PHED Committee worksession will be scheduled at a later date.*

(11) 1:30 **PUBLIC HEARING** - Wheaton Sectional Map Amendment (G-911) (Michaelson)  
*Action is tentatively scheduled for 4/24/12.*

April 10, 2012

Page 3

- (12) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the Montgomery County Public Schools' FY12 Capital Budget and amendment to the FY11-16 Capital Improvements Program - \$4,000,000 for Relocatable Classrooms (Source: Current Revenue) (Levchenko)  
*ED Committee recommends approval.*
- (13) 1:30 **PUBLIC HEARING - Expedited Bill 12-12**, Bond Authorization - Stormwater Management (Sesker)  
*Action is tentatively scheduled for 4/17/12.*
- (14) 1:30 **PUBLIC HEARING - Bill 14-12**, Economic Development Fund - Amendments (Drummer)  
*PHED Committee worksession will be scheduled at a later date.*
- (15) 2:00 **SEMI-ANNUAL REPORT** of the Montgomery County Planning Board (Michaelson)
- (16) 3:30 **UPDATE** - Zoning Ordinance Rewrite (Zyontz)
- 4:30 **ADJOURN**
- 7:00 **PUBLIC HEARING** - FY13 Operating Budget

### Wednesday, April 11, 2012

- 9:30 **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 interviews for Director, Office of Legislative Oversight. (3rd floor Council Conference Room) (Farber)
- 1:30 **PUBLIC HEARING** - FY13 Operating Budget
- 7:00 **PUBLIC HEARING** - FY13 Operating Budget

### Thursday, April 12, 2012

- 9:30 **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 interviews for Director, Office of Legislative Oversight. (3rd floor Council Conference Room) (Farber)
- 1:30 **PUBLIC HEARING** - FY13 Operating Budget
- 7:00 **PUBLIC HEARING** - FY13 Operating Budget

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 4/13/12 at 9 pm*

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**Other:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/index.asp>

#### Future Council Meetings:

<b>Apr 17, 2012</b>	9:30 am	Regular Session
<b>Apr 24, 2012</b>	9:30 am	Regular Session
<b>May 1, 2012</b>	9:30 am	Regular Session
<b>May 7, 2012</b>	10:15 am	Council Budget Worksession
<b>May 8, 2012</b>	9:30 am	Regular Session & Council Budget Worksession
<b>May 9, 2012</b>	9:30 am	Council Budget Worksession
<b>May 10, 2012</b>	9:30 am	Council Budget Worksession
<b>May 10, 2012</b>	3:00 pm	Meeting w/ Prince George's County Council
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<b>May 18, 2012</b>	9:30 am	Council Budget Worksession
<b>May 24, 2012</b>	9:30 am	Final Budget Action

#### Public Hearing List: To testify call 240-777-7803

##### Apr 24, 2012

- 1:30 pm Resolution to establish FY13 Solid Waste Service Charges
- 1:30 pm Resolution to establish FY13 Water Quality Protection Charge
- 1:30 pm Resolution to set amount of Property Tax Credit for Income Tax Offset
- 7:30 pm Resolution to approve FY13 Transportation Fees, Charges, and Fares

##### May 1, 2012

- 7:30 pm Intent to consider increasing FY13 General Fund tax rate above the Constant Yield Tax Rate (CYTR)
- 7:30 pm Resolution to amend Fuel/Energy tax rates



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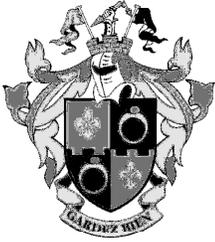
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

[www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)



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## ADDENDUM

**Tuesday, April 17, 2012**

**Add:** 9:35 **PRESENTATION** - Proclamation recognizing National County Government Month, by Councilmember Ervin

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

### **Introduction of Bills:**

**Deleted:** (7) A. **Bill 15-12**, Streets and Roads - Roadside Trees, sponsored by Council President Berliner and Councilmember Elrich

*Public Hearing is scheduled for 6/12/12 at 7:30 pm.*

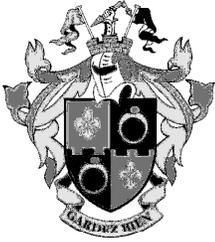
(Mihill)

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## REVISED

**Tuesday, April 17, 2012**

9:30 **INVOCATION** - Reverend Sarah Lapenta-H, St. John's Episcopal Church, Norwood Parish, Chevy Chase

(1) 9:35 **GENERAL BUSINESS** (Lauer)

- A. **Announcement** - Agenda and Calendar Changes
- B. **Acknowledgement** - Receipt of Petitions
- C. **Action** - Approval of Minutes: March 26 and 27, 2012  
- Approval of Closed Session Minutes: March 27, 2012

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

- A. **Introduction** - Resolution to authorize the issuance of Parking Lot District revenue bonds for the Bethesda Parking Lot District (Orlin)  
*Action is tentatively scheduled for 4/24/12.*
- B. **Action** - Resolution to set public hearing on intent to consider increasing FY13 General Fund tax rate above the Constant Yield Tax Rate (CYTR) (Sesker)  
*Public Hearing is scheduled for 5/1/12 at 7:30 pm.*

9:45 **DISTRICT COUNCIL SESSION**

(3) A. **Introduction** - Zoning Text Amendment 12-07, Special Exceptions - Automobile filling stations, sponsored by Councilmembers Elrich and Ervin (Zyontz)  
*Public Hearing is scheduled for 6/19/12 at 7:30 pm.*

(3.1) B. **Action** - Wheaton Sectional Map Amendment (G-911) (Michaelson)

9:50 **WORKSESSION - FY13-18 Capital Improvements Program:**

- (4) • General Government - Technology Modernization GO (Toregas)
- (5) • Silver Spring Library project HHS (Yao)
- (6) • Smart Growth projects: Public Safety Headquarters and Public Safety Training Academy PS (Frag/McGuire)

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

**Introduction of Bills:**

- (7) A. **Bill 15-12**, Streets and Roads - Roadside Trees, sponsored by Council President Berliner and Councilmember Elrich (Mihill)  
*Public Hearing is scheduled for 6/12/12 at 7:30 pm.*
- (8) B. **Bill 16-12**, Trees - Utility Vegetation Management, sponsored by Council President Berliner and Councilmember Elrich (Mihill)  
*Public Hearing is scheduled for 6/12/12 at 7:30 pm.*

**Call of Bills for Final Reading:**

- (9) A. **Bill 6-12**, Economic Development - Small Business Assistance (Drummer)  
*PHED Committee recommends approval with amendments.*
- (10) B. **Expedited Bill 12-12**, Bond Authorization - Stormwater Management (Sesker)
- (11) C. **Bill 10-12**, Community Action Board - Membership (Mihill)
- Deferred:** (12)D. **Expedited Bill 11-12**, County Property - Disposition (Faden)  
*GO Committee recommends approval with amendments.*

(13) 10:30 **OVERVIEW** - FY13 Operating Budget (Farber)

(14) 11:00 **UPDATE** - FY13-18 Capital Improvements Program (Orlin)

11:30 **ADJOURN**

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

2:00 **PS Committee** (3rd floor Council Conference Room)

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 4/20/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on April 24, 2012:**

Commission on Common Ownership Communities: David Weinstein, Thomas Stone, Arthur Dubin, James Coyle, Bruce Fonoroff, Elizabeth Molloy

Commission on Juvenile Justice: Carlean Ponder, Timothy Hwang, Barry Moultrie, Perry Paylor

Commission on People with Disabilities: Janet Graves-Wright, Kathy Bridgeman, Richard Kienzle, Nelson Migdal

Forest Conservation Advisory Committee: Jason Sheer, Andrew Der, David Myers, Robert Benson, Daniel Snyder

Sign Review Board: Ronald Wilson, James Lyons

Silver Spring Citizens Advisory Board: Constance Wynn, Prajakta Kasbekar, Edward Levy, Mark Mendez, Philip 'Uri' Pasternak, Bethany Wright

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May 24, 2012	9:30 am	Final Budget Action

### Public Hearing List: To testify call 240-777-7803

#### Apr 24, 2012

1:30 pm Resolution to establish FY13 Solid Waste Service Charges  
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1:30 pm Resolution to set amount of Property Tax Credit for Income Tax Offset  
7:30 pm Resolution to approve FY13 Transportation Fees, Charges, and Fares

#### May 1, 2012

7:30 pm Intent to consider increasing FY13 General Fund tax rate above the Constant Yield Tax Rate (CYTR)  
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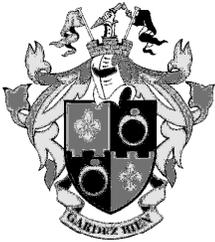
Montgomery County, Maryland

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## Tuesday, April 24, 2012

9:30 **INVOCATION** - Rabbi Greg Harris, Congregation Beth El of Montgomery County, Bethesda

9:35 **PRESENTATION** - Proclamation recognizing Justice for Students in America for their civic activism, by Council Vice President Navarro

9:40 **PRESENTATION** - Proclamation recognizing National Minority Health Month, by Councilmember Leventhal

9:45 **PRESENTATION** - Proclamation recognizing Gaithersburg Women's Basketball Team for winning Maryland 4A State Championship, by Councilmember Andrews

(1) 9:50 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: April 9, 10, 11, and 12, 2012

- Approval of Closed Session Minutes: April 9, 11, and 12, 2012

(2) 9:55 **CONSENT CALENDAR**

A. **Introduction** - Supplemental appropriation to the Montgomery County Public Schools' FY12 Capital Budget and the FY11-16 Capital Improvements Program - \$1,339,200 for Education Rate (E-Rate) Program for the Technology Modernization project (Source: Federal funds) (McGuire)

*Public Hearing/Action is scheduled for 5/15/12 at 1:30 pm.*

B. **Action** - Resolution to extend time until May 15, 2012 to consider collective bargaining agreements (Drummer)

D. **Action** - Confirmation of County Executive appointments to the Commission on Common Ownership Communities: David Weinstein, Thomas Stone, Arthur Dubin, James Coyle, Bruce Fonoroff, Elizabeth Molloy (Lauer)

(2) 9:55 **CONSENT CALENDAR** *(continued)*

E. **Action** - Confirmation of County Executive appointments to the Commission on Juvenile Justice: Carlean Ponder, Timothy Hwang, Barry Moultrie, Perry Paylor (Lauer)

F. **Action** - Confirmation of County Executive appointments to the Commission on People with Disabilities: Janet Graves-Wright, Kathy Bridgeman, Richard Kienzle, Nelson Migdal (Lauer)

G. **Action** - Confirmation of County Executive appointments to the Forest Conservation Advisory Committee: Jason Sheer, Andrew Der, David Myers, Robert Benson, Daniel Snyder (Lauer)

H. **Action** - Confirmation of County Executive appointments to the Sign Review Board: Ronald Wilson, James Lyons (Lauer)

I. **Action** - Confirmation of County Executive appointments to the Silver Spring Citizens Advisory Board: Constance Wynn, Prajakta Kasbekar, Edward Levy, Mark Mendez, Philip 'Uri' Pasternak, Bethany Wright (Lauer)

10:00 **DISTRICT COUNCIL SESSION**

(3) A. **Introduction** - Zoning Text Amendment 12-08, Transit Station Zones- Minimum Size, sponsored by Councilmember Floreen (Zyontz)  
*Public Hearing is scheduled for 6/12/12 at 1:30 pm.*

(4) B. **Action** - Takoma/Langley Crossroads Sector Plan (Michaelson)

10:15 **WORKSESSION - FY13-18 Capital Improvements Program:**

(5) • Parking Lot Districts (Orlin)

(6) 10:30 **ACTION** - Resolution to authorize the issuance of Parking Lot District revenue bonds for the Bethesda Parking Lot District (Orlin)  
*T&E Committee recommends 4/19/12.*

10:35 **LEGISLATIVE SESSION Day #12**

**Introduction of Bills:**

(6.1) A. **Expedited Bill 17-12**, Fire and Rescue Service - Emergency Medical Services - Reimbursement, sponsored by the Council President at the request of the County Executive (Faden/McGuire)  
*Public Hearing is scheduled for 5/8/12 at 7:30 pm.*

(7) 10:40 **COG REPORTS** - Updates from Councilmembers serving on Council of Governments

- (8) 10:45 **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 interviews for Director, Office of Legislative Oversight. (3rd floor Council Conference Room) (Farber)

12:00 **RECESS**

- (9) 1:30 **PUBLIC HEARING** - Resolution to set amount of Property Tax Credit for Income Tax Offset (Sesker)  
*GO Committee worksession tentatively scheduled for 5/2/12.*

- (10) 1:30 **PUBLIC HEARING** - Resolution to establish FY13 Solid Waste Service Charges (Levchenko)  
*Action is tentatively scheduled for 5/15/12.*

- (11) 1:30 **PUBLIC HEARING** - Resolution to establish FY13 Water Quality Protection Charge (Levchenko)  
*Action is tentatively scheduled for 5/15/12.*

2:00 **ADJOURN**

2:00 **PHED Committee** (3rd floor Council Conference Room)

- (12) 7:30 **PUBLIC HEARING** - Resolution to approve FY13 Transportation Fees, Charges, and Fares (Orlin)  
*T&E Committee worksession tentatively scheduled for 4/30/12.*

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**Public Hearing List: To testify call 240-777-7803**

**May 1, 2012**

7:30 pm Intent to consider increasing FY13 General Fund tax rate above the Constant Yield Tax Rate (CYTR)

7:30 pm Resolution to amend Fuel/Energy tax rates

**May 15, 2012**

1:30 pm Supplemental appropriation to the MCPS’ FY12 Capital Budget and the FY11-16 CIP - \$1,339,200 for Education Rate (E-Rate) Program for the Technology Modernization project

**June 12, 2012**

7:30 pm **Bill 16-12**, Trees - Utility Vegetation Management

**June 19, 2012**

7:30 pm ZTA 12-07, Special Exceptions - Automobile filling stations



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**MONTGOMERY COUNTY COUNCIL SEEKS APPLICANTS  
FOR TWO VACANCIES ON  
CHARTER REVIEW COMMISSION  
DEADLINE EXTENDED: 5 P.M., WEDNESDAY, MAY 16**

The Montgomery County Council is accepting applications to fill two unexpired terms on the Charter Review Commission. The appointees may be a Democrat, Republican or someone who declines to affiliate with a party, or a member of another party officially recognized by the Board of Elections.

Applicants should submit letters of interest by 5 p.m. on Wednesday, May 16. Since there have been so few responses to an earlier recruitment, the search has been extended. The applications received earlier will be incorporated into this expanded search.

The Commission meets once a month, at 8 a.m. on the second Wednesday, in the Council Office Building in Rockville.

The County Charter was amended in 1976 to provide that a Charter Review Commission be appointed by the County Council every four years to study the Charter. The Commission researches and evaluates Charter issues raised by the County Executive, County Council, other government officials, and the public. Commission reports are submitted no later than May 1 of every even-numbered year. These reports contain recommendations concerning any proposed Charter amendments.

The Commission is composed of 11 residents of the County, five of whom are appointed from a list of names submitted by the County Executive. No more than six members can be from the same political party. Since one Republican and one Democrat have had to resign from the Commission, applications are being accepted from Democrats, Republicans or from applicants who decline to affiliate with a party, or is a member of another party officially recognized by the Board of Elections.

Applicants should submit letters of interest with a resume to: Roger Berliner, President, Montgomery County Council, 100 Maryland Ave., Rockville, Maryland 20850 by 5 p.m. on May 16. Resumes should include professional and civic experience, political party affiliation, home and office telephone numbers and an e-mail address. Letters and resumes submitted are made public as part of the appointment process. Members of County boards, committees and commissions may not serve on more than one such group at a time.

For more information about the Charter Review Commission or how to apply for consideration to become a commission member, call Linda Lauer at 240-777-7979.

#####

**MONTGOMERY COUNCIL SEEKS APPLICANTS  
FOR COUNTY PLANNING BOARD POSITION  
DEADLINE: 5 P.M., WEDNESDAY, APRIL 25**

The Montgomery County Council is seeking applicants to fill a vacancy on the Montgomery County Planning Board. The term of Amy Presley (Republican) will expire on June 14, 2011. Ms. Presley has indicated her intent to apply for reappointment to a second term.

Letters expressing interest, including a resume listing professional and civic experience, political party affiliation, home and office telephone numbers and an e-mail address, must be received no later than 5 p.m., Wednesday, April 25.

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. Since three Democrats are currently serving on the Board, this position can only be filled by a Republican, or by a voter who declines to affiliate with a party; or by a member of another party officially recognized by the Montgomery County Board of Elections. In addition to Ms. Presley, the current board members are Chairman Françoise Carrier (D); Casey Anderson (D) Norman Dreyfuss (R) and Mary Wells-Harley (D).

Annual compensation for board members is currently \$30,000.

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.

The Planning Board's responsibilities with regard to planning include preparation and amendment of County General Plan; preparation and amendment of Master Plans and functional plans; formulation of subdivision regulations; preparation of or recommendations on text amendments to the County Zoning Ordinance; implementation of the subdivision process by reviewing and approving all preliminary plans, site plans and other plans for development; advice on the planning implication of capital facilities and programs of the County government, Montgomery College, the Washington Suburban Sanitary Commission and Montgomery County Public Schools; commenting, under its Mandatory Referral authority, on plans for public facilities of local, state and federal agencies; and approval of the work program and the annual operating budget for the Planning Department and the commission's bi-county offices.

The Planning Board sits as the Park Commission and approves the annual Parks Department operating budget and Capital Improvements Program (CIP) budget; land acquisition contracts and major development contracts for parks; development plans for individual park facilities; policies for park operations; and park user fees.

The Montgomery County Planning Board meets all day, and typically evenings, every Thursday and occasionally meets on one other evening a week. The entire Maryland-National Capital Park and Planning Commission meets the third Wednesday of every month. Additionally, substantial time is required for scheduled and informal meetings, preparatory work, and other activities related to Planning Board responsibilities.

April 24, 2012

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Letters expressing interest, including a resume listing professional and civic experience, political party affiliation, home and office telephone numbers and an e-mail address, should be addressed to: Council President Roger Berliner, County Council Office, 100 Maryland Avenue, Rockville, Md., 20850, or can be e-mailed to [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov). Letters must be received no later than 5 p.m., Wednesday, April 25. It is the Council's policy not to consider applications received after the deadline. After the closing date, Councilmembers will review the letters of application and select applicants for interviews to be held in May.

Letters of application are made public as part of the appointment process. The names of all applicants are published and available for public review and interviews are conducted in public. A financial statement of assets, debts, income and family property interests will be required of all applicants. Only the candidates appointed will be required to make their financial statements available to the public.

For more information about the Montgomery County Planning Board or how to apply for consideration to become a board member, call Linda Lauer at 240-777-7979.

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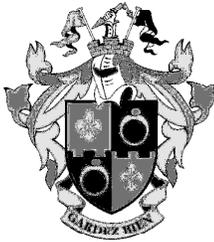
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

[www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)



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## Tuesday, May 1, 2012

9:30 **INVOCATION** - Reverend Ron Foster, Bethesda United Methodist Church, Bethesda

9:35 **PRESENTATION** - Proclamation recognizing Physical Fitness Day at Flower Valley Elementary School, by Councilmember Andrews

9:40 **PRESENTATION** - Proclamation recognizing Rabbi Mark Raphael 10 years of service at Kehilat Shalom, by Councilmember Leventhal

9:45 **PRESENTATION** - Proclamation recognizing Building Safety Month, by Council President Berliner

(1) 9:50 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: April 17 and 19, 2012

- Approval of Closed Session Minutes: April 19, 2012

(2) 9:55 **CONSENT CALENDAR**

A. **Introduction** - Resolution to authorize grant application request for Annual Transportation Plan and other transit grants (Orlin)  
*Action is tentatively scheduled for 5/15/12.*

B. **Introduction** - Resolution to approve WSSC System Development Charge (Levchenko)  
*Action is tentatively scheduled for 5/15/12.*

C. **Introduction** - Resolution to indicate Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Fraternal Order of Police, Lodge 35 (Drummer)  
*Action is tentatively scheduled for 5/14/12.*

(2) 9:55 **CONSENT CALENDAR** *(continued)*

D. **Introduction** - Resolution to indicate 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 (Drummer)  
*Action is tentatively scheduled for 5/14/12.*

E. **Introduction** - Resolution to indicate Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Municipal & County Government Employees' Organization, Local 1994 (Drummer)  
*Action is tentatively scheduled for 5/14/12.*

F. **Introduction** - Resolution to indicate Council's intention regarding the actions necessary to implement the second year of the Collective Bargaining Agreement with the Montgomery County Volunteer Fire and Rescue Association (MCVFRA) (Drummer)  
*Action is tentatively scheduled for 5/14/12.*

10:00 **DISTRICT COUNCIL SESSION**

(3) A. **Announcement** - A public hearing has been scheduled for June 12, 2012 at 1:30 p.m. on the Amendment to the Master Plan for Historic Preservation: Upper Patuxent Area Historic Resources (Zyontz)

(4) 10:05 **COUNCIL SITTING AS BOARD OF HEALTH** - *There are no general issues for the Board to address at this time. It is anticipated that the Board will receive an update from the County Health Officer in June.* (McMillan)

10:10 **LEGISLATIVE SESSION Day #13**

**Introduction of Bills:**

(5) A. **Expedited Bill 18-12**, Personnel - Disability Retirement - Eligibility and Benefits - Amendments, sponsored by Council President (Drummer)  
*Public Hearing is scheduled for 5/8/12 at 1:30 pm.*

**Call of Bills for Final Reading:**

(6) A. **Bill 9-12**, Commission on Juvenile Justice - Membership (Mihill)  
*PS Committee recommends enactment.*

(7) B. **Expedited Bill 7-12**, Employees' Retirement System - Automatic Distributions (Drummer)  
*GO Committee recommends enactment.*

(8) C. **Expedited Bill 8-12**, Retirement Savings Plan - Amendments (Drummer)  
*GO Committee recommends enactment.*

10:10 **LEGISLATIVE SESSION Day #13 (continued)**

**Call of Bills for Final Reading (continued):**

- (9) D. **Expedited Bill 11-12**, County Property - Disposition (Faden)  
*GO Committee recommends enactment with amendments.*
- (9.1) 11:00 **INTERVIEW** - County Executive's appointee for Chief Information Officer,  
Department of Technology Services: Harash Segal (3rd floor Council Conference Room) (Lauer)
- (10) 11:30 **PROPOSED CLOSED SESSION** for the purpose of consulting with counsel to obtain  
legal advice, and to consult about pending or potential litigation, pursuant to Maryland  
Code, State Government Article, §10-508 (a) (7) and (8). Topic is Silver Spring Transit  
Center. (3rd floor Council Conference Room) (Faden/Orlin)
- (10.1) 12:15 **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 interviews for  
Director, Office of Legislative Oversight. (3rd floor Council Conference Room) (Farber)
- 12:45 **ADJOURN**
- 2:00 **GO Committee** (7th floor Council Hearing Room)  
2:00 **PHED Committee** (3rd floor Council Conference Room)
- (11) 7:30 **PUBLIC HEARING** - Intent to consider increasing FY13 General Fund tax rate above  
the Constant Yield Tax Rate (CYTR) (Sesker)
- (12) 7:30 **PUBLIC HEARING** - Resolution to amend Fuel/Energy tax rates (Rubin/Faden)  
*GO/T&E Committee worksession tentatively scheduled for 5/7/12.*

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 5/4/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on May 8, 2012:**

Board of Investment Trustees: Arjan Berkelaar, Jennifer Barrett

Board of Social Services: Tamara Ince, Carolyn Harris

Cable and Communications Advisory Committee: Kirk Holmes

Commission on Landlord-Tenant Affairs: Dave Goldberg

Commission on People with Disabilities: Charles Butler

County-wide Recreation Advisory Board: Rose Alvarez

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on May 8, 2012 (continued):**

Firearm Safety Committee: Guy Wright III, Richard Chiapparoli, Jesse-Thomas Lim, Thomas Perazella

Mental Health Advisory Committee: Amy Sutter, Leslie Hilleary, Lawrence Epp, Paula Puglisi, Sherri Rodriguez

Mid-County Citizens Advisory Board: Luis Bonilla

Sign Review Board: Barbara Berschler

Victim Services Advisory Board: Parker O'Shea, Anita Pinto, Tazeen Ahmad, Sylvia Fisher, Jose Ortiz

Workforce Investment Board: Barbara Ebel

**The following appointment was received from the County Executive and is tentatively scheduled for interview on May 1, 2012 and confirmation at a later date:**

Chief Information Officer, Department of Technology Services: Harash Segal

## NOTICE OF UPCOMING COUNCIL MEETINGS

Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, and on the Council's website at <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FutureMtgs.pdf>

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**Public Participation:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/about/pub.asp>

**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>

**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)

**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)

**Packets:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/packet/index.asp>

**Bills:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/bill/index.asp>

**Resolutions:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/res/index.asp>

**Zoning:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/zta/index.asp>

**View Current Live Session:** [http://montgomerycountymd.granicus.com/MediaPlayer.php?publish\\_id=4](http://montgomerycountymd.granicus.com/MediaPlayer.php?publish_id=4)

**View Archives:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/ondemand/index.asp>

**Other:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/index.asp>

**Future Council Meetings:**

<b>May 7, 2012</b>	10:15 am	Council Budget Worksession
<b>May 8, 2012</b>	9:30 am	Regular Session & Council Budget Worksession
<b>May 9, 2012</b>	1:30 pm	Council Budget Worksession
<b>May 10, 2012</b>	9:30 am	Council Budget Worksession
<b>May 10, 2012</b>	3:00 pm	Meeting w/ Prince George's County Council
<b>May 11, 2012</b>	9:30 am	Council Budget Worksession
<b>May 14, 2012</b>	9:30 am	Council Budget Worksession
<b>May 15, 2012</b>	9:30 am	Regular Session & Council Budget Worksession
<b>May 16, 2012</b>	9:30 am	Council Budget Worksession
<b>May 17, 2012</b>	9:30 am	Council Budget Worksession
<b>May 18, 2012</b>	9:30 am	Council Budget Worksession
<b>May 24, 2012</b>	9:30 am	Final Budget Action

**Public Hearing List: To testify call 240-777-7803**

**May 8, 2012**

7:30 pm **Expedited Bill 17-12**, Fire and Rescue Service - Emergency Medical Services - Reimbursement

**May 15, 2012**

1:30 pm Supplemental appropriation to the MCPS' FY12 Capital Budget and the FY11-16 CIP - \$1,339,200 for Education Rate (E-Rate) Program for the Technology Modernization project

**June 12, 2012**

1:30 pm ZTA 12-08, Transit Station Zones- Minimum Size

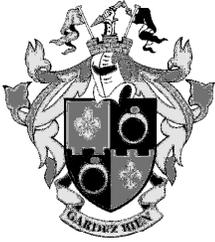
7:30 pm **Bill 16-12**, Trees - Utility Vegetation Management

**June 19, 2012**

7:30 pm ZTA 12-07, Special Exceptions - Automobile filling stations



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Montgomery County, Maryland

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## Monday, May 7, 2012

- (1) 10:15 **STATUS REPORT** - Overview of revenues and expenditures (Farber)
- 10:45 **WORKSESSION - FY13 Operating Budget**
- (2) • MNCPPC PHED (Michaelson)
- (3) • Washington Suburban Sanitary Commission T&E (Levchenko)
- (4) • Montgomery College ED (Ferber)
- 12:00 **RECESS**
- 2:00 **WORKSESSION - FY13 Operating Budget**
- (5) • Report on Senior and Youth Initiatives (McMillan/Yao)
- 3:00 **ADJOURN**
- 3:00 **GO/T&E Committee** (3rd floor Council Hearing Room)



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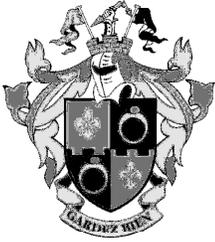
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## ADDENDUM

**Tuesday, May 8, 2012**

### 10:15 CONSENT CALENDAR - FY13 Operating Budget and CIP adjustments:

- |                       |  |    |           |
|-----------------------|--|----|-----------|
| <b>Deferred:</b> (10) | • Cable Television and Communications Plan | GO | (Toregas) |
| <b>Deferred:</b> (19) | • County Executive                         |    | (Ferber)  |
| <b>Deferred:</b> (22) | • Office of Human Resources                |    | (Ferber)  |
| <b>Deferred:</b> (34) | • Council Office                           |    | (Farber)  |

*These budgets have been scheduled for review on 5/14/12.*

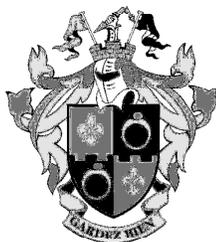
Montgomery County, Maryland

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## Tuesday, May 8, 2012

9:30 **INVOCATION** - Reverend Currie Burris, Silver Spring Presbyterian Church, Silver Spring

9:35 **PRESENTATION** - Proclamation recognizing Team Rivers Runners, by Councilmember Andrews

9:40 **PRESENTATION** - Proclamation recognizing Teacher Appreciation Day, by Councilmember Ervin

9:45 **PRESENTATION** - Proclamation recognizing Public Service Recognition Week - May 6-12, by Councilmember Ervin

9:50 **PRESENTATION** - Building Safety Month, by Council President Berliner and Department of Permitting Services' staff

(1) 9:55 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: March 24, 2011 and April 24, 2012  
- Approval of Closed Session Minutes: March 24, 2012

(2) 10:00 **CONSENT CALENDAR**

A. **Introduction** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)  
*Public hearing by T&E Committee is scheduled for 6/21/12 at 7:30 pm.*

B. **Introduction** - Supplemental appropriation to the County Government's FY12 Capital Budget and amendment to the FY11-16 Capital Improvements Program, Department of General Services - \$8,493,000 for Silver Spring Transit Center (Source: Federal Aid, State Aid, Contributions, Impact Taxes, and G.O. Bonds) (Orlin)  
*Public Hearing/Action is scheduled for 5/24/12 at 9:30 am.*

(2) 10:00 **CONSENT CALENDAR** (*continued*)

