



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 3/12/04 at 8 pm and 3/13/04 at 9 am*

### Monday, March 8, 2004

- (1) 12:30 **DISCUSSION** - State Legislative Program (6th floor Council Conference Room) (Wenger)  
*Note - This session may be cancelled. Please call 240-777-7900 to confirm.*

### Tuesday, March 9, 2004

9:30 **INVOCATION** - Chaplain Edco Bailey, Shady Grove Adventist Hospital, Rockville

9:35 **PRESENTATION** - Proclamation to Montgomery County Alumnae Chapter of Delta Sigma Theta Sorority, Inc. in recognition of Delta Youth Day in Montgomery County by Councilmember Silverman

9:40 **PRESENTATION** - Proclamation in recognition of the Springbrook High School Girls' Field Hockey Team, Winners of 2003 Maryland State Championship by Councilmember Praisner

9:45 **PRESENTATION** - Proclamation honoring John W. Smith, inductee into the Human Rights Hall of Fame by Councilmember Andrews

9:50 **GENERAL BUSINESS**

- (2) A. **Announcement** - Agenda and Calendar Changes (Lauer)  
B. **Action** - Approval of Minutes: February 12, 2004 (Edgar)  
C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(3) 9:55 **CONSENT CALENDAR**

A. **Introduction** - Franchise Agreement for Use of Public Right of Way: InSITE Solutions, LLC (Healy)  
*Public Hearing is scheduled for 3/30/04 at 1:30 pm.*

B. **Introduction** - Resolution to approve Council contracts for Audit Services (Howard)  
*MFP Committee recommends approval.*

C. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Health and Human Services - \$35,870 for Youth Strategies-Interagency Support to Youth and Families Grant (Source: Federal grant) (Planell)  
*Public Hearing/Action is scheduled for 3/30/04 at 1:30 pm.*



(3) 9:55 **CONSENT CALENDAR** *(continued)*

- D. **Action** - Resolution regarding the management plan for portions of Montgomery County designated as a Certified Maryland Heritage Area (Arthur)
- E. **Action** - Resolution to oppose H.R. 2671, Clear Law Enforcement for Criminal Alien Removal (CLEAR) Act, as introduced in the U.S. House of Representatives (Langevin)
- F. **Action** - Resolution to support State Financing for Airpark Apartments in Gaithersburg (Trombka)
- G. **Action** - Extension of time until June 30, 2004 for Council action on Executive Regulation 26-03, Cable Modem Service Standards (Healy)
- H. **Action** - Resolution authorizing issuance of General Obligation Refunding Bonds (Sherer)
- I. **Action** - Confirmation of County Executive appointments to the Board of License Commissioners: Maria Pena-Faustino, Michael W. Gildea, Donald R. Gilchrist (Ferber)
- J. **Action** - Confirmation of County Executive appointments to the 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 (Ferber)
- K. **Action** - Confirmation of County Executive appointments to the Commission on Juvenile Justice: Douglas Stagnaro, Linda McMillan (Ferber)
- L. **Action** - Confirmation of County Executive appointment to the Friendship Heights Transportation Management District Advisory Committee: Mary Herman (Ferber)
- M. **Action** - Confirmation of County Executive appointments to the 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 McDonell, Beryl Feinberg, Jerrilyn Matthews, Daryl Plevy, Captain Evelyn S. Cahalen (Ferber)
- N. **Action** - Confirmation of County Executive appointments to the Range Approval Committee: Beth Anne Newman, James Piatetski, William Warncke (Ferber)
- O. **Action** - Confirmation of County Executive appointment to the Workforce Investment Board: Andrew B. Larson (Ferber)
- P. **Action** - Extension until June 1, 2004 of Temporary Executive Regulation 1-04T, Enforcement Procedure for the Fire Administrator regarding Local Fire and Rescue Department Personnel (Davidson)

(3) 9:55 **CONSENT CALENDAR** *(continued)*

- Q. **Introduction** - Special appropriation to the County Government's FY04 Operating Budget, Department of Health and Human Services - \$261,960 for Women's Health Services (Source: General Fund) (McGuire)  
*Public Hearing is scheduled for 3/23/04 at 1:30 pm.*

