



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](http://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 CCM Channels Comcast 6, RCN 6, and Verizon 30; repeated on 12/12/08 at 7 pm*

**Tuesday, December 9, 2008**

8:30 - 9:30 **Breakfast Meeting** with the County Executive (*6th floor Council Conference Room*)

9:45 **MOMENT OF SILENCE**

9:50 **GENERAL BUSINESS**

(Lauer)

- (1) A. **Announcement** - Agenda and Calendar Changes  
B. **Acknowledgement** - Receipt of Petitions

(2) 9:55 **CONSENT CALENDAR**

A. **Introduction** - Special appropriation to the Montgomery County Public Schools' FY09 Capital Budget and amendment to the FY09-14 Capital Improvements Program for Emergency Repairs at Various Schools: (Source: G.O. Bonds)

- \$252,000 for HVAC Replacement
- \$1,250,000 for Planned Lifecycle Asset Replacement (PLAR)
- \$1,500,000 for Stormwater Management

(McGuire)

*Public hearing is scheduled for 1/13/09 at 1:30 pm.*

B. **Introduction** - Resolution to transfer \$523,000 from Unliquidated Surplus to HVAC Replacement: MCPS, for various schools

(McGuire)

*ED Committee worksession tentatively scheduled for 1/15/09.*

C. **Introduction** - Supplemental appropriation to the County Government's FY09 Operating Budget, Montgomery County Fire and Rescue Service - \$317,251 for Urban Area Security Initiative (UASI) Mass Casualty Support Unit Medical Supplies Grant Award (Source: Federal grant)

(Davidson)

*Public Hearing/Action is scheduled for 1/13/09 at 1:30 pm.*

(2) 9:55 **CONSENT CALENDAR** *(continued)*

- \*D. Introduction** - Supplemental appropriation to the County Government's FY09 Capital Budget and amendment to the FY09-14 Capital Improvements Program for the Department of General Services, Department of Police, Montgomery County Fire and Rescue Service, and the Department of Transportation - \$46,567,000 for the Property Use/Smart Growth Initiative projects (Source: GO Bonds and interim financing) (McMillan)  
*Public Hearing is scheduled for 1/22/09 at 7:30 pm.*
- \*E. Introduction** - Amendment to the County Government's FY09-14 Capital Improvements Program for the Department of Police, Department of Transportation, and Department of Liquor Control - Property Use/Smart Growth Initiative projects (McMillan)  
*Public Hearing is scheduled for 1/22/09 at 7:30 pm.*
- \*F. Introduction** - Supplemental appropriation to the County Government's FY09 Capital Budget and amendment to the FY09-14 Capital Improvements Program, Department of Correction and Rehabilitation (DOCR) - \$4,720,000 for Criminal Justice Complex and DOCR Training Unit (Source: GO Bonds and state aid) (McMillan)  
*Public Hearing is scheduled for 1/22/09 at 7:30 pm.*
- \*G. Introduction** - Amendment to the County Government's FY09-14 Capital Improvements Program, Department of Correction and Rehabilitation - Detention Center Reuse project (McMillan)  
*Public Hearing is scheduled for 1/22/09 at 7:30 pm.*
- \*H. Introduction** - Resolution to amend Resolution 16-676 to authorize issuance of revenue bonds for certain Department of Liquor Control facilities and transportation projects (Sherer)  
*Action will be scheduled at a later date.*
- I. **Action** - Resolution to extend Bethesda Urban Partnership (Davidson)
- J. **Action** - Appointment of Grants Advisory Group (Ferber)
- K. **Action** - End-of-Year Transfer for FY08 County Government Operating Budget (Sherer)
- L. **Action** - Resolutions to support applications for State Community Legacy Funding: (McMillan)  
• Wheaton, Long Branch, Silver Spring area  
• Burtonsville, East County area
- M. **Action** - Resolution to support state financing for Wheaton Metro Apartments (MetroPointe) in Wheaton (McMillan)

