



Montgomery County, Maryland

COUNTY COUNCIL AGENDA

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

(240)777-7900 · (MD Relay) Dial 711 or 800-201-7165 · 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.*

Tuesday, October 2, 2018

9:30 **INVOCATION** - Rabbi Susan Shankman, Washington Hebrew Congregation

9:35 **PRESENTATIONS** - Proclamation recognizing The First Montgomery County Interagency Cyber Security Month Program, by Councilmember Katz

9:45 **GENERAL BUSINESS** (Limarzi)

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

- (1) The Council is seeking applicants for the Board of Appeals. This position can only be filled by a Republican, a voter who is unaffiliated with a party, or a voter who is a member of another party officially recognized by the Board of Elections.

Application deadline is October 10, 2018, at 5 pm.

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

C. **Action** - Approval of Minutes: September 11 and 18, 2018

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

A. **Receipt and Release** - Office of Legislative Oversight Report 2018-10:
Evictions in Montgomery County (Bryant/Carrizosa/Robinson)

PHED/PS Committee worksession tentatively scheduled for 11/15/18

B. **Action** - Executive Regulation 8-18, Adoption Schedule of Fees for Fire Safety Code Permits (Zyontz)

C. **Action** - Confirmation of County Executive appointments to the Alcohol and other Drug Abuse Advisory Council: Tami Mark, Kabir Singh, Evelyn Saim-Lobos, Margaret Mattson, Andrew Darby, Cynthia Wright (Limarzi)

D. **Action** - Confirmation of County Executive appointment to the Bethesda Urban Partnership, Inc. Board of Directors: Deborah Michaels (Limarzi)

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

- E. **Action** - Confirmation of County Executive appointments to the Citizens Review Panel for Children: Deanna McCray-James, Stacey McNeely, Sarah Stanton, Lawrence Washington (Limarzi)
- F. **Action** - Confirmation of County Executive appointment to the Domestic Violence Coordinating Council: Ingrid Gonzalez (Limarzi)
- G. **Action** - Confirmation of County Executive appointments to the Early Childhood Coordinating Council: Mary Manning-Falzarano, Robin Chernoff, Carrie Meyer, Liran Laor (Limarzi)
- H. **Action** - Confirmation of County Executive appointment to the Friendship Heights Transportation Management District Advisory Committee: Elizabeth Demetra Harris (Limarzi)
- I. **Action** - Confirmation of County Executive appointments to the Mid-County Citizens Advisory Board: Messanvi (Mensah) Richard Adjogah, Lynda Brooks, Michael Gelman, Adam Lustig, Donald Mewha, Crystal Myers, Susanna Parker, Peter Wilson (Limarzi)
- J. **Action** - Confirmation of County Executive appointments to the Silver Spring Transportation Management District Advisory Committee: G. Michael Price, Christopher Kabatt, Harriett Quinn, James Perry (Limarzi)
- K. **Action** - Confirmation of County Executive appointments to the Silver Spring Urban District Advisory Committee: Thomas Kaufman, Juanita Stewart, Gus LeGrand, Michael Larson (Limarzi)
- L. **Action** - Confirmation of County Executive appointments to the Victim Services Advisory Board: Kecia Lopes, Iraina Briganty, Leah Schwartz, Beth Shuman, Robin Stimson, April Marrone (Limarzi)
- M. **Action** - Confirmation of County Executive appointments to the Water Quality Advisory Group: Crystal Calaruse, Michael Carmel, Michael McAvey, Pamela Rathbone, Monika Shepard (Limarzi)
- N. **Action** - Resolution to approve categorical transfers of \$1,600,000 for the MCPS FY18 Operating Budget, and categorical transfers of \$720,000 for FY18 Grant Funds in the Provision for Future Supported Projects (Howard)
ED Committee recommends approval.
- O. **Introduction** - Resolution to approve Declaration of No Further Need: Disposition of land adjacent to 5920 Massachusetts Avenue in Bethesda. (Sesker)
Public Hearing is scheduled for 10/23/18 at 1:30 pm.

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

P. **Introduction** - Resolution to approve Memorandum of Understanding with the City of Gaithersburg regarding transportation improvements eligible for funding with Development Impact Tax for Transportation Improvements revenue collected in Gaithersburg

(Orlin)

T&E Committee worksession tentatively scheduled for 10/11/18.

9:55 **LEGISLATIVE SESSION Day #22**

(4) **Introduction of Bills:**

A. **Bill 33-18, Environmental Sustainability - Commercial Property Assessed Clean Energy Program - Property Tax Surcharge**

(Mihill)

Lead Sponsor: Councilmember Berliner

Co-Sponsors: Councilmember Katz, Councilmember Elrich

Public Hearing is scheduled for 10/23/18 at 1:30 pm.

B. **Bill 34-18, Human Rights and Civil Liberties - County Minimum Wage - Definitions - Employer**

(Hamlin)

Lead Sponsor: Council President Riemer

Co-Sponsor: Councilmember Hucker

Public Hearing is scheduled for 10/23/18 at 1:30 pm.

C. **Bill 35-18, Health and Sanitation - Smoking- Outdoor Serving Areas**

(Mihill)

Lead Sponsor: Councilmember Katz

Co-Sponsors: Council President Riemer, Councilmember Elrich

Public Hearing is scheduled for 10/23/18 at 1:30 pm.

(4.5) **Miscellaneous Business:**

A. **Action** - Resolution to extend expiration date until June 30, 2019 for **Bill 10-17, Recordation Tax - Rates - Amendments**

(Drummer)

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

A. **Bill 6-18, Contracts - Labor Peace Agreements - Displaced Service Workers - Amendments**

(Drummer)

GO Committee recommends enactment with amendments.