10:05 **LEGISLATIVE SESSION Day # 6**

A. Approval of Legislative Journal (Edgar)

B. Introduction of Bills

- (5) • **Bill 4-04**, Criminal Justice Coordinating Commission - Revisions, sponsored by the Council President at the request of the County Executive (McMillan)  
*Public Hearing is scheduled for 3/30/04 at 1:30 pm.*
- (6) • **Bill 5-04**, Transportation - Bus Advertising - Requirement, sponsored by Councilmembers Perez, Silverman, Floreen, Denis, and Praisner (Healy)  
*Public Hearing is scheduled for 3/30/04 at 1:30 pm.*
- (7) • **Bill 6-04**, Personal Property Business Tax Credit - Employee Home Computer Telecommuting Incentive, sponsored by Councilmembers Praisner and Denis (Healy)  
*Public Hearing is scheduled for 3/30/04 at 1:30 pm.*

10:15 **DISTRICT COUNCIL SESSION**

(8) A. **Action** - Remand to Hearing Examiner: Local Map Amendments G-813 and G-814 (Wilson)

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

**Application No:** G-815

**Applicant:** 4302 East West LLC (Martin J. Hutt, Attorney)

**Action:** R-60 to OM

**Property:** Lot 2, Meadow Brook Village Subdivision, located at 4302 East West Highway, Bethesda

**Recommendations:** Planning Staff: Approve

Planning Board: Approve

Hearing Examiner: Approve

- (10) 10:30 **PROPOSED CLOSED SESSION** to consult with staff, consultants, or other individuals about pending or potential litigation, pursuant to Maryland Code, State Government Article, §10-508 (a)(8). Topic is Montgomery County Correctional Facility (*6th floor Council Conference Room*) (McMillan)

11:30 **RECESS**

- (11) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$626,713 for Emergency Response and Crisis Management Initiative (Source: Federal Grant) (Planell)  
*ED Committee worksession tentatively scheduled for 3/11/04.*

- (12) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY04 Operating Budget, Departments of Permitting Services and Fire and Rescue Service - \$663,130 for Life Safety Systems - Residential Sprinkler Systems (Source: Fees) (Davidson)  
*PS Committee worksession tentatively scheduled for 3/15/04.*
- (13) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Public Works and Transportation - \$5,772,120 for Solid Waste Services (Source: Solid Waste Disposal Fund) (Trombka)  
*T&E Committee worksession tentatively scheduled for 3/15/04.*
- (14) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY04 Operating Budget, Department of Housing and Community Affairs - \$870,000 for HUD Section 108 Program for Chelsea Tower (Source: Federal Funds) (Trombka)

**ADJOURN**

2:15 **PS/HHS Committee** (*7th floor Council Hearing Room*)

### COUNCIL MEETINGS

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

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

### FUTURE PUBLIC HEARINGS

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

#### **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 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  
1:30 pm Special appropriation - DHHS- \$261,960 for Women's Health Services

#### **March 30, 2004**

1:30 pm Franchise Agreement for Use of Public Right of Way: InSITE Solutions, LLC  
1:30 pm Supplemental appropriation - DHHS - \$35,870 for Youth Strategies-Interagency Support to Youth and Families Grant  
1:30 pm **Bill 4-04**, Criminal Justice Coordinating Commission - Revisions  
1:30 pm **Bill 5-04**, Transportation - Bus Advertising - Requirement  
1:30 pm **Bill 6-04**, Personal Property Business Tax Credit - Employee Home Computer Telecommuting Incentive

#### **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



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### ADDENDUM

Tuesday, March 9, 2004

(3) 9:55 **CONSENT CALENDAR**

- R. **Introduction** - Special appropriation to the MCPS' FY04 Capital Budget and amendment to the FY03-08 Capital Improvements Program - \$5,000,000 for Relocatable Classrooms (Source: Current Revenue) (Levchenko)  
*Public Hearing is scheduled for 3/30/04 at 1:30 pm.*

- Add:** 11:00 **PROPOSED CLOSED SESSION** to discuss appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, pursuant to Maryland Code, State Government Article, §10-508 (a)(1)(i). Topic is WSSC. (6th floor Council Conference Room) (Farber)



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

***Packet Index***

***Tuesday, March 9, 2004***

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<b>Item Number</b>	<b>Note</b>	<b>Staff</b>
Agenda Item #1	State Legislative Program has been cancelled.	Wenger
Agenda Item #2	There were no Petitions received in LIS this week.	Lacefield