



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 3/11/05 at 8 pm and 3/12/05 at 9 am

Monday, March 7, 2005

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

Tuesday, March 8, 2005

9:15 **INVOCATION** - Chaplain Edco Bailey, Shady Grove Adventist Hospital, Rockville

9:20 **PRESENTATION** - Proclamation in recognition of heroic acts of Pablo Steneri, Winston Churchill high school student by Councilmember Denis

9:25 **PRESENTATION** - Proclamation to Montgomery County Alumnae Chapter of Delta Sigma Theta Sorority, Inc. in recognition of Delta Youth Day in Montgomery County by Council President Perez

9:30 **GENERAL BUSINESS**

- (2) A. **Announcements** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: February 14 and 15, 2005 (Dodson)
C. **Acknowledgement** - Receipt of Petitions (Lacefield)

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

- A. **Introduction** - Special appropriation to the MCPS' FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program - Indoor Air Quality Improvements - \$1,600,000 for Lead Abatement at Various Schools (Source: General Obligation Bonds) (Levchenko)
Public Hearing is scheduled for 4/5/05 at 1:30 pm.

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

- B. **Introduction** - Resolution to authorize the issuance of Parking Lot District revenue bonds for the Bethesda Parking Lot District (Sherer)
- C. **Action** - Confirmation of County Executive appointments to the Advisory Board on Victims and their Families: Nancy C. Barash, Jenifer Cromwell, Craig L. Rice, Pickett Randolph, Samuel H. Walinsky, Valerie Yavornitzky (Ferber)
- D. **Action** - Confirmation of County Executive appointment to the Animal Matters Hearing Board: Allan S. Cohen (Ferber)
- E. **Action** - Confirmation of County Executive appointment to Silver Spring Transportation System Management Advisory Committee: Courtney Deines-Jones (Ferber)
- F. **Action** - Confirmation of County Executive appointment to the Solid Waste Advisory Committee: Joy Austin-Lane (Ferber)
- G. **Action** - Confirmation of County Executive appointments to the Taxicab Services Advisory Committee: Reza Raoofi, Girma Mengistu, Sarah C. Gotbaum (Ferber)
- H. **Action** - Confirmation of County Executive appointments to the Upcounty Recreation Advisory Board: Sarah P. Lanning, Herbert Lerner, MD, Edward O'Brian, Ronald Villasante (Ferber)
- I. **Action** - Confirmation of County Executive appointment to the Water Quality Advisory Group: Kathleen Fulcomer (Ferber)
- J. **Introduction** - Supplemental appropriations to the MCPS' FY05 Operating Budget:
 - \$137,250 for Transition from Laboratory to Classroom Project (Source: Federal Aid) (Planell)
 - \$149,762 for Refugee Children School Impact Project (Source: State Aid) (Planell)

Public Hearing/Action is scheduled for 4/5/05 at 1:30pm.

9:40 **LEGISLATIVE SESSION Day # 6**

- A. Approval of Legislative Journal - February 1 and 15, 2005 (Dodson)
 - B. Introduction of Bills
 - C. Call of Bills for Final Reading
- (4) • **Bill 39-04**, Energy Policy - Clean Energy Rewards Program (Faden/McMillan)
MFP Committee recommends approval.
- (5) • **Bill 37-04**, Animal Control - Revisions (Healy)
PS Committee recommends approval with amendments.
- (6) 10:30 **ACTION** - Executive Regulation 20-04AM - Microchipping of Animals (McMillan)
PS Committee recommends approval as amended.

- (7) 10:45 **ACTION** - Resolution to require that the Condominium Transfer Tax must not supplant the general fund appropriation to the Housing Initiative Fund (Trombka)
PHED Committee recommends approval with amendments.

