



Montgomery County, Maryland

COUNTY COUNCIL AGENDA

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

The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office to obtain current information.

*This meeting will be televised live on Channel 6;
repeated on 2/4/05 at 8 pm and 2/5/05 at 9 am*

Monday, January 31, 2005

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

Tuesday, February 1, 2005

- (2) 9:00-10:00 **BREAKFAST MEETING** with the Board of Education (3rd floor Conference Room) (Plancell)

10:15 **INVOCATION**

10:20 **PRESENTATION** - Proclamation in recognition of Dr. David I. Steinberg, Principal of Magruder High School, winner of the 2004 Washington Post Distinguished Educational Leadership Award for Montgomery County by Councilmember Subin

10:25 **PRESENTATION** - Proclamation in recognition of Bonnie Fogel, named 2004 Washingtonian of the Year, by The Washingtonian by Councilmember Silverman

10:30 **GENERAL BUSINESS**

- A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: November 30, 2004 and January 18, 2005
Approval of Closed Session Minutes: July 27, 2004 (Dodson)
(3) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(4) 10:35 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant for an environmental feasibility study at the Army Research Laboratory (Ferber)
B. **Introduction** - Resolution to support the development of a long range funding plan for the Washington Metropolitan Area Transit Authority (WMATA) and for increasing the Federal Government's contribution to WMATA, sponsored by Councilmembers Floreen and Knapp (Steiner)
C. **Action** - Executive Regulation 23-04, Financial Disclosure (Faden)
MFP Committee recommends approval.



(4) 10:35 **CONSENT CALENDAR** (continued)

- D. **Introduction/Suspension of Rules/Action** - Resolution to designate Legislative Branch employees to file financial disclosure statements (Faden)
Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.
- E. **Action** - Special appropriation to the MNCPC's FY05 Capital Budget and amendment to the FY05-10 Capital Improvement Program - \$600,000 for Small Grant/Donor-Assisted Capital Improvements (Source: General and Park and Planning Current Revenue and Contributions) (Michaelson)
PHED Committee recommends approval.
- F. **Action** - Confirmation of County Executive appointment to the Alcohol and Other Drug Abuse Advisory Council: Lt. Ronald G. Smith (Ferber)
- G. **Action** - Confirmation of County Executive appointment to the Committee on Hate/Violence: Linda Ridall (Ferber)
- H. **Action** - Confirmation of County Executive appointments to the Human Rights Commission: Andrea Diane Graham, Beth Mellen Harrison, Eeshan V. Melder, Peter J. Nickoloff, Nancy Morrison O'Connor, Tanzila Sheikh (Ferber)
- I. **Action** - Confirmation of County Executive appointment to the Local Management Board for Children, Youth and Families: Capt. Russell E. Hamill (Ferber)
- J. **Action** - Confirmation of County Executive appointments to the Noise Control Advisory Board: Richard J. Peppin, Richard Szwerc (Ferber)
- K. **Action** - Confirmation of County Executive appointments to the Partnership Board for Victims of Hate/Violence: Cherri L. Branson, Leslie Jackson (Ferber)
- L. **Action** - Confirmation of County Executive appointments to the Solid Waste Advisory Committee: Roberta Faul-Zeitler, Betty Garrand, Mark Glazer, Michael T. Goergen, Jr., Thomas Jagodits, Amy E. Schaffer, Walt Sonnevill, Benjamin Zindler (Ferber)
- M. **Action** - Confirmation of County Executive appointment to the Technology Investment Fund Loan/Grant Committee: Joseph Beach (Ferber)
- N. **Action** - Confirmation of County Executive appointment to the Workforce Investment Board: Marie Mackey (Ferber)
- O. **Introduction** - Resolution to establish Annual Budget Priorities and Performance Measures, sponsored by Councilmembers Knapp, Praisner, Subin and Floreen (Fuhrmann)

- (5) 10:40 **ACTION** - Supplemental appropriation to the County Government's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program, Department of Correction and Rehabilitation - \$4,993,000 for Montgomery County Detention Center (MCDC) Reuse (Source: G. O. Bonds and State aid) (McMillan)

- (6) 11:00 **ACTION** - Spending Affordability Guidelines for the FY06 Capital Budget and other general CIP assumptions (Orlin)
MFP Committee recommends amending the guidelines.

11:45 **DISTRICT COUNCIL SESSION**

- (7) A. **Action** - Master Plan of Bikeways (Orlin)
- (8) B. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: G-824
Applicant: Miller and Smith Land, Inc. (Tim Dugan, Larry Gordon, Gus Bauman, Attorneys)
Property: Parcel P600, 23.82 acres, south side of Shawnee Lane, 200+/- feet west of MD Route 355 and 100 +/- feet east of Gateway Center Drive, Clarksburg
Action: R-200 to PD-11
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Approve

12:15 **RECESS**

- (9) 1:30 **PUBLIC HEARING - Bill 39-04, Energy Policy - Clean Energy Rewards Program** (Faden/McMillan)
MFP Committee worksession tentatively scheduled for 2/14/05.
- (10) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY05 Operating Budget, Department of Health and Human Services - \$438,380 for Public Health Emergency Preparedness and Response Program (Source: NACCHO grant funds) (McGuire)
HHS Committee recommends approval.
- (11) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY05 Operating Budget, Circuit Court - \$191,960 for Adult and Juvenile Drug Court Grant Programs (Source: State Grant) (McMillan)
- (12) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriations to the MCPS' FY05 Operating Budget: (Planell)
a) \$273,000 for Entrepreneurial Activities Fund (Source: Charges for Service)
b) \$2,441,487 for Middle Schools Magnet Consortium (Source: Federal Grant)

2:10 **LEGISLATIVE SESSION Day # 3**

- A. Approval of Legislative Journal - November 30, December 7 and 14, 2004 (Dodson)
- B. Introduction of Bills
- (13) • **Expedited Bill 1-05, Rental Housing - Personal Living Quarters - Sunset,** sponsored by Councilmember Praisner (Faden)
Public Hearing is scheduled for 3/8/05 at 1:30 pm.

