



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)

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*This meeting will be televised live on Channel 6;  
repeated on 5/14/04 at 8 pm and 5/15/04 at 9 am*

**Tuesday, May 11, 2004**

9:15 **MOMENT OF SILENCE**

9:20 **PRESENTATION** - Proclamation honoring Mary D. P. Wagner, recipient of the Agnes Meyer Outstanding Teacher Award for 2004 by Councilmember Floreen

9:25 **PRESENTATION** - Proclamation in recognition of Sterling Cleaners Workers and UNITE by Councilmember Perez

9:30 **GENERAL BUSINESS**

**A. Announcements**

- Agenda and Calendar Changes (Lauer)
- The Report and Recommendations of the Charter Review Commission will be presented to the Council on June 15, 2004. The Council will conduct a public hearing on these recommendations and other proposed Charter Amendments on June 29 at 7:30 pm.

B. **Action** - Approval of Minutes: April 20, 2004 (Edgar)

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

(2) 9:35 **CONSENT CALENDAR**

A. **Introduction** - Resolution to approve WSSC System Development Charge (Levchenko)

B. **Action** - Resolution to approve waiver for extended absence of Board of Appeals Member (Ferber)

C. **Action** - Resolution to endorse the Environmental Issues and Actions Report (Levchenko)

D. **Action** - Supplemental appropriation to the County Government's FY04 Operating Budget - \$852,580 for FFY2003 State Homeland Security Grant Program - multi-departmental grant for Phase II Equipment Grant (Source: Federal funds) (Davidson)  
*PS Committee recommends approval.*



(2) 9:35 **CONSENT CALENDAR** *(continued)*

- E. **Action** - Resolution to establish Local Management Board (Planell)
- F. **Action** - Resolution to provide Policy Guidance for Pre-Employment Background Check Practices of County, Bi-County, and County-Funded State Agencies (Howard)
- G. **Action** - Confirmation of County Executive appointments to the Facilities Implementation Group: Remy Esquenet, Richard N. Wright, Roger Gentry, Eric Cronquist, Florence Phillips (Ferber)
- H. **Action** - Confirmation of County Executive appointments to the Western Montgomery County Citizens Advisory Board: Renee Kotz, Peter Gubser, Ginger Huang Dietrich, Larry A. Gordon, Sue F. Knapp, David M. Smith (Ferber)
- I. **Introduction/Suspension of Rules/Action** - Resolution acknowledging election returns from Village of Drummond (Edgar)  
*Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.*
- J. **Introduction** - Supplemental appropriation to the MCPS' FY04 Operating Budget - \$4,200,000 for Provision for Future Supported Projects (Source: Federal/State Grants) (Planell)  
*Public Hearing is scheduled for 6/15/04 at 1:30 p.m.*
- K. **Action** - Resolution to amend the FY04 Designation of Entities for Non-Competitive Award Status: Silver Spring Community Vision, Inc. (McGuire)

9:45 **LEGISLATIVE SESSION Day # 12**

- A. Approval of Legislative Journal (Edgar)
- B. Introduction of Bills
  - (3) • **Bill 14-04**, Taxicabs - Amendments, sponsored by the Council President at the request of the County Executive (Faden)  
*Public Hearing is scheduled for 6/17/04 at 7:30 pm.*
- C. Call of Bills for Final Reading
  - (4) • **Bill 29-03**, Forest Conservation - Equestrian facilities (Faden)  
*PHED Committee recommends approval with amendments.*
  - (4.5) • **Expedited Bill 9-04**, Parking Districts - Montgomery Hills - Use of Funds (Orlin/Faden)  
*T&E Committee recommends approval with amendments.*

10:15 **WORKSESSION - FY05 Operating Budget**

- Department of Public Works and Transportation T&E
- (5) - Fleet Management and Motor Pool Fund Contribution NDA (Healy)
- (6) - Solid Waste Services, including FY05 Solid Waste Service Charges (Trombka)
- (7) - NDA Leases (Sherer)
- (8) - Selected General Fund programs (Sherer)
  
