



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 11/12/04 at 8 pm and 11/13/04 at 9 am*

**Tuesday, November 9, 2004**

9:15 **INVOCATION** - Reverend Lon Dring, Jr., Retired Executive Director Community Ministry of Montgomery County

9:20 **PRESENTATION** - Proclamation in recognition of Reverend Peter Long's work with Mobile Medical and the Montgomery County community by Councilmember Leventhal

9:25 **GENERAL BUSINESS**

- (1) A. **Announcement** - Agenda and Calendar Changes (Lauer)  
B. **Action** - Approval of Minutes: October 19, 2004 (Edgar)  
C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:30 **CONSENT CALENDAR**

- A. **Introduction** - Franchise Agreement for Use of Public Right of Way: Jewish Federation of Greater Washington, Inc. (Healy)  
*Public Hearing is scheduled for 11/30/04 at 1:30 pm.*
- B. **Action** - Report and recommendations of the MFP and PS/HHS Committees on Office of Legislative Oversight Report #2004-7, Limited English Proficient Persons: Access to County Government Services (Brown)
- C. **Action** - Confirmation of County Executive appointments to the Bethesda Urban Partnership, Inc. Board of Directors: Michael S. Magruder, Elliot Schnitzer, Carol Trawick, Renee Kotz (Ferber)
- D. **Action** - Confirmation of County Executive appointments to the Commission on Juvenile Justice: Steven Mandel, Carol Weiss, Lt. Harold Allen, Loretta Shapero (Ferber)

(2) 9:30 **CONSENT CALENDAR** *(continued)*

E. **Action** - Confirmation of County Executive appointments to the Commission on People with Disabilities: Michael W. Briese, Roberta S. Carlin, Nelson Jackson, Russell J. Holt, Aileen R. O'Hare, Hillary Vaughan, Alan P. Laskin, Beryl Neurman, Joan B. Riley, Philip G. Smakula, Francie Gilman (Ferber)

F. **Introduction** - Supplemental appropriation to the County Government's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program, Department of Correction and Rehabilitation - \$4,993,000 for Montgomery County Detention Center (MCDC) Reuse (Source: G. O. Bonds and State aid) (McMillan)  
*Public Hearing is scheduled for 11/30/04 at 1:30 pm.*

G. **Introduction** - Special appropriation to the County Government's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program, DPWT - \$4,678,000 for Parking Facility Garage 49 Structural Restoration (Source: Bethesda Parking Lot District Current Revenues) (Orlin)  
*Public Hearing is scheduled for 11/30/04 at 1:30 pm.*

(3) 9:35 **BRIEFING** - by Chief Administrative Officer Bruce Romer on the Executive Branch's Limited English Proficient (LEP) Policy and Implementation Plan (Orlansky)

10:15 **LEGISLATIVE SESSION Day #33**

A. Approval of Legislative Journal - October 19, 2004 (Edgar)

B. Introduction of Bills

(4) • **Bill 37-04**, Animal Control - Revisions, sponsored by the Council President at the request of the County Executive (Healy)  
*Public Hearing is scheduled for 11/30/04 at 1:30 pm.*

(4.5) • **Bill 38-04**, Contracts and Procurement - Transferable Development Rights, sponsored by Councilmembers Subin and Floreen (Healy)  
*Public Hearing will be scheduled at a later date.*

C. Call of Bills for Final Reading

(5) • **Bill 26-04**, Vendors - Amendments (Faden)  
*PS Committee recommends approval with amendments.*

(6) 10:30 **ACTION** - Executive Regulations 34-03AMII, Towing Rules and Regulations (McMillan)  
*PS Committee recommends approval as amended.*

10:45 **DISTRICT COUNCIL SESSION**

- (7) **A. Action on the following:** (Wilson)
- Zoning Text Amendment 04-19, Large Retail Stores  
*PHED Committee has no recommendation.*
  - Zoning Text Amendment 04-04, Combination Retail Stores - Zoning Regulations  
*PHED Committee recommends disapproval.*

12:15 **RECESS**

- (8) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 04-20, Building Height Standards - revisions under certain circumstances - C-2 Zone (Wilson)  
*PHED Committee worksession tentatively scheduled for 11/15/04.*

2:00 **WORKSESSION** on the following:

- (9) • **Bill 14-04**, Taxicabs - Amendments (Faden)
- (10) • Special appropriation FY05 Operating Budget - DPWT - \$261,780 for Taxi Initiative (Orlin)

