



Montgomery County, Maryland

COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • www.montgomerycountymd.gov/council

The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.

*This meeting will be televised live on Channel 6;
repeated on 9/9/05 at 8 pm and 9/10/05 at 9 am*

Tuesday, September 6, 2005

9:15 **INVOCATION**

9:20 **PRESENTATION** - Proclamation in recognition of the Honorable Eugene R. Sullivan, author of "The Majority Rules" by Councilmember Denis

9:25 **PRESENTATION** - Proclamation in recognition of the 85th anniversary of the passage of the 19th Amendment to the U.S. Constitution: Women's Right to Vote by Councilmember Floreen

9:30 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)
• The public hearing on the 2005 Growth Policy will be held on September 27, 2005 at 7:30 pm.

B. **Action** - Approval of Minutes: July 18, 2005 (Lauer)

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

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

A. **Introduction** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)
Public Hearing is scheduled for 9/29/05 at 7:30 pm.

B. **Introduction** - Supplemental appropriation to the Montgomery County Public Schools' FY06 Operating Budget - \$291,500 for Ultra Low Sulfur Diesel Fuel (Source: State Aid) (Planell)
Public Hearing/Action is scheduled for 9/20/05 at 1:30 pm.

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

- C. **Introduction** - Supplemental appropriation to the County Government's FY06 Operating Budget, Department of Police - \$1,381,300 for COPS Technology Grant Program (Source: Federal Grant) (McMillan)
Public Hearing is scheduled for 9/20/05 at 1:30 pm.
- D. **Introduction** - Supplemental appropriation to the Montgomery County Public Schools' FY06 Operating Budget - \$225,000 for Real Estate Management Fund (Source: Other-Rental Revenue) (Planell)
Public Hearing/Action is scheduled for 9/20/05 at 1:30 pm.
- E. **Introduction** - Special appropriation to MCPS' FY06 Capital Budget and amendments to the FY05-10 Capital Improvements Program - \$23,790,000 for Broad Acres Elementary School, Current Replacements/Modernizations, Gaithersburg High School and Watkins Mill Elementary School (Source: General Obligation Bonds)(Levchenko)
Public Hearing is scheduled for 9/27/05 at 1:30 pm.
- F. **Introduction** - Resolution to approve Categorical Transfer for MCPS' FY05 Operating Budget (Planell)
ED Committee worksession tentatively scheduled for 9/29/05.
- G. **Introduction** - Resolution to support application for a State of Maryland Neighborhood Business Works Program loan: Gallery 1115 in Silver Spring (McMillan)
Action is tentatively scheduled for 9/13/05.
- H. **Introduction** - Resolution to support Rebuilding Together*Montgomery County for the State's Community Investment Tax Credit Program (McMillan)
Action is tentatively scheduled for 9/13/05.
- I. **Introduction** - Resolution to support Habitat for Humanity of Montgomery County for the State's Community Investment Tax Credit Program (McMillan)
Action is tentatively scheduled for 9/13/05.
- J. **Action** - Appointment to the Charter Review Commission (Ferber)
- K. **Action** - ED Committee report and recommendations on Office of Legislative Oversight Report 2005-6, An Assessment of Language Assistance Services Provided by MCPS to the School Community (Howard)
- L. **Action** - Confirmation of County Executive appointments to the Commission on Juvenile Justice: Francine L. Applewhite, Marlene Beckman, Kathleen L. Carmody, Timothy M. Delaney, Maria S. Garcia, Gwen Haney, Ibolya Ignat, Ketanji Brown Jackson, Penny C. Kahn, Sharon M. Kelly, Dylan Presman, Gustavo A. Torres, Captain Kathi Rhodes (Ferber)
- M. **Action** - Confirmation of County Executive appointments to the Friendship Heights Transportation Management District Advisory Committee: Carlean M. Russel, David M. Glass, Robert L. Cope, Steven A. Robins (Ferber)

September 6, 2005

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9:40 **DISTRICT COUNCIL SESSION**

- (3) A. **Action** - Resolution to extend time for Council action on the Shady Grove Sector Plan until November 12, 2005 (Michaelson)

9:45 **LEGISLATIVE SESSION Day # 26**

- A. Approval of Legislative Journal: July 18, 2005 (Lauer)
B. Introduction of Bills
(4) • **Bill 26-05**, Stormwater - Drainage and Runoff, sponsored by Councilmembers Floreen, Praisner and Denis (Faden)
Public Hearing is scheduled for 9/27/05 at 1:30 pm.

- (5) 9:50 **WORKSESSION** - Shady Grove Sector Plan (Orlin/Michaelson)

12:15 **RECESS**

- (6) 1:30 **PUBLIC HEARING** - Special appropriation to the M-NCPPC's FY06 Capital Budget and amendment to the FY05-10 Capital Improvements Program - \$1,600,000 for Needwood Golf Course improvements (Source: County Current Revenue) (Michaelson)
PHED Committee worksession will be scheduled at a later date.