(2) 9:55 **CONSENT CALENDAR** *(continued)*

- N. **Action** - Resolution to support County's application for \$7,490,000 in grant funding from the State Neighborhood Conservation Initiative - purchase and rehabilitation of vacant, foreclosed properties (McMillan)
- O. **Action** - Appointment to the Merit System Protection Board (Ferber)
- P. **Action** - Resolution to amend Resolution 16-577 for the FY09 Designation of Entities for Non-Competitive Award Status for the following: (McMillan)
- Coalition for the Homeless and Interfaith Works, Inc.
  - CASA of Maryland, Catholic Charities, Charles E. Smith Life Communities, and Jewish Federation of Greater Washington
- Q. **Action** - Extension of effective period of Temporary Executive Regulation 34-08T, Discharge of Guns within Montgomery County, until April 14, 2009 (McMillan)
- R. **Action** - Resolution to extend time until June 30, 2009 for Council action on Executive Regulation 13-06, Taxicab Customer Service Plans and Service Requirements (Mihill)
- S. **Receipt and Release** - Office of Legislative Oversight Report 2009-6, Transportation Demand Management Implementation, Funding, and Governance (Trombka/Renkema)  
*T&E/PHED Committee worksession tentatively scheduled for 2/2/09.*
- T. **Action** - Confirmation of County Executive appointment to the Advisory Board for the Montgomery Cares Program: Okianer Christian Dark (Ferber)
- U. **Action** - Confirmation of County Executive appointments to the Bethesda Urban Partnership, Inc. Board of Directors: Richard E. Lashley, Jon Weintraub (Ferber)
- V. **Action** - Confirmation of County Executive appointments to the Board of Registration for Building Contractors: Chuck Sullivan, Joel R. Albert (Ferber)
- W. **Action** - Confirmation of County Executive appointments to the Commission on Landlord-Tenant Affairs: Jan M. Patterson, Katia G. Cervoni, Luther Hinsley, Jason Neuringer, Deanna L. Stewart, Beverly A. Flanagan, Martha McClelland (Ferber)
- X. **Action** - Confirmation of County Executive appointment to the County-wide Recreation Advisory Board: James Krzyminski (Ferber)
- Y. **Action** - Confirmation of County Executive appointments to the Mid-County Recreation Advisory Board: Andrew Schulder, Paul A. Lofgren, Sean J. Klein (Ferber)
- Z. **Action** - Confirmation of County Executive appointments to the Pedestrian and Traffic Safety Advisory Committee: Colleen Shapinas Mitchell, Jack E. Strausman, Doris Depaz, Erwin H. Mack, Alan Migdall, Valerie Ervin, James N. D'Andrea (Ferber)

(2) 9:55 **CONSENT CALENDAR** *(continued)*

- AA. **Action** - Confirmation of County Executive appointment to the Silver Spring Urban District Advisory Committee: Robert Zeender (Ferber)
- BB. **Action** - Confirmation of County Executive appointment to the Water Quality Advisory Group: Carol J. Henry (Ferber)
- CC. **Action** - Confirmation of County Executive appointment to the Workforce Investment Board: Tony Brewer, Deborah Murphy (Ferber)
- DD. **Introduction** - Resolution to amend Transportation Fees, Charges, and Fares (Orlin)  
*Public Hearing/Action is scheduled for 1/13/09 at 1:30 pm.*
- EE. **Action** - Resolution to amend Resolution 16-780, FY09 Budget Savings Plan: Montgomery County Fire and Rescue Service (Davidson)  
*PS Committee recommendation will be available 12/8/08.*

- (3) 10:00 **ACTION** - Executive Regulation 31-08AM, Context Sensitive Road Design Standards (Orlin)  
*T&E Committee recommends approval as amended.*