- (9) - General Fund (Orlin)
- (10) - NDA Homeowners Association Road Maintenance Reimbursement (Orlin)

12:30 **RECESS**

1:30 **PUBLIC HEARING on the following:**

- (11) • **Bill 10-04**, Special Capital Improvements Project - Seven Locks Technical Center Phase II (Orlin)
- (12) • **Bill 11-04**, Special Capital Improvements Project - Nebel Street Extended (Orlin)
- (13) • **Bill 12-04**, Special Capital Improvements Project - Transfer Station and Related Ancillary Facilities (Orlin)
- (14) • **Bill 13-04**, Special Capital Improvements Project - Father Hurley Boulevard Extended (Orlin)  
*Action is tentatively scheduled for 5/27/04.*

1:45 **WORKSESSION - FY05 Operating Budget**

- (15) • Department of Public Works and Transportation T&E (Orlin)
  - Mass Transit Fund
  - Parking Lot Districts
- (16) • **CIP**: Parking Lot Districts (Orlin)
- (17) • **CIP**: Budget Adjustments - Transportation (Orlin)

3:30 **ADJOURN**

3:35 **MEETING** regarding Bi-County Budgets (*or immediately following Council session*) (Farber)  
(*6th floor Council Conference Room*)

7:30 **PUBLIC HEARING on the following:**

- (18) - Constant Yield Tax Rate (CYTR) (Sherer)
- (19) - Resolution to establish FY05 Solid Waste Service Charges (Trombka)
- (20) - Resolution to establish FY05 Water Quality Protection Charge (Levchenko)
- (21) - Resolution to amend the Admissions and Amusement tax rate (Healy)
- (22) - **Bill 8-04**, Admissions and Amusement Tax - Amendments (Healy)
- (23) - Resolution to change energy tax rates conditioned on reducing property tax rates (Faden)

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation at a later date:**

**Board of Investment Trustees:** Gino Renne

**Committee for Ethnic Affairs:** Soonhoon L. Ahn, Dolores Beasley, Arista Z. Brooks, Homa B. Chetry, Salvatore De Leva, Siham S. Eldadah, Shou-shan Fan, B. Alexis Kohn, Adam Liu, Preston Rico, Amrit Kaur Singh, Terry Vann

**East County Citizens Advisory Board:** Ryan Erenhouse, Stephen I. Jacobs, David C. Kelly, Allan K. Manuel, Ann W. Williams, Robert Gooding, Barbara Medina

**Glen Echo Park Partnership for Arts and Culture, Inc. Board of Directors:** Elise Pinkow Arena, Ben Bialek

**Mid-County Recreation Advisory Board:** Matthew B. Hoffman, Craig J. Zucker

### FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

**May 18, 2004**

1:30 pm CIP: Fairland Golf Course Project

**June 15, 2004**

1:30 pm Resolution to approve Board of Health Regulation requiring defibrillators in fitness centers

1:30 pm Supplemental appropriation to the MCPS' FY04 Operating Budget - \$4,200,000 for Provision for Future Supported Projects (Source: Federal/State Grants)

7:30 pm **Bill 7-04**, Off-the-Road Motorcycles - Registration and Operation

**June 17, 2004**

7:30 pm **Bill 14-04**, Taxicabs - Amendments

**June 29, 2004**

7:30 pm Proposed Charter Amendments and recommendations of Charter Review Commission

### NOTICE:

*The next regular Council Session is scheduled for June 15, 2004. The agenda and committee schedule will be mailed on June 10, 2004. Please visit the Council's website or contact our office to obtain information about the Council budget worksessions that will be held May 10 - May 27, 2004.*



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.

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### ADDENDUM #2

Tuesday, May 11, 2004

1:45      **LEGISLATIVE SESSION Day # 12** *(continued)*

B. Introduction of Bills

Add: (14.5)

- **Expedited Bill 15-04**, Property Tax - Credits, sponsored by Council President Silverman

*Public Hearing is scheduled for 6/15/04 at 1:30 pm.*