- (7) 1:45 **WORKSESSION** - Shady Grove Sector Plan *(continued)* (Orlin/Michaelson)

5:30 **ADJOURN**

Thursday, September 8, 2005

- 7:30 **PUBLIC HEARING** - Amendments to ZTA 03-27, Building Height - Measurement (Wilson)
PHED Committee worksession will be scheduled at a later date.

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.

Sep 9, 2005	9:30 am	Worksession - Shady Grove Sector Plan
Sep 12, 2005	10:00 am	Worksession - Shady Grove Sector Plan
Sep 13, 2005	9:15 am	Regular Session Worksession - Shady Grove Sector Plan
Sep 16, 2005	1:15 pm	Town Hall Meeting - Holiday Park Senior Center
Sep 20, 2005	9:15 am	Regular Session
Sep 27, 2005	9:15 am	Regular Session
Oct 11, 2005	9:15 am	Regular Session
Oct 18, 2005	9:15 am	Regular Session
Oct 19, 2005	7:30 pm	Town Hall Meeting-Friendship Heights Village Center
Oct 25, 2005	9:15 am	Regular Session
Oct 26, 2005	7:00 pm	Briefing for Elected Officials - State Transportation Program
Nov 1, 2005	9:15 am	Regular Session
Nov 8, 2005	9:15 am	Regular Session
Nov 15, 2005	9:15 am	Regular Session
Nov 16, 2005	7:30 pm	Town Hall Meeting
Nov 22, 2005	9:15 am	Regular Session
Nov 29, 2005	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

September 13, 2005

7:30 pm FY07 Annual Budget Priorities and Performance Measures

September 20, 2005

1:30 pm Spending Affordability Guidelines for FY07 Capital Budget

1:30 pm **Bill 20-05**, Transmission Facility Coordination - Amendments

1:30 pm **Bill 23-05**, Domestic Violence Coordinating Council - Establishment

1:30 pm **Expedited Bill 24-05**, DED - Non-merit position - Minority Business Affairs Manager

1:30 pm **Bill 25-05**, Consumer Protection - Office - Powers and Duties

1:30 pm ZTA 05-10, Telecommunication Facility - Amendments

1:30 pm Supplemental appropriations to the MCPS' FY06 Operating Budget

➤ \$291,500 for Ultra Low Sulfur Diesel Fuel

➤ \$225,000 for Real Estate Management Fund

1:30 pm Supplemental appropriation to the County Government's FY06 Operating Budget, DOP - \$1,381,300 for COPS Technology Grant Program

September 27, 2005

1:30 pm Special appropriation to MCPS' FY06 Capital Budget and amendments to the

FY05-10 CIP - \$23,790,000 for Broad Acres Elementary School, Current

Replacements/Modernizations, Gaithersburg High School and Watkins Mill Elementary School

September 29, 2005

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



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www.montgomerycountymd.gov/council

You and your family are invited to
the Montgomery County Council's

HOLIDAY PARK SENIOR CENTER

TOWN HALL MEETING

Join friends and neighbors...Have your say...
Get your questions answered on:

- Senior Issues • County Budget & Taxes
- Traffic and Road Improvements • Public Safety
- Growth and Development and more...

Friday
September 16, 2005
1:15 pm (*Meeting Starts*)

Holiday Park Senior Center
3950 Ferrara Drive
Silver Spring, MD

The meeting will broadcast later on
County Cable Montgomery channel 6.
Check your program listings for
information or call 240-777-7931



Sponsored by the Montgomery County Council

Tom Perez, President
George Leventhal, Vice President
Phil Andrews, Howard Denis, Nancy Floren,
Michael Knapp, Marilyn Praisner, Steve Silverman,
and Michael Sabin



**COUNTY COUNCIL SEEKS APPLICANTS
FOR MERIT SYSTEM PROTECTION BOARD**

DEADLINE OCTOBER 19, 2005

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 protect the Merit System and to protect employee and applicant rights guaranteed under the County Merit System.

The term of Board member Mary Lamary (declined to affiliate) will expire in December 2005. Ms. Lamary has indicated that she will apply for reappointment. The appointee must be a Republican, or decline to affiliate with a party, or a member of another party officially recognized by the Board of Elections. By law, no more than two of the three members of the Merit System Protection Board may be of the same political party. Present Board members are: Harold Kessler (Democrat), Rodella E. Berry (Democrat), and Mary A. Lamary (declined to affiliate).

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; 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 the Merit System law or regulations.

The Board normally meets for approximately four hours in the evening once every two weeks. In addition, the Board holds hearings during the day, which can take the full day or be scheduled for the evening. Additional time is also required for preparatory work. Members of this Board receive \$6,859, which is adjusted annually to reflect 50% of the percentage change in the Washington Area Consumer Price Index.

The appointment is for three years. 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.

Letters of application are made public as part of the appointment process. Letters expressing interest, including a resume listing professional and civic experience, should be addressed to Council President Thomas E. Perez, Montgomery County Council, 100 Maryland Avenue, Rockville, Maryland 20850. **Applications must be received in the Council office by 5:00 p.m. Wednesday, October 19, 2005.**

**FOR INFORMATION: Justina Ferber, 240-777-7938 or 240-777-7900
justina.ferber@montgomerycountymd.gov**

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