



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 to obtain current information.*

*This meeting will be televised live on Channel 6; repeated on 3/5/04 at 8 pm and 3/6/04 at 9 am*

### Monday, March 1, 2004

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

### Tuesday, March 2, 2004

9:15 **INVOCATION** - Reverend Francis G. Kazista, St. John the Baptist Catholic Church, Silver Spring

9:20 **GENERAL BUSINESS**

**A. Announcements:**

- Agenda and Calendar Changes (Lauer)

- Public Hearing schedule for the FY05 Operating Budgets:  
April 12, 13, 14, and 15, 2004 at 7:00 pm, and April 14, 2004 at 1:30 pm.  
*Persons wishing to testify should call 240-777-7931 beginning March 19, 2004.*

**B. Action** - Approval of Minutes: January 22, February 5 and February 10, 2004 (Edgar)

- (2) **C. Acknowledgement** - Receipt of Petitions (Lacefield)

(3) 9:25 **CONSENT CALENDAR**

**A. Introduction** - Resolution to oppose H.R. 2671, Clear Law Enforcement for Criminal Alien Removal (CLEAR) Act, as introduced in the U.S. House of Representatives, sponsored by Council President Silverman and Councilmembers Leventhal, Floreen, Subin, and Praisner (Langevin)

**C. Introduction** - Resolution to support State Financing for Airpark Apartments in Gaithersburg (Trombka)  
*Action is tentatively scheduled for 3/9/04.*

**D. Action** - Supplemental appropriation to the County Government's FY04 Capital Budget and amendment to the FY03-08 Capital Improvements Program, Department of Fire and Rescue Service - \$1,150,000 for West Germantown Fire Station (Source: G.O. Bonds) (Davidson)  
*PS Committee recommends approval.*



(3) 9:25 **CONSENT CALENDAR** *(continued)*

- E. **Action** - Resolutions for Categorical Transfers for MCPS' FY04 Operating Budget  
• \$1,500,000 for Provision for Future Supported Projects (Planell)  
• \$514,690 for Provision for Pre-Kindergarten programs (Planell)  
*ED Committee recommendation will be available on 2/26/04.*
- F. **Action** - Confirmation of County Executive appointment of Chief, Special Needs Housing, Department of Health and Human Services: Corinne Stevens (Ferber)
- G. **Action** - Confirmation of County Executive appointments to Energy and Air Quality Advisory Committee: Suzanne Matwyshe-Gillen, Alan S. Miller (Ferber)
- H. **Action** - Confirmation of County Executive appointments to Rustic Roads Advisory Committee: Laura Van Etten, James D. Arnoult (Ferber)
- I. **Action** - Confirmation of County Executive appointments to Silver Spring Urban District Advisory Committee: M. Genevieve Hardesty (Ferber)
- J. **Introduction** - Resolution authorizing issuance of General Obligation Refunding Bonds (Sherer)
- K. **Action** - Joint Resolution to support application to the State for designation of an area in Silver Spring as an Arts and Entertainment District (Ferber)

9:30 **LEGISLATIVE SESSION Day # 5**

- (4) A. Approval of Legislative Journal: December 9, 2003, January 13, February 3, and February 10, 2004 (Edgar)
- B. Introduction of Bills:
- (5) • **Bill 3-04**, Procurement - Use of County Funds, sponsored by Councilmembers Knapp and Denis (Healy)  
*Public Hearing is scheduled for 3/23/04 at 1:30 pm.*

9:40 **DISTRICT COUNCIL SESSION**

- (6) A. **Action** - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation: (Wilson)  
**Application No: G-813**  
**Applicant:** Artery/Ryland Fairland LLC and M-NCPPC (Barbara A. Sears & Mark M. Viani, Attorneys)  
**Action:** R-200 & RE-2 to PD-2  
**Property:** Fairland Regional Park and Parcels P303, P400, N700, N581, N300, P454, P202, P181, P258, P340, P125, P440, P75, P700, P517, located generally south of Maryland Route 198, Burtonsville  
**Recommendations:** Planning Staff: Approve  
Planning Board: Approve  
Hearing Examiner: Approve

9:40 **DISTRICT COUNCIL SESSION** *(continued)*

- (7) **B. Action** - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation: (Wilson)  
**Application No:** G-814  
**Applicant:** Artery/Ryland Fairland LLC and M-NCPPC (Barbara A. Sears & Mark M. Viani, Attorneys)  
**Action:** R-200 to PD-2  
**Property:** Konterra Limited Partnership Property, Tract 9, Parcel A, located generally south of MD Route 198, Burtonsville  
**Recommendations:** Planning Staff: Approve  
Planning Board: Approve  
Hearing Examiner: Approve
- (8) **C. Action** - Zoning Text Amendment 03-21, Riding Stables - Revisions (Wilson)  
*PHED Committee recommends approval with amendments.*
- (9) **D. Action** - Subdivision Regulation Amendment 03-01, Equestrian Facilities (Wilson)  
*PHED Committee recommends approval with amendments.*

11:45 **LEGISLATIVE SESSION Day #5** *(continued)*

- (10) **C. Call of Bills for Final Reading**  
• **Bill 29-03**, Forest Conservation - Equestrian facilities (Faden/Wilson)  
*PHED Committee recommends approval with amendments.*

