



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 9/17/04 at 8 pm and 9/18/04 at 9 am*

**Tuesday, September 14, 2004**

10:00 **INVOCATION** - Reverend Jan P. Lookingbill, Emmanuel Lutheran Church, Bethesda

10:05 **PRESENTATION** - Proclamation in recognition of the Chesapeake Climate Action Network's presentation of the documentary "We Are All Smith Islanders" by Councilmember Leventhal

10:10 **PRESENTATION**- Proclamation in recognition of William H. Hudnut, III, Mayor of Chevy Chase, for his many years of community service by Councilmember Denis

10:15 **PRESENTATION**- Proclamation in recognition of Constitution Week, September 17-23, 2004 by Councilmember Knapp

10:20 **GENERAL BUSINESS**

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

B. **Action** - Approval of Minutes: July 13 and 20, 2004 (Edgar)

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

(2) 10:25 **CONSENT CALENDAR**

A. **Introduction** - Resolution to set transportation fees, charges, and fares (Orlin)  
*Public Hearing/Action is scheduled for 9/28/04 at 1:30 pm.*

B. **Introduction** - Resolution to establish County policy regarding personnel costs in capital budget, sponsored by Management and Fiscal Policy Committee (Orlin)

C. **Introduction** - Resolution to establish the Interagency Telework Initiative, sponsored by the Management and Fiscal Policy Committee (Davidson)

D. **Introduction** - Supplemental appropriation to the County Government's FY05 Operating Budget, DHCA, Montgomery Housing Initiative Fund - \$3,727,660 for Seneca Heights Apartment project (Source: State grant) (Trombka)  
*Public Hearing/Action is scheduled for 9/28/04 at 1:30 pm.*

E. **Introduction** - Supplemental appropriation to the County Government's FY05 Capital Budget, Department of Health and Human Services - \$408,000 for School Based Health Centers (Source: G.O. Bonds) (McGuire)  
*Public Hearing is scheduled for 9/28/04 at 1:30 pm.*



(2) 10:25 **CONSENT CALENDAR** *(continued)*

F. **Introduction** - Supplemental appropriation to the Montgomery College's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program - \$2,650,000 for Takoma Park King Street Art Center (Source: Montgomery College Major Facilities Reserve Fund) (Sherer)  
*Public Hearing is scheduled for 10/5/04 at 1:30 pm.*

G. **Introduction** - Special appropriation to the County Government's FY05 Operating Budget - \$11,180 for Independent Audit Non-Departmental Account (Source: General Fund Reserves) (Howard)  
*Public Hearing/Action is scheduled for 9/21/04 at 1:30 pm.*

H. **Introduction** - Amendment to WSSC's FY05-10 Capital Improvements Program, Blue Plains WWTP: Liquid Train Projects, Part II - \$14.2 million for costs related to the McGaughan Company claim (Levchenko)  
*Public Hearing is scheduled for 10/5/04 at 1:30 pm.*

I. **Action** - Resolution to approve Economic Development Revenue Bonds for Sandy Spring Friends School (Sherer)

J. **Introduction** - Supplemental appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$4,270,560 for EMS Transport Fee & Apparatus Management Plan (Source: EMS Transport Fees)(Davidson)  
*Public Hearing is scheduled for 10/19/04 at 7:00 pm.*

(3) 10:30 **PRESENTATION** - Report of Committee Evaluation Review Board (CERB) (Ferber)  
*MFP Committee worksession tentatively scheduled for 9/20/04.*

10:50 **DISTRICT COUNCIL SESSION**

(4) A. **Introduction** - Zoning Text Amendment 04-19, Large Retail Stores, sponsored by Council President Silverman (Wilson)  
*Action - Resolution to establish public hearing for 10/19/04 at 7:00 pm.*

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

**Application No:** G-818

**Applicant:** Sarah G. Mirtaghavi (Anne C. Martin, Attorney)

**Action:** Rezone from R-90 to RT-12.5 (Opt)

**Property:** 0.54 acres of land known as Parcel P977, located at 12129 Georgia Avenue, Silver Spring

<b>Recommendations:</b>	Planning Staff:	Approve
	Planning Board:	Approve
	Hearing Examiner:	Approve