- C. **Introduction** - Supplemental appropriation to the County Government's FY12 Operating Budget , Department of Transportation - \$2,286,000 for Job Access Reverse Commute (JARC) Grant Award - Bikessharing for Low Income Employees and Residents in Rockville/Shady Grove (Source: Mass Transit Facilities Fund) (Orlin)  
*Public Hearing/Action is scheduled for 5/24/12 at 9:30 am.*
- D. **Action** - Confirmation of County Executive appointments to the Board of Investment Trustees: Arjan Berkelaar, Jennifer Barrett (Lauer)
- E. **Action** - Confirmation of County Executive appointments to the Board of Social Services: Tamara Ince, Carolyn Harris (Lauer)
- F. **Action** - Confirmation of County Executive appointment to the Cable and Communications Advisory Committee: Kirk Holmes (Lauer)
- G. **Action** - Confirmation of County Executive appointment to the Commission on Landlord-Tenant Affairs: Dave Goldberg (Lauer)
- H. **Action** - Confirmation of County Executive appointment to the Commission on People with Disabilities: Charles Butler (Lauer)
- I. **Action** - Confirmation of County Executive appointment to the County-wide Recreation Advisory Board: Rose Alvarez (Lauer)
- J. **Action** - Confirmation of County Executive appointments to the Firearm Safety Committee: Guy Wright III, Richard Chiapparoli, Jesse-Thomas Lim, Thomas Perazella (Lauer)
- K. **Action** - Confirmation of County Executive appointments to the Mental Health Advisory Committee: Amy Sutter, Leslie Hilleary, Lawrence Epp, Paula Puglisi, Sherri Rodriguez (Lauer)
- L. **Action** - Confirmation of County Executive appointment to the Mid-County Citizens Advisory Board: Luis Bonilla (Lauer)
- M. **Action** - Confirmation of County Executive appointment to the Sign Review Board: Barbara Berschler (Lauer)
- N. **Action** - Confirmation of County Executive appointments to the Victim Services Advisory Board: Parker O'Shea, Anita Pinto, Tazeen Ahmad, Sylvia Fisher, Jose Ortiz (Lauer)
- O. **Action** - Confirmation of County Executive appointment to the Workforce Investment Board: Barbara Ebel (Lauer)

- (3) 10:05 **ACTION** - Confirmation of County Executive's appointee: Chief Information Officer, Department of Technology Services: Harash Segal (Lauer)

10:10 **DISTRICT COUNCIL SESSION**

- (4) A. **Action** - Schematic Development Plan Amendment (SDPA) 11-3, YBM Construction, Inc., 19815 Blunt Road, Germantown (Zyontz)

10:15 **CONSENT CALENDAR - FY13 Operating Budget and CIP adjustments:**

- (5) Waste Services • Solid T&E (Levchenko)
- (6) • Department of Environmental Protection (Levchenko)
- (7) • General Services: Facilities (Sesker)
- (8) • General Services: Fleet Management and Motor Pool Fund Contribution NDA (Farag)
- (9) • NDA: Montgomery Coalition for Adult English Literacy (MCAEL) ED (Yao)
- (10) • Cable Television and Communications Plan GO (Toregas)
- (11) • Department of Technology Services (Toregas)
- (12) • NDA: Interagency Technology Policy and Coordination Committee (ITPCC) (Toregas)
- (13) • NDA: Desktop Computer Modernization (Toregas)
- (14) • Office of Management and Budget GO (Sesker)
- (15) • Finance, Risk Management, and NDAs for Risk Management, Working Families Income Supplement, State Property Tax Services, and Restricted Donations (Sesker)
- (16) • Debt Service (Sesker)
- (17) • NDAs: Grants to Municipalities in Lieu of Shares Tax, Future Federal/State/Other Grants, Takoma Park Police Rebate, Municipal Tax Duplication, Leases (Sesker)
- (18) • CIP Adjustment: General Government - Facility Planning (Sesker)
- (19) • County Executive GO (Ferber)
- (20) • Community Engagement: Commission for Women, Community Partnerships, and Gilchrist Center (Michaelson)
- (21) • County Attorney (Arthur)
- (22) • Office of Human Resources (Ferber)
- (23) • Public Information Office (Ferber)
- (24) • MC 311 (Toregas)
- (25) • General Services: Procurement (Toregas)

10:15 **CONSENT CALENDAR - FY13 Operating Budget and CIP adjustments** *(continued)*:

(26)	• Board of Elections	GO	(Frag)
(27)	• Intergovernmental Relations		(Arthur)
(28)	• NDAs: County Associations, Public Technology, Inc., Council of Governments, and Boards, Committees, Commissions		(Arthur)
(29)	• Inspector General		(Arthur)
(30)	• NDA: Charter Review Commission		(Mihill)
(31)	• Merit System Protection Board		(Ferber)
(32)	• Ethics Commission		(Ferber)
(33)	• Office of Legislative Oversight and Independent Audit NDA		(Orlansky)
(34)	• Council Office		(Farber)
(35)	• Sheriff	PS	(Frag)
(36)	• Circuit Court		(Frag)
(37)	• State's Attorney		(Frag)
(38)	• Office of Consumer Protection		(Frag)
(39)	• NDA Prisoner Medical Services		(Frag)
(40)	• Emergency Management and Homeland Security		(Levchenko)
(41)	• Liquor Control		(Ferber)
(42)	• NDA: Historical Activities - Historical Society	HHS	(Yao)
(43)	• NDA: Takoma Park Library Annual Payment		(Yao)
(44)	• Office of Human Rights		(Arthur)
(45)	• NDA: Arts and Humanities Council		(Ferber)
(46)	• Early Childhood Services, Infants and Toddlers, Linkages to Learning, School Health Services, High School Wellness Center, Foster Care Transportation, Kennedy Cluster Project, CIP Update	HHS/ED	(Yao)
(47)	• Housing First	PHED/HHS	(McMillan)
(48)	• NDA: Housing Opportunities Commission	PHED	(McMillan)
(49)	• DHCA CIP project - Affordable Housing Acquisition and Preservation		(McMillan)
(50)	• Department of Housing and Community Affairs		(McMillan)
(51)	• Department of Permitting Services		(Zyontz)
(52)	• NDA: Historical Activities		(Zyontz)
(53)	• Urban Districts		(Michaelson)
(54)	• NDA: Conference and Visitor's Bureau		(Sesker)
(55)	• NDA: Conference Center		(Sesker)
(56)	• Board of Appeals		(Arthur)
(57)	• Hearing Examiner		(Arthur)
(57.1)	• CIP adjustment: Smart Growth		(McMillan)
	- County Service Park infrastructure	GO	
	- Multi-Agency Service Park site development	PS	

10:20 **WORKSESSION - FY13 Operating Budget and CIP Adjustments:**

- |      |  |      |           |
|------|--|------|-----------|
| (58) | • Fire and Rescue Services   | PS   | (McGuire) |
| (59) | • Police Department  |      | (Farag)   |
| (60) | • Correction and Rehabilitation  |      | (Farag)   |
| (61) | • Libraries  | HHS  | (Yao)     |
| (62) | • Economic Development<br>(includes Wheaton Redevelopment CIP project) | PHED | (Sesker)  |
| (63) | • Economic Development Fund  |      | (Sesker)  |
| (64) | • Community Use of Public Facilities                                   | ED   | (Yao)     |

12:30 **RECESS**

- (65) 1:30 **PUBLIC HEARING - Expedited Bill 18-12**, Personnel - Disability Retirement - Eligibility and Benefits - Amendments (Drummer)  
*PS/GO Committee is tentatively scheduled for 5/9/12.*

2:00 **WORKSESSION - FY13 Operating Budget and CIP Adjustments (continued):**

- (66) • Transportation (Orlin)  
• CIP adjustments - DOT  
• NDA: HOA Road Maintenance Reimbursement  
• NDA: Snow Removal and Storm Cleanup  
• NDA: Rockville Parking District  
• FY13 Transportation Fees, Charges, and Fares

5:00 **ADJOURN**

- (67) 7:30 **PUBLIC HEARING - Expedited Bill 17-12**, Fire and Rescue Service - Emergency Medical Services - Reimbursement (Faden/McGuire)  
*PS Committee worksession tentatively scheduled for 5/11/12.*

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 5/11/12 at 9 pm*

**Thursday, May 10, 2012**

- 3:00 **MEETING** with Prince George's County Council regarding Bi-County Budgets (Farber)  
*(Montgomery County hosting at WSSC Headquarters in Laurel)*

**The following appointment was received from the County Executive and is tentatively scheduled for confirmation on May 15, 2012**

Ethics Commission: Kenita Barrow

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- Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>
- Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)
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- Zoning:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/zta/index.asp>
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- Other:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/index.asp>

**Future Council Meetings:**

<b>May 9, 2012</b>	1:30 pm	Council Budget Worksession
<b>May 10, 2012</b>	9:30 am	Council Budget Worksession
<b>May 10, 2012</b>	3:00 pm	Meeting w/ Prince George’s County Council
<b>May 11, 2012</b>	9:30 am	Council Budget Worksession
<b>May 14, 2012</b>	9:30 am	Council Budget Worksession
<b>May 15, 2012</b>	9:30 am	Regular Session & Council Budget Worksession
<b>May 16, 2012</b>	9:30 am	Council Budget Worksession
<b>May 17, 2012</b>	9:30 am	Council Budget Worksession
<b>May 18, 2012</b>	9:30 am	Council Budget Worksession
<b>May 24, 2012</b>	9:30 am	Final Budget Action
<b>May 28, 2012</b>		HOLIDAY
<b>May 29 - June 8, 2012</b>		RECESS

**Public Hearing List: To testify call 240-777-7803**

**May 15, 2012**

1:30 pm Supplemental appropriation to the MCPS’ FY12 Capital Budget and the FY11-16 CIP - \$1,339,200 for Education Rate (E-Rate) Program for the Technology Modernization project

**May 24, 2012**

9:30 am Supplemental appropriation to the County Government’s FY12 Capital Budget and amendment to the FY11-16 CIP, DGS - \$8,493,000 for Silver Spring Transit Center

9:30 am Supplemental appropriation to the County Government’s FY12 Operating Budget , Department of Transportation - \$2,286,000 for Job Access Reverse Commute (JARC) Grant Award - Bikesharing for Low Income Employees and Residents in Rockville/Shady Grove

**June 12, 2012**

1:30 pm ZTA 12-08, Transit Station Zones- Minimum Size

1:30 pm Amendment to the Master Plan for Historic Preservation: Upper Patuxent Area Historic Resources

7:30 pm **Bill 16-12**, Trees - Utility Vegetation Management

**June 19, 2012**

7:30 pm ZTA 12-07, Special Exceptions - Automobile filling stations



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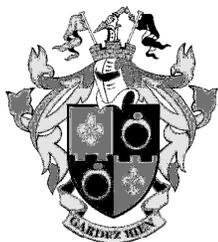
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

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**Thursday, May 10, 2012**

- (1) 3:00 **MEETING** with Prince George's County Council regarding Bi-County Budgets (Farber)  
*(Montgomery County hosting at WSSC Headquarters in Laurel)*
  
- (2) 3:15 **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 MNCPPC audits. *(WSSC Headquarters in Laurel)* (Faden)



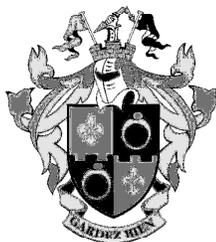
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## Monday, May 14, 2012

9:30 **WORKSESSION/ACTION** on the following:

- (1) A. Compensation and Benefits (all agencies) (Farber)
- (2) B. Resolution to indicate Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Fraternal Order of Police, Lodge 35 (Drummer)
- (3) C. Resolution to indicate 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 (Drummer)
- (4) D. Resolution to indicate Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Municipal & County Government Employees' Organization, Local 1994 (Drummer)
- (5) E. Resolution to indicate Council's intention regarding the actions necessary to implement the second year of the Collective Bargaining Agreement with the Montgomery County Volunteer Fire and Rescue Association (MCVFRA) (Drummer)

10:00 **WORKSESSION - FY13 Operating Budget and CIP adjustments:**

- (6) • Health and Human Services HHS (McMillan)
- (7) • Conservation Corps and Student/Teen Employment Program PHED/HHS (Yao)
- (8) • Recreation PHED (Yao)
- (9) • CIP: MNCPPC (*continued*) (Michaelson)
- (10) • NDA: Utilities T&E (Levchenko)

10:00 **WORKSESSION - FY13 Operating Budget and CIP adjustments** *(continued)*:

- |      |  |    |              |
|------|--|----|--------------|
| (11) | • County Executive   | GO | (Ferber)     |
| (12) | • Office of Human Resources                                      |    | (Ferber)     |
| (13) | • Community Engagement: Regional Services Centers                |    | (Michaelson) |
| (14) | • Cable Television and Communications Plan                       |    | (Toregas)    |
| (15) | • Council Office   |    | (Farber)     |
| (16) | • CIP: General Government (ALARF, Energy Systems Modernizations) |    | (Sesker)     |

12:30 **ADJOURN**

2:00 **GO/T&E Committee** *(3rd floor Council Hearing Room)*

2:45 **GO Committee** *(3rd floor Council Hearing Room)*



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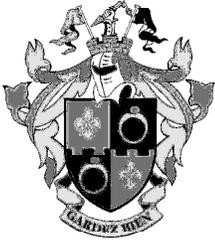
Montgomery County, Maryland

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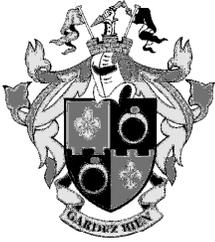
## ADDENDUM

**Tuesday, May 15, 2012**

10:30 **LEGISLATIVE SESSION Day # 14**

### **Miscellaneous Business:**

- (6.1) A. Consideration of County Executive's veto of **Expedited Bill 11-12**, County Property -  
Disposition (Faden)



Montgomery County, Maryland

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## Tuesday, May 15, 2012

9:30 **MOMENT OF SILENCE**

9:35 **PRESENTATION** - Proclamation recognizing National Small Business Week, by Councilmember Ervin

**PRESENTATION** - Building Safety Month, by Council President Berliner and Department of Permitting Services' staff

**PRESENTATION** - Proclamation recognizing Haley Skarupa, named to the U.S. Women's National Under-18 Hockey Team, by Councilmember Andrews

(1) 9:55 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: May 1, 2012

- Approval of Closed Session Minutes: May 1, 2012

(2) 10:00 **CONSENT CALENDAR**

A. **Action** - Resolution to authorize grant application request for Annual Transportation Plan and other transit grants (Orlin)

B. **Action** - Resolution to establish FY13 Solid Waste Service Charges (Levchenko)  
*T&E Committee recommends approval.*

C. **Action** - Resolution to establish FY13 Water Quality Protection Charge (Levchenko)  
*T&E Committee recommends approval with amendments.*

D. **Action** - Resolution to approve WSSC System Development Charge (Levchenko)  
*T&E Committee recommends approval.*

E. **Action** - Confirmation of County Executive appointment to the Ethics Commission: Kenita Barrow (Lauer)

F. **Action** - Resolution to amend Resolution 17-149 for the FY12 Designation of Entities for Non-Competitive Award Status: Primary Care Coalition (McMillan)

(2) 10:00 **CONSENT CALENDAR** *(continued)*

G. **Introduction/Suspension of Rules/Action** - Resolution acknowledging election returns from Village of Drummond (Lauer)  
*Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.*

(3) 10:05 **ACTION** - Appointment of Director, Office of Legislative Oversight: Christopher Cihlar (Farber)

10:10 **WORKSESSION - FY13 Operating Budget and CIP adjustments:**

(5) • NDA: Community Grants HHS (Fitzgerald-Bare)

(6) • CIP Amendment: Cost Sharing, and State Match Community Grants (Fitzgerald-Bare)

10:30 **LEGISLATIVE SESSION Day # 14**

**Introduction of Bills:**

(7) A. **Bill 19-12**, Human Rights and Civil Liberties - Displaced Service Workers, sponsored by Councilmembers Ervin, Rice, Elrich and Riemer (Drummer)  
*Public Hearing is scheduled for 6/12/12 at 1:30 pm.*

**Call of Bills for Final Reading**

(8) A. **Bill 5-12**, Administration - Small Business Navigator - Established (Drummer)  
*PHED Committee recommends approval with amendments.*

(9) B. **Expedited Bill 17-12**, Fire and Rescue Service - Emergency Medical Services - Reimbursement (Faden/McGuire)  
*PS Committee recommendation will be available 5/11/12.*

12:15 **RECESS**

(11) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the Montgomery County Public Schools' FY12 Capital Budget and the FY11-16 Capital Improvements Program - \$1,339,200 for Education Rate (E-Rate) Program for the Technology Modernization project (Source: Federal funds) (McGuire)

(12) 1:45 **INTERVIEW** - Applicant for Montgomery County Planning Board (Lauer)

2:15 **WORKSESSION - FY13 Operating Budget and CIP adjustments:**

HOLD for Council worksession, if needed

**ADJOURN**

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on May 24, 2012:**

Agricultural Advisory Committee: Gary Marx, Debra Benson, Paula Linthicum, Tim McGrath, Charlotte Ruppert, Patrick Brown, Paul Kuhlman

County-wide Recreation Advisory Board: Felecia Wilson, Erik Johnson, Michael Waters

Forest Conservation Advisory Committee: Laura Miller

Friendship Heights Transportation Management District Advisory Committee: R. Mallory Starr

Local Management Board for Children, Youth, and Families: Joyce Stein, Kimberley Alfonso, Dolores Kozloski

Rustic Roads Advisory Committee: Angela Butler, Marc Miller, Christopher Marston

Workforce Investment Board: Andrew Platou

Nominations for Property Tax Assessment Appeals Board:

Regular Member: Matthew Zaborsky, George Smithwick, Katrina Copeland

Alternate Member: Yonelle Moore, Robert Dennis, Julianna Capurro de Quijano

Alternate Member (New): Emilio Cecchi, David Epstein, Polly Leech

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**Public Participation:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/about/pub.asp>

**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>

**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)

**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)

**Packets:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/packet/index.asp>

**Bills:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/bill/index.asp>

**Resolutions:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/res/index.asp>

**Zoning:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/zta/index.asp>

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### Future Council Meetings:

May 16, 2012	9:30 am	Council Budget Worksession
May 17, 2012	9:30 am	Council Budget Worksession
May 18, 2012	9:30 am	Council Budget Worksession
May 24, 2012	9:30 am	Final Budget Action
May 28, 2012		HOLIDAY
May 29 - June 8, 2012		RECESS
June 12, 2012	9:30 am	Regular Session
June 19, 2012	9:30 am	Regular Session
June 26, 2012	9:30 am	Regular Session

May 15, 2012

Page 4

**Public Hearing List: To testify call 240-777-7803**

**May 24, 2012**

9:30 am Supplemental appropriation to the County Government's FY12 Capital Budget and amendment to the FY11-16 CIP, DGS - \$8,493,000 for Silver Spring Transit Center

9:30 am Supplemental appropriation to the County Government's FY12 Operating Budget, DOT - \$2,286,000 for Job Access Reverse Commute (JARC) Grant Award - Bikesharing for Low Income Employees and Residents in Rockville/Shady Grove

**June 12, 2012**

1:30 pm ZTA 12-08, Transit Station Zones- Minimum Size

1:30 pm Amendment to the Master Plan for Historic Preservation: Upper Patuxent Area Historic Resources

7:30 pm **Bill 16-12**, Trees - Utility Vegetation Management

**June 19, 2012**

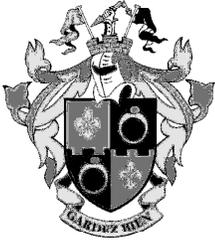
7:30 pm ZTA 12-07, Special Exceptions - Automobile filling stations

**June 21, 2012 by T&E Committee**

7:30 pm Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes



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Montgomery County, Maryland

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## REVISED

**Wednesday, May 16, 2012**

9:30 **ED Committee** (*3rd floor Council Conference Room*)

(.5) 10:00 **WORKSESSION - FY13 Operating Budget and CIP adjustments**

- Montgomery County Public Schools ED (McGuire)

(1) 10:15 **STATUS REPORT** - Overview of FY13 revenues and expenditures (Farber)

(2) 10:30 **WORKSESSION** - Property tax options: amount, rate, and Income Tax Offset Credit (Sesker)

11:00 **ACTION on the following:**

(3) • Resolution to approve FY13 Transportation Fees, Charges, and Fares (Orlin)  
*T&E Committee recommends approval.*

(4) • Resolution to amend Fuel/Energy tax rates (Faden)

11:30 **ADJOURN**



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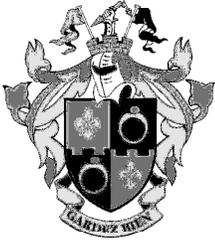
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## REVISED

**Thursday, May 17, 2012**

### 9:30 WORKSESSION - FY13 Capital and Operating Budgets

- (.5) A. Budget adjustments to reflect General Assembly decisions regarding teacher pension cost shift (Farber)
- (1) B. Capital Budget Wrap-Up and CIP Reconciliation (Orlin)
- (2) C. Council Reconciliation Items for Capital and Operating Budgets (Farber)

**ADJOURN**



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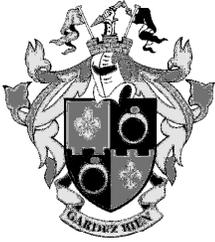
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## ADDENDUM

**Thursday, May 24, 2012**

(22) 10:30 **CONSENT CALENDAR**

**Deferred:**

A. **Action** - Executive Regulation 5-12, System Benefit Charges - Residential  
Waste Estimates

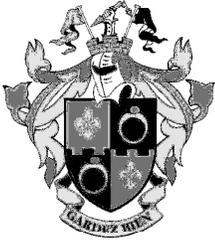
(Levchenko)

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## Thursday, May 24, 2012

9:30 **Announcement** - The Council will conduct a public hearing on recommendations for proposed Charter Amendments on June 28, 2012 at 7:30 pm. The Charter Review Commission has not suggested any amendments this year.

(0.1) 9:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY12 Operating Budget, Department of Transportation - \$2,286,000 for Job Access Reverse Commute (JARC) Grant Award - Bikesharing for Low Income Employees and Residents in Rockville/Shady Grove (Source: Mass Transit Facilities Fund) (Orlin)

*T&E Committee recommends approval.*

(0.2) 9:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY12 Capital Budget and amendment to the FY11-16 Capital Improvements Program, Department of General Services - \$8,493,000 for Silver Spring Transit Center (Source: Federal Aid, State Aid, Contributions, Impact Taxes, and G.O. Bonds) (Orlin)

*T&E Committee recommends approval.*

9:45 **ACTION** - Approval Resolutions for the FY13 Capital Budget and FY13-18 Capital Improvements Program:

- 1) County Government (Orlin)
- 2) Montgomery County Public Schools (Levchenko/McGuire)
- 3) Montgomery College (Ferber)
- 4) Maryland-National Capital Park and Planning Commission (Michaelson)
- 5) Revenue Authority (Zyontz)
- 6) Housing Opportunities Commission (McMillan)
- 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) FY13 State Participation (Orlin)

**ACTION** - Approval Resolutions for FY13 Operating Budget:

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

**ACTION** - Resolutions to Approve:

- 16) WSSC - FY13-18 Capital Improvements Program (Levchenko)
- 17) WSSC - FY13 Capital and Operating Budgets (Levchenko)
- 18) County Cable Communications Plan (Toregas)

**ACTION:**

- 19) Resolution to establish the FY13 Property Tax Rates (Sesker)
- 20) Resolution to authorize the substitution of Current Revenue for General Obligation Bonds in FY13 (Orlin)
- 21) Resolution to set amount of Property Tax Credit for Income Tax Offset (Sesker)
- 21.1) Resolution to amend Fuel/Energy tax rates (Faden/Rubin)

(22) 10:30 **CONSENT CALENDAR**

- A. **Action** - Executive Regulation 5-12, System Benefit Charges - Residential Waste Estimates (Levchenko)
- B. **Action** - Confirmation of County Executive appointments to the Agricultural Advisory Committee: Gary Marx, Debra Benson, Paula Linthicum, Tim McGrath, Charlotte Ruppert, Patrick Brown, Paul Kuhlman (Lauer)
- C. **Action** - Confirmation of County Executive appointments to the County-wide Recreation Advisory Board: Felecia Wilson, Erik Johnson, Michael Waters (Lauer)
- D. **Action** - Confirmation of County Executive appointment to the Forest Conservation Advisory Committee: Laura Miller (Lauer)
- E. **Action** - Confirmation of County Executive appointment to the Friendship Heights Transportation Management District Advisory Committee: R. Mallory Starr (Lauer)
- F. **Action** - Confirmation of County Executive appointments to the Local Management Board for Children, Youth, and Families: Joyce Stein, Kimberley Alfonso, Dolores Kozloski (Lauer)
- G. **Action** - Confirmation of County Executive appointment to the Rustic Roads Advisory Committee: Angela Butler, Marc Miller, Christopher Marston (Lauer)
- H. **Action** - Confirmation of County Executive appointment to the Workforce Investment Board: Andrew Platou (Lauer)

(22) 10:30 **CONSENT CALENDAR** (*continued*)

I. **Action** - Confirmation of County Executive nominations for Property Tax Assessment Appeals Board: Matthew Zaborsky, George Smithwick, Katrina Copeland (Regular Member); Yonelle Moore, Robert Dennis, Giulianna Capurro de Quijano (Alternate Member); Emilio Cecchi, David Epstein, Polly Leech (Alternate Member - New) (Lauer)

J. **Introduction** - Resolution to approve Executive/Council Memorandum of Understanding re Regional Services Directors (Michaelson)  
*Action is tentatively scheduled for 6/12/12.*

10:35 **PRESENTATION** - Recognition of County Service on the retirement of Karen Orlansky, Director, Office of Legislative Oversight

10:45 **ADJOURN**

**The following appointment was received from the County Executive and is tentatively scheduled for confirmation on June 12, 2012:**

Workforce Investment Board: Ayanna Lambert

**The next regular Council Session is scheduled for June 12, 2012. The agenda schedule will be mailed and posted to the web site on June 7, 2012. Please see the listing below for future Council meetings and public hearings. Council Committees will meet on June 11, 2012; see the Committee agenda for a list of meetings.**

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**Resolutions:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/res/index.asp>  
**Zoning:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/zta/index.asp>

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### Future Council Meetings:

May 28, 2012		HOLIDAY
May 29 - June 8, 2012		RECESS
June 12, 2012	9:30 am	Regular Session
June 19, 2012	9:30 am	Regular Session
June 26, 2012	9:30 am	Regular Session

### Public Hearing List: To testify call 240-777-7803

#### June 12, 2012

1:30 pm ZTA 12-08, Transit Station Zones- Minimum Size  
1:30 pm Amendment to the Master Plan for Historic Preservation: Upper Patuxent Area Historic Resources  
1:30 pm **Bill 19-12**, Human Rights and Civil Liberties - Displaced Service Workers  
7:30 pm **Bill 16-12**, Trees - Utility Vegetation Management

#### June 19, 2012

7:30 pm ZTA 12-07, Special Exceptions - Automobile filling stations

#### June 21, 2012 by T&E Committee

7:30 pm Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes

#### June 28, 2012

7:30 pm Recommendations for proposed Charter Amendments



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**COUNTY COUNCIL SEEKS APPLICANTS FOR  
BOARD OF APPEALS  
DEADLINE: WEDNESDAY, JULY 18, AT 5 P.M.**

The Montgomery County Council is seeking applicants for a four-year term on the County Board of Appeals. The term of Walter S. Booth (Democrat) will expire in September 2012. Mr. Booth is eligible for reappointment and has indicated his intent to apply for reappointment.

Applications for the position must be received no later than 5 p.m. on Wednesday, July 18.

By law, no more than three members of the board shall be from the same political party. This position can be filled by a Democrat, a Republican, a voter who declines to affiliate with a party or a voter who is a member of another party officially recognized by the Board of Elections.

Current members of the board include Chair Catherine Titus (Republican), Walter S. Booth (Democrat), Stan Boyd (Democrat), David K. Perdue (declined to affiliate) and Carolyn Shawaker (Democrat). Members of County boards, committees and commissions may not serve on more than one such group at a time.

Members of the board receive \$14,510 annually, with the chair receiving \$20,508. Salaries are adjusted annually each December to reflect 50 percent of the change in the Washington Area Consumer Price Index.

Duties of the Board of Appeals include making decisions on most applications for special exceptions as provided in the Zoning Ordinance; hearing and deciding requests for variances from development standards contained in the Zoning Ordinance; and hearing 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.

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

Letters expressing interest, including a resume listing professional and civic experience, should be addressed to Council President Roger Berliner, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850. Applications can be submitted via e-mail to: [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov). Applications must be received no later than 5 p.m. on Wednesday, July 18. It is the Council's policy not to consider applications received after the deadline. After the deadline, Councilmembers will review the letters of application and select applicants for interviews.

Letters of application are made public as part of the appointment process. The names of all applicants are published and resumes are made available for public review. 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 candidates will be required to make the financial statement available to the public.