B. **Bill 28-18, Boards, Committees, and Commissions - Amendments**

(Mihill)

GO Committee recommends enactment.

C. **Bill 23-18, Fire Safety - Carbon Monoxide Alarm**

(Mihill)

PS Committee recommends enactment with amendments.

D. **Expedited Bill 27-18, Taxation- Development Impact Tax for Transportation Improvements - Refunds - Credits - Amendments**

(Drummer)

GO Committee recommends enactment.

(6) 10:10 **BOARD OF HEALTH**

A. **Introduction** - Resolution to adopt **Bill 35-18**, Health and Sanitation - Smoking - Outdoor Serving Areas as a Board of Health Regulation, sponsored by

Councilmember Katz

(Mihill)

Public Hearing is scheduled for 10/23/18 at 1:30 pm.

(7) 10:10 **ACTION** - Resolution to approve 2017-2026 Ten-Year Comprehensive Water Supply and Sewerage Systems Plan

(Levchenko)

(8) 10:35 **DISTRICT COUNCIL SESSION**

A. **Action** - Zoning Text Amendment 18-08, Site Plan Amendment - Solar Collection Systems

(Zyontz)

PHED Committee recommends approval.

B. **Action** - Zoning Text Amendment 18-09, Landscape Contractors - Rural Cluster Zone

(Zyontz)

PHED Committee recommends approval.

C. **Action** - Zoning Text Amendment 18-10, Townhouse Living - Accessibility Tax Credit

(Zyontz)

PHED Committee recommends approval.

D. **Action** - Zoning Text Amendment 18-03, Farm Alcohol Production - Standards

(Zyontz)

PHED Committee recommends approval with amendments.

RECESS

(9) 1:30 **PUBLIC HEARING/ACTION** - Amendment to the FY19-24 Capital Improvements Program - Goldsboro Road Sidewalk and Bikeway

(Orlin)

(10) 1:30 **PUBLIC HEARING** - Special appropriation to the County Government's FY19 Operating Budget, Department of Health and Human Services - \$70,799 for Behavioral Health and Crisis Services for Adult Drug Court (Source: General Fund Reserve)

(McMillan)

HHS/PS Committee worksession tentatively scheduled for 10/15/18.

(11) 1:30 **PUBLIC HEARING** - FY20 Washington Suburban Sanitary Commission (WSSC) Spending Control Limits

(Levchenko)

T&E Committee worksession tentatively scheduled for 10/11/18.

(12) 1:30 **PUBLIC HEARING** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes

(Levchenko)

T&E Committee worksession tentatively scheduled for 10/23/18.

- (13) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY19 Operating Budget, Circuit Court - \$200,000 for Maryland Electronic Courts (MDEC) Data Migration and Testing (Source: General Fund Undesignated Reserves) (Farag)
PS Committee worksession tentatively scheduled for 10/4/18.
- (14) 1:30 **PUBLIC HEARING/ACTION** - **Expedited Bill 29-18**, Bond Authorization (Smith)
- (15) 1:30 **ACTION** - Resolution to consolidate previously authorized notes for sale and issuance as a single issue (Smith)
- 2:15 **PROPOSED CLOSED SESSION** to consider matters that concern the proposal for two businesses or industrial organizations to locate, expand, or remain in the State, pursuant to Maryland Code, General Provisions Article §3-305 (a)(4). Topic is retention and expansion of certain businesses in the County. (3rd Floor Council Conference Room) (Smith)

ADJOURN

This meeting will be televised live on CCM Channels Comcast HD 996 and SD 6, RCN HD 1056 and SD 6, and Verizon 30, repeated on 10/5/18 at 9 pm

The following appointment was received from the County Executive and is tentatively scheduled for Council interview on October 16 with confirmation scheduled at a later date.

Housing Opportunities Commission: Frances Kelleher

NOTICE OF UPCOMING COUNCIL MEETINGS

Council meeting notices are posted on the bulletin board in the fourth 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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|--------------|---------|-------------------------------------|
| Oct 9, 2018 | 9:30 am | Regular Session |
| Oct 9, 2018 | 7:30 pm | Public Forum on Community Grants |
| Oct 16, 2018 | 9:30 am | Regular Session |
| Oct 23, 2018 | 9:30 am | Regular Session |
| Oct 24, 2018 | 7:00 pm | Youth Town Hall (reception at 6 pm) |

Future Public Hearings: To testify at a Council public hearing, please sign up online at <http://www.montgomerycountymd.gov/council/phsignup.html>, or call 240-777-7803.

Oct 9, 2018 *Sign up to testify by 10/8/18 at 5 pm*

- 1:30 pm **Bill 30-18**, Finance - Accessibility Features Supplement - Amendments
- 1:30 pm **Bill 31-18**, New Home Warranty and Builder Licensing - Amendments
- 1:30 pm Special appropriation and CIP amendment - DOT - \$1,565,000 to extend Teachers Way

Oct 23, 2018 *Sign up to testify by 10/22/18 at 5 pm*

- 1:30 pm Declaration of No Further Need: Disposition of land adjacent to 5920 Massachusetts Avenue in Bethesda
- 1:30 pm **Bill 33-18**, Environmental Sustainability - Commercial Property Assesses Clean Energy Program - Property Tax Surcharge
- 1:30 pm **Bill 34-18**, Human Rights and Civil Liberties - County Minimum Wage - Definitions - Employer
- 1:30 pm **Bill 35-18**, Health and Sanitation - Smoking - Outdoor Serving Areas

Visit the Council website for other valuable resources: www.montgomerycountymd.gov/council



If you need services to participate in any Council activity, please contact us as far in advance as possible: 240-777-7900 (MD Relay - Dial 711 or 800-201-7165) Email: County.Council@montgomerycountymd.gov.
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