- (11) 4:30 **DISCUSSION** - State Legislative Program (*6th floor Council Conference Room*) (Wenger)

5:30 **ADJOURN**

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on November 16, 2004:**

Pedestrian Safety Advisory Committee: William Arnold, Donald A. Barclay, William A. Bronrott, Linda Sobel Katz, Susan W. Morris, Arthur Holmes, Jr., Chief J. Thomas Manger, Lawrence Cole, Deborah Snead, George Branyan

**The following appointment was received from the County Executive and is tentatively scheduled for interview on 11/16/04 with confirmation at a later date:**

Director, Department of Homeland Security: Gordon A Aoyagi

### FUTURE COUNCIL MEETINGS

County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.

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

Nov 16, 2004	9:00 am	Interview - Director, Dept. of Homeland Security
Nov 16, 2004	9:30 am	Regular Session
Nov 17, 2004	7:30 pm	Town Hall Meeting at Argyle M.S.
Nov 23, 2004	8:30 am	State Legislation
Nov 23, 2004	9:15 am	Regular Session
Nov 30, 2004	8:30 am	State Legislation
Nov 30, 2004	9:15 am	Regular Session
Dec 7, 2004	8:30 am	State Legislation
Dec 7, 2004	9:15 am	Regular Session
Dec 14, 2004	9:15 am	Regular Session

### FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

#### November 16, 2004

- 1:30 pm Amendment to the MCPS' FY05-10 Capital Improvements Program and transfers within the MCPS' FY05 Capital Budget:
- \$4,425,000 from the following projects: Baker Middle School Addition, Damascus HS Corridor Circulation Improvements, Clarksburg Area Middle School, and Quince Orchard Middle School #2 to the MCPS Local Unliquidated Surplus Account; and
  - \$4,627,000 from MCPS Local Unliquidated Surplus Account to Clarksburg Area High School project
- 1:30 pm **Bill 35-04**, Personnel - Retirement - Deferred Compensation, Board of Investment Trustees
- 7:30 pm Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes

#### November 23, 2004

- 1:30 pm ZTA 04-21, Country Inn Zone - Remedial map amendment process
- 1:30 pm ZTA 04-22, South Silver Spring Overlay Zone - Building Height
- 1:30 pm ZTA 04-23, Private Educational Institution - I-1 Zone
- 1:30 pm ZTA 04-24, U.S.29/Cherry Hill Road Employment Overlay Zone

#### November 30, 2004

- 1:30 pm ZTA 04-25, Camp retreat - Rural Cluster Zone
- 1:30 pm Supplemental appropriation to the County Government's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program, DOCR - \$4,993,000 for Montgomery County Detention Center (MCDC) Reuse
- 1:30 pm Special appropriation to the County Government's FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program, DPWT - \$4,678,000 for Parking Facility Garage 49 Structural Restoration

#### December 7, 2004

- 1:30 pm **Bill 36-04**, Commission on Human Rights - Discrimination in Housing - Amendments



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### ADDENDUM

Tuesday, November 9, 2004

(2) 9:30 **CONSENT CALENDAR**

**Add:** H. **Action** - Resolution to support Emergency Health Care for Up County residents (Fuhrmann)

**Defer:** (3) 9:35 **BRIEFING** - by Chief Administrative Officer Bruce Romer on the Executive Branch's Limited English Proficient (LEP) Policy and Implementation Plan (Orlansky)

10:15 **LEGISLATIVE SESSION Day #33**

**Defer:**(4.5) B. Introduction of Bills  
• **Bill 38-04, Agricultural Land Preservation - Public Sale of Development Rights**, sponsored by Councilmember Subin (Healy)  
*Public Hearing will be scheduled at a later date.*

**Defer:** (5) C. Call of Bills for Final Reading  
• **Bill 26-04, Vendors - Amendments** (Faden)

10:45 **DISTRICT COUNCIL SESSION**

**Add:** (6.5) **Action** - Resolution to extend time for Issuance of Hearing Examiner's Report and Recommendation on Local Map Amendment G-819 (Wilson)

**Defer:** 2:00 **WORKSESSION** on the following:  
(9) • **Bill 14-04, Taxicabs - Amendments** (Faden)  
(10) • **Special appropriation FY05 Operating Budget - DPWT - \$261,780 for Taxi Initiative** (Orlin)