11:00 **LEGISLATIVE SESSION Day # 26**

- A. Approval of Legislative Journal - June 15, July 13 and 20, 2004 (Edgar)
- B. Introduction of Bills
- (6) • **Bill 30-04**, Homestead Property Tax Credit - 2005 Tax Year (Healy)  
*Public Hearing is scheduled for 10/5/04 at 1:30 pm.*
- (7) • **Bill 31-04**, Streets and Roads - Snow Removal - Amendments, sponsored by Councilmembers Leventhal and Knapp (Healy)  
*Public Hearing is scheduled for 10/12/04 at 1:30 pm.*
- (7.1) • **Bill 32-04**, Fire and Rescue Service - Emergency Medical Services Transport Fee, sponsored by the Council President at the request of the County Executive (Healy)  
*Public Hearing is scheduled for 10/19/04 at 7:00 pm.*
- (7.2) • **Bill 33-04**, Homeland Security - Reorganization, sponsored by the Council President at the request of the County Executive (Healy)  
*Public Hearing is scheduled for 10/5/04 at 1:30 pm.*
- (8) 11:10 **RECEIPT AND RELEASE** - Office of Legislative Oversight Report #2004-7, Limited English Proficient Persons: Access to County Government Services (Brown)  
*PS/HHS Committee worksession tentatively scheduled for 9/21/04; MFP Committee worksession tentatively scheduled for 10/7/04.*
- 12:15 **RECESS**
- (9) 1:30 **PUBLIC HEARING - Bill 22-04**, Health - Fitness Centers - Defibrillators (Faden)  
*HHS Committee worksession tentatively scheduled for 10/4/04.*
- (10) 1:30 **PUBLIC HEARING - Bill 23-04**, Contracts and Procurement - Local Small Business Reserve Program (Healy)  
*MFP Committee worksession tentatively scheduled for 10/11/04.*
- (11) 1:30 **PUBLIC HEARING - Bill 26-04**, Vendors - Amendments (Faden)  
*PS Committee worksession tentatively scheduled for 10/4/04.*
- (12) 1:30 **PUBLIC HEARING - Bill 28-04**, Weapons - Technical Amendments (Healy)  
*PS Committee worksession tentatively scheduled for 9/20/04.*
- (13) 1:30 **PUBLIC HEARING - Bill 29-04**, Sewers, Sewage Disposal and Drainage - Water and Sewer Category Changes - Procedures and Fees (Healy)  
*T&E Committee worksession tentatively scheduled for 9/23/04.*
- (14) 1:30 **PUBLIC HEARING - Zoning Text Amendment 04-15**, Historic District Preservation - PD Zone waivers (Wilson)  
*PHED Committee worksession tentatively scheduled for 9/20/04.*
- (15) 1:30 **PUBLIC HEARING - Zoning Text Amendment 04-16**, Local Map Amendment Traffic Test - Metro Station Policy Area (Wilson)  
*PHED Committee worksession tentatively scheduled for 9/20/04.*

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- (16) 1:30 **PUBLIC HEARING/ACTION** - Resolution to change Office of Zoning and Administrative Hearings' Local Map Amendment Fee Schedule (Wilson)
- (17) 1:30 **PUBLIC HEARING/ACTION** - Resolution to change Board of Appeals' Special Exception Filing Fees (Wilson)
- (18) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the MNCPPC's FY05 Capital Budget - \$691,000 for Rock Creek Trail Pedestrian Bridge (Source: General Obligation Bonds) (Michaelson)
- 3:30 **ADJOURN**
- 3:30 **HHS/MFP Committee** (*7th floor Council Hearing Room*)
- (19) 7:30 **PUBLIC HEARINGS on the following items relating to the Upper Rock Creek Master Plan:** (Michaelson)
- Upper Rock Creek Sectional Map Amendment (G-827)
  - ZTA 04-17, Rural Neighborhood Cluster Zone - Open Space Requirements
  - ZTA 04-18, Environmental Overlay Zone - Upper Rock Creek Special Protection area  
*PHED Committee worksession tentatively scheduled for 9/27/04.*