**The next regular Council Session is scheduled for June 12, 2012. The agenda schedule will be mailed and posted to the web site on June 7, 2012. Please see the listing below for future Council meetings and public hearings. Council Committees will meet on June 11, 2012; see the Committee agenda for a list of meetings.**

**Future Council Meetings:**

<b>May 28, 2012</b>		HOLIDAY
<b>May 29 - June 8, 2012</b>		RECESS
<b>June 12, 2012</b>	9:30 am	Regular Session
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<b>June 26, 2012</b>	9:30 am	Regular Session

**Public Hearing List: To testify call 240-777-7803**

**June 12, 2012**

1:30 pm ZTA 12-08, Transit Station Zones- Minimum Size  
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7:30 pm Recommendations for proposed Charter Amendments



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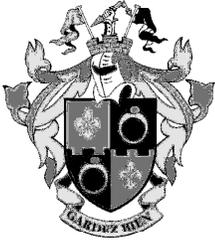
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

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## **ADDENDUM #2**

**Tuesday, June 12, 2012**

**Add: 4:30 UPDATE - Proposed for Sports Arena and Shady Grove Area**

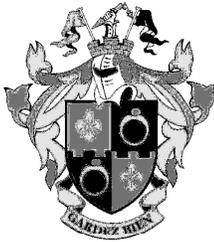
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## ADDENDUM

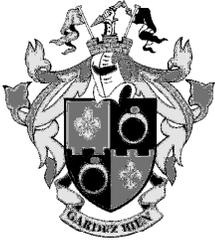
**Tuesday, June 12, 2012**

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

**Delete:** B. **Introduction** - Budget Amendments, FY12 Capital Budget and related FY13-18 Capital Improvements Program adjustments and technical amendments (Orlin)

**Add:** I. **Introduction** - Supplemental appropriation to the County Government's FY12 Capital Budget and amendments to FY11-16 Capital Improvements Program - assorted projects (Source: G.O. bonds) (Orlin)  
*Public Hearing/Action is scheduled for 6/26/12 at 1:30 pm.*

**Add:** J. **Introduction** - Resolution to amend previously adopted Resolution 17-434, Budget amendments for County Government's FY13 Capital Budget for assorted projects; and an amendment to FY13-18 Capital Improvements Program for Silver Spring Library (Orlin)  
*Public Hearing/Action is scheduled for 6/26/12 at 1:30 pm.*



Montgomery County, Maryland

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**Tuesday, June 12, 2012**

9:30 **INVOCATION** - Ani Rinchen Khandro, Kunzang Palyul Choling, Poolesville

(1) 9:35 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: May 7, 2012

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

A. **Introduction/Suspension of Rules/Action** - Resolution to approve Council contracts for audit services (Rubin)

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

B. **Introduction** - Budget Amendments, FY12 Capital Budget and related FY13-18 Capital Improvements Program adjustments and technical amendments (Orlin)

*Public Hearing/Action is scheduled for 6/26/12 at 1:30 pm.*

C. **Action** - Amendment #9 to audit contract with CliftonLarsonAllen (Rubin)

*AUDIT Committee recommendation will be available 6/11/12.*

D. **Action** - Resolution to extend time until December 31, 2012 for Council action on Executive Regulation 3-12, Hazardous Materials Use Permit (Levchenko)

E. **Action** - Executive Regulation 11-12, Schedule of Fees for Permits, Licenses and Certifications (Zyontz)

F. **Action** - Executive Regulation 5-12, System Benefit Charges - Residential Waste Estimates (Levchenko)

G. **Action** - Resolution to approve Executive/Council Memorandum of Understanding re Regional Services Directors (Michaelson)

H. **Action** - Confirmation of County Executive appointment to the Workforce Investment Board: Ayanna Lambert (Lauer)

(3) 9:45 **ACTION** - Appointment to the Montgomery County Planning Board (Lauer)

9:55 **LEGISLATIVE SESSION Day # 16**

**Introduction of Bills:**

(4) A. **Bill 20-12**, Special Capital Improvements Project - North Potomac Community Recreation Center, sponsored by the Council President at the request of the County Executive (Orlin)

*Public Hearing/Action is scheduled for 6/26/12 at 1:30 pm.*

10:00 **SHAPING OUR FUTURE: ADAPTING TO CHANGE**

(5) Transit 2.0 - the Purple Line, Corridor Cities Transitway, and a Countywide Rapid Transit Vehicle Network: (Orlin)

- Stewart Schwartz, Executive Director, Coalition for Smarter Growth
- Ralph Bennett, President, Purple Line NOW!
- Marilyn Balcombe, Chair, Corridor Cities Transitway Coalition
- Mark Winston, Chair, County Executive's Transit Task Force
- Task Force members Jonathan Genn, Tina Slater, David McDonough
- Tom Street, Assistant Chief Administrative Officer

12:15 **RECESS - 12:30 - Lunch meeting with Montgomery County Planning Board (5CCR)**

(6) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 12-08, Transit Station Zones- Minimum Size (Zyontz)

*PHED Committee worksession tentatively scheduled for 6/25/12.*

(7) 1:30 **PUBLIC HEARING** - Amendment to the Master Plan for Historic Preservation: Upper Patuxent Area Historic Resources (Zyontz)

*PHED Committee worksession tentatively scheduled for 6/25/12.*

(8) 1:30 **PUBLIC HEARING - Bill 19-12**, Human Rights and Civil Liberties - Displaced Service Workers (Drummer)

*HHS Committee worksession will be scheduled at a later date.*

2:30 **DISTRICT COUNCIL SESSION**

(9) A. **Introduction** - Zoning Text Amendment 12-09, Planned Development (PD) Zones - Hotels, sponsored by Councilmember Riemer (Zyontz)

*Public Hearing is scheduled for 7/17/12 at 1:30 pm.*

(10) B. **Action** - Request for Oral Argument and/or Hearing Examiner's report and recommendation - Local Map Amendment G-892 on remand, Chelsea Residential Associates (EYA Development, LLC), Evanswood, 630 Ellsworth Drive, Silver Spring (Zyontz)

June 12, 2012

Page 3

- (11) 3:00 **PROPOSED CLOSED SESSION** to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, pursuant to Maryland Code, State Government Article, §10-508 (a)(14). Topic is development of current Public Safety Training Academy site. (*3rd floor Council Conference Room*) (McMillan/Faden)
- (12) 4:00 **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 to discuss retention and potential expansion of two specific companies in the County. (*3rd Floor Council Conference Room*) (Sesker/Faden)
- 4:30 **ADJOURN**
- (13) 7:30 **PUBLIC HEARING by T&E Committee - Bill 16-12**, Trees - Utility Vegetation Management (Mihill)  
*T&E Committee worksession tentatively scheduled for 6/21/12.*

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 6/15/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on June 19, 2012:**

Alcoholic Beverages Advisory Board: Pinky Rodgers

Strathmore Hall Foundation Board of Directors: Delia "Dede" Lang, Barbara Goldberg Goldman

#### **NOTICE OF UPCOMING COUNCIL MEETINGS**

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**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>  
**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)  
**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agn.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agn.pdf)  
**Packets:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/packet/index.asp>  
**Bills:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/bill/index.asp>  
**Resolutions:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/res/index.asp>  
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June 12, 2012

Page 4

**Future Council Meetings:**

<b>June 19, 2012</b>	9:30 am	Regular Session
<b>June 26, 2012</b>	9:30 am	Regular Session
<b>July 2 to 6, 2012</b>		RECESS
<b>July 4, 2012</b>		HOLIDAY
<b>July 10, 2012</b>	9:30 am	Regular Session
<b>July 17, 2012</b>	9:30 am	Regular Session
<b>July 24, 2012</b>	9:00 am	State Legislative Program
<b>July 24, 2012</b>	10:15 am	Regular Session
<b>July 31, 2012</b>	9:30 am	Regular Session
<b>August 6 to September 7, 2012</b>		RECESS

**Public Hearing List: To testify call 240-777-7803**

**June 19, 2012**

7:30 pm ZTA 12-07, Special Exceptions - Automobile filling stations

**June 21, 2012 by T&E Committee**

7:30 pm Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes

**June 26, 2012**

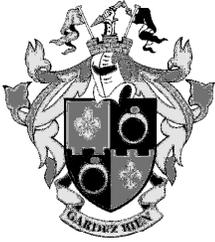
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**June 28, 2012**

7:30 pm Recommendations for proposed Charter Amendments



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Montgomery County, Maryland

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## Tuesday, June 19, 2012

9:30 **MOMENT OF SILENCE**

9:35 **PRESENTATIONS**

- A. Proclamation recognizing Montgomery County Science Fair winners, by Councilmember Floreen
- B. Proclamation recognizing Argyle Middle School Robotics Challenge, by Councilmember Ervin

(1) 9:55 **GENERAL BUSINESS**

(Lauer)

- A. **Announcement** - Agenda and Calendar Changes
- B. **Acknowledgement** - Receipt of Petitions
- C. **Action** - Approval of Minutes: May 8, 10, 14, 15, 16, 17, and 24, 2012  
- Approval of Closed Session Minutes: May 10, 2012

(2) 10:00 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to approve the Tax Supported Fiscal Plan Summary for FY13-18 Public Services Program (Farber/Sesker)  
*GO Committee worksession tentatively scheduled for 6/25/12.*
- B. **Introduction** - Resolution to approve renewal of Franchise Agreement for Use of Public Right-of-Way: AboveNet Communications, Inc. (Mihill)  
*Action is tentatively scheduled for 6/26/12.*
- C. **Action** - Resolution to amend Resolution 17-149 for the FY12 Designation of Entities for Non-Competitive Award Status: (McMillan)
  - Family Services Agency, Inc. (FSA)
  - Primary Care Coalition of Montgomery County, Inc.
- D. **Action** - Resolution to approve Economic Development Revenue Bond in an amount not to exceed \$20 million for the Bullis School, Inc. (Sesker)

(2) 10:00 **CONSENT CALENDAR** *(continued)*

E. **Action** - Confirmation of County Executive appointment to the Alcoholic Beverages Advisory Board: Pinky Rodgers (Lauer)

F. **Action** - Confirmation of County Executive appointments to the Strathmore Hall Foundation Board of Directors: Delia "Dede" Lang, Barbara Goldberg Goldman (Lauer)

10:05 **LEGISLATIVE SESSION Day # 17**

**Introduction of Bills:**

(3) A. **Bill 21-12**, Erosion, Sediment Control and Stormwater Management - Coal Tar Pavement Products, sponsored by Councilmembers Rice, Navarro, Elrich and Riemer (Drummer)  
*Public Hearing is scheduled for July 17, 2012 at 1:30 pm.*

(4) 10:10 **BOARD OF HEALTH** - Update from Dr. Ulder J. Tillman, County Health Officer, on access to care, disease control, licensure and regulatory services, public health emergency preparedness, teen pregnancy and Healthy Montgomery (McMillan)

(5) 11:20 **COG REPORTS** - Updates from Councilmembers serving on Council of Governments

11:30 **ADJOURN - 12:00** - *Brown Bag Lunch with Regional Services Center Directors (6CCR)*

(6) 7:30 **PUBLIC HEARING** - Zoning Text Amendment 12-07, Special Exceptions - Automobile filling stations (Zyontz)  
*PHED Committee worksession tentatively scheduled for 7/9/12.*

**Thursday, June 21, 2012**

7:30 **PUBLIC HEARING by the 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 7/12/12.*

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30; repeated on 6/22/12 at 9 pm*

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**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)  
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<b>July 24, 2012</b>	9:00 am	State Legislative Program
<b>July 24, 2012</b>	10:15 am	Regular Session
<b>July 31, 2012</b>	9:30 am	Regular Session

**Public Hearing List: To testify call 240-777-7803**

### June 26, 2012

1:30 pm Supplemental appropriation to the County Government's FY12 Capital Budget and amendments to FY11-16 CIP - assorted projects  
1:30 pm Resolution to amend previously adopted Resolution 17-434, Budget amendments for County Government's FY13 Capital Budget for assorted projects; and an amendment to FY13-CIP for Silver Spring Library  
1:30 pm **Bill 20-12**, Special Capital Improvements Project - North Potomac Community Recreation Center

### June 28, 2012

7:30 pm Recommendations for proposed Charter Amendments

### July 17, 2012

1:30 pm ZTA 12-09, Planned Development (PD) Zones - Hotels



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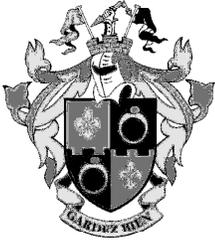
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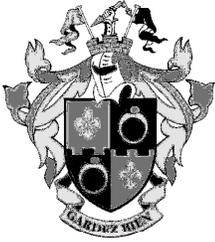
## Thursday, June 21, 2012

- (1) 7:30 **PUBLIC HEARING by the 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 7/12/12.*



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## Tuesday, June 26, 2012

9:30 **INVOCATION** - Reverend Kenneth Hawes, Hughes United Methodist Church, Wheaton

9:35 **GENERAL BUSINESS**

(Lauer)

A. **Announcement** - Agenda and Calendar Changes

(1.1) **Notice: Bill 16-12, Trees - Utility Vegetation Management:** Amendments have been proposed that would significantly expand the scope of this bill to regulate vegetation management activities in and around County rights-of-way and other private property. A second public hearing on this bill and proposed amendments will be held on July 10, 2012 at 7:30 pm.

(1.2) B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: June 12, 2012

- Approval of closed Session Minutes: June 12, 2012

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

A. **Receipt and Release** - Office of Legislative Oversight Report 2012-5: Montgomery County Deferred Retirement Option Plans

*PS/GO Committee worksession tentatively scheduled for 7/19/12.*

B. **Action** - Resolution to approve renewal of Franchise Agreement for Use of Public Right-of-Way: AboveNet Communications, Inc.

(Mihill)

C. **Action** - Appointments to fill two vacancies on the Charter Review Commission

*GO Committee recommends approval.*

(Lauer)

D. **Introduction** - Resolution to approve site change for Fire Station 18 Relocation, sponsored by the Council President at the request of the County Executive

(McGuire)

*Public Hearing is scheduled for 7/17/12 at 1:30 pm.*

(3) 9:45 **ACTION** - Resolution to approve the Tax Supported Fiscal Plan Summary for FY13-18 Public Services Program

(Farber/Sesker)

*GO Committee recommendation will be available 6/25/12.*

10:15 **DISTRICT COUNCIL SESSION**

- (4) A. **Introduction** - Subdivision Regulation Amendment 12-01, Septic Preliminary Plan - Approval Procedure (Zyontz)  
*Public Hearing is scheduled for 7/31/12 at 1:30 pm.*

- (5) B. **Action** - Zoning Text Amendment 11-08, Residential Zones - Accessory Commercial Kitchens (Zyontz)  
*PHED Committee recommends approval with amendments.*

- (7) 11:00 **SHAPING OUR FUTURE: ADAPTING TO CHANGE** (McMillan)

Health and Human Services Program Delivery

- Tracy Wareing, Executive Director, American Public Human Services Association
- Olivia Golden, Urban Institute Fellow, Director of Work Support Strategies Initiative
- Becky Wagner, Director, Advocates for Children and Youth
- Uma Ahluwalia, Director, Department of Health and Human Services

12:15 **RECESS**

- (8) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY12 Capital Budget and amendments to FY11-16 Capital Improvements Program - assorted projects (Source: G.O. bonds) (Orlin)

- (9) 1:30 **PUBLIC HEARING/ACTION** - Resolution to amend previously adopted Resolution 17-434, Budget amendments for County Government's FY13 Capital Budget for assorted projects; and an amendment to FY13-18 Capital Improvements Program for Silver Spring Library (Orlin)

- (10) 1:30 **PUBLIC HEARING - Bill 20-12**, Special Capital Improvements Project - North Potomac Community Recreation Center (Orlin)  
*Action is scheduled immediately following the hearing.*

1:40 **LEGISLATIVE SESSION Day # 18**

- (10) **Call of Bills for Final Reading**  
A. **Bill 20-12**, Special Capital Improvements Project - North Potomac Community Recreation Center (Orlin)

- (11) 1:45 **ACTION** on the following Executive Regulations: (Zyontz)

- A. Executive Regulation 8-12, Adoption of the 2012 International Building, Energy Conservation, Mechanical, Fuel-Gas, and Residential Codes
  - B. Executive Regulation 9-12, Fire Safety Code - Fire Protection Systems
  - C. Executive Regulation 10-12, Fire Safety Code - Building Construction
- PHED/T&E Committee recommendation will be available 6/25/12.*

2:00 **DISTRICT COUNCIL SESSION** (*continued*)

(12) C. **Action** - Zoning Text Amendment 12-06, Commercial/Residential Zones - Transit Proximity Definition (Zyontz)  
*PHED Committee recommends approval.*

3:00 **ADJOURN**

## Thursday, June 28, 2012

7:30 **PUBLIC HEARING** - Recommendations for proposed Charter Amendments (Faden)  
*A Council worksession is tentatively scheduled for 7/17/12.*

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 6/29/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on July 10, 2012:**

Ethics Commission: Rachel Brown

### NOTICE OF UPCOMING COUNCIL MEETINGS

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**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>  
**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)  
**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agm.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agm.pdf)  
**Packets:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/packet/index.asp>  
**Bills:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/bill/index.asp>  
**Resolutions:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/res/index.asp>  
**Zoning:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/zta/index.asp>

**View Current Live Session:** [http://montgomerycountymd.granicus.com/MediaPlayer.php?publish\\_id=4](http://montgomerycountymd.granicus.com/MediaPlayer.php?publish_id=4)

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**Other:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/index.asp>

**Future Council Meetings:**

<b>July 2 to 6, 2012</b>		RECESS
<b>July 4, 2012</b>		HOLIDAY
<b>July 10, 2012</b>	9:30 am	Regular Session
<b>July 17, 2012</b>	9:30 am	Regular Session
<b>July 24, 2012</b>	9:00 am	State Legislative Program
<b>July 24, 2012</b>	10:15 am	Regular Session
<b>July 31, 2012</b>	9:30 am	Regular Session

**Public Hearing List: To testify call 240-777-7803**

**June 28, 2012**

7:30 pm Recommendations for proposed Charter Amendments

**July 10, 2012 by T&E Committee**

7:30 pm **Bill 16-12**, Trees - Utility Vegetation Management: Amendments have been proposed that would significantly expand the scope of this bill to regulate vegetation management activities in and around County rights-of-way and other private property.

**July 17, 2012**

1:30 pm ZTA 12-09, Planned Development (PD) Zones - Hotels

1:30 pm **Bill 21-12**, Erosion, Sediment Control and Stormwater Management - Coal Tar Pavement Products

1:30 pm Resolution to approve site change for Fire Station 18 Relocation



If you need services to participate in any Council activity, please contact us as far in advance as possible: 240-777-7900 (TTY 240-777-7914) Email: [County.Council@montgomerycountymd.gov](mailto:County.Council@montgomerycountymd.gov). This document is available in alternative formats upon request.

**COUNTY COUNCIL SEEKS APPLICANTS FOR  
BOARD OF APPEALS  
DEADLINE: WEDNESDAY, JULY 18, AT 5 P.M.**

The Montgomery County Council is seeking applicants for a four-year term on the County Board of Appeals. The term of Walter S. Booth (Democrat) will expire in September 2012. Mr. Booth is eligible for reappointment and has indicated his intent to apply for reappointment.

Applications for the position must be received no later than 5 p.m. on Wednesday, July 18.

By law, no more than three members of the board shall be from the same political party. This position can be filled by a Democrat, a Republican, a voter who declines to affiliate with a party or a voter who is a member of another party officially recognized by the Board of Elections.

Current members of the board include Chair Catherine Titus (Republican), Walter S. Booth (Democrat), Stan Boyd (Democrat), David K. Perdue (declined to affiliate) and Carolyn Shawaker (Democrat). Members of County boards, committees and commissions may not serve on more than one such group at a time.

Members of the board receive \$14,510 annually, with the chair receiving \$20,508. Salaries are adjusted annually each December to reflect 50 percent of the change in the Washington Area Consumer Price Index.

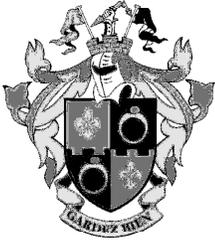
Duties of the Board of Appeals include making decisions on most applications for special exceptions as provided in the Zoning Ordinance; hearing and deciding requests for variances from development standards contained in the Zoning Ordinance; and hearing appeals from certain administrative decisions 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.

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

Letters expressing interest, including a resume listing professional and civic experience, should be addressed to Council President Roger Berliner, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850. Applications can be submitted via e-mail to: [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov). Applications must be received no later than 5 p.m. on Wednesday, July 18. It is the Council's policy not to consider applications received after the deadline. After the deadline, Councilmembers will review the letters of application and select applicants for interviews.

Letters of application are made public as part of the appointment process. The names of all applicants are published and resumes are made available for public review. 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 candidates will be required to make the financial statement available to the public.



Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

[www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)

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**Tuesday, July 10, 2012**

10:30 **INVOCATION** - Moment of Silence

(1) 10:35 **GENERAL BUSINESS**

(Lauer)

A. **Announcement** - Agenda and Calendar Changes

**Notice:** The public hearing planned for this evening at 7:30 pm on **Bill 16-12, Trees - Utility Vegetation Management**, has been cancelled.

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: June 19 and 21, 2012

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

A. **Introduction** - Supplemental Appropriation to the County Government's FY13 Operating Budget, Department of Economic Development's Grant Fund - \$273,435.87 to appropriate additional funding received from U.S. Department of Labor for Workforce Development (Source: Federal via State Grant)

(Sesker)

*Public Hearing/Action is scheduled for 7/24/12 at 1:30 pm.*

B. **Introduction** - Supplemental Appropriation to the County Government's FY13 Operating Budget, Department of Police - \$248,894 for installation of High Density Evidence Storage Facility (Source: Federal Grant)

(Farang)

*Public Hearing/Action is scheduled for 7/24/12 at 1:30 pm.*

C. **Introduction** - Resolution to affirm the Council's commitment to the comprehensive revitalization of Wheaton and to create a Wheaton Revitalization Implementation Working Group, sponsored by Councilmembers Navarro and Riemer

(Fogel)

*Action is tentatively scheduled for 7/17/12.*

D. **Introduction** - Resolution to extend term and appoint members of Airpark Liaison Committee

(Lauer)

*Action is tentatively scheduled for 7/17/12 .*

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

- E. **Introduction** - Resolution to support application for the State's Community Investment Tax Credit Program: Housing Opportunities Community Partners, Inc (McMillan)  
*Action is tentatively scheduled for 7/17/12.*
- F. **Action** - Repeal of Executive Regulation 12-10, Excise Tax on Major Emitters of Carbon Dioxide (Faden)
- G. **Action** - Confirmation of County Executive appointment to the Ethics Commission: Rachel Brown (Lauer)
- H. **Introduction** - Supplemental Appropriation to the County Government's FY13 Capital Budget, Department of Police - \$7,250,000 for 2<sup>nd</sup> District Police Station (Source: GO bonds) (Farag)  
*Public Hearing/Action is scheduled for 7/24/12 at 1:30 pm.*

10:45 **DISTRICT COUNCIL SESSION**

- (3) A. **Announcement** - Zoning Text Amendment 12-06, Commercial/Residential Zones - Transit Proximity Definition - Amendments have been proposed that would significantly expand the scope of this ZTA to allow the Council to consider the parking and public benefit requirements for development near a MARC station in addition to the transit proximity definition.  
*A second Public Hearing is scheduled for 9/11/12 at 1:30 pm.*
- (4) B. **Action** - Zoning Text Amendment 12-03 Agricultural zones - Wineries (Zyontz)  
*PHED Committee recommends approval with amendments.*
- (5) C. **Action** - Zoning Text Amendment 12-08, Transit Station Zones - Minimum Size (Zyontz)  
*PHED Committee recommends approval.*
- (6) D. **Action** - Zoning Text Amendment 12-05, Commercial/Residential Zones - Grandfathering (Zyontz)  
*PHED Committee recommended approval with amendments.*
- (7) E. **Action** - Request for Oral Argument and/or Hearing Examiner's report and recommendation - Local Map Amendment G-862/G-863 - On Remand, Glenmont Layhill Associates, LLC for property Glenallan Avenue between the intersections of Georgia Avenue and Layhill Road, Silver Spring (Zyontz)

11:45 **ADJOURN**

- 7:30 **CANCELLED: Public Hearing on Bill 16-12, Trees - Utility Vegetation Management**  
*This public hearing has been cancelled. No further consideration of the bill is planned at this time.*

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 7/13/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on July 17, 2012:**

Adult Public Guardianship Review Board: Miriam Kelty, Robert Elliott, Fiona Graham

Agricultural Preservation Advisory Board: Vincent Berg

Commission on Children and Youth: Jennifer Harris; Nancy Kaplan, Deatrice Williams, David Anderson, Antonio DeVaul, Lindsay Hoffman, Stephanie Williams, Toure Burgess, Noelle Dayal, Alexander DiMisa, Sarah Goldberg, Elizabeth Lakew, Jessica Maxin, Jennifer Weinstein

Commission on Children and Youth: Chair, Jane De Winter; Co-Vice Chairs, Carson Henry III and Don Wynne

Criminal Justice Coordinating Commission: Mark Resner

Friendship Heights Transportation Management District Advisory Committee: John Mertens

Montgomery Cares Program Advisory Board: Joan Planell, Steve Thronson, Agnes Saenz, Jacqueline Schultz, Lynda Honberg, Theora Hawkins

Silver Spring Transportation Management District Advisory Committee: Arnetta Haines, Samantha Mazo

Western Montgomery County Citizens Advisory Board: John Bowis, Heather Dlhopsky, Harlivleen (Livleen) Gil, Marc Korman, Virginia Miller, Robert Schwarzbart

Commission for Women: Lorna Forde, Manar Morales, Katie Smith, Catherine Hill, Barbara Mintz

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**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)

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**Zoning:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/zta/index.asp>

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#### Future Council Meetings:

**July 2 to 6, 2012**

RECESS

**July 4, 2012**

HOLIDAY

**July 10, 2012**

10:30 am

Regular Session

**July 17, 2012**

9:30 am

Regular Session

**July 19, 2012**

12:30 pm

Briefing - Storm Response

**July 24, 2012**

9:00 am

State Legislative Program

**July 24, 2012**

10:15 am

Regular Session

**July 31, 2012**

9:30 am

Regular Session

**Aug 1 - Sep 7, 2012**

RECESS

**September 3, 2012**  
**September 11, 2012**

9:30 am

HOLIDAY  
Regular session

July 10, 2012  
Page 4

**Public Hearing List: To testify call 240-777-7803**

**July 10, 2012**

7:30 pm **Bill 16-12**, Trees - Utility Vegetation Management - HEARING CANCELLED

**July 17, 2012**

1:30 pm ZTA 12-09, Planned Development (PD) Zones - Hotels

1:30 pm **Bill 21-12**, Erosion, Sediment Control and Stormwater Management - Coal Tar Pavement Products

1:30 pm Resolution to approve site change for Fire Station 18 Relocation

**July 24, 2012**

1:30 pm Supplemental Appropriation - Department of Economic Development's Grant Fund - \$273,435.87 to appropriate additional funding received from U.S. Department of Labor for Workforce Development

1:30 pm Supplemental Appropriation - Police - \$248,894 for installation of High Density Evidence Storage Facility

1:30 pm Supplemental Appropriation - Police - \$7,250,000 for 2nd District Police Station

**July 31, 2012**

1:30 pm SRA 12-01, Septic Preliminary Plan - Approval Procedure

**September 11, 2012**

1:30 pm Zoning Text Amendment 12-06, Commercial/Residential Zones - Transit Proximity Definition  
(continued)



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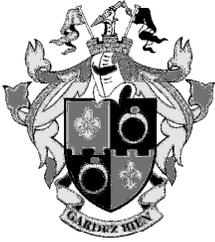
Montgomery County, Maryland

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## ADDENDUM

**Tuesday, July 17, 2012**

**Deleted:** (2.1) 9:55 **ACTION** - Resolution to affirm the Council's commitment to the comprehensive revitalization of Wheaton and to create a Wheaton Revitalization Implementation Working Group (Fogel)

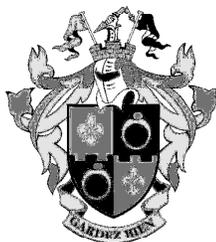
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

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## Tuesday, July 17, 2012

9:30 **INVOCATION** - Reverend Tim Warner, Montgomery County Office of Community Partnerships, Rockville

9:35 **PRESENTATION** - Proclamation recognizing Montgomery County Historical Society - Maryland State History Day Winners, by Councilmember Andrews

9:40 **PRESENTATION** - Proclamation recognizing Jacob Bogage, named Michael S. Powel Journalist of the Year, by Councilmember Rice

(1) 9:45 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: July 26 and 28, 2012

(2) 9:50 **CONSENT CALENDAR**

A. **Introduction** - Resolution to support state financing for construction of the Residences at Thayer Avenue Apartments in Silver Spring by Landex Development, LLC (McMillan)

*Action is tentatively scheduled for 7/24/12.*

B. **Introduction** - Special appropriation to MCPS FY13 Capital Budget and amendment to FY13-18 capital improvements program - \$3,100,000 for Planned Lifecycle Asset Replacement (Source: State Aging Schools Program) (McGuire)

*Public Hearing/Action is scheduled for 7/31/12 at 1:30 pm.*

C. **Introduction** - Special appropriation to MCPS FY13 Capital Budget and amendment to FY13-18 capital improvements program - \$2,000,000 for Planned Lifecycle Asset Replacement (Source: State Aid - Qualified Zone Academy Bonds) (McGuire)

*Public Hearing is scheduled for 7/31/12 at 1:30 pm.*

D. **Introduction** - Resolution to support elimination of the use of polystyrene plates, cups, and other foodware in County Government Cafeterias, sponsored by Councilmember Leventhal (Vitale)

*T&E Committee worksession tentatively scheduled for 7/26/12.*

(2) 9:50 **CONSENT CALENDAR** *(continued)*

- E. **Action** - Resolution to extend term and appoint members of Airpark Liaison Committee (Lauer)
- F. **Action** - Resolution to support application for the State's Community Investment Tax Credit Program: Housing Opportunities Community Partners, Inc (McMillan)
- G. **Action** - Resolution to amend Resolution 17-443 for the FY13 Designation of Entities for Non-Competitive Award Status: MoverMoms, Inc. ::(McMillan)
- H. **Action** - Resolutions to petition the State for grants for the FY13 Capital Budget of Montgomery College: (Ferber)
- \$1,856,000 for the design of the Science and Applied Studies Phase 1 Renovation project - Germantown Campus
  - \$1,158,000 for the purchase of furniture, fixtures and equipment for the Rockville Science East Building Renovation project - Rockville Campus
  - \$5,014,000 for the design of the Student Services Center project - Rockville Campus
- I. **Action** - Confirmation of County Executive appointments to the Adult Public Guardianship Review Board: Miriam Kelty, Robert Elliott, Fiona Graham (Lauer)
- J. **Action** - Confirmation of County Executive appointments to the Commission on Children and Youth: Jennifer Harris; Nancy Kaplan, Deatrice Williams, David Anderson, Antonio DeVaul, Lindsay Hoffman, Stephanie Williams, Toure Burgess, Noelle Dayal, Alexander DiMisa, Sarah Goldberg, Elizabeth Lakew, Jessica Maxin, Jennifer Weinstein (Lauer)
- K. **Action** - Confirmation of County Executive appointments to the Commission on Children and Youth: Chair, Jane De Winter; Co-Vice Chairs, Carson Henry III and Don Wynne (Lauer)
- L. **Action** - Confirmation of County Executive appointment to the Criminal Justice Coordinating Commission: Mark Resner (Lauer)
- M. **Action** - Confirmation of County Executive appointment to the Friendship Heights Transportation Management District Advisory Committee: John Mertens (Lauer)
- N. **Action** - Confirmation of County Executive appointments to the Montgomery Cares Program Advisory Board: Joan Planell, Steve Thronson, Agnes Saenz, Jacqueline Schultz, Lynda Honberg, Theora Hawkins (Lauer)
- O. **Action** - Confirmation of County Executive appointments to the Silver Spring Transportation Management District Advisory Committee: Arnetta Haines, Samantha Mazo (Lauer)

(2) 9:50 **CONSENT CALENDAR** (*continued*)

P. **Action** - Confirmation of County Executive appointments to the Western Montgomery County Citizens Advisory Board: John Bowis, Heather Dlhopsky, Harlivleen (Livleen) Gill, Marc Korman, Virginia Miller, Robert Schwarzbart (Lauer)

Q. **Action** - Confirmation of County Executive appointments to the Commission for Women: Lorna Forde, Manar Morales, Katie Smith, Catherine Hill, Barbara Mintz (Lauer)

R. **Action** - Confirmation of County Executive appointment to the Agricultural Preservation Advisory Board: Vincent Berg (Lauer)

(2.1) 9:55 **ACTION** - Resolution to affirm the Council's commitment to the comprehensive revitalization of Wheaton and to create a Wheaton Revitalization Implementation Working Group (Fogel)

10:00 **DISTRICT COUNCIL SESSION**

(3) A. **Introduction** - Zoning Text Amendment 12-10, Established Building Line - Clarification, sponsored by Council President Berliner (Zyontz)  
*Public Hearing is scheduled for 9/11/12 at 1:30 pm.*

(4) B. **Oral Argument and Action** - Hearing Examiner's report and recommendation - Local Map Amendment G-862/G-863 - On Remand, Glenmont Layhill Associates, LLC for property Glenallan Avenue between the intersections of Georgia Avenue and Layhill Road, Silver Spring (Zyontz)

(5) 11:30 **WORKSESSION** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)  
*Action is tentatively scheduled for 7/24/12.*