11:15 **DISTRICT COUNCIL SESSION**

- (8) A. **Action** - Resolution to extend time for Council action on the Shady Grove Sector Plan until May 16, 2005 (Michaelson)

- (9) B. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)

Application No: Development Plan Amendment **DPA 04-2**
Applicant: Auto Park Investment General Partnership II (Scott Wallace, Attorney)
Property: 10.28 acres east of Briggs Chaney and Robey Roads
Action: Amendment to development plans approved in G-189 (1980) and DPA 86-1 (1986). Amendment seeks to increase permitted building size on northern half of site from 20,500 square feet to 57,749 square feet, and change permitted use from auto dealership to auto body shop. No change is proposed on southern half of site, which is under separate ownership
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: No Report

- (10) C. **Action** - Zoning Text Amendment 04-26, Mixed-Use Town Center Zone (Michaelson)
PHED Committee recommends approval with amendments.

- (11) D. **Action** - Olney Master Plan (Michaelson)

12:15 **RECESS**

- (12) 1:30 **PUBLIC HEARING - Expedited Bill 1-05, Rental Housing - Personal Living Quarters - Sunset** (Faden)
PHED Committee worksession tentatively scheduled for 3/14/05.

- (13) 1:30 **PUBLIC HEARING** - Resolution to approve Fire, Rescue, Emergency Medical Services, and Community Risk Reduction Master Plan (Davidson)
PS Committee worksession tentatively scheduled for 3/17/05.

- (14) 1:30 **PUBLIC HEARING** - Special appropriation to the MCPS' FY05 Capital Budget - \$5,000,000 for Relocatable Classrooms (Source: Current Revenue) (Levchenko)
ED Committee worksession tentatively scheduled for 3/10/05.

- (15) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 05-01, Non-residential Professional Office - R-90 Zone (Wilson)
PHED Committee worksession will be scheduled at a later date.

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(16) 1:30 **PUBLIC HEARING** - Remedial Map Amendment G-835 to reclassify property from Country Inn Zone to RDT Zone (Wilson)

(17) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the MCPS' FY05 Operating Budget - \$300,790 for Maryland School Improvement Program (Source: State Aid) (Planell)

(18) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the Montgomery College's FY05 Operating Budget - \$1,200,000 for Adult Basic Education and ESL Program (Source: State Aid and General Fund Undesignated Reserves) (Sherer)

2:15 **DISTRICT COUNCIL SESSION**

(19) C. **Action** - Olney Master Plan (*continued from morning session*) (Michaelson)

3:30 **ADJOURN**

5:30 **HHS Committee** (*3rd floor Council Conference Room*)

(20) 7:30 **PUBLIC HEARING** on the following:

- **Bill 2-05**, Boards, Committees, and Commissions - General Provisions (Faden)
- **Bill 3-05**, Boards, Committees, and Commissions - Specific Provisions (Faden)
- Zoning Text Amendment 05-03, Sign Review Board - Membership and Authority (Faden)
- Historic Preservation Amendment 05-1, Enforcement (Faden)

MFP Committee worksession tentatively scheduled for 3/14/05.

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.

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
Mar 28-Apr 1, 2005		Recess
Apr 4, 2005	12:30 pm	State Legislation
Apr 5, 2005	9:15 am	Regular Session
Apr 12, 2005	9:15 am	Regular Session
Apr 19, 2005	9:15 am	Regular Session
Apr 26, 2005	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

March 15, 2005

7:30 pm **Bill 38-04**, Contracts and Procurement - Transfer of Development Rights

April 5, 2005

1:30 pm Special appropriation to the MCPS' FY05 Capital Budget and amendment to the FY05-10 CIP - Indoor Air Quality Improvements - \$1,600,000 for Lead Abatement at Various Schools

1:30 pm Supplemental appropriations to the MCPS' FY05 Operating Budget

➤ \$137,250 for Transition from Laboratory to Classroom Project

➤ \$149,762 for Refugee Children School Impact Project



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ADDENDUM

Tuesday, March 8, 2005

- Add:** (3.5) 9:40 **ACTION** - Confirmation of County Executive appointment of Chief, Volunteer Services, Montgomery County Fire and Rescue Service: William Alan Hinde (Ferber)
- Defer:** (6) 10:30 **ACTION** - Executive Regulation 20-04AM - Microchipping of Animals (McMillan)
- Add:** (6) 10:30 **ACTION** - Extension of time until May 11, 2005 for Council action on Executive Regulation 20-04, Microchipping of Animals (McMillan)