2:10 **LEGISLATIVE SESSION Day #3** *(continued)*

B. Introduction of Bills *(continued)*

- (14) • **Bill 2-05**, Boards, Committees, and Commissions - General Provisions (Faden)
Public Hearing is scheduled for 3/8/05 at 7:30 pm.
- (15) • **Bill 3-05**, Boards, Committees, and Commissions - Specific Provisions (Faden)
Public Hearing is scheduled for 3/8/05 at 7:30 pm.

2:15 **DISTRICT COUNCIL SESSION** *(continued)*

- (16) C. **Introduction** - Zoning Text Amendment 05-03, Sign Review Board - Membership and Authority (Faden)
Action - Resolution to establish public hearing for 3/8/05 at 7:30 pm.
- (17) D. **Introduction** - Historic Preservation Amendment 05-1, Enforcement (Faden)
Action - Resolution to establish public hearing for 3/8/05 at 7:30 pm.
- (18) 2:20 **RECEIPT AND RELEASE** - Office of Legislative Oversight Report #2005-1, A Study of the County Government's Selection and Funding Practices for Health and Human Services and Community Development Grant Awards (Richards/McGuire)
HHS/MFP Committee worksession tentatively scheduled for 2/3/05.

3:00 **ADJOURN**

The following appointment was received from the County Executive and is tentatively scheduled for confirmation on February 8, 2005:

Supervisor, Montgomery County Conservation District Board of Supervisors: Pamela N. Saul

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.

Feb 7, 2005	12:30 pm	State Legislation
Feb 8, 2005	8:30 am	Meeting with DC Water and Sewer Authority
Feb 8, 2005	9:15 am	Regular Session
Feb 8, 2005	7:00 pm	Closed Session
Feb 14, 2005	12:30 pm	State Legislation
Feb 15, 2005	9:15 am	Regular Session
Feb 16, 2005	7:30 pm	Town Hall Meeting - Thurgood Marshall E.S.
Feb 21, 2005		Holiday
Feb 22-25, 2005		Recess
Feb 28, 2005	12:30 pm	State Legislation
Mar 1, 2005	9:15 am	Regular Session
Mar 7, 2005	12:30 pm	State Legislation
Mar 8, 2005	9:15 am	Regular Session
Mar 14, 2005	12:30 pm	State Legislation
Mar 15, 2005	8:30 am	Meeting with County Executive
Mar 15, 2005	9:15 am	Regular Session
Mar 21, 2005	12:30 pm	State Legislation
Mar 22, 2005	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

February 1, 2005

- 1:30 pm Bill 39-04, Energy Policy - Clean Energy Rewards Program
- 1:30 pm Supplemental appropriations to the County Government's FY05 Operating Budget
 - Circuit Court - \$191,960 for Adult and Juvenile Drug Court Grant Programs
 - DHHS - \$438,380 for Public Health Emergency Preparedness and Response Program
- 1:30 pm Supplemental appropriations to the MCPS' FY05 Operating Budget -
 - \$273,000 for Entrepreneurial Activities Fund
 - \$2,441,487 for Middle Schools Magnet Consortium

February 8, 2005

- 1:30 pm WSSC's FY06 Capital Budget and FY06-11 CIP

March 1, 2005

- 7:30 pm ZTA 05-02, Transit Oriented, Mixed Use Zone

March 8, 2005

- 1:30 pm ZTA 05-01, Non-residential Professional Office - R-90 Zone
- 1:30 pm Remedial Map Amendment G-835 to reclassify property from County Inn Zone to RDT Zone



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

www.montgomerycountymd.gov/council

**COUNCIL SEEKS APPLICANTS FOR COMMITTEE
TO STUDY COMPENSATION OF ELECTED OFFICIALS**

Deadline 5:00 P.M. April 20, 2005

The Montgomery County Council is seeking applicants for a citizens' advisory committee to study compensation of the elected officials. The County Council believes that there is a need to examine present compensation levels for the Sheriff, State's Attorney, County Executive and County Council.

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.

The most recent changes in the base salaries of these elected offices were effective in 2002. Currently, Councilmembers receive annual compensation of \$76,654 (Council President receives 10% additional compensation), the Executive receives \$150,747 the Sheriff \$107,758 and the State's Attorney \$142,110. Each of these offices receives an annual cost-of-living adjustment of 100% of the consumer price index.

The Committee must submit recommendations of compensation levels to the County Council by December 1, 2005. Any changes in compensation adopted by the Council would be effective for the 2006-2010 term.

Interested citizens should submit their letter of interest with a resume to Council President Thomas E. Perez, Montgomery County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850. Members of County boards, committees and commissions may not serve on more than one such group at a time. Letters of interest must be received no later than 5:00 p.m. on April 20, 2005.

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FOR INFORMATION: Justina Ferber, 240-777-7938