

ACTION AGENDA

Tuesday, May 17, 2011

Legislative Day No. 11

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

10:17 A.M. AGENDA BRIEFING – (ROOM 2027)

10:43 A.M. PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM)

Presented **PROCLAMATION** presented to **Christine Waddler, Administrator, Mental Health and Disabilities Administration**, recognizing the month of May 2011, as **“Mental Health Month”** in Prince George’s County. (Council Chair Ingrid M. Turner, Council Member Mary A. Lehman, Council Vice Chair Eric C. Olson and Council Members Mel R. Franklin, Leslie E. Johnson, Karen R. Toles and Obie Patterson)

Presented **PROCLAMATION** presented to **Judith White, Principal, Dodge Park Elementary School**, recognizing her receiving the **“Distinguished Educational Leadership Award”** in Prince George’s County. (Council Chair Ingrid M. Turner and Council Members Mel R. Franklin, Mary A. Lehman, Eric C. Olson, Karen R. Toles, Obie Patterson and Leslie E. Johnson)

Presented **PROCLAMATION** presented to **Charles Thomas, Principal, Crossland High School** recognizing his **“Extraordinary Accomplishments”** in Prince George’s County. (Council Member Obie Patterson, Council Chair Ingrid M. Turner and Council Members Mel R. Franklin, Mary A. Lehman, Leslie E. Johnson, Eric C. Olson and Karen R. Toles)

Presented **PROCLAMATION** presented to **Donnell Long, Old Towne Inn**, recognizing the month of May 2011, as **“Foster Care Month”** in Prince George’s County. (Council Chair Ingrid M. Turner, Council Vice Chair Eric C. Olson and Council Members Mel R. Franklin, Mary A. Lehman, Leslie E. Johnson, Karen R. Toles and Obie Patterson)

11:14 A.M. CALL TO ORDER

INVOCATION: Ms. Wanda Brooks, County Employee

PLEDGE OF ALLEGIANCE

1. **CONSENT AGENDA – ADOPTED AND ALL ACTIONS APPROVED**

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) **First Reading of Bills (Presentation)**

Presented

CB-15-2011 – AN ACT CONCERNING WATER QUALITY RESOURCES AND GRADING CODE for the purpose of enacting Subtitle 32, the Water Quality Resources and Grading Code, concerning grading, drainage and pollution control; erosion and sediment control; STORMWATER MANAGEMENT; and accessibility for the disabled; and for the purpose of repealing certain provisions of Subtitle 4, the Building Code, and codifying them within subtitle 32.

To be presented by the Chair (by request – County Executive); referral to THE

Presented

CB-16-2011 – AN ACT CONCERNING CONTRACTS for the purpose of amending the Code to require the use of Project Labor Agreements on County constructions projects of \$1,000,000.

To be presented by Council Member Toles; referral to PSFM

CONSENT AGENDA – (CONTINUED)**MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO PRESENTATION OF CB-17-2011 (DR-2)**

*Dr-2 substituted;
Presented*

CB-17-2011 (DR-2) - AN ACT CONCERNING ECONOMIC DEVELOPMENT AND LOCAL EMPLOYMENT for the purpose of enhancing the County's economic development by creating bidding preferences and participation requirements for County-based businesses on certain procurement contracts for goods and services with the County and aggregate procurement requirements for goods and services in County assisted developments; establishing a First Source Hiring Program that requires a certain percentage of local hiring for positions on certain procurement projects directly funded by the County and procurement contracts in County assisted developments, requiring a certain percentage of local hiring for new hires in County assisted businesses, requiring submission of quarterly audit reports, maintaining a first source registry, providing for penalties and exemptions to the program; requiring the use of Community Benefit Agreements on County assisted developments that have a value equal to or greater than \$1,000,000; requiring Labor Peace Agreements for County assisted developments receiving \$500,000 or more in county assistance; requiring each County agency, department, or office to meet an annual local hiring goal for new hires in classified service positions; converting all Minority Business Enterprise goals to County-based Minority Business Enterprise goals for minority contracting and purchasing and generally relating to economic development in the County.

To be presented by Council Members Franklin and Harrison; referral to PSFM

Presented

CB-18-2011 – AN ACT CONCERNING DANCE HALLS or the purpose of amending County regulations concerning dance hall premises, owners, lessors, operators, managers, promoters and patrons, establishing license requirements, setting penalties for violators, and declaring specific legislative intent to establish reasonable and uniform laws to reduce the number of violent crimes that occur as a result of events at dance halls and to promote the health, safety, and welfare of the citizens and residents of Prince George's County.

