

ACTION AGENDA

Tuesday, October 16, 2012

Legislative Day No.28

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

11:30 A.M.

**TRANSPORTATION, HOUSING AND THE ENVIRONMENT COMMITTEE
-- (ROOM 2027) -- COMMITTEE MEETING HELD**

AGENDA BRIEFING -- (ROOM 2027) -- BRIEFING HELD

3:16 P.M.

CALL TO ORDER

INVOCATION: Edwin H. Brown, Jr., County Employee

PLEDGE OF ALLEGIANCE

1. **CONSENT AGENDA**

All items listed under the consent agenda have been distributed to each member of the Council for review, are considered to be routine and will be acted upon by motion in the form listed. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

(a) Approval of County Council Minutes dated June 12, 2012.

(b) **Introduction of Resolutions**

Introduced

CR-76-2012 – A RESOLUTION CONCERNING THE PRINCE GEORGE’S COUNTY HUMAN SERVICES SAFETY NET for the purpose of summarizing the ideas, strategies and recommendations generated by the Health, Education and Human Services (HEHS) Committee of the Prince George’s County Council with respect to its sessions on the subject matter entitled “Strengthening our Human Services Safety Net” and the County Council’s support of this endeavor.

Introduced by Council Members Davis, Franklin, Lehman, Harrison, Patterson and Turner; referral to HEHS

2. **CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

None

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER’S REPORT**

Chair authorized to sign

(a) Proposed joint signature letter to the Washington Suburban Sanitary Commission Commissioners regarding the establishment of a work group to review the proposed 80 foot setback standard.

4. **SECOND READING OF BILLS – (INTRODUCTION)**

Introduced

CB-68-2012 – AN ACT CONCERNING MINORITY BUSINESS DEVELOPMENT DIVISION for the purpose of amending provisions of the County Code to change the name of the Minority Business Development Division of the Office of Central Services to the Supplier Development and Diversity Division.

(Favorably reported out of PSFM on 10/4/2012)

Introduced by Council Members Campos, Davis, Franklin, Lehman, Patterson and Turner

PUBLIC HEARING SCHEDULED NOVEMBER 13, 2012 AT 10:00 A.M.

SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)

Introduced

CB-71-2012 – AN ACT CONCERNING OFFICE OF INFORMATION TECHNOLOGY AND COMMUNICATIONS for the purpose of amending provisions of the County Code to change the name of the Office of Information Technology and Communications to the Office of Information Technology.

(Favorably reported out of PSFM on 10/4/2012)

Introduced by Council Members Davis, Franklin and Lehman

PUBLIC HEARING SCHEDULED NOVEMBER 13, 2012 AT 10:00 A.M.

Introduced

CB-72-2012 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY for the purpose of adding a new class series to the County’s Classification Plan.

(Favorably reported out of PSFM on 10/4/2012)

Introduced by Council Member Davis

PUBLIC HEARING SCHEDULED NOVEMBER 13, 2012 AT 10:00 A.M.

Introduced

CB-74-2012 – AN ACT CONCERNING REVITALIZATION TAX CREDIT DISTRICT for the purpose of designating census tracts that comprise the Revitalization Tax Credit District, to reflect changes in median income as determined by the 2010 Census; providing information regarding the revitalization tax credit; providing for reporting and review of the census tract data; and generally relating to the revitalization tax credit.

(Favorably reported out of PSFM on 10/4/2012)

Introduced by Council Members Olson, Campos, Davis, Franklin, Harrison, Lehman, Patterson and Turner

PUBLIC HEARING SCHEDULED NOVEMBER 13, 2012 AT 10:00 A.M.

Introduced

CB-73-2012 (DR-2) – AN ORDINANCE CONCERNING FARMER’S MARKETS for the purpose of amending regulations concerning Farmer’s Markets.

(Favorably reported out of PZED on 10/3/2012 with amendments)

Introduced by Council Members Harrison, Davis, Franklin, Olson, Patterson, Toles and Turner

PUBLIC HEARING SCHEDULED NOVEMBER 20, 2012 AT 10:00 A.M.

SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)

Introduced

CB-105-2012 – AN ORDINANCE CONCERNING ELEEMOSYNARY OR PHILANTHROPIC INSTITUTIONS for the purpose of allowing eleemosynary or philanthropic institutions in the R-80 Zone under certain circumstances.

Introduced by Council Members Franklin, Turner, Toles, Lehman, Patterson and Turner; referral to PZED

PUBLIC HEARING SCHEDULED NOVEMBER 20, 2012 AT 10:00 A.M.

Introduced

CB-106-2012 – AN ORDINANCE CONCERNING CHECK CASHING BUSINESS for the purpose of amending certain provisions for check cashing businesses.

Introduced by Council Members Patterson, Harrison and Davis; referral to PZED

PUBLIC HEARING SCHEDULED NOVEMBER 20, 2012 AT 10:00 A.M.

