



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 10/8/04 at 8 pm and 10/9/04 at 9 am

Tuesday, October 5, 2004

9:30 **T&E Committee** (7th floor Council Hearing Room)

1:00 **INVOCATION** - Reverend Charlene B. Zellmer, Cedar Lane Unitarian Universalist Church, Bethesda

1:05 **PRESENTATION** - Proclamation in recognition of Juliette Rizzo "Ms. Wheelchair America 2005" by Councilmember Andrews

1:10 **GENERAL BUSINESS**

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

B. **Action** - Approval of Minutes: September 23, 2004 (Edgar)

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

(2) 1:15 **CONSENT CALENDAR**

A. **Introduction** - Resolution to establish FY06 Spending Control Limits for the Washington Suburban Sanitary Commission (Levchenko)
T&E worksession is scheduled for 10/7/04; Public hearing/Action is scheduled for 10/12/04 at 1:30 pm.

B. **Introduction** - Resolution to support project in Wheaton for the State of Maryland's Neighborhood Business Development Loan Program (Trombka)
Action is scheduled for 10/12/04.

C. **Action** - Extension of time until December 14, 2004 for Council action on Executive Regulation 33-03, Fuel Energy Tax for Agricultural Producers (Sherer)

D. **Action** - Appointment of Council representative to Nominating Committee for the Board of Trustees of Montgomery College: Marlana Valdez (Ferber)



- (2) 1:15 **CONSENT CALENDAR** *(continued)*
- E. **Introduction** - Resolutions to transfer \$264,000 project balance within the MCPS' FY05 Capital Budget and FY05-10 Capital Improvements Programs: (Levchenko)
- from Germantown Elementary School Addition to the MCPS Local Unliquidated Surplus Account;
 - from MCPS Local Unliquidated Surplus Account to Forest Knolls Elementary School Addition
- F. **Introduction** - Resolution to approve a Certain Finance Plan of the Washington Suburban Sanitary Commission for the Issuance of Refunding Bonds (Levchenko)
- G **Action** - Confirmation of County Executive appointments to the Mid-County Citizens Advisory Board: Walter S. Booth, Alexandra Tsiros, L. Blaine Charak, James C. Wallace, Patricia Lee, Alec J. Stone, Tuva K. Welp (Ferber)
- (3) 1:20 **ACTION** - Appointment of member to the Board of Appeals; appointment of Board Chair (Ferber)
- 1:25 **LEGISLATIVE SESSION Day # 29**
- A. Approval of Legislative Journal - September 21, 2004 (Edgar)
- B. Introduction of Bills
- (4) • **Bill 34-04**, Ethics - Lobbying Disclosure - Amendments, sponsored by Councilmembers Praisner and Andrews (Healy)
Public Hearing is scheduled for 10/26/04 at 1:30 pm.
- (5) 1:30 **PUBLIC HEARING** - 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)
ED Committee worksession tentatively scheduled for 10/7/04.
- (6) 1:30 **PUBLIC HEARING** - Special appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$760,000 for Apparatus Maintenance Improvements (Source: Fire Tax District Fund Balance) (Davidson)
- (7) 1:30 **PUBLIC HEARING** - 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)
T&E Committee worksession tentatively scheduled for 10/7/04.
- (8) 1:30 **PUBLIC HEARING - Bill 30-04**, Homestead Property Tax Credit - 2005 Tax Year (Healy)
MFP Committee worksession tentatively scheduled for 10/11/04.
- (9) 1:30 **PUBLIC HEARING - Bill 33-04**, Homeland Security - Reorganization (Healy)
HSC/PS Committee worksession tentatively scheduled for 10/19/04.
- (10) 2:15 **BIANNUAL REPORT** of the Montgomery County Planning Board (Michaelson)

3:15 **DISTRICT COUNCIL SESSION**

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

Application No: G-817

Applicant: Noyes Lane, LLC (C. Robert Dalrymple and Anne C. Martin, Attorneys)

Action: Rezone from R-60 to RT-12.5

Property: 2.7 acres west side of Georgia Ave, north and south of Noyes Drive, Silver Spring

Recommendations: Planning Staff: Approve

Planning Board: Approve

Hearing Examiner: Approve

(11.5) 3:35 **ACTION** - Executive Regulations 34-03AMII, Towing Rules and Regulations (McMillan)
PS Committee recommends approval as amended.

(12) 4:00 **ACTION** - State Transportation Priorities Lists (Orlin)
T&E Committee recommends approval.

4:25 **ADJOURN**

(13) 4:30 **INTERVIEWS** - County Executive's appointees for Chief, Fire and Rescue Service, and Director, Department of Public Works and Transportation (*6th floor Council Conference Room*) (Ferber)

(14) 7:30 **PUBLIC HEARING** - Resolution to amend the Ten-Year Comprehensive Solid Waste Management Plan (Trombka)
NOTICE: This public hearing has been continued to 10/12/04 at 1:30 pm. All speakers will be heard at that time.

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on October 12, 2004:

Alcoholic Beverages Advisory Board: Eric J. Ellman, David Friedman

Board of Social Services: Margarita Correa, Tonia Bair, Carolyn Branson, Ralph W. Cole, Susan Golonka, Carol Hendler, Maurice M. Shihadi, G. Bruce Vanderver, M.D.

Interagency Coordinating Board for Community Use of Public Facilities: Riley M. Chung

Workforce Investment Board: Lester Coffey, Louis S. Jacobson, Kazem Kazempour, Nhora Barrera Murphy, Michael T. Flynn, Carmen Ortiz Larsen, Sheryl Brissett-Chapman, Karen J. Lee, Shelley Johnson, David Edgerley, David Scott Minton, Sharon Julius, Patrick Baker

COUNCIL MEETINGS

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

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
Nov 9, 2004	9:15 am	Regular Session
Nov 16, 2004	9:15 am	Regular Session
Nov 23, 2004	9:15 am	Regular Session
Nov 30, 2004	9:15 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

October 12, 2004

1:30 pm Supplemental appropriation to the County Government's FY05 Operating Budget, Department of Housing and Community Affairs -\$350,000 for Maryland Community Legacy Grant
1:30 pm Resolution to amend the Ten-Year Comprehensive Solid Waste Management Plan
1:30 pm **Bill 31-04**, Streets and Roads - Snow Removal - Amendments

October 19, 2004

7:00 pm 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
7:00 pm **Bill 32-04**, Fire and Rescue Service - Emergency Medical Services Transport Fee
7:00 pm ZTA 04-19, Large Retail Stores

November 4, 2004

6:30 pm Shady Grove Sector Plan

November 9, 2004

1:30 pm ZTA 04-20, Building Height Standards - revisions under certain circumstances - C-2 Zone



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ADDENDUM

Tuesday, October 5, 2004

(2) 1:15 **CONSENT CALENDAR**

Add: H. **Action** - Resolution to establish a countywide prescription drug discount card program (Farber)
HHS/MFP Committee recommends approval with amendments.

Defer: (11.5) 3:35 **ACTION** - Executive Regulations 34-03AMII, Towing Rules and Regulations(McMillan)
PS Committee recommends approval as amended.

Add: 4:30 **PROPOSED CLOSED SESSION** to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, pursuant to Maryland Code, State Government Article, §10-508 (a)(4). Topic is business relocation. (6th Floor Council Conference Room) (Ferber/Faden)