12:30 **RECESS**

(6) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 12-09, Planned Development (PD) Zones - Hotels (Zyontz)  
*PHED Committee worksession tentatively scheduled for 7/30/12.*

(7) 1:30 **PUBLIC HEARING - Bill 21-12**, Erosion, Sediment Control and Stormwater Management - Coal Tar Pavement Products (Mihill/Drummer)  
*T&E Committee worksession tentatively scheduled for 7/26/12.*

(8) 1:30 **PUBLIC HEARING** - Resolution to approve site change for Fire Station 18 Relocation (McGuire)  
*PS Committee worksession tentatively scheduled for 7/19/12.*

(9) 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 to discuss location of specific company in County. (*3rd Floor Council Conference Room*) (Sesker/Faden)

July 17, 2012

Page 4

- (10) 2:30 **PROPOSED CLOSED SESSION** to consult with counsel to obtain legal advice, pursuant to Maryland Code, State Government Article, §10-508 (a)(7). Topic is Charter ballot questions. (*3<sup>rd</sup> Floor Council Conference Room*) (Faden)
- (11) 3:15 **WORKSESSION** - Proposed amendments to County Charter (Faden)  
*Action is tentatively scheduled for 7/31/12.*
- 4:00 **ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 7/20/12 at 9 pm*

## Thursday, July 19, 2012

- (1) 12:30 **DISCUSSION** with Public Service Commission and Pepco regarding June 29 Storm Event (Levchenko)  
*3rd floor Council Hearing Room*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on July 24, 2012.**

Adult Public Guardianship Review Board: Roger Peele

Domestic Violence Coordinating Council: Dorothy Fait, Donna Rismiller

Revenue Authority: Herb Tyson

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**Public Participation:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/about/pub.asp>

**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>

**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)

**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)

**Packets:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/packet/index.asp>

**Bills:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/bill/index.asp>

**Resolutions:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/res/index.asp>

**Zoning:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/zta/index.asp>

**View Current Live Session:** [http://montgomerycountymd.granicus.com/MediaPlayer.php?publish\\_id=4](http://montgomerycountymd.granicus.com/MediaPlayer.php?publish_id=4)

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**Other:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/index.asp>

**Future Council Meetings:**

<b>July 19, 2012</b>	12:30 pm	Briefing - Storm Response
<b>July 24, 2012</b>	9:30 am	State Legislative Program
<b>July 24, 2012</b>	10:40 am	Regular Session
<b>July 31, 2012</b>	9:30 am	Regular Session
<b>Aug 1 - Sep 7, 2012</b>		RECESS
<b>Sep 3, 2012</b>		HOLIDAY
<b>Sep 11, 2012</b>	9:30 am	Regular session
<b>Sep 18, 2012</b>	9:30 am	Regular session
<b>Sep 18, 2012</b>	12:30 pm	Lunch meeting with MACo
<b>Sep 25, 2012</b>	9:30 am	Regular session
<b>Sep 25, 2012</b>	12:30 pm	Brown Bag Lunch with Regional Services Directors

**Public Hearing List: To testify call 240-777-7803**

**July 24, 2012**

- 1:30 pm Supplemental Appropriation - Department of Economic Development's Grant Fund - \$273,435.87 to appropriate additional funding received from U.S. Department of Labor for Workforce Development
- 1:30 pm Supplemental Appropriation - Police - \$248,894 for installation of High Density Evidence Storage Facility
- 1:30 pm Supplemental Appropriation - Police - \$7,250,000 for 2nd District Police Station

**July 31, 2012**

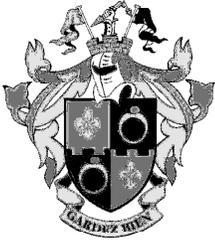
- 1:30 pm SRA 12-01, Septic Preliminary Plan - Approval Procedure

**September 11, 2012**

- 1:30 pm ZTA 12-06, Commercial/Residential Zones - Transit Proximity Definition



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Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

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**Thursday, July 19, 2012**  
**3rd floor Council Hearing Room**

(1) 12:30 **DISCUSSION** - June 29 Storm Event (Levchenko)

**Participants:**

Maryland Public Service Commission  
PEPCO  
Office of Consumer Protection  
State Senator Brian Frosh  
State Delegate Brian Feldman

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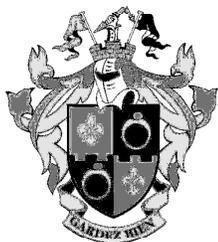
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**Tuesday, July 24, 2012**

(1) 9:30-10:15 **DISCUSSION** - State Legislative Program (6th floor Council Conference Room) (Wenger)

10:30 **INVOCATION** - Rabbi Baht Weiss, Temple Beth Ami, Rockville

10:35 **PRESENTATION** - Proclamation recognizing Jackie Simon, for her civil rights achievements over the last 50 years, by Councilmember Rice

(2) 10:40 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: July 10, 2012

(3) 10:45 **CONSENT CALENDAR**

A. **Introduction** - Resolution to approve the Office of Legislative Oversight's FY13 Work Program (Cihlar)

*Action is tentatively scheduled for 7/31/12.*

B. **Introduction** - Resolution concerning City of Gaithersburg annexation petition: City of Gaithersburg annexation petition: Sears Property, Shady Grove Road (Zyontz)

*Action is tentatively scheduled for 7/31/12.*

C. **Introduction** - Resolution to approve the FY13 schedule of revenue estimates and appropriations (Sesker)

*Action is tentatively scheduled for 7/31/12.*

D. **Introduction** - Resolution to approve postponement of FY13 Audit of the Montgomery County Classification and Compensation Plans and Procedures (Ferber)

*Action is tentatively scheduled for 7/31/12.*

E. **Action** - Resolution to approve site change for Fire Station 18 Relocation (McGuire)  
*PS Committee recommends approval.*

F. **Action** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)

July 24, 2012

(3) 10:45 **CONSENT CALENDAR** *(continued)*

- G. **Action** - Executive Regulation 13-12, MCPR amendments on Employee Drug and Alcohol Use and Drug and Alcohol Testing (Ferber)  
*GO Committee recommends approval.*
- H. **Action** - Executive Regulation 14-12, Miscellaneous amendments to the Montgomery County Personnel Regulations (MCPR) (Ferber)  
*GO Committee recommends approval.*
- I. **Action** - Executive Regulation 9-12AM, Fire Safety Code - Fire Protection Systems (Zyontz)  
*PHED Committee recommendations will be available 7/19/12.*
- J. **Action** - Executive Regulation 10-12AM, Fire Safety Code - Building Construction (Zyontz)  
*PHED Committee recommendations will be available 7/19/12.*
- K. **Action** - Executive Regulation 3-12AM, Hazardous Materials Use Permit (Levchenko)  
*PS Committee recommends approval as amended.*
- L. **Action** - Resolution to support state financing for construction of the Residences at Thayer Avenue Apartments in Silver Spring by Landex Development, LLC (McMillan)
- M. **Action** - Confirmation of County Executive appointment to the Adult Public Guardianship Review Board: Roger Peele (Lauer)
- N. **Action** - Confirmation of County Executive appointments to the Domestic Violence Coordinating Council: Dorothy Fait, Donna Rismiller (Lauer)
- O. **Action** - Confirmation of County Executive appointment to the Revenue Authority: Herb Tyson (Lauer)
- P. **Introduction** - Resolution to support application for the State's Community Investment Tax Credit Program: Court Appointed Special Advocate (CASA) (McMillan)  
*Action is tentatively scheduled for 7/31/12.*

10:55 **LEGISLATIVE SESSION Day # 21**

**Introduction of Bills:**

- (4) A. **Bill 22-12**, Local Small Business Reserve Program - Sunset Repeal, sponsored by the Council President at the request of the County Executive (Mihill)  
*Public Hearing is scheduled for 9/18/12 at 1:30 pm.*
- (5) 11:00 **BRIEFING** by Emergency Management on County response to June 29, 2012 Storm Event (Levchenko)

12:10 **COG REPORTS** - Updates from Councilmembers serving on Council of Governments

12:20 **RECESS** 12:30 - *Lunch Meeting with Board of Education (6CCR)*

- (6) 1:30 **PUBLIC HEARING/ACTION** - Supplemental Appropriation to the County Government's FY13 Operating Budget, Department of Economic Development's Grant Fund - \$273,435.87 to appropriate additional funding received from U.S. Department of Labor for Workforce Development (Source: Federal via State Grant) (Sesker)
- (7) 1:30 **PUBLIC HEARING/ACTION** - Supplemental Appropriation to the County Government's FY13 Operating Budget, Department of Police - \$248,894 for installation of High Density Evidence Storage Facility (Source: Federal Grant) (Frag)  
*PS Committee recommendations will be available 7/23/12.*
- (8) 1:30 **PUBLIC HEARING/ACTION** - Supplemental Appropriation to the County Government's FY13 Capital Budget, Department of Police - \$7,250,000 for 2<sup>nd</sup> District Police Station (Source: GO bonds) (Frag)  
*PS Committee recommendations will be available 7/23/12.*
- 1:45 **DISTRICT COUNCIL SESSION**
- (9) A. **Introduction** - Zoning Text Amendment 12-11, Accessory Apartments - Amendments, sponsored by the District Council at the request of the Montgomery County Planning Board (Zyontz)  
*Public Hearing is scheduled for 9/11/12 at 7:30 pm.*
- (10) B. **Action** - Zoning Text Amendment 12-07, Special Exceptions - Automobile filling stations (Zyontz)  
*PHED Committee recommends disapproval.*

## ADJOURN

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 7/27/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on July 31, 2012:**

Alcohol and Other Drug Abuse Advisory Council: James Sutton, Eric Sterling, Susan Rich, Elmore Briggs, Celia Young  
Animal Matters Hearing Board: Joseph Vallina, Norman Evans  
Commission on Children and Youth: Tamara Niedomanski  
Fire and Emergency Services Commission: Russell Dawson, A. Michael Kelley  
Commission on Health: Kathy Ghiladi, Graciela Jaschek, Marcia Pruzan, Michelle Hawkins, Ashraf Sufi, Shari Targum  
Department of Permitting Services Advisory Committee: Edward Duncan, Stephen Crum, Matthew Wessel, Stuart Barr  
Workforce Investment Board: Uma Ahluwalia, Mary Lang, Abiola Afolayan, Donald Pearl, Erick Lang, David Gamse

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**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)  
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**Zoning:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/zta/index.asp>

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July 24, 2012	10:30 am	Regular Session
July 31, 2012	9:30 am	Regular Session
Aug 1 - Sep 7, 2012		RECESS
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Sep 18, 2012	12:30 pm	Lunch meeting with MACo
Sep 25, 2012	9:30 am	Regular session
Sep 25, 2012	12:30 pm	Brown Bag Lunch with Regional Services Directors

**Public Hearing List: To testify call 240-777-7803**

### July 31, 2012

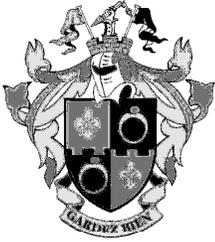
1:30 pm SRA 12-01, Septic Preliminary Plan - Approval Procedure  
1:30 pm Special appropriation and CIP amendment - MCPS - \$3,100,000 for Planned Lifecycle Asset Replacement (State Aging Schools Program)  
1:30 pm Special appropriation and CIP amendment - MCPS - \$2,000,000 for Planned Lifecycle Asset Replacement (Qualified Zone Academy Bonds)

### September 11, 2012

1:30 pm ZTA 12-06, Commercial/Residential Zones - Transit Proximity Definition  
1:30 pm ZTA 12-10, Established Building Line - Clarification



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## ADDENDUM

**Tuesday, July 31, 2012**

11:00 **LEGISLATIVE SESSION Day #22**

### **Call of Bills for Final Reading**

**Deleted:** (7)

A. **Bill 19-12**, Human Rights and Civil Liberties - Displaced Service Workers

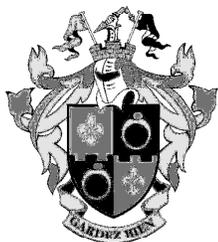
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## Tuesday, July 31, 2012

9:30 **INVOCATION** - Reverend Sean Miller, Potomac Presbyterian Church, Potomac

9:35 **PRESENTATION** - Proclamation recognizing Cheryl and David Shive as Foster Care Parents, by Councilmember Rice

9:40 **PRESENTATION** - Proclamation recognizing outstanding work of Court Watch Montgomery, an all-volunteer, non-profit organization, by Councilmember Andrews

(1) 9:45 **GENERAL BUSINESS** (Lauer)

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

A public hearing on the **2012 Subdivision Staging Policy** is scheduled for September 18, 2012 at 7:30 pm.

A public hearing on the **Burtonsville Crossroads Neighborhood Plan** is tentatively scheduled for September 20, 2012 at 7:30 pm, pending Planning Board transmittal of the plan in early August.

A public hearing on the **Kensington Sectional Map Amendment** (G-914) is scheduled for September 25, 2012 at 1:30 pm.

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: July 17 and 19, 2012

(2) 9:50 **CONSENT CALENDAR**

A. **Action** - Resolution to approve the Office of Legislative Oversight's FY13 Work Program (Cihlar)

B. **Action** - Extension of time for Council action on resolutions due to expire on August 31, 2012 (Lauer)

C. **Action** - Resolution to approve the FY13 schedule of revenue estimates and appropriations (Sesker)

(2) 9:50 **CONSENT CALENDAR** (*continued*)

- D. **Action** - Resolution to approve postponement of FY13 Audit of the Montgomery County Classification and Compensation Plans and Procedures (Ferber)  
*GO Committee recommends approval.*
- E. **Action** - Resolution to support application for the State's Community Investment Tax Credit Program: Court Appointed Special Advocate (CASA) (McMillan)
- F. **Action** - Resolution to support elimination of the use of polystyrene plates, cups, and other foodware in County Government cafeterias (Vitale)
- G. **Action** - Confirmation of County Executive appointments to the Commission on Children and Youth: Tamara Niodomanski (Lauer)
- H. **Action** - Confirmation of County Executive appointments to the Fire and Emergency Services Commission: Russell Dawson, A. Michael Kelley (Lauer)
- I. **Action** - Confirmation of County Executive appointments to the Commission on Health: Kathy Ghiladi, Graciela Jaschek, Marcia Pruzan, Michelle Hawkins, Ashraf Sufi, Shari Targum (Lauer)
- J. **Action** - Confirmation of County Executive appointments to the Department of Permitting Services Advisory Committee: Edward Duncan, Stephen Crum, Matthew Wessel, Stuart Barr (Lauer)
- K. **Action** - Confirmation of County Executive appointments to the Workforce Investment Board: Uma Ahluwalia, Mary Lang, Abiola Afolayan, Donald Pearl, Erick Lang, David Gamse (Lauer)
- L. **Action** - Confirmation of County Executive appointments to the Animal Matters Hearing Board: Joseph Vallina, Norman Evans (Lauer)
- M. **Action** - Confirmation of County Executive appointments to the Alcohol and Other Drug Abuse Advisory Council: James Sutton, Eric Sterling, Susan Rich, Elmore Briggs, Celia Young (Lauer)
- N. **Introduction** - Resolution to amend School Facility Payment rates, sponsored by the Council President at the request of the Montgomery County Planning Board (Orlin)  
*Public Hearing is scheduled for 9/18/12 at 7:30 pm.*

9:55 **DISTRICT COUNCIL SESSION**

- (3) A. **Introduction** - Zoning Text Amendment 12-12, Density Transfer - C-2 to CBD Zones, sponsored by Council President Berliner and Councilmember Floreen (Zyontz)  
*Public Hearing is scheduled for 9/11/12 at 1:30 pm.*

- (4) 10:00 **ACTION** - Resolution concerning City of Gaithersburg annexation petition: City of Gaithersburg annexation petition: Sears Property, Shady Grove Road (Zyontz)  
*PHED Committee recommends approval of proposed zoning.*

11:00 **LEGISLATIVE SESSION Day #22**

**Introduction of Bills:**

- (5) A. **Bill 23-12**, Administration - Open Government, sponsored by Councilmember Riemer, Andrews, Berliner, Leventhal and Floreen (Faden/Mihill)  
*Public Hearing is scheduled for 9/18/12 at 1:30 pm.*
- (6) B. **Bill 24-12**, Board of Investment Trustees - Consolidated Retiree Health Trust Board of Trustees - Delegation - Attendance, sponsored by the Council President at the request of the County Executive (Faden/Drummer)  
*Public Hearing is scheduled for 9/18/12 at 1:30 pm.*

**Call of Bills for Final Reading**

- (7) **Deleted:** A. **Bill 19-12**, Human Rights and Civil Liberties - Displaced Service Workers (Faden/Drummer)  
*HHS Committee recommendation will be available 7/30/12.*

12:15 **RECESS**

- (8) 1:30 **PUBLIC HEARING** - Subdivision Regulation Amendment 12-01, Septic Preliminary Plan - Approval Procedure (Zyontz)  
*PHED Committee worksession tentatively scheduled for 9/10/12.*
- (9) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to MCPS FY13 Capital Budget and amendment to FY13-18 capital improvements program - \$3,100,000 for Planned Lifecycle Asset Replacement (Source: State Aging Schools Program) (McGuire)  
*ED Committee recommendations will be available 7/26/12*
- (10) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to MCPS FY13 Capital Budget and amendment to FY13-18 capital improvements program - \$2,000,000 for Planned Lifecycle Asset Replacement (Source: State Aid - Qualified Zone Academy Bonds) (McGuire)  
*ED Committee recommendations will be available 7/26/12*

- (11) 1:40 **ACTION on the following:** (Faden/Mihill)

A. Resolution to place proposed amendments to County Charter on November ballot and approve ballot language

B. Resolution to approve ballot language for potential referenda on County laws

- (12) 2:00 **ACTION** - Amendment to Montgomery County Planning Board work program (Michaelson)

- (13) 2:45 **PROPOSED CLOSED SESSION** for the purpose of consulting with counsel to obtain legal advice, and to consult about pending or potential litigation, pursuant to Maryland Code, State Government Article, §10-508 (a) (7) and (8). Topic is *Bar-T Holding, Inc. v. Montgomery County* and *All Saints All Day Child Care Center v. Montgomery County*. (3rd floor Council Conference Room)

3:45 **ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
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Sep 3, 2012		HOLIDAY
Sep 11, 2012	9:30 am	Regular session
Sep 18, 2012	9:30 am	Regular session
Sep 18, 2012	12:30 pm	Lunch meeting with MACo
Sep 25, 2012	9:30 am	Regular session
Sep 25, 2012	12:30 pm	Brown Bag Lunch with Regional Services Directors

**Public Hearing List: To testify call 240-777-7803**

### September 11, 2012

1:30 pm ZTA 12-06, Commercial/Residential Zones - Transit Proximity Definition  
1:30 pm ZTA 12-10, Established Building Line - Clarification  
1:30 pm ZTA 12-12, Density Transfer - C-2 to CBD Zones  
7:30 pm ZTA 12-11, Accessory Apartments - Amendments



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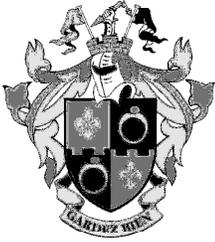
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## ADDENDUM

**Tuesday, September 11, 2012**

### (2) 10:00 CONSENT CALENDAR

**Added:**

D. **Action** - Appointment of special counsel to represent the County on workers' compensation cases: Jeffrey Stickle

(Faden)

### 10:20 DISTRICT COUNCIL SESSION

**Deferred: (8)**

C. **Action** - Zoning Text Amendment 12-09, Planned Development (PD) Zones - Hotels

(Zyontz)

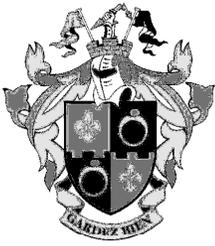
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## Tuesday, September 11, 2012

9:30 **INVOCATION** - Reverend Dr. Mary Ellen Huzzard, retired, North Chevy Chase  
Christian Church, Chevy Chase

### 9:35 **PRESENTATIONS**

- A. Proclamation recognizing the 50th anniversary of Albert Einstein High School, by Councilmembers Andrews and Elrich
- B. Proclamation recognizing the 50th anniversary of Walt Whitman High School, by Council President Berliner
- C. Proclamation recognizing the Berman Academy and Harmony Hills Elementary School for their "Chessed" Ambassadors Program, by Council Vice President Navarro

### (1) 9:55 **GENERAL BUSINESS**

(Lauer)

- A. **Announcement** - Agenda and Calendar Changes  
The public hearing on the FY14 WSSC Spending Control Limits is scheduled for October 2, 2012 at 1:30 pm.
- B. **Acknowledgement** - Receipt of Petitions
- C. **Action** - Approval of Minutes: July 24, 2012  
- Approval of Closed Session Minutes: July 17, 2012

### (2) 10:00 **CONSENT CALENDAR**

- A. **Action** - Council nominee to the Bethesda Urban Partnership Board of Directors: Andy O'Hare (Lauer)
- B. **Action** - Reappointment to Board of Appeals: Walter Booth (Lauer)
- C. **Action** - Reappointment of Council representative to Nominating Committee for the Board of Trustees of Montgomery College: Dwayne Leslie (Lauer)

10:05 **LEGISLATIVE SESSION Day #26**

(3) A. **Bill 25-12**, Taxation - Impact Tax - Bikesharing, sponsored by Council President Berliner and Councilmember Ervin (Faden)  
*Public Hearing is scheduled for 10/23/12 at 1:30 pm.*

(4) B. **Bill 26-12**, Swimming Pools - Defibrillators, sponsored by Councilmembers Leventhal and Riemer (Mihill)  
*Public Hearing is scheduled for 10/9/12 at 1:30 pm.*

**Call of Bills for Final Reading:**

(5) A. **Bill 21-12**, Erosion, Sediment Control and Stormwater Management - Coal Tar Pavement Products (Mihill/Drummer)  
*T&E Committee recommends enactment.*

10:20 **DISTRICT COUNCIL SESSION**

(6) A. **Introduction** - Zoning Text Amendment 12-13, Rural Cluster (RC) Zone - Impervious Surface Limits, sponsored by the Council President at the request of the Montgomery County Planning Board (Zyontz)  
*Public Hearing is scheduled for 10/23/12 at 1:30 pm.*

(7) B. **Introduction** - Zoning Text Amendment 12-14, Bikeshare Facilities - Incentives, sponsored by Council President Berliner and Councilmember Ervin (Zyontz)  
*Public Hearing is scheduled for 10/23/12 at 1:30 pm.*

(8) C. **Action** - Zoning Text Amendment 12-09, Planned Development (PD) Zones - Hotels (Zyontz)  
*PHED Committee recommends disapproval*

(9) 10:45 **BRIEFING** by Council of Governments on proposed activity centers map (Michaelson)

12:00 **RECESS**

(10) 1:30 **PUBLIC HEARING** - ZTA 12-06, Commercial/Residential Zones - Transit Proximity Definition (*continued*) (Zyontz)  
*PHED Committee worksession tentatively scheduled for 9/24/12.*

(11) 1:30 **PUBLIC HEARING** - ZTA 12-10, Established Building Line - Clarification (Zyontz)  
*PHED Committee worksession tentatively scheduled for 10/11/12.*

(12) 1:30 **PUBLIC HEARING** - ZTA 12-12, Density Transfer - C-2 to CBD Zones (Zyontz)  
*PHED Committee worksession tentatively scheduled for 10/11/12.*

(13) 2:00 **WORKSESSION** - Amendment to the Master Plan for Historic Preservation: Upper Patuxent Area Historic Resources (Zyontz)  
*Action is tentatively scheduled for 9/18/12.*

3:00 **ADJOURN**

(14) 7:30 **PUBLIC HEARING** - Zoning Text Amendment 12-11, Accessory Apartments - Amendments (Zyontz)  
*PHED Committee worksession tentatively scheduled for 10/1/12.*

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30; repeated on 9/14/12 at 9 pm*

**NOTICE OF UPCOMING COUNCIL MEETINGS**

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- Public Participation:** <http://www.montgomerycountymd.gov/cs1tmpl.asp?url=/content/council/about/pub.asp>
- Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>
- Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)
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- Resolutions:** <http://www.montgomerycountymd.gov/cs1tmpl.asp?url=/content/council/leg/res/index.asp>
- Zoning:** <http://www.montgomerycountymd.gov/cs1tmpl.asp?url=/content/council/leg/zta/index.asp>

**View Current Live Session:** [http://montgomerycountymd.granicus.com/MediaPlayer.php?publish\\_id=4](http://montgomerycountymd.granicus.com/MediaPlayer.php?publish_id=4)

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**Other:** <http://www.montgomerycountymd.gov/cs1tmpl.asp?url=/content/council/index.asp>

**Future Council Meetings:**

Sep 18, 2012	9:30 am	Regular session
Sep 18, 2012	12:30 pm	Lunch meeting with MACo
Sep 25, 2012	9:30 am	Regular session
Sep 25, 2012	12:30 pm	Brown Bag Lunch with Regional Service Directors
Oct 2, 2012	9:30 am	Regular session
Oct 9, 2012	9:30 am	Regular session
Oct 16, 2012	9:30 am	Regular session
Oct 16, 2012	12:30 pm	Lunch Meeting with Board of Education
Oct 18, 2012	6:30 pm	Meeting w/ MC Chapter of the Maryland Municipal League
Oct 23, 2012	9:30 am	Regular session
Oct 30, 2012	9:30 am	Regular session
Nov 6, 2012	9:30 am	Regular session
Nov 12, 2012		HOLIDAY
Nov 13, 2012	9:30 am	Regular session

September 11, 2012

Page 4

**Public Hearing List: To testify call 240-777-7803**

**September 18, 2012**

1:30 pm **Bill 22-12**, Local Small Business Reserve Program - Sunset Repeal

1:30 pm **Bill 23-12**, Administration - Open Government

1:30 pm **Bill 24-12**, Board of Investment Trustees - Consolidated Retiree Health Trust Board of Trustees -  
Delegation - Attendance

7:30 pm 2012 Subdivision Staging Policy, and Resolution to amend School Facility Payment rates

**September 20, 2012**

7:30 pm Burtonsville Crossroads Neighborhood Plan

**September 25, 2012**

1:30 pm Kensington Sectional Map Amendment (G-914)

**October 2, 2012**

1:30 pm FY14 WSSC Spending Control Limits



If you need services to participate in any Council activity, please contact us as far in advance as possible: 240-777-7900 (TTY 240-777-7914) Email: [County.Council@montgomerycountymd.gov](mailto:County.Council@montgomerycountymd.gov). This document is available in alternative formats upon request.

**COUNTY COUNCIL SEEKS APPLICANTS  
FOR CHARTER REVIEW COMMISSION  
DEADLINE: 5 P.M. - WEDNESDAY, SEPTEMBER 26**

The Montgomery County Council is accepting applications to fill an unexpired term on the Charter Review Commission. The appointee may be a Democrat, a Republican or someone who declines to affiliate with a party, or a member of another party officially recognized by the Board of Elections. Applicants should submit letters of interest by 5 p.m. on Wednesday, September 26.

The County Charter was amended in 1976 to provide that a Charter Review Commission be appointed by the County Council every four years to study the Charter. The Commission researches and evaluates Charter issues raised by the County Executive, County Council, other government officials, and the public. Commission reports are submitted no later than May 1 of every even-numbered year. These reports contain recommendations concerning any proposed Charter amendments. The Commission is composed of 11 residents of the County, five of whom are appointed from a list of names submitted by the County Executive. No more than six members can be from the same political party.

Applicants should submit letters of interest with a resume to: Roger Berliner, President, Montgomery County Council, 100 Maryland Ave., Rockville, Maryland 20850 by 5 p.m. on September 26. Resumes should include professional and civic experience, political party affiliation, home and office telephone numbers and an e-mail address. Letters and resumes submitted are made public as part of the appointment process. Members of County boards, committees and commissions may not serve on more than one such group at a time.

For more information about the Charter Review Commission or how to apply for consideration to become a commission member, call Linda Lauer at 240-777-7979.

