



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 4/16/04 at 8 pm and 4/17/04 at 9 am*

Tuesday, April 13, 2004

8:30 **INVOCATION** - Reverend Ben Shambaugh, St. John's Episcopal Church, Olney

8:35 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: March 16 and 18, 2004 (Edgar)

Approval of Closed Session Minutes: December 2, 2003, January 13, 22,
February 3, 24, and March 9, 2004

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

(2) 8:40 **CONSENT CALENDAR**

A. **Introduction** - Resolution to amend the Admissions and Amusement tax rate,
sponsored by Councilmember Praisner (Healy)
Public Hearing is scheduled for 5/11/04 at 7:30 pm.

B. **Introduction** - Resolution calling upon the District of Columbia to recognize
reciprocity by accepting out-of-state parking tags and placards designated for people
with disabilities, sponsored by Councilmembers Denis and Leventhal (Hartman)

C. **Action** - Resolution to establish the FY05 Work Program of the Interagency Public
Information Working Group (Lacefield)

D. **Action** - Abandonment of a portion of Parklawn Drive (Orlin)

E. **Action** - Extension until July 12, 2004 of Temporary Executive Regulation 5-04T,
Electricity Procurement Regulations (Healy)

F. **Action** - Resolution to establish the FY05 Work Program of the Interagency Training
Team (Ferber)

G. **Action** - Resolution to establish the FY05 Work Program of the Interagency
Procurement Coordinating Committee (Healy)

H. **Action** - Supplemental appropriation to the County Government's FY04 Operating
Budget, Department of Housing and Community Affairs - \$223,537 for Long Branch
Community Centers (Source: HUD Federal Grant) (Trombka)
PHED Committee recommends approval.



- (2) 8:40 **CONSENT CALENDAR** *(continued)*
- I. **Action** - Confirmation of County Executive appointments to the Cable Compliance Commission: Diona Danielle Coe (Ferber)
- J. **Action** - Confirmation of County Executive appointments to the Solid Waste Advisory Committee: Sean M. Austin, Committee Chair, V. Anthony Cammarota, Jr., David C. Frank, Thomas Jagodits, Maritza Figueroa-Mangene, Dennis F. Holt, Lee Levine, Benjamin Zindler, Denise Hawkins, Committee Vice Chair (Ferber)
- K. **Introduction** - Supplemental appropriation to the County Government's FY04 Operating Budget, Economic Development Fund - \$6,750,000 for Westfield Group and Bethesda Theatre Nederlander Project (Source: General Fund Undesignated Reserves and State Aid) (Ferber)
Public Hearing/Action is scheduled for 4/27/04 at 1:30 pm.
- (3) 8:50 **ACTION** - Resolution to approve franchise agreement for Clear Channel Outdoor, Inc.: Billboard Removal and Bus Shelters/Advertising (Orlin)
T&E Committee has no recommendation.
- 9:45 **LEGISLATIVE SESSION Day # 9**
- A. Approval of Legislative Journal - March 9 and 16, 2004 (Edgar)
- B. Introduction of Bills
- (4) • **Bill 8-04**, Admissions and Amusement Tax - Amendments, sponsored by Councilmember Praisner (Healy)
Public Hearing is scheduled for 5/11/04 at 7:30 pm.
- C. Call of Bills for Final Reading
- (5) • **Bill 29-03**, Forest Conservation - Equestrian facilities (Faden/Wilson)
PHED Committee recommends approval as amended.
- (6) • **Bill 2-04**, Human Rights - Discrimination - Family Responsibilities (Faden)
HHS Committee recommends approval with amendments.
- (7) 10:30 **ANNUAL UPDATE** on Study of the Economy (Michaelson)
- (8) 11:00 **BIANNUAL REPORT** of the Montgomery County Planning Board (Michaelson)
- 12:15 **RECESS**
- (9) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-04, Combination Retail Stores - Zoning Regulations (Wilson)
PHED Committee worksession will be scheduled at a later date.