Introduced

CB-107-2012 – AN ORDINANCE CONCERNING REPEAL OF CHAPTER 10 2007, LAWS OF PRINCE GEORGE’S COUNTY, MARYLAND for the purpose of repealing the enactment of Chapter 10, 2007 Laws of Prince George’s County, Maryland.

Introduced by Council Members Franklin and Harrison; referral to PZED

PUBLIC HEARING SCHEDULED NOVEMBER 20, 2012 AT 10:00 A.M.

5. **PUBLIC HEARING – RESOLUTIONS ELIGIBLE FOR FINAL READING (ADOPTION)**

Public hearing held; adopted

CR-61-2012 – A RESOLUTION CONCERNING THE APPROVAL OF AN APPLICATION TO PRESERVE PROPERTY PURSUANT TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION PROGRAM for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approve the application of Garner Farms, LLC, to permanently preserve their property.

(Introduced by Council Members Davis, Franklin and Lehman on 9/11/2012; favorably reported out of THE on 9/13/2012)

PUBLIC HEARING – RESOLUTIONS ELIGIBLE FOR FINAL READING (ADOPTION) – (CONTINUED)

Public hearing held; adopted

CR-62-2012 – A RESOLUTION CONCERNING THE APPROVAL OF AN APPLICATION TO PRESERVE PROPERTY PURSUANT TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION PROGRAM for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approve the application of Michael and Linda Mersch and Larry and Patricia Richards to permanently preserve the property.

(Introduced by Council Members Davis, Franklin and Lehman on 9/11/2012; favorably reported out of THE on 9/13/2012)

6. **PUBLIC HEARINGS: - (COUNCIL HEARING ROOM) -- PUBLIC HEARING HELD**

Appointment of the following individual to the Maryland-National Capital Park and Planning Commission (M-NCPPC) for Prince George’s County:

Confirmed

Ms. A. Shuanise Washington Re-Appointment
Term Expiration: 6/15/2016

7. **PUBLIC HEARING – (COUNCIL HEARING ROOM)**

Public hearing held; Council referred item to staff for preparation of approving letter

The County Council of Prince George's County, Maryland, sitting as the District Council, for that part of the Maryland-Washington Regional District Council in Prince George’s County, public hearing on the following annexation petition:

LAUREL ANNEXATION PETITION NO. 154-2012

The City of Laurel has petitioned to annex 39.87± acres of land located on the north side of Van Dusen Road at the intersection of Virginia Manor Road to the municipal boundaries of the City of Laurel. The property is currently zoned M-X-T and R-O-S, is undeveloped, and partially graded in the center portion of the site. Upon annexation, the property will be placed in the City’s M-X-T and P-I Zones.

The purpose of the public hearing to determine, pursuant to Article 23A, Section 9(c), of the Annotated Code of Maryland, whether certain property that has been annexed into the City of Laurel has been placed in a zoning classification which permits a land use substantially different from the use for the land specified in the current Master Plan of the County, and if so, whether the County Council, sitting as the District Council, should exercise its discretion to expressly approve such substantially different zoning classification.

8. **RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)**

Adopted

CR-63-2012 – A RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE TOWN OF RIVERDALE PARK for the purpose of approving the enactment of Ordinance 2012-OR-08, concerning residential storage.

(Introduced by Council Member Olson on 9/18/2012; favorably reported out of PZED on 10/3/2012)

*DR-2
substituted;
adopted*

CR-64-2012 (DR-2) - A RESOLUTION CONCERNING THE APPROVED 2004 PRINCE GEORGE’S GATEWAY ARTS DISTRICT SECTOR PLAN AND SECTIONAL MAP AMENDMENT (SMA) AND DEVELOPMENT DISTRICT OVERLAY ZONE for the purpose of authorizing the Planning Board prepare an amendment to the Approved 2004 Gateway Arts District Sector Plan and Sectional Map Amendment (SMA) and Development District Overlay Zone revising certain development district standards within the Gateway Arts District.

(Introduced by Council Members Campos and Turner on 9/18/2012; favorably reported out of PZED on 10/3/2012 with amendments)

MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO ADOPTION

9. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

*Introduced; rules
suspended;
adopted*

CR-77-2012 – A RESOLUTION CONCERNING MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION – PRINCE GEORGE’S COUNTY MEMBERS – APPOINTMENT AND GEOGRAPHIC BALANCE for the purpose of addressing the geographic distribution and balance of the membership of The Maryland-National Capital Park and Planning Commission and confirming A. Shuanise Washington as a member.