# # #

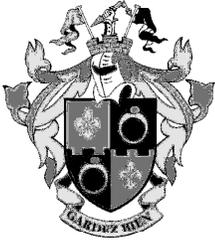
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

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## ADDENDUM

**Tuesday, September 18, 2012**

(2) 9:50 **CONSENT CALENDAR**

**Add:**

- E. **Action** - Resolution to amend Resolution 17-443, Approval and Appropriation for the FY13 Operating Budget for the Montgomery County Government - Amendment of Budget Provision 41 regarding Emergency Medical Services Transport Reimbursement Program (McGuire)

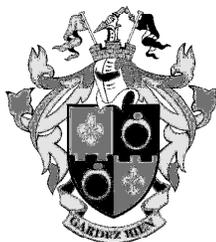
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## Tuesday, September 18, 2012

9:30 **INVOCATION** - Chaplain Melanie Bailey, Washington Adventist Hospital, Pastoral Care Services, Takoma Park

### 9:35 **PRESENTATIONS**

A. Proclamation recognizing Constitution Week, by Councilmembers Andrews and Rice

B. Proclamation recognizing African Heritage Month, by Councilmember Ervin

### (1) 9:45 **GENERAL BUSINESS**

(Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: July 31, 2012

- Approval of Closed Session Minutes: July 31, 2012

### (2) 9:50 **CONSENT CALENDAR**

A. **Introduction** - Resolution to consolidate previously authorized notes for sale and issuance as a single issue

(Sesker)

*Action is tentatively scheduled for 9/25/12.*

B. **Introduction** - Resolution to issue refunding bonds in order to refund certain lease revenue bonds issued by the Maryland Economic Development Corporation (MEDCO) on behalf of Montgomery County

(Sesker)

*Action is tentatively scheduled for 9/25/12.*

C. **Introduction** - Resolutions to support applications for the State's Community Investment Tax Credit Program: Jewish Community Center of Greater Washington, CASA de Maryland, Legal Aid Bureau, Housing Unlimited, Montgomery Housing Partnership, The Primary Care Coalition, and Jewish Social Service Agency

(McMillan)

*Action is tentatively scheduled for 9/25/12.*

D. **Introduction** - Resolution to approve categorical transfers in MCPS FY12 Operating Budget - \$1,800,000 for the Provision for Future Supported Projects (Source: Federal and State grants)

(McGuire)

*Action is tentatively scheduled for 10/9/12.*

(3) 9:55 **DISTRICT COUNCIL SESSION**

A. **Action** - Amendment to the Master Plan for Historic Preservation: Upper Patuxent Area Historic Resources (Zyontz)

B. **Action** - Subdivision Regulation Amendment 12-01, Septic Preliminary Plan - Approval Procedure (Zyontz)  
*PHED Committee recommends approval with amendments.*

10:20 **LEGISLATIVE SESSION Day # 27**

**Introduction of Bills:**

(4) A. **Expedited Bill 27-12**, Bond Authorization, sponsored by the Council President at the request of the County Executive (Sesker)  
*Public Hearing is scheduled for 9/25/12 at 1:30 pm.*

**Call of Bills for Final Reading:**

(5) A. **Bill 14-12**, Economic Development Fund - Amendments (Faden/Drummer/Sesker)  
*PHED Committee recommends enactment with amendments.*

(6) B. **Bill 19-12**, Human Rights and Civil Liberties - Displaced Service Workers (Drummer)  
*HHS Committee recommends enactment with amendments.*

12:00 **RECESS - 12:30 - Lunch Meeting with Maryland Association of Counties (MACo) President Ingrid Turner and Executive Director Michael Sanderson (6CCR)**

(7) 1:30 **PUBLIC HEARING - Bill 22-12**, Local Small Business Reserve Program - Sunset Repeal (Mihill)  
*GO Committee worksession tentatively scheduled for 10/8/12.*

(8) 1:30 **PUBLIC HEARING - Bill 24-12**, Board of Investment Trustees - Consolidated Retiree Health Trust Board of Trustees - Delegation - Attendance (Faden/Drummer)  
*GO Committee worksession tentatively scheduled for 10/8/12.*

(9) 1:30 **PUBLIC HEARING - Bill 23-12**, Administration - Open Government (Faden/Mihill)  
*GO Committee worksession tentatively scheduled for 10/29/12.*

(10) 2:00 **OVERVIEW** - 2012 Subdivision Staging Policy (Orlin)

(11) 2:45 **DISCUSSION** - Use of public space in Silver Spring (Yao)

3:30 **ADJOURN**

(12) 7:30 **PUBLIC HEARING** - 2012 Subdivision Staging Policy, and Resolution to amend School Facility Payment rates (Orlin)  
*PHED Committee worksession tentatively scheduled for 9/24/12.*

**Thursday, September 20, 2012**

7:30 **PUBLIC HEARING** - Burtonsville Crossroads Neighborhood Plan  
*PHED Committee worksession tentatively scheduled for 10/8/12.*

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 9/21/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on September 25, 2012:**

Alcoholic Beverages Advisory Board: Melissa Davis, Rebecca Reynolds-Ramirez

Cable Compliance Commission: Mark Berman, Iris Darby, Shane Trask

Charter Review Commission: Shawn Sullivan

Committee Evaluation and Review Board: Cristian Mirancea, Lyn Schaefer, George Tarrico

District of Columbia Water & Sewer Authority: Timothy Firestine, Kathleen Boucher

Fire and Emergency Services Commission: Anita Powell

Committee on Hate/Violence: Stephan Barker, Molly Fujimoto, Maria Herrera, Inemesit Imoh, Adam Marker, Alex Mitchell, MeShon Watkins

Board of License Commissioners: Margaret Baker

Solid Waste Advisory Committee: Steven Sprague, Sara Ducey, Farrah Saint-Surin, Ed Violette, Jerald Boyd, Mark Freedman

**The following appointment was received from the County Executive and will be scheduled for interview at a later date:**

Housing Opportunities Commission: Jean Banks

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### Future Council Meetings:

Sep 25, 2012	10:00 am	Regular session
Sep 25, 2012	12:30 pm	Brown Bag Lunch with Regional Service Directors
Oct 2, 2012	9:30 am	Regular session
Oct 9, 2012	9:30 am	Regular session
Oct 16, 2012	9:30 am	Regular session
Oct 18, 2012	6:30 pm	Meeting w/ MC Chapter of the Maryland Municipal League
Oct 23, 2012	9:30 am	Regular session
Oct 30, 2012	9:30 am	Regular session

### Public Hearing List: To testify call 240-777-7803

#### September 20, 2012

7:30 pm Burtonsville Crossroads Neighborhood Plan

#### September 25, 2012

1:30 pm Kensington Sectional Map Amendment (G-914)

#### October 2, 2012

1:30 pm FY14 WSSC Spending Control Limits

#### October 16, 2012

1:30 pm **Bill 26-12**, Swimming Pools - Defibrillators

1:30 pm Supplemental appropriations and CIP amendments - M-NCPPC

- \$300,000 for Woodlawn Barn Visitors Center
- \$200,000 for Minor New Construction: Non-Local Parks
- \$600,000 for Acquisition: Local Parks
- \$320,000 for Acquisition: Non-Local Parks

#### October 23, 2012

1:30 pm **Bill 25-12**, Taxation - Impact Tax - Bikes sharing

1:30 pm ZTA 12-13, Rural Cluster (RC) Zone - Impervious Surface Limits

1:30 pm ZTA 12-14, Bikes share Facility - Incentive



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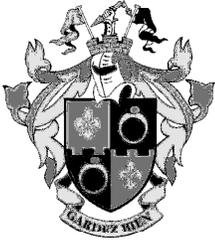
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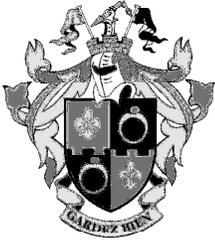
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## Thursday, September 20, 2012

- (1) 7:30 **PUBLIC HEARING** - Burtonsville Crossroads Neighborhood Plan  
*PHED Committee worksession tentatively scheduled for 10/8/12.*



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Montgomery County, Maryland

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## ADDENDUM

**Tuesday, September 25, 2012**

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

N. **Introduction** - Resolution to support State financing for rehabilitation of  
Tanglewood and Sligo Hills Apartments in Silver Spring (McMillan)  
*Action is tentatively scheduled for 10/9/12.*

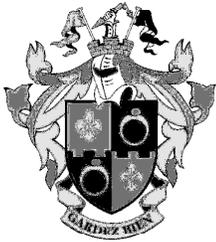
Montgomery County, Maryland

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## Tuesday, September 25, 2012

10:00 **INVOCATION** - Reverend Tim Simpson, Greenridge Baptist Church, Clarksburg

(1) 10:05 **GENERAL BUSINESS**

(Lauer)

A. **Announcement** - Agenda and Calendar Changes

**Notice** - The public hearing on the FY14 WSSC Spending Control Limits, previously scheduled for October 2 at 1:30, has been changed to October 9, 2012 at 10:00 am.

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: September 11, 2012

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

A. **Introduction** - Resolution to support an application for the State's Community Legacy Grant: Wheaton-Long Branch-Silver Spring Legacy Area (Michaelson)  
*Action is tentatively scheduled for 10/9/12.*

B. **Introduction** - Supplemental appropriations to the Maryland-National Park and Planning Commission's FY13 Capital Budget and amendments to the FY13-18 Capital Improvements Program (Michaelson)  
- \$300,000 for Woodlawn Barn Visitors Center (Source: State Aid)  
- \$200,000 for Minor New Construction: Non-Local Parks (Source: State Aid)  
- \$600,000 for Acquisition: Local Parks (Source: Program Open Space)  
- \$320,000 for Acquisition: Non-Local Parks (Source: Program Open Space)  
*Public Hearing/Action is scheduled for 10/16/12 at 1:30 pm.*

C. **Introduction** - Supplemental appropriation to the County Government's FY13 Operating Budget, Department of Health and Human Services - \$510,226 for Infant and Toddlers Extended Individualized Family Service Plan Grant (Source: Maryland State Department of Education) (Yao)  
*Public Hearing/Action is scheduled for 10/16/12 at 1:30 pm.*

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

- D. **Action** - Resolutions to support applications for the State's Community Investment Tax Credit Program: Jewish Community Center of Greater Washington, CASA de Maryland, Legal Aid Bureau, Housing Unlimited, Montgomery Housing Partnership, The Primary Care Coalition, and Jewish Social Service Agency (McMillan)
- E. **Action** - Confirmation of County Executive appointments to the Alcoholic Beverages Advisory Board: Melissa Davis, Rebecca Reynolds-Ramirez (Lauer)
- F. **Action** - Confirmation of County Executive appointments to the Cable Compliance Commission: Mark Berman, Iris Darby, Shane Trask (Lauer)
- G. **Action** - Confirmation of County Executive appointment to the Charter Review Commission: Shawn Sullivan (Lauer)
- H. **Action** - Confirmation of County Executive appointments to the Committee Evaluation and Review Board: Cristian Mirancea, Lyn Schaefer, George Tarrico (Lauer)
- I. **Action** - Confirmation of County Executive appointments to the District of Columbia Water & Sewer Authority: Timothy Firestine, Kathleen Boucher (Lauer)
- J. **Action** - Confirmation of County Executive appointment to the Fire and Emergency Services Commission: Anita Powell (Lauer)
- K. **Action** - Confirmation of County Executive appointments to the Committee on Hate/Violence: Stephan Barker, Molly Fujimoto, Maria Herrera, Inemesit Imoh, Adam Marker, Alex Mitchell, MeShon Watkins (Lauer)
- L. **Action** - Confirmation of County Executive appointment to the Board of License Commissioners: Margaret Baker (Lauer)
- M. **Action** - Confirmation of County Executive appointments to the Solid Waste Advisory Committee: Steven Sprague, Sara Ducey, Farrah Saint-Surin, Ed Violette, Jerald Boyd, Mark Freedman (Lauer)

(3) 10:15 **DISTRICT COUNCIL SESSION**

- A. **Action** - Hearing Examiner's report and recommendation - Local Map Amendment G-909, Glenwood Glen Aldon, LLC; Glenmont Apartments, LLC; Glenbrook, LLC for the properties known as 4857, 4858, 4890, and 4900 Battery Lane, Bethesda (Zyontz)
- B. **Introduction** - Zoning Text Amendment 12-15, Guest House - Conditions, sponsored by Councilmember Floreen (Zyontz)  
*Public Hearing is scheduled for 10/30/12 at 1:30 pm.*

(3) 10:15 **DISTRICT COUNCIL SESSION** (*continued*)

C. **Introduction** - Zoning Text Amendment 12-16, One-Family Dwelling - Pre-1928 Lots, sponsored by Councilmember Floreen (Zyontz)  
*Public Hearing is scheduled for 10/30/12 at 1:30 pm.*

(4) 11:00 **BRIEFING** - Update by Department of Permitting Services on efforts to streamline development approval process (Zyontz)

12:15 **RECESS** 12:30 - *Brown Bag Lunch with Regional Services Directors (6CCR)*

(5) 1:30 **PUBLIC HEARING** - Kensington Sectional Map Amendment (G-914) (Michaelson)  
*PHED Committee worksession tentatively scheduled for 10/15/12.*

(6) 1:30 **PUBLIC HEARING - Expedited Bill 27-12**, Bond Authorization (Sesker)  
*Action immediately follows the public hearing.*

2:00 **LEGISLATIVE SESSION Day # 28**

**Call of Bills for Final Reading:**

(6) A. **Expedited Bill 27-12**, Bond Authorization (Sesker)

(7) 2:05 **ACTION** - Resolution to consolidate previously authorized notes for sale and issuance as a single issue (Sesker)

(8) 2:10 **ACTION** - Resolution to issue refunding bonds in order to refund certain lease revenue bonds issued by the Maryland Economic Development Corporation (MEDCO) on behalf of Montgomery County (Sesker)

2:15 **ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 9/28/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on October 9, 2012:**

- Chairperson, Disability Arbitration Board: John Monahan
- Chairperson, Disability Arbitration Board: M. David Vaughn
- Chairperson, Disability Arbitration Board: Barbara Franklin
- Chairperson, Police Disability Arbitration Board: John Monahan

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**Visit the Council website for other valuable resources:**

**Councilmembers:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/index.asp>  
**Public Participation:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/about/pub.asp>  
**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>  
**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)  
**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)  
**Packets:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/packet/index.asp>  
**Bills:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/bill/index.asp>  
**Resolutions:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/res/index.asp>  
**Zoning:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/zta/index.asp>

**View Current Live Session:** [http://montgomerycountymd.granicus.com/MediaPlayer.php?publish\\_id=4](http://montgomerycountymd.granicus.com/MediaPlayer.php?publish_id=4)

**View Archives:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/ondemand/index.asp>

**Other:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/index.asp>

**Future Council Meetings:**

<b>Oct 9, 2012</b>	9:00 am	Interview-CE's Appointee-Housing Opportunities Commission
<b>Oct 9, 2012</b>	9:30 am	Regular session
<b>Oct 16, 2012</b>	9:30 am	Regular session
<b>Oct 18, 2012</b>	6:30 pm	Meeting w/ MC Chapter of the Maryland Municipal League
<b>Oct 23, 2012</b>	9:30 am	Regular session
<b>Oct 30, 2012</b>	9:30 am	Regular session
<b>Nov 12, 2012</b>		HOLIDAY
<b>Nov 13, 2012</b>	9:30 am	Regular session
<b>Nov 20, 2012</b>	9:30 am	Regular session
<b>Nov 22, 2012</b>		HOLIDAY
<b>Nov 27, 2012</b>	9:30 am	Regular session

**Public Hearing List: To testify call 240-777-7803**

**September 25, 2012**

1:30 pm Kensington Sectional Map Amendment (G-914)

1:30 pm **Expedited Bill 27-12**, Bond Authorization

**October 2, 2012 - Public hearing postponed**

1:30 pm WSSC Spending Control Limits - *This public hearing has been postponed to 10/9/12 at 10 am.*

**October 9, 2012**

10:00 am FY14 WSSC Spending Control Limits

**October 16, 2012**

1:30 pm **Bill 26-12**, Swimming Pools - Defibrillators

1:30 pm Supplemental appropriations and CIP amendments - M-NCPPC

- \$300,000 for Woodlawn Barn Visitors Center
- \$200,000 for Minor New Construction: Non-Local Parks
- \$600,000 for Acquisition: Local Parks
- \$320,000 for Acquisition: Non-Local Parks

1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, DHHS - \$510,226 for Infant and Toddlers Extended Individualized Family Service Plan Grant

September 25, 2012

Page 5

**Public Hearing List: To testify call 240-777-7803 (*continued*)**

**October 23, 2012**

1:30 pm **Bill 25-12**, Taxation - Impact Tax - Bikesharing

1:30 pm ZTA 12-13, Rural Cluster (RC) Zone - Impervious Surface Limits

1:30 pm ZTA 12-14, Bikeshare Facility - Incentive



**If you need services to participate in any Council activity, please contact us as far in advance as possible: 240-777-7900 (TTY 240-777-7914) Email: [County.Council@montgomerycountymd.gov](mailto:County.Council@montgomerycountymd.gov). This document is available in alternative formats upon request.**

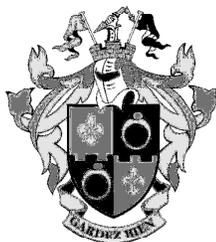
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

[www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)



*The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.*

**The next regular Council Session is scheduled for October 9, 2012. The agenda schedule will be mailed and posted to the web site on October 4, 2012. Please see the listing below for future Council meetings and public hearings. Council Committees will meet on October 4; see the Committee agenda for a list of meetings.**

## FUTURE COUNCIL MEETINGS

Oct 9, 2012	9:00 am	Interview-CE's Appointee-Housing Opportunities Commission
Oct 9, 2012	9:30 am	Regular session
Oct 16, 2012	9:30 am	Regular session
Oct 18, 2012	6:30 pm	Meeting w/ MC Chapter of the Maryland Municipal League
Oct 23, 2012	9:30 am	Regular session
Oct 30, 2012	9:30 am	Regular session
Nov 12, 2012		HOLIDAY
Nov 13, 2012	9:30 am	Regular session
Nov 20, 2012	9:30 am	Regular session
Nov 22, 2012		HOLIDAY
Nov 27, 2012	9:30 am	Regular session

## PUBLIC HEARING LIST

To testify call 240-777-7803

### October 2, 2012 - Public hearing postponed

1:30 pm WSSC Spending Control Limits - *This public hearing has been postponed to 10/9/12 at 10 am.*

### October 9, 2012

10:00 am FY14 WSSC Spending Control Limits

### October 16, 2012

1:30 pm **Bill 26-12**, Swimming Pools - Defibrillators

1:30 pm Supplemental appropriations and CIP amendments - M-NCPPC

- \$300,000 for Woodlawn Barn Visitors Center
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### October 23, 2012

1:30 pm **Bill 25-12**, Taxation - Impact Tax - Bikes sharing

1:30 pm ZTA 12-13, Rural Cluster (RC) Zone - Impervious Surface Limits

1:30 pm ZTA 12-14, Bikes share Facility - Incentive

### October 30, 2012

1:30 pm ZTA 12-15, Guest House - Conditions

1:30 pm ZTA 12-16, One-Family Dwelling - Pre-1928 Lots



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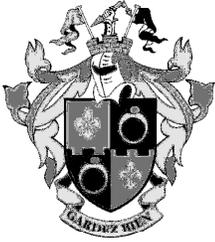
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

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## ADDENDUM

Tuesday, October 9, 2012

(2) 9:50 **CONSENT CALENDAR**

- Deferred:** E. **Action** - Confirmation of County Executive appointment to the Chairperson, Disability Arbitration Board: John Monahan (Lauer)
- Deferred:** H. **Action** - Confirmation of County Executive appointment to the Chairperson, Police Disability Arbitration Board: John Monahan (Lauer)

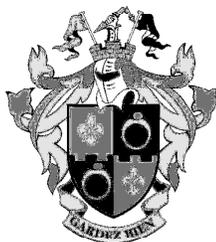
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

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## Tuesday, October 9, 2012

9:30 **INVOCATION** - Mr. David R. Lambert, Christ Evangelical Lutheran Church, Bethesda

### 9:35 **PRESENTATIONS**

- A. Proclamation recognizing Silvia Rodriguez-Macdonald for being named “Champions of Change”, by Council Vice President Navarro
- B. Proclamation recognizing the 40<sup>th</sup> Anniversary of Interfaith Works, by Council President Berliner and Councilmember Rice
- C. Proclamation recognizing White Cane Safety Day, by Council President Berliner

(1) 9:45 **GENERAL BUSINESS** (Lauer)

- A. **Announcement** - Agenda and Calendar Changes
- B. **Acknowledgement** - Receipt of Petitions

(2) 9:50 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to establish Committee to Study Compensation of County Executive, County Council, Sheriff, and State’s Attorney (Lauer)  
*Action is tentatively scheduled for 10/16/12.*
- B. **Action** - Resolution to support an application for the State's Community Legacy Grant: Wheaton-Long Branch-Silver Spring Legacy Area (Michaelson)
- C. **Action** - Resolution to support State financing for rehabilitation of Tanglewood and Sligo Hills Apartments in Silver Spring (McMillan)
- D. **Action** - Resolution to approve categorical transfers in MCPS FY12 Operating Budget - \$1,800,000 for the Provision for Future Supported Projects (Source: Federal and State grants) (McGuire)  
*ED Committee recommends approval.*
- E. **Action** - Confirmation of County Executive appointment to the Chairperson, Disability Arbitration Board: John Monahan (Lauer)

- (2) 9:50 **CONSENT CALENDAR** (*continued*)
- F. **Action** - Confirmation of County Executive appointment to the Chairperson,  
Disability Arbitration Board: M. David Vaughn (Lauer)
- G. **Action** - Confirmation of County Executive appointment to the Chairperson,  
Disability Arbitration Board: Barbara Franklin (Lauer)
- H. **Action** - Confirmation of County Executive appointment to the Chairperson, Police  
Disability Arbitration Board: John Monahan (Lauer)
- (3) 9:55 **INTRODUCTION** - Resolution to establish Food Recovery Work Group, sponsored by  
Councilmember Ervin (Healy)  
*Action is tentatively scheduled for 10/16/12.*
- (4) 10:00 **PUBLIC HEARING** - FY14 WSSC Spending Control Limits (Levchenko)  
*Action is tentatively scheduled for 10/16/12.*
- (5) 10:15 **DISTRICT COUNCIL SESSION**
- A. **Action** - Zoning Text Amendment 12-06, Commercial/Residential Zones - Transit  
Proximity Definition (Zyontz)  
*PHED Committee recommends approval.*
- (6) 11:00 **SEMI-ANNUAL MEETING** - Montgomery Business Development Corporation (MBDC) (Sesker)
- 12:15 **RECESS**
- (7) 1:30 **INTERVIEW** - County Executive's appointee to Housing Opportunities Commission:  
Jean Banks (*3rd floor Council Conference Room*) (Lauer)
- (8) 2:00 **SEMI-ANNUAL REPORT** of the Montgomery County Planning Board (Michaelson)
- 5:00 **ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 10/12/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on October 16, 2012.**

Energy and Air Quality Advisory Committee: Frederic Booth, Kenneth Cantor, Steven Gibb, Ben Snowden, Ronald (Reuven) Walder

Library Board: Deborah Brooks, Kimblyn Persaud, Kathleen Reedy

**The following appointment was received from the County Executive and is tentatively scheduled for interview on November 1, 2012.**

Chief Operating Officer, Department of Health and Human Services: Stuart Venzke

### NOTICE OF UPCOMING COUNCIL MEETINGS

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**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>

**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)

**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)

**Packets:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/packet/index.asp>

**Bills:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/bill/index.asp>

**Resolutions:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/res/index.asp>

**Zoning:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/zta/index.asp>

**View Current Live Session:** [http://montgomerycountymd.granicus.com/MediaPlayer.php?publish\\_id=4](http://montgomerycountymd.granicus.com/MediaPlayer.php?publish_id=4)

**View Archives:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/ondemand/index.asp>

**Other:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/index.asp>

#### Future Council Meetings:

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<b>Oct 30, 2012</b>	10:45 am	Regular session
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<b>Nov 13, 2012</b>	9:30 am	Regular session
<b>Nov 20, 2012</b>	9:30 am	Regular session
<b>Nov 22, 2012</b>		HOLIDAY
<b>Nov 27, 2012</b>	9:30 am	Regular session

October 9, 2012

Page 4

**Future Public Hearings:**

**To testify call 240-777-7803**

**October 16, 2012**

1:30 pm **Bill 26-12**, Swimming Pools - Defibrillators

1:30 pm Supplemental appropriations and CIP amendments - M-NCPPC

- \$300,000 for Woodlawn Barn Visitors Center
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1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, DHHS - \$510,226 for Infant and Toddlers Extended Individualized Family Service Plan Grant

**October 23, 2012**

1:30 pm **Bill 25-12**, Taxation - Impact Tax - Bikesharing

1:30 pm ZTA 12-13, Rural Cluster (RC) Zone - Impervious Surface Limits

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**October 30, 2012**

1:30 pm ZTA 12-15, Guest House - Conditions

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**MONTGOMERY COUNTY SEEKS APPLICANTS FOR  
MERIT SYSTEM PROTECTION BOARD  
DEADLINE: 5 P.M., WEDNESDAY, NOVEMBER 7**

The Montgomery County Council is accepting applications from qualified voters of the County for appointment to a three-year term on the Merit System Protection Board. Generally, the board is expected to oversee the Merit System and to protect employee and applicant rights guaranteed under the County Merit System. Applications must be received in the Council office by 5 p.m. on Wednesday, Nov. 7.

The second term of board member Bruce Wood (Democrat) will expire in December 2012. Since Mr. Wood has completed two terms on the board, he is not eligible for reappointment. The other board members are Rodella E. Berry (Democrat) and Julie Glass Martin-Korb (unaffiliated).

By law, no more than two of the three members of the Merit System Protection Board may be of the same political party. The appointee for this position may be a Democrat, a Republican or someone who declines to affiliate with a party. In addition, the appointee may be a member of another party officially recognized by the Board of Elections.

The County Merit System Protection Board's mission is to oversee the Merit System for the protection of employee's and applicant's rights guaranteed under the Merit System.

There are two methods in which the board processes appeals: 1) a written decision issued after a review and discussion of a written record; or 2) a written decision issued after a pre-hearing conference and a formal hearing in cases involving a suspension, demotion or dismissal.

The board, on a periodic basis, conducts special studies, audits or inquiries of the administration of the merit and retirement pay systems and, in this effort, may compel the attendance of witnesses. Written reports of its findings and recommendations are filed with the County Executive and the County Council. The board also provides comments on any proposed changes in Merit System law or regulations.

The board holds hearings during the day, which can take the full day, with any additional proceedings scheduled for subsequent evening(s). Also, the board normally meets for approximately an hour in the evening once or twice every month. Additional time is also required for preparatory work.

Members of the board receive \$7,594 per year, which is adjusted annually to reflect 50 percent of the percentage change in the Washington Area Consumer Price Index.

Board members are restricted in political activity while serving. Section 403 of the County Charter states in part: ". . . No member shall hold political office or participate in any campaign for any political or public office during the member's term of office." Members of County boards, committees and commissions may not serve on more than one such group at a time.

Applicants should submit letters of interest with a resume to: Roger Berliner, President, Montgomery County Council, 100 Maryland Ave., Rockville, Maryland 20850 by 5 p.m. on Nov. 7, 2012. Resumes should include professional and civic experience, political party affiliation, home and office telephone numbers and an e-mail address. Letters and resumes submitted are made public as part of the appointment process. Members of County boards, committees and commissions may not serve on more than one such group at a time.

For more information on the Merit System Protection Board appointment, call 240-777-7979.

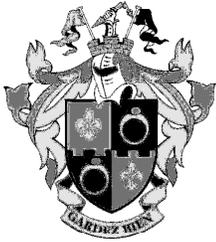
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

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**Tuesday, October 16, 2012**

9:30 **INVOCATION** - Dr. Ann Laprade, Pastor, Potomac United Methodist Church, Potomac

9:35 **PRESENTATIONS**

- A. Proclamation recognizing Breast Cancer Awareness Month, by Councilmember Floreen
- B. Proclamation recognizing National Domestic Violence Awareness Month, by Councilmember Ervin and Councilmember Andrews

(1) 9:50 **GENERAL BUSINESS**

(Lauer)

A. **Announcements** - Agenda and Calendar Changes

- A public hearing on the **Takoma/Langley Crossroads Sectional Map Amendment** (G-953) is scheduled for November 27, 2012 at 1:30 pm.

- (2) • The Council is seeking applicants for Merit System Protection Board  
*Application deadline is 11/7/12 at 5:00 pm.*

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: September 18, 20, and 25, 2012

(3) 9:50 **CONSENT CALENDAR**

A. **Introduction** - Resolution to create a White Flint Downtown Advisory Committee, sponsored by the Council President at the request of the County Executive (Michaelson)  
*Action is tentatively scheduled for 10/23/12.*

B. **Introduction** - Supplemental appropriation to the County Government's FY13 Operating Budget, Department of Economic Development's Economic Development Grant and Loan Program - \$4,160,000 for Duball Project (Source: General Fund Undesignated Reserves and City of Rockville) (Sesker)  
*Public Hearing/Action is scheduled for 10/30/12 at 1:30 pm.*

C. **Action** - Resolution to establish Committee to Study Compensation of County Executive, County Council, Sheriff, and State's Attorney (Lauer)

(3) 9:50 **CONSENT CALENDAR** (*continued*)

D. **Action** - Resolution to establish Food Recovery Work Group (Healy)

E. **Action** - Executive Regulation 18-12, Excise Tax on Disposable Carryout Bags  
*T&E Committee recommends approval.* (Levchenko/Sesker)

F. **Action** - Executive Regulation 7-12, Solid Waste and Recycling (Levchenko)  
*T&E Committee recommends approval.*

G. **Action** - Confirmation of County Executive appointment to the Housing Opportunities Commission: Jean Banks (Lauer)

H. **Action** - Confirmation of County Executive appointments to the Energy and Air Quality Advisory Committee: Frederic Booth, Kenneth Cantor, Steven Gibb, Ben Snowden, Ronald (Reuven) Walder (Lauer)

I. **Action** - Confirmation of County Executive appointments to the Library Board: Deborah Brooks, Kimblynn Persaud, Kathleen Reedy (Lauer)

(4) 10:00 **RECEIPT and RELEASE** - Briefing on Office of Legislative Oversight Report 2013-1, Fiscal Planning and the new Maintenance of Effort law (Trombka/Richards)

(5) 11:30 **DISTRICT COUNCIL SESSION**

A. **Action** - Kensington Sectional Map Amendment (G-914) (Michaelson)

11:45 **LEGISLATIVE SESSION Day #30**

**Introduction of Bills:**

(6) A. **Bill 28-12**, Personnel - Merit System Review Commission - Amendments, sponsored by the GO Committee (Mihill)  
*Public Hearing is scheduled for 11/13/12 at 1:30 pm.*

(7) B. **Bill 29-12**, Merit System Protection Board - Annual Public Forum - Elimination, sponsored by the GO Committee (Mihill)  
*Public Hearing is scheduled for 11/13/12 at 1:30 pm.*

**Call of Bills for Final Reading:**

(8) A. **Bill 22-12**, Local Small Business Reserve Program - Sunset Repeal (Mihill)  
*GO Committee recommends enactment.*

(9) B. **Bill 24-12**, Board of Investment Trustees - Consolidated Retiree Health Trust Board of Trustees - Delegation - Attendance (Faden/Drummer)  
*GO Committee recommends enactment.*

October 16, 2012

Page 3

- (10) 12:00 **COG REPORTS** - Updates from Councilmembers serving on Council of Governments
- 12:15 **RECESS** 1:00 pm - *HHS Committee - Interview DHHS Chief Operating Officer(3CCR)*
- (11) 1:30 **PUBLIC HEARING - Bill 26-12**, Swimming Pools - Defibrillators (Mihill)  
*PS Committee worksession tentatively scheduled for 10/25/12.*
- (12) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriations to the Maryland-National Park and Planning Commission's FY13 Capital Budget and amendments to the FY13-18 Capital Improvements Program (Michaelson)  
- \$300,000 for Woodlawn Barn Visitors Center (Source: State Aid)  
- \$200,000 for Minor New Construction: Non-Local Parks (Source: State Aid)  
- \$600,000 for Acquisition: Local Parks (Source: Program Open Space)  
- \$320,000 for Acquisition: Non-Local Parks (Source: Program Open Space)  
*PHED Committee recommends approval.*
- (13) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY13 Operating Budget, Department of Health and Human Services - \$510,226 for Infant and Toddlers Extended Individualized Family Service Plan Grant (Source: Maryland State Department of Education) (Yao)
- (14) 1:40 **ACTION** - FY14 WSSC Spending Control Limits (Levchenko)  
*T&E Committee recommends approval.*
- (15) 1:45 **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 collective bargaining cases. (*3rd Floor Council Conference Room*) (Faden/Drummer)
- 3:00 **ADJOURN**

## Thursday, October 18, 2012

- 6:30 **Meeting** with Montgomery County Chapter of the Maryland Municipal League  
(*5<sup>th</sup> Floor Council Conference Room*)

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 10/19/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on October 23, 2012:**

Bethesda Urban Partnership, Inc. Board of Directors: Patrick O'Neil, Jane Mahaffie, Andrew O'Hare, Mark Kramer

Board of Social Services: Ashok Batra, Crystal Carr Townsend, Carolyn Harris, Nana Oppong

Commission on Health: Tara Clemons

Local Management Board for Children, Youth and Families: Pofen Salem, Delmonica Hawkins, Joan Glick

Wheaton Urban District Advisory Committee: Thomas Stanton, Luis Bonilla, Devala Janardan, Yanique Redwood, Daniel Thompson, Nadia Sesay

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

Ethics Commission: Mark Greenblatt

**The following appointment was received from the County Executive and is tentatively scheduled for interview on October 16, 2012.**

