



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 1/28/05 at 8 pm and 1/29/05 at 9 am

Monday, January 24, 2005

- (1) 1:00 **DISCUSSION** - State Legislative Program (6th floor Council Conference Room) (Wenger)

Tuesday, January 25, 2005

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

9:20 **PRESENTATION** - Proclamation in recognition of Steven Michael Selzer, local author on writing "By George" by Councilmember Denis

9:25 **PRESENTATION** - Proclamation recognizing the Montgomery County Department of Recreation's National Accreditation by Councilmember Silverman

9:30 **GENERAL BUSINESS**

- (2) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: November 23, December 7, 14, and 16, 2004 (Dodson)
C. **Acknowledgement** - Receipt of Petitions (Lacefield)

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

- A. **Action** - Resolution to establish Task Force to Study Compensation of County Executive, County Council, Sheriff, and State's Attorney (Ferber)
B. **Action** - Resolution regarding publication of 2004 Montgomery County Code (Faden)
C. **Action** - Resolution to approve categorical transfer of \$1,500,000 for MCPS' FY05 Provision for Future Supported Projects (Planell)
D. **Action** - Confirmation of County Executive appointments to the Advisory Committee on Consumer Affairs: Stephen Gurwitz, Eric I. Goldberg, Cathy A. Silverstein, Anne Elward (Ferber)

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- (3) 9:35 **CONSENT CALENDAR** *(continued)*
- E. **Action** - Confirmation of County Executive appointments to the Citizens Review Panel Advisory Group: Lisa Horowitz, Michelle Avery Weston, Christine N. Whitaker (Ferber)
- F. **Action** - Confirmation of County Executive appointments to the Citizens Review Panel for Children: Marie E. Marcellus, Diane Boyd Rauber, Heather Ringeisen Ray (Ferber)
- (4) 9:40 **RELEASE AND RECEIPT** - Office of Legislative Oversight Report #2005-2, Review of Rental License and Common Ownership Communities Registration Fees (Howard)
PHED Committee worksession is tentatively scheduled for 3/14/05.
- (6) 10:15 **WORKSESSION** - Master Plan of Bikeways (Orlin)
- (5) 11:00 **BRIEFING** - Shady Grove Sector Plan (Michaelson)
- 12:30 **ADJOURN**
- 2:00 **PHED Committee** *(7th floor Council Hearing Room)*

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on February 1, 2005:

Alcohol and Other Drug Abuse Advisory Council: Lt. Ronald G. Smith

Committee on Hate/Violence: Linda Ridall

Human Rights Commission: Andrea Diane Graham, Beth Mellen Harrison, Eeshan V. Melder, Peter J. Nickoloff, Nancy Morrison O'Connor, Tanzila Sheikh

Local Management Board for Children, Youth and Families: Capt. Russell E. Hamill

Noise Control Advisory Board: Richard J. Peppin, Richard Szwerc

Partnership Board for Victims of Hate/Violence: Cherri L. Branson, Leslie Jackson

Solid Waste Advisory Committee: Roberta Faul-Zeitler, Betty Garrand, Mark Glazer, Michael T. Goergen, Jr., Thomas Jagodits, Amy E. Schaffer, Walt Sonnevill, Benjamin Zindler

Technology Investment Fund Loan/Grant Committee: Joseph Beach

Workforce Investment Board: Marie Mackey

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

Mid-County Citizens Advisory Board: Cheryl A. Czekaj

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.

Jan 31, 2005	12:30 pm	State Legislation
Feb 1, 2005	8:30 am	Meeting with Board of Education
Feb 1, 2005	9:45 am	Regular Session
Feb 7, 2005	12:30 pm	State Legislation
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 9, 2005	7:30 pm	Town Hall Meeting
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 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

**COUNTY COUNCIL SEEKS APPLICANTS
FOR BOARD OF INVESTMENT TRUSTEES FOR THE
MONTGOMERY COUNTY EMPLOYEE RETIREMENT PLANS**

Deadline 5:00 P.M., March 9, 2005

The County Council is seeking applicants for the position of Council Representative on the Board of Investment Trustees for the Montgomery County Employee Retirement Plans. The Board is responsible for overseeing the investment of approximately \$2 billion worth of pension assets for nearly 10,500 active and retired members. The Board sets investment policy, hires investment managers, and monitors investment performance.

The Board, which meets quarterly, consists of thirteen trustees appointed by the County Executive and confirmed by the County Council. Trustees include: the Director of Human Resources; the Director of the Office of Management and Budget; the Director of Finance; the Council Staff Director; two representatives of the County Council; one active member of the retirement plans who is not a member of a collective bargaining unit; one retired member of a County plan; two members of the public; and individuals recommended by each of the three County employee collective bargaining organizations.

Trustees serve for three-year terms without compensation from any source for services rendered to the Board. However, the Board will reimburse Trustees for all expenses authorized by the Board. The Board meets at least once every three months for several hours, usually on the first Friday of March, June, September, and December, or as additional meetings or meetings of committees of the Board are required. Members of County boards, committees and commissions may not serve on more than one such group at a time.

This new Council representative position is for a person who is knowledgeable in pensions, investments or financial matters. The new Council representative will be selected by the County Executive from a list of three to five candidates recommended by the Council. The Executive cannot appoint any person who furnishes, or is employed by a firm that furnishes, to pension funds and other institutional investors the kind of investment services purchased by the Board. Candidates must complete a financial disclosure statement. Within ten days after confirmation, each Trustee must sign a certificate stating that the Trustee accepts the fiduciary responsibility of the Trust and will administer the affairs of the Trust with care, skill, prudence, and diligence.

Letters expressing interest in the position, including a resume listing professional and civic experience, should be addressed to Council President Thomas E. Perez, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, and must be received no later than 5:00 p.m., Wednesday, March 9, 2005. It is the Council's policy not to consider applications received after the deadline.

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

Deadline 5:00 P.M., March 30, 2005

The Montgomery County Council is seeking applicants to fill a vacancy on the Montgomery County Planning Board. The term of John M. Robinson, Democrat, will expire on June 14, 2005. Mr. Robinson has indicated that he will apply for reappointment.

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


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

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

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

Letters expressing interest, including a resume listing professional and civic experience, should be addressed to Council President Thomas E. Perez, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, and must be received no later than 5:00 p.m., Wednesday, March 30, 2005. It is the Council's policy not to consider applications received after the deadline. After the March 30 closing date, Councilmembers will review the letters of application and select applicants for interviews to be held in June.

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

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

Tuesday, January 25, 2005

12:15 DISTRICT COUNCIL SESSION

- Add: (7) A. Introduction** - Zoning Text Amendment 05-02, Transit Oriented, Mixed Use Zone,
sponsored by District Council by the request of the Planning Board (Michaelson)
Action - Resolution to establish public hearing for 3/1/05 at 7:30 pm.