12:00 **RECESS**

- (11) 1:30 **PUBLIC HEARING - Bill 2-04**, Human Rights - Discrimination - Family Responsibilities (Faden)  
*HHS Committee worksession tentatively scheduled for 3/29/04.*
- (12) 1:30 **PUBLIC HEARING** - Resolution to increase Base Solid Waste Service Charge (Tipping Fee) (Trombka)  
*T&E Committee worksession tentatively scheduled for 3/15/04.*

2:15 **ADJOURN**

2:15 **T&E Committee** 7th floor Council Hearing Room

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on March 9, 2004:**

**Board of License Commissioners:** Maria Pena-Faustino, Michael W. Gildea, Donald R. Gilchrist

**Commission on Aging:** Samuel D. Kramer, James W. Mayo, Ph.D., Lester Trachtman, Patricia Lesnick, Harold Wallach, Irwin Goldbloom, Ellen A. Sarnecky, Patrice J. Thomas, Judith Z. Jaffe

**Commission on Juvenile Justice:** Douglas Stagnaro, Linda McMillan

**Friendship Heights Transportation Management District Advisory Committee:** Mary Herman

**Local Management Board for Children, Youth and Families:** Shawn D. Bartley, Esq., Deirdre V. Cryor, Yvette Edghill-Smith, Arva J. Jackson, Tom Manatos, Phyllis F. Schwartz, Carol W. Garvey, M.D., MPH, Debbie Van Brunt, Gladys R. Gutierrez, Valerie Ervin, Delmas Wood, George Margolies, Ulder Tillman, M.D., Dr. Carey M. Wright, Pam Saunders, Kate Garvey, Emily McDonnell, Beryl Feinberg, Jerrilyn Matthews, Daryl Plevy, Captain Evelyn S. Cahalen

**Range Approval Committee:** Beth Anne Newman, James Piatieski, William Warncke

**Workforce Investment Board:** Andrew B. Larson

### COUNCIL MEETINGS

**Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.**

Mar 8, 2004	12:30 pm	State Legislation
Mar 9, 2004	9:30 am	Regular Session
Mar 15, 2004	12:30 pm	State Legislation
Mar 16, 2004	9:15 am	Regular Session
Mar 22, 2004	12:30 pm	State Legislation
Mar 23, 2004	9:15 am	Regular Session
Mar 24, 2004	7:30 pm	Town Hall Meeting - Council Office Building
Mar 29, 2004	12:30 pm	State Legislation
Mar 30, 2004	9:15 am	Regular Session

### FUTURE PUBLIC HEARINGS

**To testify call 240-777-7931**

#### March 9, 2004

1:30 pm Supplemental appropriation to the MCPS' FY04 Operating Budget - \$626,713 for Emergency Response and Crisis Management Initiative

1:30 pm Supplemental appropriations to the County Government's FY04 Operating Budget,  
➤ DPS and DFRS - \$663,130 for Life Safety Systems - Residential Sprinkler Systems  
➤ DHCA - \$870,000 for HUD Section 108 Program for Chelsea Tower  
➤ DPWT - \$5,772,120 for Solid Waste Services

#### March 16, 2004

1:30 pm ZTA 04-01, Increased building height in the CBD-2 Zone

1:30 pm ZTA 04-02, Variances and Special Exceptions - Duration of Validity - Revisions

1:30 pm ZTA 04-03, Special Exceptions - Hearing Provisions

March 2, 2004

Page 5

**FUTURE PUBLIC HEARINGS**

**To testify call 240-777-7931**

**March 23, 2004**

1:30 pm Resolution to approve amendment to Board of Appeals Rules of Procedure - Motion to dismiss

1:30 pm **Bill 3-04**, Procurement - Use of County Funds

**March 30, 2004**

1:30 pm Franchise Agreement for Use of Public Right of Way: InSITE Solutions, LLC

**April 1, 2004**

7:30 pm ZTA 04-04, Combination Retail Stores - Zoning Regulations

**April 12, 2004**

7:00 pm FY05 Operating Budget

**April 13, 2004**

7:00 pm FY05 Operating Budget

**April 14, 2004**

1:30 pm FY05 Operating Budget

7:00 pm FY05 Operating Budget

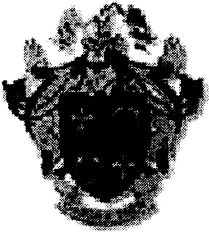
**April 15, 2004**

7:00 pm FY05 Operating Budget



**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](http://www.montgomerycountymd.gov/council)



**Montgomery County Council**  
**Legislative Information Services**

***Packet Index***

***Tuesday, March 2, 2004***

---

Item Number	Note	Staff
T&E Item #1	Please bring your T&E #3 packet from Thursday, February 26, 2004.	Levchenko

---



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.co.mo.md.us/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.*

## **ADDENDUM**

**Tuesday, March 2, 2004**

### **9:40 DISTRICT COUNCIL SESSION**

**Defer: (6 and 7)** A. Action - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation: (Wilson)  
Application No: G-813 and G-814

### **11:45 LEGISLATIVE SESSION Day #5 (continued)**

**Defer: (10)** C. Call of Bills for Final Reading (Faden/Wilson)  
• Bill 29-03, Forest Conservation - Equestrian facilities

**Add:** 11:45 DISCUSSION - State Legislative Program (continued)