Chief Operating Officer, Department of Health and Human Services: Stuart Venzke

**COUNCIL SEEKS APPLICANTS  
Call 240-777-7925 for more information**

**Merit System Protection Board** - Application deadline is 5:00 pm on November 7, 2012

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8842](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8842)

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**Future Council Meetings:**

<b>Oct 23, 2012</b>	9:00 am	Regular session
<b>Oct 30, 2012</b>	9:30 am	State Legislative Program
<b>Oct 30, 2012</b>	10:45 am	Regular session
<b>Nov 12, 2012</b>		HOLIDAY
<b>Nov 13, 2012</b>	9:30 am	Regular session
<b>Nov 20, 2012</b>	9:30 am	Regular session
<b>Nov 22, 2012</b>		HOLIDAY
<b>Nov 27, 2012</b>	9:30 am	Regular session
<b>Dec 4, 2012</b>	9:30 am	Regular session
<b>Dec 11, 2012</b>	9:30 am	Regular session

**Future Public Hearings:  
To testify call 240-777-7803**

**October 23, 2012**

- 1:30 pm **Bill 25-12**, Taxation - Impact Tax - Bikesharing
- 1:30 pm ZTA 12-13, Rural Cluster (RC) Zone - Impervious Surface Limits
- 1:30 pm ZTA 12-14, Bikeshare Facility - Incentive

**October 30, 2012**

- 1:30 pm ZTA 12-15, Guest House - Conditions
- 1:30 pm ZTA 12-16, One-Family Dwelling - Pre-1928 Lots
- 1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, DOE's Economic Development Grant and Loan Program - \$4,160,000 for Duball Project

**Visit the Council website for other valuable resources:**

**Councilmembers:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/index.asp>  
**Public Participation:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/about/pub.asp>  
**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>  
**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)  
**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agm.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agm.pdf)  
**Packets:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/packet/index.asp>  
**Bills:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/bill/index.asp>  
**Resolutions:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/res/index.asp>  
**Zoning:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/zta/index.asp>

**View Current Live Session:** [http://montgomerycountymd.granicus.com/MediaPlayer.php?publish\\_id=4](http://montgomerycountymd.granicus.com/MediaPlayer.php?publish_id=4)

**View Archives:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/ondemand/index.asp>

**Other:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/index.asp>



**If you need services to participate in any Council activity, please contact us as far in advance as possible: 240-777-7900 (TTY 240-777-7914) Email: [County.Council@montgomerycountymd.gov](mailto:County.Council@montgomerycountymd.gov). This document is available in alternative formats upon request.**

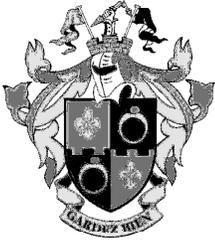
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

[www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)



*The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.*

## ADDENDUM

**Tuesday, October 23, 2012**

(5) 9:25 **CONSENT CALENDAR**

**Correction:** C. **Introduction** - Special appropriation to the Montgomery County Public Schools' FY13 Capital Budget and amendment to the FY13-18 Capital Improvements Program - \$2,042,000 for Technology Modernization Education Rate (E-Rate) Program (Source: Federal)

(McGuire)

*Public Hearing is scheduled for 10/30/12 at 1:30 pm.*

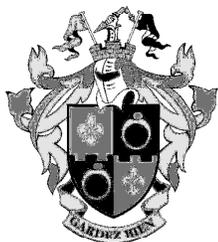
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

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**Tuesday, October 23, 2012**

9:00 **INVOCATION** - Reverend Carrie Yearick, Rockville Presbyterian Church, Rockville

9:05 **PRESENTATIONS**

- A. Proclamation recognizing World War II Veterans John H. Chaney and Charles Frazier, by Councilmember Rice
- B. Proclamation recognizing Food Day, by Councilmember Ervin and Councilmember Leventhal

9:20 **GENERAL BUSINESS**

(Lauer)

A. **Announcements** - Agenda and Calendar Changes

The Council is seeking applicants for:

- (1) • Merit System Protection Board - *application deadline is 11/7/12*
- (2) • Grants Advisory Group - *application deadline is 11/15/12*
- (3) • Committee to Study Compensation of County Executive, County Council, Sheriff, and State's Attorney - *application deadline is 11/28/12*

(4) B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: October 9, 2012

(5) 9:25 **CONSENT CALENDAR**

A. **Introduction** - Resolution to approve FY14 Council Grants process

(Fitzgerald-Bare)

*Action tentatively scheduled for 10/30/12.*

B. **Introduction** - Supplemental appropriation to the County Government's FY13 Operating Budget, Office of Emergency Management and Homeland Security - \$691,000 for FFY 2011 Urban Area Security Initiative (UASI) CAD to CAD Grant (Source: Federal)

(Levchenko)

*Public Hearing is scheduled for 11/13/12 at 1:30 pm.*

(5) 9:25 **CONSENT CALENDAR** (*continued*)

C. **Introduction** - Supplemental appropriation to the Montgomery County Public Schools' FY13 Capital Budget and amendment to the FY13-18 Capital Improvements Program - \$2,042,000 for Technology Modernization Education Rate (E-Rate) Program (Source: Federal) (McGuire)  
*Public Hearing is scheduled for 10/30/12 at 1:30 pm.*

D. **Introduction** - Special Appropriation to MNCPPC's FY13 Operating Budget - \$250,000 for environmental, economic and traffic analysis for the Clarksburg Master Limited Amendment for the Ten Mile Creek Watershed. (Source: MNCPPC Administration Fund) (Michaelson)  
*Public Hearing/Action is scheduled for 10/30/12 at 1:30 pm.*

E. **Action** - Resolution to create a White Flint Downtown Advisory Committee (Michaelson)

F. **Action** - Appointment to the Charter Review Commission: Cherri Branson (Lauer)  
*GO Committee recommends approval.*

H. **Action** - Confirmation of County Executive appointments to Bethesda Urban Partnership, Inc. Board of Directors: Patrick O'Neil, Jane Mahaffie, Andrew O'Hare, Mark Kramer (Lauer)

I. **Action** - Confirmation of County Executive appointments to Board of Social Services: Ashok Batra, Crystal Carr Townsend, Carolyn Harris, Nana Oppong (Lauer)

J. **Action** - Confirmation of County Executive appointment to the Commission on Health: Tara Clemons (Lauer)

K. **Action** - Confirmation of County Executive appointments to Local Management Board for Children, Youth and Families: Pofen Salem, Delmonica Hawkins, Joan Glick (Lauer)

L. **Action** - Confirmation of County Executive appointments to Wheaton Urban District Advisory Committee: Thomas Stanton, Luis Bonilla, Devala Janardan, Yanique Redwood, Daniel Thompson, Nadia Sesay (Lauer)

(6) 9:30 **ACTION** - Confirmation of County Executive appointment of Chief Operating Officer, Department of Health and Human Services: Mr. Stuart Venzke (Lauer)  
*HHS Committee recommends confirmation.*

(7) 9:35 **WORKSESSION** - 2012 Subdivision Staging Policy, and Resolution to amend School Facility Payment rates (Orlin)

12:30 **RECESS**

- (8) 1:30 **PUBLIC HEARING - Bill 25-12, Taxation - Impact Tax - Bikesharing** (Faden)  
*GO Committee worksession tentatively scheduled for 11/5/12.*
- (9) 1:30 **PUBLIC HEARING - Zoning Text Amendment 12-14, Bikeshare Facility - Incentive** (Zyontz)  
*PHED Committee worksession tentatively scheduled for 11/5/12.*
- (10) 1:30 **PUBLIC HEARING - Zoning Text Amendment 12-13, Rural Cluster (RC) Zone - Impervious Surface Limits** (Zyontz)  
*PHED Committee worksession tentatively scheduled for 11/5/12.*
- (11) 1:45 **BOARD OF HEALTH - Annual Meeting with Commission on Health** (McMillan)
- (12) 2:15 **DISTRICT COUNCIL SESSION**
- A. **Introduction** - Zoning Text Amendment 12-17, Country Inn Zone - Standards, sponsored by Councilmember Floreen (Zyontz)  
*Public Hearing is scheduled for 11/27/12 at 1:30 pm.*
- B. **Action** - Zoning Text Amendment 12-10, Established Building Line - Clarification (Zyontz)  
*PHED Committee recommends approval with amendments.*
- C. **Action** - Zoning Text Amendment 12-12, Density Transfer - C-2 to CBD Zones (Zyontz)  
*PHED Committee recommends approval.*
- D. **Action** - Request for Withdrawal Without Prejudice - Application No. G-912 for Amendment to the Zoning Ordinance Map (LMA) and Development Plan Amendment (DPA) 12-03, 4831 West Lane, LLC applicant, Patricia Harris, Attorney; 4831 and 4833 West Land and 4901 and 4902 Montgomery Lane in Bethesda (Zyontz)
- 3:00 **ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30; repeated on 10/26/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on October 30, 2012:**

Commission on Child Care: Laurence Fabre-Welmond, Aurora Sanchez, Suzanne Auerbach, Nuri Funes, Michelle Green

Dickerson Area Facilities Implementation Group: Seth Schwartz

Mid-County Citizens Advisory Board: Francisco Acosta, Robin Brannan, Patrick Lahr, Kieran McHargue, Oriole Saah, Gamunu Wijetunge, Ariel Winter

**COUNCIL SEEKS APPLICANTS**  
**Call 240-777-7925 for more information**

**Merit System Protection Board** - Application deadline is 5:00 pm on November 7, 2012

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8842](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8842)

**Grants Advisory Group** - Application deadline is 4:00 pm on November 15, 2012

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8876](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8876)

**Study Compensation of Elected Officials** - Application deadline is 5:00 pm on November 28, 2012

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8885](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8885)

**NOTICE OF UPCOMING COUNCIL MEETINGS**

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<http://www.montgomerycountymd.gov/content/council/pdf/agenda/FutureMtgs.pdf>

**Future Council Meetings:**

<b>Oct 30, 2012</b>	9:30 am	State Legislative Program
<b>Oct 30, 2012</b>	10:45 am	Regular session
<b>Nov 7, 2012</b>	7:00 pm	Town Hall Meeting - Potomac Community Center
<b>Nov 12, 2012</b>		HOLIDAY
<b>Nov 13, 2012</b>	9:30 am	Regular session
<b>Nov 20, 2012</b>	9:30 am	Regular session
<b>Nov 22, 2012</b>		HOLIDAY
<b>Nov 27, 2012</b>	9:30 am	Regular session

**Future Public Hearings**

**To testify call 240-777-7803**

**October 30, 2012**

1:30 pm ZTA 12-15, Guest House - Conditions  
1:30 pm ZTA 12-16, One-Family Dwelling - Pre-1928 Lots  
1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, DOE's Economic Development Grant and Loan Program - \$4,160,000 for Duball Project  
1:30 pm Supplemental appropriation to the MCPS' FY13 Capital Budget and amendment to the FY13-18 CIP - \$2,042,000 for Tech Mod E-Rate Program

**November 13, 2012**

1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, OEMHS - \$691,000 for FFY 2011 UASI CAD to CAD Grant  
1:30 pm **Bill 28-12**, Personnel - Merit System Review Commission - Amendments  
1:30 pm **Bill 29-12**, Merit System Protection Board - Annual Public Forum - Elimination  
1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, DHHS - \$100,000 for Deferred Action

**November 27, 2012**

1:30 pm Takoma/Langley Crossroads Sectional Map Amendment (G-953)

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**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>  
**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)  
**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)  
**Packets:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/packet/index.asp>  
**Bills:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/bill/index.asp>  
**Resolutions:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/res/index.asp>  
**Zoning:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/zta/index.asp>

**View Current Live Session:** [http://montgomerycountymd.granicus.com/MediaPlayer.php?publish\\_id=4](http://montgomerycountymd.granicus.com/MediaPlayer.php?publish_id=4)

**View Archives:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/ondemand/index.asp>

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**MONTGOMERY COUNTY COUNCIL SEEKS  
APPLICANTS FOR GRANTS ADVISORY GROUP  
APPLICATION: 4 P.M., THURSDAY, NOV. 15**

The Montgomery County Council is seeking applicants for positions on its Fiscal Year 2014 Grants Advisory Group. The Council will appoint the volunteer community panel to review grant applications and advise it on proposals received from the non-profit community. Letters of interest from applicants must be received no later than 4 p.m. on Thursday, November 15.

The Council believes that a strong partnership with non-profit organizations is critical in meeting the County's needs. The Council has established a grants process in which the Council accepts applications from non-profit organizations seeking funds, forwards proposals to the Grants Advisory Group for advice and comments and then makes funding decisions during its spring budget deliberations.

It is anticipated that the Grants Advisory Group will be appointed in December and will be asked to report to the Council by the end of April 2013. Panel members will need to attend training sessions and review relevant materials during late January and February. The applications review will take place between March 1 and April 15.

The Grants Advisory Group will be asked to provide the Council with written comments on each of the grant proposals. The workload will vary based on the number of applications received and panel members appointed; however, it is expected that each member would review approximately 20 applications. Panel members should anticipate approximately six-to-eight meetings between the beginning of February and mid-April, with the potential for weekly meetings in March.

Volunteers for the Grants Advisory Group can come from panels reviewing Community Development Block Grants or Community Service Grants, as well as from other advisory boards or community groups. Applicants for the Advisory Group cannot be employees of, or member of a board of, a

nonprofit group applying for Council grant funding. The Council will designate the chair of the Advisory Group.

Interested applicants living or working in the County should submit their letter of interest with a resume to: Council President Roger Berliner, Montgomery County Council, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, MD 20850 or via email to [County.Council@montgomerycountymd.gov](mailto:County.Council@montgomerycountymd.gov).

Letters of interest must be received no later than 4 p.m. on Thursday, Nov. 15. Questions regarding the Grants Advisory Group should be directed to Peggy Fitzgerald-Bare, Council Grants Manager at 240-777-7924 or [peggy.fitzgerald-bare@montgomerycountymd.gov](mailto:peggy.fitzgerald-bare@montgomerycountymd.gov)

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**MONTGOMERY COUNTY COUNCIL SEEKS APPLICANTS  
TO STUDY COMPENSATION OF ELECTED OFFICIALS  
DEADLINE: 5 P.M., WEDNESDAY, NOV 28**

The Montgomery County Council is seeking applicants for a citizens' advisory committee to study compensation of the County's elected officials. The County Council believes that there is a need to examine present compensation levels for the Sheriff, the State's Attorney, the County Executive and members of the County Council.

Letters of interest to serve on the committee must be received no later than 5 p.m. on Wednesday, November 28, 2012.

State law authorizes the County Council to establish the salary of the Sheriff and State's Attorney for Montgomery County. The County Charter authorizes the County Council to set the compensation of the County Council and the County Executive for the succeeding terms of office. Changes in compensation levels apply only to future terms of these elected offices.

Currently, Councilmembers receive annual compensation of \$99,069 (Council President receives 10 percent additional compensation), the Executive receives \$180,250, the Sheriff \$154,000, and the State's Attorney \$199,000. These salaries are increased each year by the annual average percentage increase in the Consumer Price Index for all urban consumers for the Washington-Baltimore metropolitan area.

The Committee consists of five to seven members appointed by the Council. The Council will strive to appoint no more than a majority of members from one political party, and therefore encourages Democrats, Republicans and those who decline to affiliate with a party. In addition, the appointees may be a member of another party officially recognized by the Board of Elections.

The Compensation Committee must submit recommendations of compensation levels to the County Council by Sept. 15, 2013. Any changes in compensation adopted by the Council would be effective for the 2014-2018 term of office.

Persons interested in serving on the committee should submit their letter of interest with a resume by November 28, 2012 at 5:00 pm to Council President Roger Berliner, Montgomery County Council, 100 Maryland Avenue, Rockville, Md. 20850. Letters can also be sent by email to [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov) .

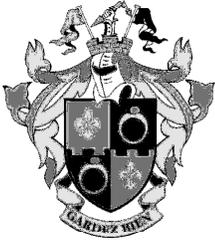
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# COUNTY COUNCIL AGENDA

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**The following Council sessions were scheduled for  
Monday, October 29 and 30, 2012  
and were cancelled due to Hurricane Sandy.  
County Government was closed October 29 and 30, 2012.**

## Monday, October 29, 2012

11:30 **WORKSESSION** - 2012 Subdivision Staging Policy, and Resolution to amend School Facility Payment rates (*continued*) (Orlin)  
*3rd floor Council Hearing Room*

## Tuesday, October 30, 2012

(1) 9:00-10:00 **DISCUSSION** - State Legislative Program (*6th floor Council Conference Room*) (Wenger)

10:15 **INVOCATION** - Reverend David Chisham, Rockville Christian Church, Rockville

### 10:20 **PRESENTATIONS**

- A. Proclamation recognizing Japanese-American World War II Veterans, by Council President Berliner
- B. Proclamation recognizing Angie Fuentes, blind cross country runner from Seneca Valley High School, by Councilmember Rice
- C. Proclamation recognizing Lesbian, Gay, Bisexual and Transgender History Month in Montgomery County, by Councilmember Riemer

10:50 **GENERAL BUSINESS** (Lauer)

#### A. **Announcement** - Agenda and Calendar Changes

The Council is seeking applicants for:

- (2) • Merit System Protection Board - *application deadline is 11/7/12*
- (3) • Grants Advisory Group - *application deadline is 11/15/12*
- (4) • Committee to Study Compensation of County Executive, County Council, Sheriff, and State's Attorney - *application deadline is 11/28/12*
- (5) • Board of Appeals - *application deadline is 12/5/12*
- (5.1) B. **Acknowledgement** - Receipt of Petitions
- C. **Action** - Approval of Minutes: October 16, 2012  
- Approval of Closed Session Minutes: October 16, 2012

(6) 10:55 **CONSENT CALENDAR**

- A. **Introduction** - Supplemental appropriation to the County Government's FY13 Operating Budget, Department of Health and Human Services - \$100,000 for Deferred Action (Source: General Fund) (McMillan)  
*Public Hearing/Action is scheduled for 11/13/12 at 1:30 pm.*
- B. **Introduction** - Supplemental appropriation to the County Government's FY13 Capital Budget, Office of the County Executive - \$57,497,000 for Public Safety System Modernization (Source: GO Bonds and Short-Term Financing) (Toregas/McMillan)  
*Public Hearing is scheduled for 11/13/12 at 1:30 pm.*
- C. **Introduction** - Resolution regarding Montgomery County Public Schools' State funding request for school construction (Levchenko)  
*Action is tentatively scheduled for 11/13/12.*
- D. **Action** - Resolution to approve FY14 Council Grants process (Fitzgerald-Bare)
- E. **Action** - Executive Regulation 2-12, Group Residential Care Facilities (McMillan)  
*HHS Committee recommends approval.*
- F. **Action** - Resolution to amend Resolution 17-443 for the FY13 Designation of Entities for Non-Competitive Award Status: Interfaith Works, Inc. (McMillan)
- G. **Action** - Confirmation of County Executive appointment to the Chairperson, Disability Arbitration Board: John Monahan (Drummer)
- H. **Action** - Confirmation of County Executive appointments to the Commission on Child Care: Laurence Fabre-Welmond, Aurora Sanchez, Suzanne Auerbach, Nuri Funes, Michelle Green (Lauer)
- I. **Action** - Confirmation of County Executive appointment to the Dickerson Area Facilities Implementation Group: Seth Schwartz (Lauer)
- J. **Action** - Confirmation of County Executive appointments to the Mid-County Citizens Advisory Board: Francisco Acosta, Robin Brannan, Patrick Lahr, Kieran McHargue, Oriole Saah, Gamunu Wijetunge, Ariel Winter (Lauer)
- K. **Action** - Confirmation of County Executive appointment to the Ethics Commission: Mark Greenblatt (Lauer)

(7) 11:00 **DISTRICT COUNCIL SESSION**

- A. **Introduction** - Twelve Corrective Map Amendments (G-915 through G-926) to correct technical errors in zoning boundaries and zoning classifications on the official zoning maps for certain properties located throughout the County (Michaelson)  
*Public Hearing/Action is scheduled for 12/4/12 at 1:30 pm.*

- (8) 11:05 **BOARD OF HEALTH** - Update from Dr. Ulder J. Tillman, County Health Officer (McMillan)
- (9) 12:00 **REPORT** from Fire Chief - October is Fire Prevention Month (McGuire)
- 12:15 **RECESS**
- (10) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 12-15, Guest House - Conditions (Zyontz)  
*PHED Committee worksession tentatively scheduled for 11/19/12.*
- (11) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 12-16, One-Family Dwelling - Pre-1928 Lots (Zyontz)  
*PHED Committee worksession tentatively scheduled for 11/19/12.*
- (12) 1:30 **PUBLIC HEARING** - Special appropriation to the Montgomery County Public Schools' FY13 Capital Budget and amendment to the FY13-18 Capital Improvements Program - \$2,042,000 for Technology Modernization Education Rate (E-Rate) Program (Source: Federal) (McGuire)  
*ED Committee worksession tentatively scheduled for 11/5/12.*
- (13) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY13 Operating Budget, Department of Economic Development's Economic Development Grant and Loan Program - \$4,160,000 for Duball Project (Source: General Fund Undesignated Reserves and City of Rockville) (Sesker)
- (14) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to MNCPPC's FY13 Operating Budget - \$250,000 for environmental, economic and traffic analysis for the Clarksburg Master Plan Limited Amendment for the Ten Mile Creek Watershed. (Source: County Government General Fund) (Michaelson)
- (15) 2:15 **WORKSESSION** - 2012 Subdivision Staging Policy, and Resolution to amend School Facility Payment rates (*continued*) (Orlin)
- 5:15 **ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 11/2/12 at 9 pm*

**The following appointment was received from the County Executive and is tentatively scheduled for confirmation on November 13, 2012:**

Consolidated Retiree Health Benefits Trust Board of Trustees: Robert Doody

**COUNCIL SEEKS APPLICANTS**  
**Call 240-777-7925 for more information**

**Merit System Protection Board** - Application deadline is 5:00 pm on November 7, 2012

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8842](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8842)

**Grants Advisory Group** - Application deadline is 4:00 pm on November 15, 2012

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**Study Compensation of Elected Officials** - Application deadline is 5:00 pm on November 28, 2012

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**Board of Appeals** - Application deadline is 5:00 pm on December 5, 2012

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8910](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8910)

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**Future Council Meetings:**

<b>Nov 7, 2012</b>	7:00 pm	Town Hall Meeting - Potomac Community Center
<b>Nov 12, 2012</b>		HOLIDAY
<b>Nov 13, 2012</b>	9:30 am	Regular session
<b>Nov 20, 2012</b>	9:30 am	Regular session
<b>Nov 22, 2012</b>		HOLIDAY
<b>Nov 27, 2012</b>	9:30 am	Regular session
<b>Dec 4, 2012</b>	9:30 am	Regular session
<b>Dec 11, 2012</b>	9:30 am	Regular session
<b>Dec 17 to Jan 11, 2013</b>		RECESS

**Future Public Hearings - To testify call 240-777-7803**

**November 13, 2012**

1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, OEMHS - \$691,000 for FFY 2011 UASI CAD to CAD Grant

1:30 pm **Bill 28-12**, Personnel - Merit System Review Commission - Amendments

1:30 pm **Bill 29-12**, Merit System Protection Board - Annual Public Forum - Elimination

1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, DHHS - \$100,000 for Deferred Action

1:30 pm Supplemental appropriation to the County Government's FY13 Capital Budget, Office of the County Executive - \$57,497,000 for Public Safety System Modernization

**November 27, 2012**

1:30 pm Takoma/Langley Crossroads Sectional Map Amendment (G-953)

**December 4, 2012**

1:30 pm Twelve Corrective Map Amendments (G-915 through G-926) to correct technical errors in zoning boundaries and zoning classifications on the official zoning maps for certain properties located throughout the County

**The next regular Council Session is scheduled for November 13, 2012. The agenda schedule will be mailed and posted to the web site on November 8, 2012. Please see the listing for future Council meetings and public hearings.**

**Visit the Council website for other valuable resources:**

**Councilmembers:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/index.asp>  
**Public Participation:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/about/pub.asp>  
**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>  
**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)  
**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)  
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**Bills:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/bill/index.asp>  
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**Other:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/index.asp>



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**MONTGOMERY COUNTY SEEKS APPLICANTS  
FOR MERIT SYSTEM PROTECTION BOARD  
DEADLINE: WEDNESDAY 5 P.M., NOVEMBER 7**

The Montgomery County Council is accepting applications from qualified voters of the County for appointment to a three-year term on the Merit System Protection Board. Generally, the board is expected to oversee the Merit System and to protect employee and applicant rights guaranteed under the County Merit System. Applications must be received in the Council office by 5 p.m. on Wednesday, Nov. 7.

The second term of board member Bruce Wood (Democrat) will expire in December 2012. Since Mr. Wood has completed two terms on the board, he is not eligible for reappointment. The other board members are Rodella E. Berry (Democrat) and Julie Glass Martin-Korb (unaffiliated).

By law, no more than two of the three members of the Merit System Protection Board may be of the same political party. The appointee for this position may be a Democrat, a Republican or someone who declines to affiliate with a party. In addition, the appointee may be a member of another party officially recognized by the Board of Elections.

The County Merit System Protection Board's mission is to oversee the Merit System for the protection of employee's and applicant's rights guaranteed under the Merit System.

There are two methods in which the board processes appeals: 1) a written decision issued after a review and discussion of a written record; or 2) a written decision issued after a pre-hearing conference and a formal hearing in cases involving a suspension, demotion or dismissal.

The board, on a periodic basis, conducts special studies, audits or inquiries of the administration of the merit and retirement pay systems and, in this effort, may compel the attendance of witnesses. Written reports of its findings and recommendations are filed with the County Executive and the County Council. The board also provides comments on any proposed changes in Merit System law or regulations.

The board holds hearings during the day, which can take the full day, with any additional proceedings scheduled for subsequent evening(s). Also, the board normally meets for approximately an hour in the evening once or twice every month. Additional time is also required for preparatory work.

Members of the board receive \$7,594 per year, which is adjusted annually to reflect 50 percent of the percentage change in the Washington Area Consumer Price Index.

Board members are restricted in political activity while serving. Section 403 of the County Charter states in part: ". . . No member shall hold political office or participate in any campaign for any political or public office during the member's term of office." Members of County boards, committees and commissions may not serve on more than one such group at a time.

Applicants should submit letters of interest with a resume to: Roger Berliner, President, Montgomery County Council, 100 Maryland Ave., Rockville, Maryland 20850 by 5 p.m. on Nov. 7, 2012. (email address: [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov)) Resumes should include professional and civic experience, political party affiliation, home and office telephone numbers and an e-mail address. Letters and resumes submitted are made public as part of the appointment process. A financial statement of assets, debts, income and family property interests will be required of all applicants. Only the appointed candidates will be required to make the financial statement available to the public. Members of County boards, committees and commissions may not serve on more than one such group at a time.

For more information on the Merit System Protection Board appointment, call 240-777-7979.

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**MONTGOMERY COUNCIL SEEKS APPLICANTS  
FOR BOARD OF APPEALS  
DEADLINE: WEDNESDAY 5P.M., DECEMBER 5**

The Montgomery County Council is seeking applicants for a partial term on the County Board of Appeals. The term to be filled was held by Walter S. Booth (Democrat), who passed away shortly after being appointed to his second term on the board.

Applications for the position must be received no later than 5 p.m. on Wednesday, Dec. 5.

By law, no more than three members of the board shall be from the same political party. This position can be filled by a Democrat, a Republican, a voter who declines to affiliate with a party or a voter who is a member of another party officially recognized by the Board of Elections.

Current members of the board include Chair Catherine Titus (Republican), Stan Boyd (Democrat), David K. Perdue (declined to affiliate) and Carolyn Shawaker (Democrat).

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Letters of application are made public as part of the appointment process. The names of all applicants are published and resumes are made available for public review. 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 candidates will be required to make the financial statement available to the public.