#### COUNCIL MEETINGS

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

Sep 21, 2004	8:30 am	Meeting with HOC
Sep 21, 2004	9:30 am	Meeting with MACo
Sep 21, 2004	10:15 am	Regular Session
Sep 28, 2004	9:00 am	Meeting with Board of Appeals
Sep 28, 2004	10:15 am	Regular Session
Sep 29, 2004	7:30 pm	Town Hall Meeting - Kensington Library
Oct 5, 2004	9:15 am	Regular Session
Oct 12, 2004	9:15 am	Regular Session
Oct 19, 2004	8:30 am	Meeting with Board of Education
Oct 19, 2004	9:15 am	Regular Session
Oct 26, 2004	8:30 am	State Legislation
Oct 26, 2004	9:15 am	Regular Session

**FUTURE PUBLIC HEARINGS**

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

**September 14, 2004**

- 1:30 pm **Bill 22-04**, Health - Fitness Centers - Defibrillators
- 1:30 pm **Bill 23-04**, Contracts and Procurement - Local Small Business Reserve Program
- 1:30 pm **Bill 26-04**, Vendors - Amendments
- 1:30 pm **Bill 28-04**, Weapons - Technical Amendments
- 1:30 pm **Bill 29-04**, Sewers, Sewage Disposal and Drainage - Water and Sewer Category Changes - Procedures and Fees
- 1:30 pm ZTA 04-15, Historic District Preservation - PD Zone waivers
- 1:30 pm ZTA 04-16, Local Map Amendment Traffic Test - Metro Station Policy Area
- 1:30 pm Resolution to change Office of Zoning and Administrative Hearings' Local Map Amendment Fee Schedule
- 1:30 pm Resolution to change Board of Appeals' Special Exception Filing Fees
- 1:30 pm Special appropriation to the MNCPPC's FY05 Capital Budget - \$691,000 for Rock Creek Trail Pedestrian Bridge
- 7:30 pm Upper Rock Creek Sectional Map Amendment (G-827)
- 7:30 pm ZTA 04-17, Rural Neighborhood Cluster Zone - Open Space Requirements
- 7:30 pm ZTA 04-18, Environmental Overlay Zone - Upper Rock Creek Special Protection area

**September 21, 2004**

- 1:30 pm Special appropriation to the County Government's FY 05 Operating Budget - \$11,180 for Independent Audit NDA
- 7:30 pm Olney Master Plan

**September 23, 2004**

- 7:30 pm Revisions to MPDU Program

**September 28, 2004**

- 1:30 pm Supplemental appropriation to the County Government's FY05 Operating Budget, DHCA, Montgomery Housing Initiative Fund - \$3,727,660 for Seneca Heights Apartment project
- 1:30 pm Supplemental appropriation to the County Government's FY05 Capital Budget, DHHS - \$408,000 for School Based Health Centers
- 1:30 pm Resolution to set transportation fees, charges, and fares
- 7:30 pm Master Plan of Bikeways

**September 30, 2004**

- 7:30 pm ZTA 04-10, Accessory Apartments - Revisions
- 7:30 pm **Bill 20-04**, Landlord-Tenant Relations - Accessory Apartments

**October 5, 2004**

- 7:30 pm Resolution to amend the Ten-Year Comprehensive Solid Waste Management Plan



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### ADDENDUM

Tuesday, September 14, 2004

(2) 10:25 CONSENT CALENDAR

**Add:**

K. **Action** - Resolution to amend the FY05 Designation of Entities for Non-Competitive Award Status: Interages Inc., Community Services for Autistic Adults and Children (CSAAC), and The George B. Thomas Learning Academy, Inc. (McGuire)