To be introduced by the Chair (by request – County Executive)

Introduced by Council Members Harrison, Davis, Franklin, Toles and Turner

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTINUED)

*Introduced; rules
suspended;
adopted*

CR-78-2012 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT S.J. ROSS ASSOCIATES, INC. for the purpose of Support for a financing application to the Community Development Administration (“CDA”) of the Maryland Department of Housing and Community Development (“MD DHCD”) by S.J. Ross Associates, Inc. to rehabilitate and improve apartment units in Overlook Apartment Complex.

The Chair (by request – County Executive)

Introduced by Council Members Harrison, Davis, Franklin and Patterson

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

*Introduced; rules
suspended;
adopted*

CR-79-2012 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT LANDEX DEVELOPMENT, LLC. for the purpose of Support for a financing application to the Community Development Administration (“CDA”) of the Maryland Department of Housing and Community Development (“MD DHCD”) by Landex Development, LLC to construct 112 new workforce apartments.

The Chair (by request – County Executive)

Introduced by Council Member Harrison

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

*Introduced; rules
suspended;
adopted*

CR-80-2012 - A RESOLUTION CONCERNING SPENDING AFFORDABILITY LIMITS FOR THE WASHINGTON SUBURBAN SANITARY COMMISSION for the purpose of establishing spending control limits on the Fiscal Year 2014 Water and Sewer Operating and Capital Budgets of the Washington Suburban Sanitary Commission (WSSC).

Introduced by Council Member Harrison

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTINUED)

*Introduced; rules
suspended;
adopted*

CR-81-2012 – A RESOLUTION CONCERNING REPEAL OF CHAPTER 10, 2007 LAWS OF PRINCE GEORGE’S COUNTY, MARYLAND for the purpose of repealing the enactment of Chapter 10, 2007 Laws of Prince George’s County.

Introduced by Council Members Franklin and Harrison

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

10. **BILLS ELIGIBLE FOR FINAL READING**

Approved

CB-70-2012 – (EXECUTIVE ORDER NO. 23-2012) REORGANIZATIONAL PROPOSAL amending the Schedule of Legislation to change the name of the Office of Information Technology and Communications.

(Favorably reported out of PSFM on 10/4/2012)

On September 6, 2012, the County Executive Transmitted Executive Order No. 23-2012 proposing to amend the Schedule of Legislation to change the name of the Office of Information Technology and Communications to the Office of Information Technology. Pursuant to Charter Section 503, this proposal will become effective on November 5, 2012 unless disapproved by a majority vote of the full Council prior to that date.

11. **DISTRICT COUNCIL ITEM**

(SEE SEPARATE ACTION AGENDA)

ADDITION TO THE AGENDA

9. **INTRODUCTION AND ADOPTION OF RESOLUTIONS – (page 6)**

*Introduced;
C.O.W. held.;
favorable
recommendation;
adopted*

CR-82-2012 - A RESOLUTION CONCERNING PILOT AGREEMENT FOR PARKVIEW AT BLADENSBURG RENTAL HOUSING PROJECT for the purpose of approving the terms and conditions of a negotiated Payment in Lieu of Taxes (PILOT) Agreement between Prince George’s County and Bladensburg, LLLP (“Owner”).

The Chair (by request – County Executive)

Introduced by Council Members Harrison and Davis

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

None

5:30 P.M.

ADJOURN

5:31 P.M.

COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM) -- COMMITTEE MEETING HELD

Favorable

CB-36-2012 - AN ACT CONCERNING CODE OF ETHICS for the purpose of amending the Code of Ethics in order to comply with State law.

Favorable with amendments

CB-63-2012 – AN ACT CONCERNING OFFICE OF ETHICS AND ACCOUNTABILITY for the purpose of creating an Office of Ethics and Accountability within Prince George’s County Government; providing for the budget, powers and authority of the Office of Ethics and Accountability; providing for periodic reports and review of the activities of the Office of Ethics and Accountability; and generally relating to the Office of Ethics and Accountability.

5:47 P.M.

COMMITTEE OF THE WHOLE CONCLUDED

REMINDERS

Wed., Oct. 17, 2012	1:30 p.m.	PZED Committee Meeting (Room 2027)
Mon., Oct. 22, 2012	9:30 a.m.	District Council Agenda Briefing (Room 2027)
	10:00 a.m.	Call to Order (Council Hearing Room)
	1:30 p.m.	PSFM Committee Meeting (Room 2027)
Tues., Oct. 23, 2012	11:00a.m.	M-NCPPC Briefing - Urban Agriculture: A Tool for Creating Economic Development and Health Communities in Prince George's County
	11:30 a.m.	Council of Governments Presentation
	1:00 p.m.	County Council Agenda Briefing (Room 2027)
	1:30 p.m.	Call to Order (Council Hearing Room)
		LAST DAY FOR INTRODUCTION OF BILLS AND EXPEDITED ZONING BILLS
	7:00 p.m.	Town Hall Meeting – Laurel High School Auditorium - 8000 Cherry Lane, Laurel MD 20707