1:45 **DISTRICT COUNCIL SESSION**

- (10) 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 and Michele Rosenfeld, 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
- (11) 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, and Michele Rosenfeld, 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
- (12) C. **Action** - Zoning Text Amendment 04-03, Special Exceptions - Hearing Provisions (Wilson)
PHED Committee recommends approval with amendments.
- (13) D. **Action** - Zoning Text Amendment 04-01, Increased building height in the CBD-2 Zone under certain circumstances (Wilson)
PHED Committee recommends approval.

3:00 **ADJOURN**

- (14) 7:00 **PUBLIC HEARING** - FY05 Operating Budgets (3rd floor Council Hearing Room)

Wednesday, April 14, 2004

- 1:30 **PUBLIC HEARING** - FY05 Operating Budgets (3rd floor Council Hearing Room)
7:00 **PUBLIC HEARING** - FY05 Operating Budgets - MCPS (3rd floor Council Hearing Room)

Thursday, April 15, 2004

- 7:00 **PUBLIC HEARING** - FY05 Operating Budgets (3rd floor Council Hearing Room)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on April 20, 2004:

Agricultural Advisory Committee: Theodore H. Butz

Washington Suburban Transit Commission: Gordon J. Linton

COUNCIL MEETINGS

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

Apr 20, 2004	8:30 am	Regular Session
Apr 27, 2004	8:30 am	Regular Session
May 4, 2004	9:15 am	Regular Session
May 10, 2004	9:15 am	Council Budget Worksession
May 11, 2004	8:30 am	Meeting re: Bi-County Budgets
May 11, 2004	9:15 am	Council Budget Worksession
May 12, 2004	9:15 am	Council Budget Worksession
May 13, 2004	9:15 am	Council Budget Worksession
May 13, 2004	3:00 pm	BiCounty Budget Meeting with PG's County Council - Upper Marlboro
May 14, 2004	9:15 am	Council Budget Worksession

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

April 20, 2004

1:30 pm Supplemental appropriation - DPWT - \$292,050 for Cashiering for the WoodmontCorner Garage and Parking Media Store in Bethesda

April 27, 2004

1:30 pm ZTA 04-05, Eating and Drinking Establishments - C-O Zone

1:30 pm Corrective Map Amendment (G-816) - Bethesda CBD Sector Plan - 4504 Walsh Street, Chevy Chase

1:30 pm Supplemental appropriation - Economic Development Fund - \$6,750,000 for Westfield Group and Bethesda Theatre Nederlander Project

7:30 pm Strategic Plan for Economic Development

May 4, 2004

1:30 pm ZTA 04-06, Site Plan Enforcement Agreements - Elimination

1:30 pm ZTA 04-07, Sign Regulations - Exemption for bus shelters and transit center kiosk advertising

1:30 pm Supplemental appropriation - \$852,580 for FFY2003 State Homeland Security Grant Program - multi-departmental grant for Phase II Equipment Grant

May 11, 2004

7:30 pm Resolution to advertise proposed General Fund property tax rate for purposes of complying with state law regarding the Constant Yield Tax Rate (CYTR)

7:30 pm Resolution to establish FY05 Solid Waste Service Charges

7:30 pm Resolution to establish FY05 Water Quality Protection Charge

7:30 pm Resolution to amend the Admissions and Amusement tax rate

7:30 pm **Bill 8-04**, Admissions and Amusement Tax - Amendments



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ADDENDUM

Tuesday, April 13, 2004

9:45 LEGISLATIVE SESSION Day # 9

B. Introduction of Bills

Add: (4.5)

- **Expedited Bill 9-04**, Parking Districts - Montgomery Hills - Use of Funds, sponsored by Councilmembers Perez and Praisner (Faden)
Public Hearing is scheduled for 4/27/04 at 1:30 pm.

C. Call of Bills for Final Reading

Defer: (5)

- **Bill 29-03**, Forest Conservation - Equestrian facilities (Faden/Wilson)