To be presented by Council Member Toles; referral to PSFM

Presented

CB-19-2011 - AN ACT CONCERNING SPENDING DISCLOSURE for the purpose of requiring the County to develop and operate a website that includes information for certain County expenditures, providing guidelines for public access to the information on the website and generally relating to governing public access to information about County payments.

To be presented by Council Members Turner and Franklin; referral to PSFM

CONSENT AGENDA – (CONTINUED)

Presented

CB-20-2011 - AN ACT CONCERNING MULTIFAMILY HOUSING INSURANCE for the purpose of requiring minimum liability insurance in certain multifamily buildings in Prince George's County.

To be presented by Council Member Turner; referral to THE.

Presented

CB-21-2011 - AN ACT CONCERNING NOISE CONTROL for the purpose of authorizing the Director of Environment Resources to administer and enforce the County's noise control program, adopting by reference certain provisions of the Maryland Department of Environmental Noise Regulations, providing a standard of measurement of permissible noise levels in a residential area under certain conditions, and providing civil penalties for violations of this section.

Presented by Council Members Olson and Turner; referral to THE

(b) **Introduction of Resolutions**

Introduced

CR-36-2011 – A RESOLUTION CONCERNING INTERDEPARTMENTAL TRANSFER OF APPROPRIATIONS for the purpose of transferring surplus appropriations reflecting savings from the Office of Law and Non-Departmental to the Personnel Board, Office of Finance, Office of Management and Budget, Board of Elections, Office of Central Services, Office of Human Resources Management, Office of Community Relations, Office of Homeland Security and Non-Departmental.

The Chair (by request – County Executive); referral to PSFM

Introduced by Council Member Turner

Introduced

CR-37-2011 – A RESOLUTION CONCERNING FINANCIAL LITERACY TASK FORCE for the purpose of establishing the Financial Literacy Task Force to explore and facilitate the financial literacy of the residents and citizens of Prince George's County.

Introduced by Council Members Johnson, Franklin, Toles, Turner, Lehman, and Campos; referral to PSFM

Introduced

CR-38-2011 – A RESOLUTION CONCERNING ECONOMIC DEVELOPMENT for the purpose of revising the County's policy for the use of Tax Increment Financing and other financial tools and incentives to fund economic and community development projects and initiatives in Prince George's County.

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

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

None

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT – 3(a) added; see page 10**

4. **PUBLIC HEARINGS:**

- **Appointment of the following individual to the Washington Suburban Transit Commission (WSTC):**

*Public Hearing held;
Confirmed*

Artis Hampshire-Cowan,
Esquire

Appointment/Replacing Marcell Solomon, Esq.
Citizen Representative
Term Expiration: 6/1/2015

(Favorably reported out of C.O.W. on 5/10/2011)

- **Appointment of the following individuals to the Washington Suburban Sanitary Commission (WSSC):**

*Public Hearing held;
Confirmed*

Ms. Melanie Hartwig-Davis

Appointment/Replacing: Joyce Starks
Term Expiration: 6/1/2011

Reappointment
Term Expiration: 6/1/2015

*Public Hearing held;
Confirmed*

Mr. Christopher Lawson

Appointment/Replacing Prem Agarwal
Term Expiration: 6/1/2011

Reappointment
Term Expiration: 6/1/2015

(Favorably reported out of C.O.W. on 5/10/2011)

12:29 P.M.

RECESS

5. **COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM)**

*Favorable
Recommendation*

CR-39-2011 – A RESOLUTION CONCERNING ACTING DIRECTOR OF THE OFFICE OF CENTRAL SERVICES for the purpose of extending the appointment of Ms. Monica J. Johnson as Acting Director of the Office of Central Services.

12:31 P.M.

RECONVENE

6. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

*Introduced;
Adopted*

CR-39-2011 – A RESOLUTION CONCERNING ACTING DIRECTOR OF THE OFFICE OF CENTRAL SERVICES for the purpose of extending the appointment of Ms. Monica J. Johnson as Acting Director of the Office of Central Services.