10:20 **DISTRICT COUNCIL SESSION**

- (4) A. **Action** - Amendment to the Master Plan for Historic Preservation: Damascus-Goshen Resources (Zyontz)
- (5) B. **Action** - Amendment to the Master Plan for Historic Preservation: Individual Historic Resources (Zyontz)
- (6) C. **Action** - Twinbrook Sector Plan (Michaelson)
- (7) D. **Action** - Limited Amendment to Wheaton Sector Plan (Michaelson)
- (8) E. **Introduction** - Zoning Text Amendment 08-17, Wheaton Central Business Districts - Boundaries, sponsored by the District Council at request of Planning Board (Zyontz)  
*Action - Resolution to establish public hearing for 1/13/09 at 1:30 pm.*
- (9) F. **Action** - Zoning Text Amendment 08-11 Residential Zones - Standards (Zyontz)  
*PHED Committee recommends approval with amendments.*

10:45 **LEGISLATIVE SESSION Day # 40**

- A. Approval of Legislative Journal (Lauer)
- B. Call of Bills for Final Reading (Zyontz)
- (10) • **Bill 15-08**, Building Permit - Notice  
*PHED Committee recommends disapproval.*

10:45 **LEGISLATIVE SESSION Day # 40 (continued)**

C. Introduction of Bills

- (11) • **Bill 37-08, Personnel - Disability Retirement - Amendments**, sponsored by Council President Andrews and Councilmember Trachtenberg (Drummer)  
*Public Hearing is scheduled for 1/15/09 at 7:30 pm.*
- (12) • **Bill 38-08, Fire and Rescue Commission - Abolition**, sponsored by Councilmembers Leventhal, Knapp, Elrich and Ervin (Faden/Mihill)  
*Public Hearing is scheduled for 2/3/09 at 7:30 pm.*

D. Miscellaneous Business:

- (13) • **Action - Resolution to extend expiration date until December 31, 2009 of Expedited Bill 14-07, Forest Conservation - Enforcement, and of Bill 13-07, Moderately Priced Dwelling Units - Amendments** (Lauer)
- (14) 11:30 **PUBLIC HEARING - Bill 35-08, Motor Vehicles and Traffic - Miscellaneous Provisions - Funding for Public Safety Programs** (Drummer)
- (15) 11:30 **PUBLIC HEARING/ACTION - Special appropriation to the Revenue Authority's FY09 Capital Budget and amendment to the FY09-14 Capital Improvements Program - \$14,500,000 for Montgomery College's Takoma Park/Silver Spring West Campus Garage (Source: Revenue Authority Bonds)** (Sherer)  
*ED Committee recommends approval.*
- (16) 11:30 **PUBLIC HEARING/ACTION - Special appropriation to the County Government's FY09 Operating Budget, Department of Health and Human Services - \$310,000 for the Child Welfare Initiative Grant (Source: Casey Family Programs)** (McMillan)
- (17) 12:00 **DISCUSSION - Community outreach for Property Use/Smart Growth Initiative** (McMillan)

12:30 **ADJOURN**

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on January 13, 2009:**

**Board of Electrical Examiners: Charles S. Johnson Sr., James D. Horstkamp, Donald Steinman**

**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.

**Dec 15 to Jan 9, 2009**

**RECESS**

Jan 13, 2009	8:30 am	Breakfast Meeting with County Executive
Jan 13, 2009	9:45 am	Regular Session
Jan 13, 2009	2:00 pm	Interviews - Board of Appeals
Jan 26, 2009	12:30 pm	State Legislation
Jan 27, 2009	9:30 am	Regular Session
Feb 2, 2009	12:30 pm	State Legislation
Feb 3, 2009	9:30 am	Regular Session
Feb 9, 2009	12:30 pm	State Legislation
Feb 10, 2009	9:30 am	Regular Session
Feb 23, 2009	12:30 pm	State Legislation
Feb 24, 2009	9:30 am	Regular Session