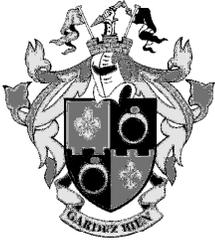
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

[www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)



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## Monday, November 5, 2012

*Note: This meeting was originally scheduled for Monday, October 29, 2012*

- (1) 11:30 **WORKSESSION** - 2012 Subdivision Staging Policy, and Resolution to amend School Facility Payment rates *(continued)* (Orlin)  
*(3rd floor Council Hearing Room)*



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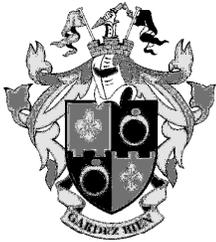
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

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## Monday, November 5, 2012

- (1) 11:30 **WORKSESSION** - 2012 Subdivision Staging Policy, and Resolution to amend School Facility Payment rates (*continued*) (Orlin)  
(3rd floor Council Hearing Room)

## Tuesday, November 6, 2012

- (1) 10:30 **DISCUSSION** - State Legislative Program (3rd floor Council Conference Room) (Wenger)
- (2) 11:00 **PUBLIC HEARING** - Special appropriation to the Montgomery County Public Schools' FY13 Capital Budget and amendment to the FY13-18 Capital Improvements Program - \$2,042,000 for Technology Modernization Education Rate (E-Rate) Program (Source: Federal) (McGuire)  
*ED Committee worksession tentatively scheduled for 11/5/12.  
This public hearing was postponed from 10/30/12.*
- (3) 11:00 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY13 Operating Budget, Department of Economic Development's Economic Development Grant and Loan Program - \$4,160,000 for Duball Project (Source: General Fund Undesignated Reserves and City of Rockville) (Sesker)  
*This public hearing was postponed from 10/30/12.*
- (4) 11:00 **PUBLIC HEARING/ACTION** - Special appropriation to MNCPPC's FY13 Operating Budget - \$250,000 for environmental, economic and traffic analysis for the Clarksburg Master Plan Limited Amendment for the Ten Mile Creek Watershed. (Source: County Government General Fund) (Michaelson)  
*This public hearing was postponed from 10/30/12.*
- (5) 11:15 **CONSENT CALENDAR**
- A. **Introduction** - Supplemental appropriation to the County Government's FY13 Operating Budget, Department of Health and Human Services - \$100,000 for Deferred Action (Source: General Fund) (McMillan)  
*Public Hearing/Action is scheduled for 11/13/12 at 1:30 pm.*

(5) 11:15 **CONSENT CALENDAR** (*continued*)

- B. **Introduction** - Supplemental appropriation to the County Government's FY13 Capital Budget, Office of the County Executive - \$57,497,000 for Public Safety System Modernization (Source: GO Bonds and Short-Term Financing) (Toregas/McMillan)  
*Public Hearing is scheduled for 11/13/12 at 1:30 pm.*
- C. **Introduction** - Resolution regarding Montgomery County Public Schools' State funding request for school construction (Levchenko)  
*Action is tentatively scheduled for 11/13/12.*
- D. **Action** - Resolution to approve FY14 Council Grants process (Fitzgerald-Bare)
- E. **Action** - Executive Regulation 2-12, Group Residential Care Facilities (McMillan)  
*HHS Committee recommends approval.*
- F. **Action** - Resolution to amend Resolution 17-443 for the FY13 Designation of Entities for Non-Competitive Award Status: Interfaith Works, Inc. (McMillan)
- G. **Action** - Confirmation of County Executive appointment to the Chairperson, Disability Arbitration Board: John Monahan (Drummer)
- H. **Action** - Confirmation of County Executive appointments to the Commission on Child Care: Laurence Fabre-Welmond, Aurora Sanchez, Suzanne Auerbach, Nuri Funes, Michelle Green (Lauer)
- I. **Action** - Confirmation of County Executive appointment to the Dickerson Area Facilities Implementation Group: Seth Schwartz (Lauer)
- J. **Action** - Confirmation of County Executive appointments to the Mid-County Citizens Advisory Board: Francisco Acosta, Robin Brannan, Patrick Lahr, Kieran McHargue, Oriole Saah, Gamunu Wijetunge, Ariel Winter (Lauer)
- K. **Action** - Confirmation of County Executive appointment to the Ethics Commission: Mark Greenblatt (Lauer)

(6) 11:20 **WORKSESSION** - 2012 Subdivision Staging Policy, and Resolution to amend School Facility Payment rates (*continued*) (Orlin)

1:30 **ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 11/9/12 at 9 pm*

**The following appointment was received from the County Executive and is tentatively scheduled for confirmation on November 13, 2012:**

Consolidated Retiree Health Benefits Trust Board of Trustees: Robert Doody

November 6, 2012

Page 3

**COUNCIL SEEKS APPLICANTS**  
**Call 240-777-7925 for more information**

**Merit System Protection Board** - Application deadline is 5:00 pm on November 7, 2012

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8842](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8842)

**Grants Advisory Group** - Application deadline is 4:00 pm on November 15, 2012

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8876](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8876)

**Study Compensation of Elected Officials** - Application deadline is 5:00 pm on November 28, 2012

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8885](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8885)

**Board of Appeals** - Application deadline is 5:00 pm on December 5, 2012

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8910](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8910)

**NOTICE OF UPCOMING COUNCIL MEETINGS**

**Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, and on the Council's website at**  
<http://www.montgomerycountymd.gov/content/council/pdf/agenda/FutureMtgs.pdf>

**Future Council Meetings:**

<b>Nov 7, 2012</b>	7:00 pm	Town Hall Meeting - Potomac Community Center
<b>Nov 12, 2012</b>		HOLIDAY
<b>Nov 13, 2012</b>	9:30 am	Regular session
<b>Nov 20, 2012</b>	9:30 am	Regular session
<b>Nov 22, 2012</b>		HOLIDAY
<b>Nov 27, 2012</b>	9:30 am	Regular session
<b>Dec 4, 2012</b>	9:30 am	Regular session
<b>Dec 11, 2012</b>	9:30 am	Regular session
<b>Dec 17 to Jan 11, 2013</b>		RECESS

**Future Public Hearings - To testify call 240-777-7803**

**November 13, 2012**

1:30 pm ZTA 12-15, Guest House - Conditions (*Postponed from 10/30/12*)  
1:30 pm ZTA 12-16, One-Family Dwelling - Pre-1928 Lots (*Postponed from 10/30/12*)  
1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, OEMHS - \$691,000 for FFY 2011 UASI CAD to CAD Grant  
1:30 pm **Bill 28-12**, Personnel - Merit System Review Commission - Amendments  
1:30 pm **Bill 29-12**, Merit System Protection Board - Annual Public Forum - Elimination  
1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, DHHS - \$100,000 for Deferred Action  
1:30 pm Supplemental appropriation to the County Government's FY13 Capital Budget, Office of the County Executive - \$57,497,000 for Public Safety System Modernization

**November 27, 2012**

1:30 pm Takoma/Langley Crossroads Sectional Map Amendment (G-953)  
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**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agm.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agm.pdf)  
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**Resolutions:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/res/index.asp>  
**Zoning:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/zta/index.asp>

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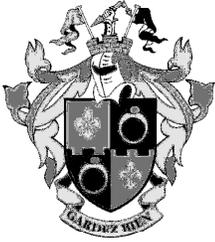
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## ADDENDUM

**Tuesday, November 13, 2012**

10:00 **LEGISLATIVE SESSION Day # 32**

### **Introduction of Bills:**

#### **Added**

**Sponsors (8) C. Bill 32-12, Personnel - Regulations - Persons with Disabilities - Noncompetitive Appointment, sponsored by Councilmembers Andrews, Rice, Navarro, Leventhal, Ervin, Floreen, Elrich, Berliner, and Riemer (Drummer)**

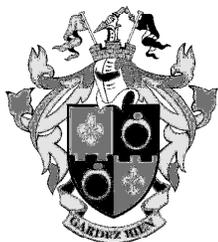
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**Tuesday, November 13, 2012**

9:30 **INVOCATION** - Reverend Sarah Lapenta-H, St. John's Episcopal Church, Norwood, Chevy Chase

9:35 **PRESENTATIONS**

A. Proclamation recognizing 1882 Project, A Voice for Protecting American Civil Rights, by Councilmember Leventhal

B. Proclamation recognizing Heritage Montgomery for their documentary "Life in a War Zone: Montgomery County during the Civil War", by Councilmember Floreen

9:50 **GENERAL BUSINESS**

(Lauer)

A. **Announcement** - Agenda and Calendar Changes

The Council is seeking applicants for:

- (1) • Grants Advisory Group - *application deadline is 11/15/12*
- (2) • Committee to Study Compensation of County Executive, County Council, Sheriff, and State's Attorney - *application deadline is 11/28/12*
- (3) • Board of Appeals - *application deadline is 12/5/12*

(4) B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: October 16 and 23, 2012

- Approval of Closed Session Minutes: October 16, 2012

(5) 9:55 **CONSENT CALENDAR**

A. **Introduction** - Supplemental appropriation to the County Government's FY13 Capital Budget and amendment to the FY13-18 Capital Improvements Program, Department of Environmental Protection - \$18,861,000 for five Stormwater Management CIP projects (Source: State Aid)

(Levchenko)

*Public Hearing is scheduled for 11/27/12 at 1:30 pm.*

B. **Introduction** - Resolution to approve the County's 2012 Housing Policy

(McMillan)

*Public Hearing is scheduled for 12/4/12 at 7:30 pm.*

(5) 9:55 **CONSENT CALENDAR** *(continued)*

- C. **Introduction** - Supplemental appropriation to the County Government's FY13 Operating Budget, Montgomery County Fire and Rescue Service - \$716,220 for Staffing for Adequate Fire and Emergency Response (SAFER) Grant (Source: Federal Aid) (McGuire)  
*Public Hearing/Action is scheduled for 11/27/12 at 1:30 pm.*
- D. **Action** - Resolution regarding Montgomery County Public Schools' State funding request for school construction (Levchenko)  
*ED Committee recommends approval.*
- E. **Action** - Confirmation of County Executive appointment to the Consolidated Retiree Health Benefits Trust Board of Trustees: Robert Doody (Lauer)
- F. **Introduction** - Supplemental appropriation to the County Government's FY13 Operating Budget, Department of Housing and Community Affairs - \$2,603,556 for State of Maryland EmPOWER Weatherization Program (Source: State grant) (McMillan)  
*Public Hearing/Action is scheduled for 11/27/12 at 1:30 pm.*
- G. **Introduction** - Resolution to support a grant application from the State of Maryland's Strategic Demolition and Smart Growth Impact Fund: Housing Opportunities Commission (McMillan)  
*Action is tentatively scheduled for 11/20/12.*
- H. **Action** - Resolution to amend Resolution 17-443 for the FY13 Designation of Entities for Non-Competitive Award Status: Ivymount School, Inc. (McMillan)

10:00 **LEGISLATIVE SESSION Day # 32**

**Introduction of Bills:**

- (6) A. **Expedited Bill 30-12**, Taxation - Payments - Subdivision Staging Policy, sponsored by Councilmember Floreen (Faden)  
*Public Hearing/Action is scheduled for 12/11/12 at 11:30 am.*
- (7) B. **Bill 31-12**, Accessory Apartments - Licensing, sponsored by the PHED Committee (Zyontz)  
*Public Hearing is scheduled for 12/4/12 at 1:30 pm.*
- (8) C. **Bill 32-12**, Personnel - Regulations - Persons with Disabilities - Noncompetitive Appointment, sponsored by Councilmembers Andrews, Rice and Navarro (Drummer)  
*Public Hearing is scheduled for 12/6/12 at 7:30 pm.*

**Call of Bills for Final Reading**

- (9) A. **Bill 26-12**, Swimming Pools - Defibrillators (Mihill)  
*PS Committee recommends enactment with amendments.*

10:00 **LEGISLATIVE SESSION Day # 32 (continued)**

**Call of Bills for Final Reading (continued)**

(10) B. **Bill 25-12**, Taxation - Impact Tax - Bikesharing (Faden)  
*GO Committee recommends enactment.*

(11) 10:15 **DISTRICT COUNCIL SESSION**

A. **Action** - Zoning Text Amendment 12-14, Bikeshare Facility - Incentives (Zyontz)  
*PHED Committee recommends approval.*

B. **Action** - Development Plan Amendment (DPA) 12-02, Hampden Lane Ventures LLC, 4901 Hampden in Bethesda (Zyontz)

(12) 10:25 **ACTION** - Special appropriation to the Montgomery County Public Schools' FY13 Capital Budget and amendment to the FY13-18 Capital Improvements Program - \$2,042,000 for Technology Modernization Education Rate (E-Rate) Program (Source: federal funds) (McGuire)  
*ED Committee recommends approval.*

(13) 10:45 **WORKSESSION/ACTION on the following:** (Orlin/Faden)  
• 2012 Subdivision Staging Policy  
• Resolution to amend School Facility Payment rates

12:30 **RECESS**

(14) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 12-15, Guest House - Conditions (Zyontz)  
*PHED Committee worksession tentatively scheduled for 11/26/12.*

(15) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 12-16, One-Family Dwelling - Pre-1928 Lots (Zyontz)  
*PHED Committee worksession will be scheduled at a later date.*

(16) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY13 Capital Budget, Office of the County Executive - \$57,497,000 for Public Safety System Modernization (Source: GO Bonds and Short-Term Financing) (Toregas/McMillan)  
*PS/GO Committee worksession tentatively scheduled for 11/26/12.*

(17) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY13 Operating Budget, Office of Emergency Management and Homeland Security - \$691,000 for FFY 2011 Urban Area Security Initiative (UASI) CAD to CAD Grant (Source: Federal) (Levchenko)  
*PS/GO Committee worksession tentatively scheduled for 11/26/12.*

- (18) 1:30 **PUBLIC HEARING - Bill 28-12**, Personnel - Merit System Review Commission - Amendments (Mihill)  
*GO Committee worksession tentatively scheduled for 11/19/12.*
- (19) 1:30 **PUBLIC HEARING - Bill 29-12**, Merit System Protection Board - Annual Public Forum - Elimination (Mihill)  
*GO Committee worksession tentatively scheduled for 11/19/12.*
- (20) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY13 Operating Budget, Department of Health and Human Services - \$100,000 for Deferred Action (Source: General Fund) (McMillan)
- (21) 2:15 **BRIEFING** - County's 2012 Housing Policy (McMillan)
- (13) 2:45 **WORKSESSION/ACTION on the following: (continued if necessary)** (Orlin/Faden)
  - 2012 Subdivision Staging Policy
  - Resolution to amend School Facility Payment rates

**ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30; repeated on 11/16/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on November 20, 2012:**

Cable and Communications Advisory Committee: Alphonse MacDonald, Adeyinka Ogunlegan, Aniket Patel  
Commission on Juvenile Justice: Elijah Wheeler, Elaine Bullington, Jennifer Gauthier, Timothy Hwang, Perry Paylor, Carlean Ponder, Jasmine Shergill

Noise Control Advisory Board: Thomas Strawbridge, Mark Ungerman

Pedestrian, Bicycle, and Traffic Safety Advisory Committee: Thomas Didone, Colleen Mitchell, Steven Friedman

Silver Spring Transportation Management District Advisory Committee: James Bunch, Philip Olivetti

Silver Spring Urban District Advisory Committee: Melvin Tull

Upcounty Citizens Advisory Board: Natalia Farrar, Mark Firley, James King, Kevin Linck, Daisha New, David Rosenbaum, Ruyan Teng

Victim Services Advisory Board: Alicia Williams, Inga James, Adrian Black, Sorell Schwartz

**COUNCIL SEEKS APPLICANTS**  
**Call 240-777-7925 for more information**

**Grants Advisory Group** - Application deadline is 4:00 pm on November 15, 2012

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8876](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8876)

**Study Compensation of Elected Officials** - Application deadline is 5:00 pm on November 28, 2012

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8885](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8885)

**Board of Appeals** - Application deadline is 5:00 pm on December 5, 2012

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8910](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8910)

**NOTICE OF UPCOMING COUNCIL MEETINGS**

**Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, and on the Council's website at**  
<http://www.montgomerycountymd.gov/content/council/pdf/agenda/FutureMtgs.pdf>

**Future Council Meetings:**

<b>Nov 12, 2012</b>		HOLIDAY
<b>Nov 13, 2012</b>	9:30 am	Regular session
<b>Nov 20, 2012</b>	9:30 am	State Legislative Program
<b>Nov 20, 2012</b>	10:15 am	Regular session
<b>Nov 22, 2012</b>		HOLIDAY
<b>Nov 27, 2012</b>	9:30 am	Regular session
<b>Dec 4, 2012</b>	9:30 am	Regular session
<b>Dec 11, 2012</b>	9:30 am	Regular session
<b>Dec 17, 2012 to</b>		RECESS
<b>Jan 11, 2013</b>		

**Future Public Hearings - To testify call 240-777-7803**

**November 27, 2012**

- 1:30 pm Takoma/Langley Crossroads Sectional Map Amendment (G-953)
- 1:30 pm Supplemental appropriation to the County Government's FY13 Capital Budget and amendment to the FY13-18 CIP, DEP - \$18,861,000 for five Stormwater Management CIP projects
- 1:30 pm ZTA 12-17, Country Inn Zone - Standards
- 1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, MCFRS - \$716,220 for Staffing for Adequate Fire and Emergency Response (SAFER) Grant
- 1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, DHCA - \$2,603,556 for State of Maryland EmPOWER Weatherization Program

**December 4, 2012**

- 7:30 pm Resolution to approve the County's 2012 Housing Policy



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**Zoning:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/leg/zta/index.asp>

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**MONTGOMERY COUNTY COUNCIL SEEKS APPLICANTS  
TO STUDY COMPENSATION OF ELECTED OFFICIALS  
DEADLINE: WEDNESDAY 5:00 P.M., NOV. 28**

The Montgomery County Council is seeking applicants for a citizens' advisory committee to study compensation of the County's elected officials. The County Council believes that there is a need to examine present compensation levels for the Sheriff, the State's Attorney, the County Executive and members of the County Council.

Letters of interest to serve on the committee must be received no later than 5 p.m. on Wednesday, Nov. 28.

State law authorizes the County Council to establish the salary of the Sheriff and State's Attorney for Montgomery County. The County Charter authorizes the County Council to set the compensation of the County Council and the County Executive for the succeeding terms of office. Changes in compensation levels apply only to future terms of these elected offices.

Currently, Councilmembers receive annual compensation of \$99,069 (the Council President receives 10 percent additional compensation), the Executive receives \$180,250, the Sheriff receives \$154,000, and the State's Attorney receives \$199,000. These salaries are increased each year by the annual average percentage increase in the Consumer Price Index for all urban consumers for the Washington-Baltimore metropolitan area.

The Committee consists of five to seven members appointed by the Council. The Council will strive to appoint no more than a majority of members from one political party, and therefore encourages Democrats, Republicans and those who decline to affiliate with a party.

In addition, the appointees may be a member of another party officially recognized by the Board of Elections.

The Compensation Committee must submit recommendations of compensation levels to the County Council by Sept. 15, 2013. Any changes in compensation adopted by the Council would be effective for the 2014-18 term of office.

Persons interested in serving on the committee should submit their letter of interest with a resume by Wednesday, Nov. 28 at 5 p.m. to Council President Roger Berliner, Montgomery County Council, 100 Maryland Avenue, Rockville, Md. 20850. Letters can also be sent by email to [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov).

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**MONTGOMERY COUNTY COUNCIL SEEKS APPLICANTS  
FOR BOARD OF APPEALS  
DEADLINE: WEDNESDAY 5:00 P.M., DECEMBER 5**

The Montgomery County Council is seeking applicants for a partial term on the County Board of Appeals. The term to be filled was held by Walter S. Booth (Democrat), who passed away shortly after being appointed to his second term on the board.

Applications for the position must be received no later than 5 p.m. on Wednesday, Dec. 5.

By law, no more than three members of the board shall be from the same political party. This position can be filled by a Democrat, a Republican, a voter who declines to affiliate with a party or a voter who is a member of another party officially recognized by the Board of Elections.

Current members of the board include Chair Catherine Titus (Republican), Stan Boyd (Democrat), David K. Perdue (declined to affiliate) and Carolyn Shawaker (Democrat).

Members of County boards, committees and commissions may not serve on more than one such group at a time.

Members of the board receive \$14,510 annually, with the chair receiving \$20,508. Salaries are adjusted annually each December to reflect 50 percent of the change in the Washington Area Consumer Price Index.

Duties of the Board of Appeals include making decisions on most applications for special exceptions as provided in the Zoning Ordinance; hearing and deciding requests for variances from development standards contained in the Zoning Ordinance; and hearing 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.

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

Letters expressing interest, including a resume listing professional and civic experience, should be addressed to Council President Roger Berliner, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850. Applications can be submitted via e-mail to: [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov). Applications must be received no later than 5 p.m. on Wednesday, Dec. 5. It is the Council's policy not to consider applications received after the deadline. After the deadline, Councilmembers will review the letters of application and select applicants for interviews.

Letters of application are made public as part of the appointment process. The names of all applicants are published and resumes are made available for public review. 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 candidates will be required to make the financial statement available to the public.

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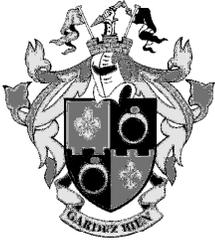
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

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**The next regular Council Session is scheduled for November 27, 2012. The agenda will be mailed and posted to the web site on November 21, 2012. Please see the listing below for future Council meetings and public hearings. Council Committees will meet on November 15; see the Committee agenda for a list of meetings.**

## Future Council Meetings:

Nov 22, 2012		HOLIDAY
Nov 27, 2012	9:00 am	State Legislative Program
Nov 27, 2012	10:15 am	Regular session
Dec 4, 2012	9:30 am	Regular session
Dec 11, 2012	9:30 am	Regular session
Dec 17, 2012 to Jan 11, 2013		RECESS
Dec 25, 2012		HOLIDAY
Jan 1, 2013		HOLIDAY

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### November 27, 2012

- 1:30 pm Takoma/Langley Crossroads Sectional Map Amendment (G-953)
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### December 4, 2012

- 1:30 pm **Bill 31-12**, Accessory Apartments - Licensing
- 7:30 pm Resolution to approve the County's 2012 Housing Policy

### December 6, 2012

- 7:30 pm Bill 32-12, Personnel - Regulations - Persons with Disabilities - Noncompetitive Appointment

### December 11, 2012

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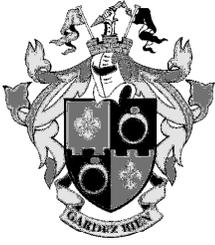
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## Future Council Meetings:

Nov 22, 2012		HOLIDAY
Nov 27, 2012	9:00 am	State Legislative Program
Nov 27, 2012	10:15 am	Regular session
Nov 29, 2012	7:30 pm	FY14 County Budget Public Forum
Dec 3, 2012	8:00 am	Breakfast Meeting with Congressman Van Hollen
Dec 4, 2012	9:30 am	Regular session
Dec 10, 2012	11:30 am	Lunch Meeting with Senator Cardin
Dec 11, 2012	9:30 am	Regular session
Dec 17, 2012 to Jan 11, 2013		RECESS
Dec 25, 2012		HOLIDAY
Jan 1, 2013		HOLIDAY

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- 7:30 pm Resolution to approve the County's 2012 Housing Policy

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- 7:30 pm **Bill 32-12**, Personnel - Regulations - Persons with Disabilities - Noncompetitive Appointment

### December 11, 2012

- 11:30 am **Expedited Bill 30-12**, Taxation - Payments - Subdivision Staging Policy

### January 15, 2013

- 1:30 pm Supplemental appropriation to the County Government's FY13 Capital Budget and amendment to the FY13-18 CIP, DOT - \$1,000,000 for Rapid Transit System



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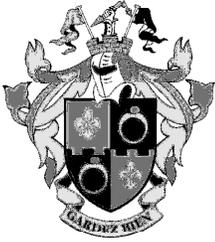
Montgomery County, Maryland

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**Tuesday, November 27, 2012**

(1) 9:00 **DISCUSSION** - State Legislative Program (*3rd floor Council Conference Room*) (Wenger)

10:10 **INVOCATION** - Rabbi M. Bruce Lustig, Washington Hebrew Congregation

10:15 **PRESENTATIONS**

A. Proclamation recognizing Angie Fuentes, blind cross country runner from Seneca Valley High School, by Councilmember Rice

B. Proclamation recognizing the 20th anniversary of the Bethesda-Chevy Chase High School Career Partnership Day, by Council President Berliner

C. Proclamation recognizing Japanese-American World War II Veterans, by Council President Berliner

D. Proclamation recognizing National Adoption Month, by Councilmember Ervin

E. Proclamation recognizing Lesbian, Gay, Bisexual and Transgender History Month in Montgomery County, by Councilmember Riemer

10:50 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

The Council is seeking applicants for:

(2) • Committee to Study Compensation of County Executive, County Council, Sheriff, and State's Attorney - *application deadline is 11/28/12*

(3) • Board of Appeals - *application deadline is 12/5/12*

(4) B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: November 5 and 6, 2012

(5) 10:55 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to support Senior Agenda, sponsored by HHS Committee(McMillan)  
*Action is tentatively scheduled for 12/4/12.*
- B. **Introduction** - Supplemental appropriation to the County Government's FY13 Operating Budget, Montgomery County Fire and Rescue Service - \$935,880 for Urban Area Security Initiative (UASI) Water Operations Equipment & Training Grant Award (Source: Federal grant) (McGuire)  
*Public Hearing is scheduled for 12/4/12 at 1:30 pm.*
- C. **Introduction** - Supplemental appropriation to the County Government's FY13 Capital Budget and amendment to the FY13-18 Capital Improvements Program, Department of Transportation - \$1,000,000 for Rapid Transit System (Source: County funds) (Orlin)  
*Public Hearing is scheduled for 1/15/13 at 1:30 pm.*
- D. **Action** - Appointments to Food Recovery Work Group (McMillan)
- E. **Action** - Appointment of special counsel to represent the County in the collection of certain transfer and recordation taxes: Crongeyer Law Firm, P.C.; the Bird Law Group, P.C.; and Greenberg & Bederman, LLP (Faden)
- F. **Action** - Resolution to support a grant application from the State of Maryland's Strategic Demolition and Smart Growth Impact Fund: Housing Opportunities Commission (McMillan)
- G. **Action** - Confirmation of County Executive appointments to the Cable and Communications Advisory Committee: Alphonse MacDonald, Adeyinka Ogunlegan, Aniket Patel (Lauer)
- H. **Action** - Confirmation of County Executive appointments to the Commission on Juvenile Justice: Elijah Wheeler, Elaine Bullington, Jennifer Gauthier, Timothy Hwang, Perry Paylor, Carlean Ponder, Jasmine Shergill (Lauer)
- I. **Action** - Confirmation of County Executive appointments to the Noise Control Advisory Board: Thomas Strawbridge, Mark Ungerman (Lauer)
- J. **Action** - Confirmation of County Executive appointments to the Pedestrian, Bicycle, and Traffic Safety Advisory Committee: Thomas Didone, Colleen Mitchell, Steven Friedman (Lauer)
- K. **Action** - Confirmation of County Executive appointments to Silver Spring Transportation Management District Advisory Committee: James Bunch, Philip Olivetti (Lauer)

(5) 10:55 **CONSENT CALENDAR** (*continued*)

- L. **Action** - Confirmation of County Executive appointment to the Silver Spring Urban District Advisory Committee: Melvin Tull (Lauer)
- M. **Action** - Confirmation of County Executive appointments to the Victim Services Advisory Board: Alicia Williams, Inga James, Adrian Black, Sorell Schwartz (Lauer)
- N. **Action** - Confirmation of County Executive appointments to the Upcounty Citizens Advisory Board: Natalia Farrar, Mark Firley, James King, Kevin Linck, Daisha New, David Rosenbaum, Ruyan Teng (Lauer)

11:00 **LEGISLATIVE SESSION Day #34**

(6) **Introduction of Bills:**

- A. **Bill 33-12**, Health and Sanitation - Smoking - County Property, sponsored by Councilmembers Floreen, Navarro, Rice, Riemer, Leventhal, Elrich, and Andrews (Mihill)  
*Public Hearing is scheduled for 1/15/13 at 7:30 pm.*
- B. **Bill 34-12**, Stormwater Management - Water Quality Protection Charge, sponsored by the Council President at the request of the County Executive (Faden)  
*Public Hearing is scheduled for 1/15/13 at 1:30 pm.*
- C. **Bill 35-12**, Trees - Tree Canopy Conservation, sponsored by the Council President at the request of the County Executive (Faden/Mihill)  
*Public Hearing is scheduled for 1/17/13 at 7:30 pm.*
- D. **Bill 36-12**, Taxation - Hotel/Motel Tax - Use of Revenues, sponsored by Councilmember Floreen (Faden)  
*Public Hearing is scheduled for 1/15/13 at 1:30 pm.*
- E. **Bill 37-12**, Housing - Capital Improvements Program - Affordable Housing Assessment, sponsored by Council President Berliner (Faden)  
*Public Hearing is scheduled for 1/15/13 at 1:30 pm.*

(7) **Call of Bills for Final Reading**

- A. **Bill 28-12**, Personnel - Merit System Review Commission - Amendments (Mihill)  
*GO Committee recommends enactment.*
- B. **Bill 29-12**, Merit System Protection Board - Annual Public Forum - Elimination (Mihill)  
*GO Committee recommends enactment.*

- (8) 11:10 **DISTRICT COUNCIL SESSION**
- A. **Introduction** - Twelve Corrective Map Amendments (G-915 through G-926) to correct technical errors in zoning boundaries and zoning classifications on the official zoning maps for certain properties located throughout the County (Michaelson)  
*Public Hearing/Action is scheduled for 1/22/13 at 1:30 pm.*
- B. **Introduction** - Subdivision Regulation Amendment 12-02, Platting Exemptions - Community Legacy Plan Areas, sponsored by Councilmembers Elrich, Floreen, Leventhal, Reimer, and Ervin (Zyontz)  
*Public Hearing is scheduled for 1/22/13 at 1:30 pm.*
- (9) 11:15 **BOARD OF HEALTH** - Update from Dr. Ulder J. Tillman, County Health Officer (McMillan)
- (10) 12:00 **BRIEFING** - Progress report on disposition of Public Safety Training Academy (PSTA) site (McMillan)
- 12:15 **RECESS**
- (11) 1:30 **PUBLIC HEARING** - Takoma/Langley Crossroads Sectional Map Amendment (G-953)  
*PHED Committee worksession tentatively scheduled for 12/3/12.* (Michaelson)
- (12) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 12-17, Country Inn Zone - Standards (Zyontz)  
*PHED Committee worksession tentatively scheduled for 12/3/12.*
- (13) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY13 Capital Budget and amendment to the FY13-18 Capital Improvements Program, Department of Environmental Protection - \$18,861,000 for five Stormwater Management CIP projects (Source: State Aid) (Levchenko)  
*T&E Committee worksession tentatively scheduled for 11/29/12.*
- (14) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY13 Operating Budget, Montgomery County Fire and Rescue Service - \$716,220 for Staffing for Adequate Fire and Emergency Response (SAFER) Grant (Source: Federal Aid) (McGuire)  
*PS Committee recommendation will be available 11/26/12.*
- (15) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY13 Operating Budget, Department of Housing and Community Affairs - \$2,603,556 for State of Maryland EmPOWER Weatherization Program (Source: State grant) (McMillan)
- (16) 1:45 **WORKSESSION** - Burtonsville Crossroads Neighborhood Plan (Michaelson/Orlin)  
*Action is tentatively scheduled for 12/4/12.*
- 4:00 **ADJOURN**

**Thursday, November 29, 2012**

7:30 **PUBLIC FORUM** - FY14 County Budget Planning Forum  
(3rd floor Council Hearing Room)

(Trombka/McGuire)

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 11/30/12 at 9 pm*

**COUNCIL SEEKS APPLICANTS**  
Call 240-777-7925 for more information

**Study Compensation of Elected Officials** - Application deadline is 5:00 pm on November 28, 2012  
[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8885](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8885)

**Board of Appeals** - Application deadline is 5:00 pm on December 5, 2012  
[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=8910](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=8910)

**NOTICE OF UPCOMING COUNCIL MEETINGS**

Council meeting notices are posted on the bulletin board in the  
fifth floor lobby of the Council Office Building in Rockville, and on the Council's website at  
<http://www.montgomerycountymd.gov/content/council/pdf/agenda/FutureMtgs.pdf>

**Future Council Meetings:**

<b>Dec 3, 2012</b>	8:00 am	Breakfast Meeting with Congressman Van Hollen
<b>Dec 4, 2012</b>	9:30 am	Regular session
<b>Dec 10, 2012</b>	11:30 am	Lunch Meeting with Senator Cardin
<b>Dec 11, 2012</b>	9:30 am	Regular session
<b>Dec 17, 2012 to Jan 11, 2013</b>		RECESS
<b>Dec 25, 2012</b>		HOLIDAY
<b>Jan 1, 2013</b>		HOLIDAY

**Future Public Hearings - To testify call 240-777-7803**

**December 4, 2012**

1:30 pm **Bill 31-12**, Accessory Apartments - Licensing  
1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, MCFRS -  
\$935,880 for UASI Water Operations Equipment & Training Grant Award  
7:30 pm Resolution to approve the County's 2012 Housing Policy

**December 6, 2012**

7:30 pm **Bill 32-12**, Personnel - Regulations - Persons with Disabilities - Noncompetitive Appointment

**December 11, 2012**

11:30 am **Expedited Bill 30-12**, Taxation - Payments - Subdivision Staging Policy

**January 15, 2013**

1:30 pm Supplemental appropriation to the County Government's FY13 Capital Budget and amendment to the  
FY13-18 CIP, DOT - \$1,000,000 for Rapid Transit System

**January 22, 2013**

1:30 pm Twelve Corrective Map Amendments (G-915 through G-926) to correct technical errors in zoning  
boundaries and zoning classifications on the official zoning maps for certain properties located  
throughout the County

**Visit the Council website for other valuable resources:**

**Councilmembers:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/index.asp>  
**Public Participation:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/about/pub.asp>  
**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>  
**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)  
**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)  
**Packets:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/packet/index.asp>  
**Bills:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/bill/index.asp>  
**Resolutions:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/res/index.asp>  
**Zoning:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/zta/index.asp>

**View Current Live Session:** [http://montgomerycountymd.granicus.com/MediaPlayer.php?publish\\_id=4](http://montgomerycountymd.granicus.com/MediaPlayer.php?publish_id=4)

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**Other:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/index.asp>



**If you need services to participate in any Council activity, please contact us as far in advance as possible: 240-777-7900 (TTY 240-777-7914) Email: [County.Council@montgomerycountymd.gov](mailto:County.Council@montgomerycountymd.gov). This document is available in alternative formats upon request.**

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**MONTGOMERY COUNTY COUNCIL SEEKS APPLICANTS  
TO STUDY COMPENSATION OF ELECTED OFFICIALS  
DEADLINE: WEDNESDAY 5:00 P.M., NOV. 28**

The Montgomery County Council is seeking applicants for a citizens' advisory committee to study compensation of the County's elected officials. The County Council believes that there is a need to examine present compensation levels for the Sheriff, the State's Attorney, the County Executive and members of the County Council.

