

Montgomery County, Maryland

# COUNTY COUNCIL AGENDA

Council Hearing Room, 100 Maryland Avenue, Rockville, Maryland 20850

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[www.montgomerycountymd.gov/council](http://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 or visit our website to obtain updates.*

## Tuesday, May 1, 2012

9:30 **INVOCATION** - Reverend Ron Foster, Bethesda United Methodist Church, Bethesda

9:35 **PRESENTATION** - Proclamation recognizing Physical Fitness Day at Flower Valley Elementary School, by Councilmember Andrews

9:40 **PRESENTATION** - Proclamation recognizing Rabbi Mark Raphael 10 years of service at Kehilat Shalom, by Councilmember Leventhal

9:45 **PRESENTATION** - Proclamation recognizing Building Safety Month, by Council President Berliner

(1) 9:50 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes

B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: April 17 and 19, 2012

- Approval of Closed Session Minutes: April 19, 2012

(2) 9:55 **CONSENT CALENDAR**

A. **Introduction** - Resolution to authorize grant application request for Annual Transportation Plan and other transit grants (Orlin)  
*Action is tentatively scheduled for 5/15/12.*

B. **Introduction** - Resolution to approve WSSC System Development Charge (Levchenko)  
*Action is tentatively scheduled for 5/15/12.*

C. **Introduction** - Resolution to indicate Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Fraternal Order of Police, Lodge 35 (Drummer)  
*Action is tentatively scheduled for 5/14/12.*

(2) 9:55 **CONSENT CALENDAR** *(continued)*

D. **Introduction** - Resolution to indicate Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Montgomery County Career Fire Fighters Association of the International Association of Fire Fighters, Local 1664, AFL-CIO (Drummer)  
*Action is tentatively scheduled for 5/14/12.*

E. **Introduction** - Resolution to indicate Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Municipal & County Government Employees' Organization, Local 1994 (Drummer)  
*Action is tentatively scheduled for 5/14/12.*

F. **Introduction** - Resolution to indicate Council's intention regarding the actions necessary to implement the second year of the Collective Bargaining Agreement with the Montgomery County Volunteer Fire and Rescue Association (MCVFRA) (Drummer)  
*Action is tentatively scheduled for 5/14/12.*

10:00 **DISTRICT COUNCIL SESSION**

(3) A. **Announcement** - A public hearing has been scheduled for June 12, 2012 at 1:30 p.m. on the Amendment to the Master Plan for Historic Preservation: Upper Patuxent Area Historic Resources (Zyontz)

(4) 10:05 **COUNCIL SITTING AS BOARD OF HEALTH** - *There are no general issues for the Board to address at this time. It is anticipated that the Board will receive an update from the County Health Officer in June.* (McMillan)

10:10 **LEGISLATIVE SESSION Day #13**

**Introduction of Bills:**

(5) A. **Expedited Bill 18-12**, Personnel - Disability Retirement - Eligibility and Benefits - Amendments, sponsored by Council President (Drummer)  
*Public Hearing is scheduled for 5/8/12 at 1:30 pm.*

**Call of Bills for Final Reading:**

(6) A. **Bill 9-12**, Commission on Juvenile Justice - Membership (Mihill)  
*PS Committee recommends enactment.*

(7) B. **Expedited Bill 7-12**, Employees' Retirement System - Automatic Distributions (Drummer)  
*GO Committee recommends enactment.*

(8) C. **Expedited Bill 8-12**, Retirement Savings Plan - Amendments (Drummer)  
*GO Committee recommends enactment.*

10:10 **LEGISLATIVE SESSION Day #13 (continued)**

**Call of Bills for Final Reading (continued):**

- (9) D. **Expedited Bill 11-12**, County Property - Disposition (Faden)  
*GO Committee recommends enactment with amendments.*
- (9.1) 11:00 **INTERVIEW** - County Executive's appointee for Chief Information Officer,  
Department of Technology Services: Harash Segal (3rd floor Council Conference Room) (Lauer)
- (10) 11:30 **PROPOSED CLOSED SESSION** for the purpose of consulting with counsel to obtain  
legal advice, and to consult about pending or potential litigation, pursuant to Maryland  
Code, State Government Article, §10-508 (a) (7) and (8). Topic is Silver Spring Transit  
Center. (3rd floor Council Conference Room) (Faden/Orlin)
- (10.1) 12:15 **PROPOSED CLOSED SESSION** to discuss appointment, employment, assignment,  
promotion, discipline, demotion, compensation, removal, resignation, or performance  
evaluation of appointees, employees, or officials over whom it has jurisdiction, pursuant  
to Maryland Code, State Government Article, §10-508 (a)(1)(i). Topic is interviews for  
Director, Office of Legislative Oversight. (3rd floor Council Conference Room) (Farber)
- 12:45 **ADJOURN**
- 2:00 **GO Committee** (7th floor Council Hearing Room)  
2:00 **PHED Committee** (3rd floor Council Conference Room)
- (11) 7:30 **PUBLIC HEARING** - Intent to consider increasing FY13 General Fund tax rate above  
the Constant Yield Tax Rate (CYTR) (Sesker)
- (12) 7:30 **PUBLIC HEARING** - Resolution to amend Fuel/Energy tax rates (Rubin/Faden)  
*GO/T&E Committee worksession tentatively scheduled for 5/7/12.*