**FUTURE PUBLIC HEARINGS**

To testify call 240-777-7931

**Jan 13, 2009**

- 1:30 pm Supplemental appropriation to the County Government's FY09 Capital Budget and amendment to the FY09-14 CIP, DTS - \$55,000 for Public Safety Communications System Upgrade and Mod
- 1:30 pm Amendment to the Master Plan for Historic Preservation: Wild Acres (Grosvenor Estate)
- 1:30 pm Resolution to amend Transportation Fees, Charges, and Fares
- 1:30 pm Special appropriation to the MCPS' FY09 Capital Budget and amendment to the FY09-14 CIP - \$3,002,000 for Emergency Repairs at Various Schools
- 1:30 pm Supplemental appropriation to the County Government's FY09 Operating Budget, MCFRS - \$317,251 for Urban Area Security Initiative (UASI) Mass Casualty Support Unit Medical Supplies Grant Award
- 1:30 pm ZTA 08-17, Wheaton Central Business Districts - Boundaries
- 7:30 pm Limited Functional Master Plan for Intercounty Connector (ICC) - Bikeways and Interchanges

**Jan 15, 2009**

- 7:30 pm **Bill 37-08**, Personnel - Disability Retirement - Amendments

**Jan 22, 2009**

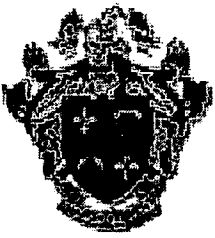
- 7:30 pm Property Use/Smart Growth Initiative projects

**Feb 3, 2009**

- 7:30 pm **Bill 38-08**, Fire and Rescue Commission - Abolition



If you need services to participate in any Council activity, please contact us as far in advance as possible: 240-777-7900 (TTY 240-777-7914) Email: [County.Council@montgomerycountymd.gov](mailto:County.Council@montgomerycountymd.gov). This document is available in alternative formats upon request.



**Montgomery County Council**  
Legislative Information Services

***Packet Index***

***Tuesday, December 9, 2008***

Item Number	Note	Staff
Agenda Item #2 EE	This item will be available on Monday, December 8.	Davidson
Agenda Item #14	This item has been postponed to Tuesday, January 13, 2009.	Drummer
Agenda Item #17	There is no material for this item.	McMillan

**The following items are anticipated to be changed on the agenda by addendum:**

**ADDENDUM**

**Tuesday, December 9, 2008**

10:45 **LEGISLATIVE SESSION Day # 40** *(continued)*

C. Introduction of Bills

Note change:(11)

- **Expedited Bill 37-08**, Personnel - Disability Retirement - Amendments, sponsored by Council President Andrews and Councilmember Trachtenberg (Drummer)

(14) 11:30 **PUBLIC HEARING - Bill 35-08**, Motor Vehicles and Traffic - Miscellaneous Provisions - Funding for Public Safety Programs (Drummer)

Note change:

*This hearing has been postponed until January 13, 2009 at 1:30 pm.*



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### ADDENDUM

Tuesday, December 9, 2008

#### 10:45 LEGISLATIVE SESSION Day # 40 (continued)

##### C. Introduction of Bills

Note change: (11)

- **Expedited Bill 37-08**, Personnel - Disability Retirement - Amendments, sponsored by Council President Andrews and Councilmember Trachtenberg (Drummer)

- (14) 11:30 **PUBLIC HEARING - Bill 35-08**, Motor Vehicles and Traffic - Miscellaneous Provisions - Funding for Public Safety Programs (Drummer)

Note change:

*This hearing has been postponed until January 13, 2009 at 1:30 pm.*

#### 10:20 DISTRICT COUNCIL SESSION

Add: (8.1)

- E. **Introduction** - Zoning Text Amendment 08-18, Land Use - Christmas Tree Sales, sponsored by the District Council at request of the County Executive (Zyontz)

*Action - Resolution to establish public hearing for 2/3/09 at 1:30 pm.*