Letters of interest to serve on the committee must be received no later than 5 p.m. on Wednesday, Nov. 28.

State law authorizes the County Council to establish the salary of the Sheriff and State's Attorney for Montgomery County. The County Charter authorizes the County Council to set the compensation of the County Council and the County Executive for the succeeding terms of office. Changes in compensation levels apply only to future terms of these elected offices.

Currently, Councilmembers receive annual compensation of \$99,069 (the Council President receives 10 percent additional compensation), the Executive receives \$180,250, the Sheriff receives \$154,000, and the State's Attorney receives \$199,000. These salaries are increased each year by the annual average percentage increase in the Consumer Price Index for all urban consumers for the Washington-Baltimore metropolitan area.

The Committee consists of five to seven members appointed by the Council. The Council will strive to appoint no more than a majority of members from one political party, and therefore encourages Democrats, Republicans and those who decline to affiliate with a party.

In addition, the appointees may be a member of another party officially recognized by the Board of Elections.

The Compensation Committee must submit recommendations of compensation levels to the County Council by Sept. 15, 2013. Any changes in compensation adopted by the Council would be effective for the 2014-18 term of office.

Persons interested in serving on the committee should submit their letter of interest with a resume by Wednesday, Nov. 28 at 5 p.m. to Council President Roger Berliner, Montgomery County Council, 100 Maryland Avenue, Rockville, Md. 20850. Letters can also be sent by email to [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov).

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**MONTGOMERY COUNTY COUNCIL SEEKS APPLICANTS  
FOR BOARD OF APPEALS  
DEADLINE: WEDNESDAY 5:00 P.M., DECEMBER 5**

The Montgomery County Council is seeking applicants for a partial term on the County Board of Appeals. The term to be filled was held by Walter S. Booth (Democrat), who passed away shortly after being appointed to his second term on the board.

Applications for the position must be received no later than 5 p.m. on Wednesday, Dec. 5.

By law, no more than three members of the board shall be from the same political party. This position can be filled by a Democrat, a Republican, a voter who declines to affiliate with a party or a voter who is a member of another party officially recognized by the Board of Elections.

Current members of the board include Chair Catherine Titus (Republican), Stan Boyd (Democrat), David K. Perdue (declined to affiliate) and Carolyn Shawaker (Democrat).

Members of County boards, committees and commissions may not serve on more than one such group at a time.

Members of the board receive \$14,510 annually, with the chair receiving \$20,508. Salaries are adjusted annually each December to reflect 50 percent of the change in the Washington Area Consumer Price Index.

Duties of the Board of Appeals include making decisions on most applications for special exceptions as provided in the Zoning Ordinance; hearing and deciding requests for variances from development standards contained in the Zoning Ordinance; and hearing 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.

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

Letters expressing interest, including a resume listing professional and civic experience, should be addressed to Council President Roger Berliner, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850. Applications can be submitted via e-mail to: [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov). Applications must be received no later than 5 p.m. on Wednesday, Dec. 5. It is the Council's policy not to consider applications received after the deadline. After the deadline, Councilmembers will review the letters of application and select applicants for interviews.

Letters of application are made public as part of the appointment process. The names of all applicants are published and resumes are made available for public review. 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 candidates will be required to make the financial statement available to the public.

# # #

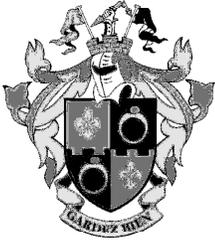
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

[www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)



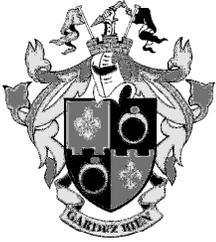
*The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.*

**Thursday, November 29, 2012**

- (1) 7:30 **PUBLIC FORUM - FY14 County Budget Planning Forum** (Trombka/McGuire)  
(3rd floor Council Hearing Room)



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Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

[www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)

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## Tuesday, December 4, 2012

9:30 **INVOCATION** - Susan Troxel, The Baha'i Faith, Gaithersburg

### 9:35 **PRESENTATIONS**

A. Proclamation recognizing Jeanette Dixon, Principal of Paint Branch High School, recipient of the Washington Post Distinguished Educational Leadership Award, by Councilmember Ervin

B. Proclamation recognizing Human Rights Day, by Council President Berliner

9:50 **COMMENTS** by Council President Roger Berliner

### 10:00 **ELECTION OF COUNCIL OFFICERS**

### 10:25 **RECESS**

### 10:30 **GENERAL BUSINESS**

(Lauer)

A. **Announcement** - Agenda and Calendar Changes

The Council is seeking applicants for:

(1) • Board of Appeals - *application deadline is 12/5/12*

(2) B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: November 13, 2012

### (3) 10:35 **CONSENT CALENDAR**

A. **Introduction** - End-of-Year Transfer for FY12 County Government Operating Budget

(Sesker)

*Action is tentatively scheduled for 12/11/12.*

B. **Receipt** - End-of-Year Report of the Council's Audit Committee

(Richards/Rubin)

(3) 10:35 **CONSENT CALENDAR** (*continued*)

C. **Action** - Supplemental appropriation to the County Government's FY13 Capital Budget and amendment to the FY13-18 Capital Improvements Program, Department of Environmental Protection - \$18,861,000 for five Stormwater Management CIP projects (Source: State Aid) (Levchenko)

*T&E Committee recommendation will be available 11/29/12.*

D. **Action** - Resolution to amend Resolution 17-344, Support for the 2012 Blue Plains Intermunicipal Agreement (IMA) (Levchenko)

E. **Introduction** - Resolution to recommend to the General Assembly enhancement of anti-bullying efforts through the use of multi-disciplinary teams, sponsored by Councilmembers Ervin, Rice, Navarro, Floreen, Andrews, Riemer, and Leventhal (McMillan)

*Action is tentatively scheduled for 12/11/12.*

(4) 10:40 **ACTION** - Resolution to support Senior Agenda (McMillan)

(5) 11:00 **ACTION** - Supplemental appropriation to the County Government's FY13 Operating Budget, Office of Emergency Management and Homeland Security - \$691,000 for FFY 2011 Urban Area Security Initiative (UASI) CAD to CAD Grant (Source: federal funds) (Levchenko)

*PS/GO Committee recommends approval.*

(6) 11:05 **ACTION** - Supplemental appropriation to the County Government's FY13 Capital Budget, Office of the County Executive - \$57,497,000 for Public Safety System Modernization (Source: GO Bonds and Short-Term Financing) (Toregas/McMillan)

*PS/GO Committee recommends approval as amended.*

11:20 **LEGISLATIVE SESSION Day # 35**

(7) **Introduction of Bills:**

A. **Bill 38-12**, Capital Improvements Program - Child Care Assessment, sponsored by Councilmembers Riemer, Floreen, Andrews, and Navarro (Faden)  
*Public Hearing is scheduled for 1/22/13 at 1:30 pm.*

B. **Bill 39-12**, Technical Corrections, sponsored by County Council (Mihill)  
*Public Hearing is scheduled for 1/22/13 at 1:30 pm.*

C. **Bill 40-12**, Economic Development - Green Organization Supplements, sponsored by Councilmember Berliner (Mihill)  
*Public Hearing is scheduled for 1/22/13 at 1:30 pm.*

11:20 **LEGISLATIVE SESSION Day # 35 (continued)**

(8) **Call of Bills for Final Reading:**

A. **Bill 23-12**, Administration - Open Government (Mihill)

*GO Committee recommends enactment with amendments.*

B. **Bill 23-11**, Development Districts, Special Taxing Districts - Duplication of Funding (Faden)

*GO Committee recommends enactment with amendments.*

12:30 **RECESS**

(9) 1:30 **PUBLIC HEARING - Bill 31-12**, Accessory Apartments - Licensing (Zyontz)

*Council worksession is tentatively scheduled for 1/15/13.*

(10) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY13 Operating Budget, Montgomery County Fire and Rescue Service - \$935,880 for Urban Area Security Initiative (UASI) Water Operations Equipment & Training Grant Award (Source: Federal grant) (McGuire)

*PS Committee worksession tentatively scheduled for 12/6/12.*

(11) 1:45 **DISTRICT COUNCIL SESSION**

A. **Action** - Hearing Examiner's report and recommendation - Local Map Amendment G-908, 4825 Montgomery Lane LLC, Edgemoor Subdivision, Bethesda (Zyontz)

B. **Action** - Zoning Text Amendment 12-15, Guest House - Conditions (Zyontz)  
*PHED Committee recommends approval.*

C. **Action** - Resolution to establish a public hearing for January 22, 2013 at 1:30 pm on SRA 12-02, Platting Exemptions - Community Legacy Plan Areas (Zyontz)

D. **Action** - Zoning Text Amendment 12-13, Rural Cluster (RC) Zone - Impervious Surface Limits (Zyontz)  
*PHED/T&E Committee recommendation will be available 11/29/12.*

E. **Action** - Burtonsville Crossroads Neighborhood Plan (Michaelson)

3:30 **ADJOURN**

(12) 7:30 **PUBLIC HEARING by PHED Committee** - County's 2012 Housing Policy (McMillan)

*PHED Committee worksession tentatively scheduled for 1/17/13.*

**Thursday, December 6, 2012 - POSTPONED**

7:30 **PUBLIC HEARING by GO Committee - Bill 32-12**, Personnel - Regulations - Persons with Disabilities - Noncompetitive Appointment (Drummer)  
**This public hearing has been postponed to December 11, 2012 at 11:30 am.**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30; repeated on 12/7/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on December 11, 2012:**

- Commission on Veterans Affairs: Marie Wood, Daniel Bullis, Wayne Miller, Randy Stone, William Gray
- Community Action Board: Kevin Bryant
- Consolidated Retiree Health Benefits Trust Board of Trustees: Lynda von Bargen, Ruby Sherman
- Friendship Heights Transportation Management District Advisory Committee: Aurelio Baca-Asher
- Human Rights Commission: Sajjad "Saj" Durrani, William England, Jeremiah Floyd, William Oakcrum, Doug Ryan
- Montgomery Cares Program Advisory Board: Stephen Gammarino
- Noise Control Advisory Board: Chris Homan
- Silver Spring Transportation Management District Advisory Committee: Valerie Spencer

**COUNCIL SEEKS APPLICANTS**  
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**Board of Appeals** - Application deadline is 5:00 pm on December 5, 2012  
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**Future Council Meetings:**

<b>Dec 3, 2012</b>	8:15 am	Breakfast Meeting with Congressman Van Hollen
<b>Dec 4, 2012</b>	9:30 am	Regular session
<b>Dec 10, 2012</b>	11:30 am	Lunch Meeting with Senator Cardin
<b>Dec 11, 2012</b>	9:30 am	Regular session
<b>Dec 17, 2012 to Jan 11, 2013</b>		RECESS
<b>Dec 25, 2012</b>		HOLIDAY
<b>Jan 1, 2013</b>		HOLIDAY

## Future Public Hearings - To testify call 240-777-7803

### December 11, 2012

11:30 am **Expedited Bill 30-12**, Taxation - Payments - Subdivision Staging Policy

11:30 am **Bill 32-12**, Personnel - Regulations - Persons with Disabilities - Noncompetitive Appointment  
(postponed from 12/6/12)

### January 15, 2013

1:30 pm Supplemental appropriation to the County Government's FY13 Capital Budget and amendment to the FY13-18 CIP, DOT - \$1,000,000 for Rapid Transit System

1:30 pm **Bill 34-12**, Stormwater Management - Water Quality Protection Charge

1:30 pm **Bill 36-12**, Taxation - Hotel/Motel Tax - Use of Revenues

1:30 pm **Bill 37-12**, Housing - Capital Improvements Program - Affordable Housing Assessment

7:30 pm **Bill 33-12**, Health and Sanitation - Smoking - County Property

### January 17, 2013

7:30 pm **Bill 35-12**, Trees - Tree Canopy Conservation

### January 22, 2013

1:30 pm Twelve Corrective Map Amendments (G-915 through G-926) to correct technical errors in zoning boundaries and zoning classifications on the official zoning maps for certain properties located throughout the County  
1:30 pm Subdivision Regulation Amendment 12-02, Platting Exemptions - Community Legacy Plan Areas

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**Public Participation:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/about/pub.asp>

**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>

**Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)

**Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)

**Packets:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/packet/index.asp>

**Bills:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/bill/index.asp>

**Resolutions:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/res/index.asp>

**Zoning:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/zta/index.asp>

**View Current Live Session:** [http://montgomerycountymd.granicus.com/MediaPlayer.php?publish\\_id=4](http://montgomerycountymd.granicus.com/MediaPlayer.php?publish_id=4)

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**MONTGOMERY COUNTY COUNCIL SEEKS APPLICANTS  
FOR BOARD OF APPEALS  
DEADLINE: WEDNESDAY 5:00 P.M., DECEMBER 5**

The Montgomery County Council is seeking applicants for a partial term on the County Board of Appeals. The term to be filled was held by Walter S. Booth (Democrat), who passed away shortly after being appointed to his second term on the board.

Applications for the position must be received no later than 5 p.m. on Wednesday, Dec. 5.

By law, no more than three members of the board shall be from the same political party. This position can be filled by a Democrat, a Republican, a voter who declines to affiliate with a party or a voter who is a member of another party officially recognized by the Board of Elections.

Current members of the board include Chair Catherine Titus (Republican), Stan Boyd (Democrat), David K. Perdue (declined to affiliate) and Carolyn Shawaker (Democrat).

Members of County boards, committees and commissions may not serve on more than one such group at a time.

Members of the board receive \$14,510 annually, with the chair receiving \$20,508. Salaries are adjusted annually each December to reflect 50 percent of the change in the Washington Area Consumer Price Index.

Duties of the Board of Appeals include making decisions on most applications for special exceptions as provided in the Zoning Ordinance; hearing and deciding requests for variances from development standards contained in the Zoning Ordinance; and hearing 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.

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

Letters expressing interest, including a resume listing professional and civic experience, should be addressed to Council President Roger Berliner, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850. Applications can be submitted via e-mail to: [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov).

December 4, 2012

Page 7

Applications must be received no later than 5 p.m. on Wednesday, Dec. 5. It is the Council's policy not to consider applications received after the deadline. After the deadline, Councilmembers will review the letters of application and select applicants for interviews.

Letters of application are made public as part of the appointment process. The names of all applicants are published and resumes are made available for public review. 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 candidates will be required to make the financial statement available to the public.

# # #

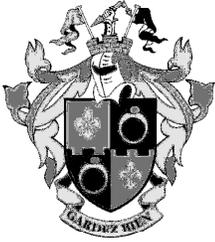
Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

(240)777-7900 · TTY (240)777-7914 · FAX (240)777-7989

[www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)



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## COUNCIL MEETING

**Monday, December 10, 2012**

*6th floor Council Conference Room*

- 1:00 **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 to discuss retention and potential expansion of two specific companies in the County. (*6th Floor Council Conference Room*) (Sesker/Faden)



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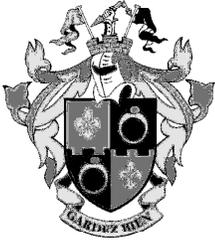
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## ADDENDUM

**Tuesday, December 11, 2012**

12:00 LEGISLATIVE SESSION Day # 36 *(continued)*

(10) **Introduction of Bills *(continued)*:**

**Deleted:** B. **Bill 42-12**, Erosion and Sediment Control - Amendments, sponsored by the Council President at the request of the County Executive  
*Public Hearing is scheduled for 1/22/13 at 1:30 pm.*

(Faden)

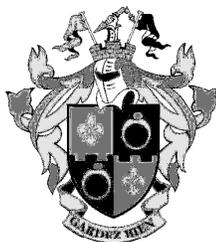
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## Tuesday, December 11, 2012

9:00 **PROPOSED CLOSED SESSION** for the purpose of consulting with counsel to obtain legal advice, and to consult about pending or potential litigation, pursuant to Maryland Code, State Government Article, §10-508 (a) (7) and (8). Topic is PEPCO rate case. (3rd Floor Council Conference Room) (Faden)

9:45 **INVOCATION** - Sister Pat Mensing, Our Lady of Mercy Catholic Parish, Potomac

### 9:50 **PRESENTATIONS**

A. Proclamation recognizing Everett Davis, Assistant Principal at Montgomery Village Middle School for being selected as the State Assistant Principal of the Year for 2013, by Councilmember Rice

B. Proclamation recognizing John Hamman, Maryland Professor of the Year, by Councilmember Ervin

10:00 **GENERAL BUSINESS** (Lauer)

#### A. **Announcement** - Agenda and Calendar Changes

A public hearing is scheduled for January 29, 2013 at 1:30 pm on the Spending Affordability Guidelines for FY14 Operating Budget

The Council is seeking applicants for:

- (1) • Committee to Study Compensation of County Executive, County Council, Sheriff, and State's Attorney - *application deadline is extended to 1/9/13.*

(2) B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: November 27 and 29, 2012

(3) 10:05 **CONSENT CALENDAR**

A. **Introduction** - Supplemental appropriation to the Montgomery County Public Schools' FY13 Capital Budget and amendment to the FY13-18 Capital Improvements Program - \$1,100,000 for Building Modifications and Program Improvements Contributions (Source: Private Contributions) (McGuire)

*Public Hearing is scheduled for 1/15/13 at 1:30 pm.*

(3) 10:05 **CONSENT CALENDAR** *(continued)*

- B. **Action** - Appointment of Grants Advisory Group (Fitzgerald-Bare)
- C. **Action** - End-of-Year Transfer for FY12 County Government Operating Budget (Sesker)
- D. **Action** - Resolution to recommend to the General Assembly enhancement of anti-bullying efforts through the use of multi-disciplinary teams (McMillan)
- E. **Action** - Supplemental appropriation to the County Government's FY13 Operating Budget, Montgomery County Fire and Rescue Service - \$935,880 for Urban Area Security Initiative (UASI) Water Operations Equipment & Training Grant Award (Source: Federal grant) (McGuire)  
*PS Committee recommends approval.*
- F. **Action** - Executive Regulation 19-12, MCPR Amendment to allow QUEST and Project SEARCH Interns to apply for "employees only" vacancies (Ferber)  
*GO Committee recommends approval.*
- G. **Action** - Confirmation of County Executive appointments to the Commission on Veterans Affairs: Marie Wood, Daniel Bullis, Wayne Miller, Randy Stone, William Gray (Lauer)
- H. **Action** - Confirmation of County Executive appointment to the Community Action Board: Kevin Bryant (Lauer)
- I. **Action** - Confirmation of County Executive appointments to the Consolidated Retiree Health Benefits Trust Board of Trustees: Lynda von Barga, Ruby Sherman (Lauer)
- J. **Action** - Confirmation of County Executive appointment to the Friendship Heights Transportation Management District Advisory Committee: Aurelio Baca-Asher (Lauer)
- K. **Action** - Confirmation of County Executive appointments to the Human Rights Commission: Sajjad "Saj" Durrani, William England, Jeremiah Floyd, William Oakcrum, Doug Ryan (Lauer)
- L. **Action** - Confirmation of County Executive appointment to the Advisory Board for the Montgomery Cares Program: Stephen Gammarino (Lauer)
- M. **Action** - Confirmation of County Executive appointment to the Noise Control Advisory Board: Chris Homan (Lauer)
- N. **Action** - Confirmation of County Executive appointment to the Silver Spring Transportation Management District Advisory Committee: Valerie Spencer (Lauer)

(3) 10:05 **CONSENT CALENDAR** (*continued*)

O. **Introduction** - Supplemental appropriation to the County Government's FY13 Operating Budget, Department of Transportation - \$2,441,020 for State of Maryland Department of Transportation Grant and Bike Sharing Program (Source: State grant, Private funds, Fees/memberships, and Mass Transit Facilities Funds) (Orlin)  
*Public Hearing is scheduled for 1/15/13 at 1:30 pm.*

(5) 10:10 **UPDATE** - Update on County Fiscal Plan and economic indicators (Farber/Sesker)

(6) 11:00 **DISTRICT COUNCIL SESSION**

A. **Introduction** - Subdivision Regulation Amendment 12-03, Minor Subdivisions - Part of a Lot, sponsored by Councilmember Floreen (Zyontz)  
*Action - Resolution to establish public hearing for 1/22/13 at 1:30 pm.*

B. **Introduction** - Subdivision Regulation Amendment 12-04, Minor Subdivisions - Ownership lots, sponsored by Councilmember Floreen (Zyontz)  
*Action - Resolution to establish public hearing for 1/22/13 at 1:30 pm.*

C. **Action** - Takoma/Langley Crossroads Sectional Map Amendment (G-953) (Michaelson)

D. **Action** - Zoning Text Amendment 12-17, Country Inn Zone - Standards (Zyontz)  
*PHED Committee recommends approval.*

E. **Introduction** - Zoning Text Amendment 12-18, Exemptions - Pre-1928 Resubdivisions, sponsored by Councilmember Floreen (Zyontz)  
*Public hearing is scheduled for 1/22/13 at 1:30 pm.*

(7) 11:30 **PUBLIC HEARING - Bill 32-12**, Personnel - Regulations - Persons with Disabilities - Noncompetitive Appointment (*This hearing was postponed from 12/6/12.*) (Drummer)  
*GO Committee worksession tentatively scheduled for 1/17/13.*

(8) 11:30 **PUBLIC HEARING - Expedited Bill 30-12**, Taxation - Payments - Subdivision Staging Policy (Faden)  
*Action is scheduled immediately following the hearing.*

12:00 **LEGISLATIVE SESSION Day # 36**

(9) **Call of Bills for Final Reading:**

A. **Expedited Bill 30-12**, Taxation - Payments - Subdivision Staging Policy (Faden)  
*GO Committee recommends enactment with amendments.*

(10) **Introduction of Bills:**

A. **Bill 41-12**, Streets and Roads - Roadside Trees - Protections, sponsored by Councilmember Berliner and Elrich (Faden/Mihill)  
*Public Hearing is scheduled for 1/17/13 at 7:30 pm.*

12:00 **LEGISLATIVE SESSION Day # 36 (continued)**

(10) **Introduction of Bills (continued):**

- B. **Bill 42-12**, Erosion and Sediment Control - Amendments, sponsored by the Council President at the request of the County Executive (Faden)  
*Public Hearing is scheduled for 1/22/13 at 1:30 pm.*

(11) **Miscellaneous Business:**

- A. **Action** - Resolution to extend until December 31, 2013 the expiration date of **Bill 21-11**, Taxes - Transportation - Impact Tax - Credits (Faden)
- B. **Action** - Resolution to extend until December 31, 2013 the expiration date of **Bill 22-11**, Special Taxing District - Clarksburg Area (Faden)
- C. **Action** - Resolution to extend expiration date until December 31, 2013 for **Expedited Bill 51-10**, Administration - Council Budget Office (Mihill)

12:15 **ADJOURN**

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 12/14/12 at 9 pm*

**COUNCIL SEEKS APPLICANTS**  
Call 240-777-7925 for more information

**Committee to Study Compensation of the Sheriff, the State's Attorney, the County Executive and the County Council** - Application deadline extended to 5:00 pm on January 9, 2013

[http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=9034](http://www6.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=9034)

**NOTICE OF UPCOMING COUNCIL MEETINGS**

Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, and on the Council's website at <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FutureMtgs.pdf>

**Future Council Meetings:**

<b>Dec 10, 2012</b>	11:30 am	Lunch Meeting with Senator Cardin
<b>Dec 11, 2012</b>	9:30 am	Regular session
<b>Dec 17, 2012 to Jan 11, 2013</b>		RECESS
<b>Dec 25, 2012 Jan 1, 2013</b>		HOLIDAY
<b>Jan 14, 2013</b>	10:00 am	Interviews - Board of Appeals
<b>Jan 14, 2013</b>	1:30 pm	Council Retreat
<b>Jan 15, 2013</b>	9:30 am	Regular Session
<b>Jan 21, 2013</b>		HOLIDAY
<b>Jan 22, 2013</b>	9:30 am	Regular Session
<b>Jan 28, 2013</b>	12:30 pm	State Legislative Program
<b>Jan 29, 2013</b>	9:30 am	Regular Session

**Future Public Hearings - To testify call 240-777-7803**

**January 15, 2013**

- 1:30 pm Supplemental appropriation to the County Government's FY13 Capital Budget and amendment to the FY13-18 CIP, DOT - \$1,000,000 for Rapid Transit System
- 1:30 pm **Bill 34-12**, Stormwater Management - Water Quality Protection Charge
- 1:30 pm **Bill 36-12**, Taxation - Hotel/Motel Tax - Use of Revenues
- 1:30 pm **Bill 37-12**, Housing - Capital Improvements Program - Affordable Housing Assessment
- 1:30 pm Supplemental appropriation to the MCPS' FY13 Capital Budget and amendment to the FY13-18 CIP - \$1,100,000 for Building Modifications and Program Improvements Contributions
- 1:30 pm Supplemental appropriation to the County Government's FY13 Operating Budget, DOT - \$2,441,020 for State of Maryland Department of Transportation Grant (\$1,008,000) and Bike Sharing Program (\$1,433,020)
- 7:30 pm **Bill 33-12**, Health and Sanitation - Smoking - County Property

**January 17, 2013**

- 7:30 pm **Bill 35-12**, Trees - Tree Canopy Conservation

**January 22, 2013**

- 1:30 pm Twelve Corrective Map Amendments (G-915 through G-926) to correct technical errors in zoning boundaries and zoning classifications on the official zoning maps for certain properties located throughout the County
- 1:30 pm Subdivision Regulation Amendment 12-02, Platting Exemptions - Community Legacy Plan Areas
- 1:30 pm **Bill 38-12**, Capital Improvements Program - Child Care Assessment
- 1:30 pm **Bill 39-12**, Technical Corrections
- 1:30 pm **Bill 40-12**, Economic Development - Green Organization Supplements

**January 29, 2013**

- 1:30 pm Spending Affordability Guidelines for FY14 Operating Budget

**Visit the Council website for other valuable resources:**

- Councilmembers:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/index.asp>
- Public Participation:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/about/pub.asp>
- Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>
- Current Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/col/current_agenda.pdf)
- Comm Agenda:** [http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current\\_com\\_agenda.pdf](http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/current_com_agenda.pdf)
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- Bills:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/bill/index.asp>
- Resolutions:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/res/index.asp>
- Zoning:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/zta/index.asp>

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**MONTGOMERY COUNTY COUNCIL SEEKS APPLICANTS TO STUDY  
COMPENSATION OF ELECTED OFFICIALS**

**DEADLINE EXTENDED TO SUBMIT  
APPLICATIONS - 5:00 P.M., WEDNESDAY, JANUARY 9**

The Montgomery County Council is seeking applicants for a citizens' advisory committee to study compensation of the County's elected officials. The County Council believes that there is a need to examine present compensation levels for the Sheriff, the State's Attorney, the County Executive and members of the County Council.

The deadline to submit letters of interest to serve on the committee has been extended. Letters must be received no later than 5 p.m. on Wednesday, Jan. 9.

State law authorizes the County Council to establish the salary of the Sheriff and State's Attorney for Montgomery County. The County Charter authorizes the County Council to set the compensation of the County Council and the County Executive for the succeeding terms of office. Changes in compensation levels apply only to future terms of these elected offices.

Currently, Councilmembers receive annual compensation of \$99,069 (the Council President receives 10 percent additional compensation), the Executive receives \$180,250, the Sheriff receives \$154,000, and the State's Attorney receives \$199,000. These salaries are increased each year by the annual average percentage increase in the Consumer Price Index for all urban consumers for the Washington-Baltimore metropolitan area.

The Committee consists of five to seven members appointed by the Council. The Council will strive to appoint no more than a majority of members from one political party, and therefore encourages Democrats, Republicans and those who decline to affiliate with a party. In addition, the appointees may be a member of another party officially recognized by the Board of Elections.

The Compensation Committee must submit recommendations of compensation levels to the County Council by Sept. 15, 2013. Any changes in compensation adopted by the Council would be effective for the 2014-18 term of office.

Persons interested in serving on the committee should submit their letter of interest with a resume by Wednesday, Jan. 9, at 5 p.m. to Council President Roger Berliner, Montgomery County Council, 100 Maryland Avenue, Rockville, Md. 20850. Letters can also be sent by email to [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov).

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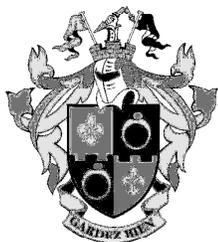
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**The next regular Council Session is scheduled for January 15, 2013. The agenda will be mailed and posted to the web site on January 10, 2013. Please see the listing below for future Council meetings and public hearings. Council Committees will meet on January 14; see the Committee agenda for a list of meetings.**

## Future Council Meetings:

Dec 17, 2012 to Jan 11, 2013		RECESS
Dec 25, 2012		HOLIDAY
Jan 1, 2013		HOLIDAY
Jan 14, 2013	10:00 am	Interviews - Board of Appeals
Jan 14, 2013	1:30 pm	Council Retreat
Jan 15, 2013	9:30 am	Regular Session
Jan 21, 2013		HOLIDAY
Jan 22, 2013	9:30 am	Regular Session

## Future Public Hearings - To testify call 240-777-7803

### January 15, 2013

- 1:30 pm Supplemental appropriation to the County Government's FY13 Capital Budget and amendment to the FY13-18 CIP, DOT - \$1,000,000 for Rapid Transit System
- 1:30 pm **Bill 34-12**, Stormwater Management - Water Quality Protection Charge
- 1:30 pm **Bill 36-12**, Taxation - Hotel/Motel Tax - Use of Revenues
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### January 29, 2013

- 1:30 pm Spending Affordability Guidelines for FY14 Operating Budget



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**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>

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**Resolutions:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/res/index.asp>

**Zoning:** <http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/leg/zta/index.asp>

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