*This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30;  
repeated on 5/4/12 at 9 pm*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on May 8, 2012:**

Board of Investment Trustees: Arjan Berkelaar, Jennifer Barrett

Board of Social Services: Tamara Ince, Carolyn Harris

Cable and Communications Advisory Committee: Kirk Holmes

Commission on Landlord-Tenant Affairs: Dave Goldberg

Commission on People with Disabilities: Charles Butler

County-wide Recreation Advisory Board: Rose Alvarez

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on May 8, 2012 (*continued*):**

Firearm Safety Committee: Guy Wright III, Richard Chiapparoli, Jesse-Thomas Lim, Thomas Perazella

Mental Health Advisory Committee: Amy Sutter, Leslie Hilleary, Lawrence Epp, Paula Puglisi, Sherri Rodriguez

Mid-County Citizens Advisory Board: Luis Bonilla

Sign Review Board: Barbara Berschler

Victim Services Advisory Board: Parker O'Shea, Anita Pinto, Tazeen Ahmad, Sylvia Fisher, Jose Ortiz

Workforce Investment Board: Barbara Ebel

**The following appointment was received from the County Executive and is tentatively scheduled for interview on May 1, 2012 and confirmation at a later date:**

Chief Information Officer, Department of Technology Services: Harash Segal

## NOTICE OF UPCOMING COUNCIL MEETINGS

Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, and on the Council's website at <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FutureMtgs.pdf>

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**Public Participation:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/about/pub.asp>

**Public Hearing List:** <http://www.montgomerycountymd.gov/content/council/pdf/agenda/FuturePHs.pdf>

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**Other:** <http://www.montgomerycountymd.gov/cshtml.asp?url=/content/council/index.asp>

**Future Council Meetings:**

<b>May 7, 2012</b>	10:15 am	Council Budget Worksession
<b>May 8, 2012</b>	9:30 am	Regular Session & Council Budget Worksession
<b>May 9, 2012</b>	1:30 pm	Council Budget Worksession
<b>May 10, 2012</b>	9:30 am	Council Budget Worksession
<b>May 10, 2012</b>	3:00 pm	Meeting w/ Prince George's County Council
<b>May 11, 2012</b>	9:30 am	Council Budget Worksession
<b>May 14, 2012</b>	9:30 am	Council Budget Worksession
<b>May 15, 2012</b>	9:30 am	Regular Session & Council Budget Worksession
<b>May 16, 2012</b>	9:30 am	Council Budget Worksession
<b>May 17, 2012</b>	9:30 am	Council Budget Worksession
<b>May 18, 2012</b>	9:30 am	Council Budget Worksession
<b>May 24, 2012</b>	9:30 am	Final Budget Action

**Public Hearing List: To testify call 240-777-7803**

**May 8, 2012**

7:30 pm **Expedited Bill 17-12**, Fire and Rescue Service - Emergency Medical Services - Reimbursement

**May 15, 2012**

1:30 pm Supplemental appropriation to the MCPS' FY12 Capital Budget and the FY11-16 CIP - \$1,339,200 for Education Rate (E-Rate) Program for the Technology Modernization project

**June 12, 2012**

1:30 pm ZTA 12-08, Transit Station Zones- Minimum Size

7:30 pm **Bill 16-12**, Trees - Utility Vegetation Management

**June 19, 2012**

7:30 pm ZTA 12-07, Special Exceptions - Automobile filling stations



If you need services to participate in any Council activity, please contact us as far in advance as possible: 240-777-7900 (TTY 240-777-7914) Email: [County.Council@montgomerycountymd.gov](mailto:County.Council@montgomerycountymd.gov). This document is available in alternative formats upon request.