The Chair (by request – County Executive)

(Verbal C.O.W. report to be provided)

Introduced by Council Member Franklin

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTINUED)

Introduced;

Rules suspended;

Adopted

CR-40-2011 – RESOLUTION CONCERNING PREPARATION OF A NEW SECTOR PLAN AND SECTIONAL MAP AMENDMENT (SMA) AND APPROVAL OF GOALS, CONCEPTS, GUIDELINES, AND PUBLIC PARTICIPATION PROGRAM FOR THE GREENBELT METRO AREA AND MD 193 CORRIDOR, WHICH IS A PORTION OF PLANNING AREA 67 for

the purpose of initiating an amendment to the 1989 Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity; 1990 Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67; and 2001 Approved Sector Plan and Sectional Map Amendment for the Greenbelt Metro Area; and approving the Goals, Concepts, Guidelines, and Public Participation Program in order to develop a comprehensive approach to implement the recommendations of the 2002 Prince George’s County Approved General Plan, and to ensure that future development is consistent with County policies.

The Chair (by request – Planning Board)

Introduced by Council Members Turner and Olson

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

Introduced;

Rules suspended;

Adopted

CR-41-2011 - A RESOLUTION CONCERNING THE WASHINGTON SUBURBAN SANITARY COMMISSION CAPITAL AND OPERATING BUDGETS FOR FISCAL YEAR 2011 for the purpose of approving a budget supplement to the Washington Suburban Sanitary Commission (WSSC) Capital and Operating Budgets for Fiscal Year 2011 and the WSSC Capital Improvements Program Fiscal Year 2011 to 2016.

The Chair (by request – WSSC)

Introduced by Council Member Turner

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

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

Tabled

CB-2-2011 (DR-2) – AN ORDINANCE CONCERNING DEFINITIONS – WATERFRONT ENTERTAINMENT/RETAIL COMPLEX for the purpose of clarifying that a gas station located within a Waterfront Entertainment/Retail Complex may include a car wash as an accessory use provided the car wash is within or is part of the building(s) for which design and architecture are approved in the Detailed Site Plan for the gas station.

(Favorably reported out of PZED on 5/4/2011 with amendments)

To be introduced by Council Member Patterson

Introduced

CB-22-2011 – AN ORDINANCE CONCERNING DEFINITIONS – WATERFRONT ENTERTAINMENT/RETAIL COMPLEX for the purpose of clarifying that a gas station located within a Waterfront Entertainment/Retail Complex may include a car wash as an accessory use provided the car wash is within or is part of the building(s) for which design and architecture are approved in the Detailed Site Plan for the gas station.

Introduced by Council Members Patterson and Franklin

AS PERMITTED BY THE RULES, AND BECAUSE THIS BILL HAS ALREADY BEEN THROUGH COMMITTEE AS CB-2-2011, NO COMMITTEE REFERRAL WILL BE MADE.

*Amended;
DR-3 Introduced*

CB-12-2011 (DR-2) – AN ACT CONCERNING COMMON OWNERSHIP COMMUNITIES PROGRAM for the purpose of amending the Common Ownership Communities Program to assist governing bodies, owners, and residents of homeowners’ associations, residential condominiums, and cooperative housing corporations with education, training, and dispute resolution and/or administrative hearing procedures in matters relating to these communities.

(Favorably reported out of THE on 5/12/2011 with amendments)

Introduced by Council Members Johnson, Turner, Lehman and Olson

12:46 P.M.

RECESS

12:54 P.M.

RECONVENE

8. **BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT)***Rejected*

CB-9-2011 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) AFL-CIO, AND ITS AFFILIATED LOCALS 2462, 2735, 3389 AND 1170 for the purpose of amending the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees (AFSCME) AFL-CIO, and its affiliated Locals 2462, 2735, 3389 and 1170 to provide for wage increases and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board.

(Reported out of C.O.W. on 4/19/2011 with no recommendation; introduced by Council Members Harrison and Toles on 4/19/2011; public hearing held 5/11/2011)

Rejected

CB-10-2011 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES AFL-CIO AND ITS AFFILIATED LOCAL 241 (SCHOOL CROSSING GUARDS) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees, AFL-CIO and its affiliated Local 241 to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board.

(Reported out of C.O.W. on 4/19/2011 with no recommendation; introduced by Council Members Harrison and Toles on 4/19/2011; public hearing held 5/11/2011)

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

*DR-2
Substituted;
Adopted*

CR-28-2011 (DR-2) - A RESOLUTION CONCERNING PRINCE GEORGE'S COUNTY GREEN BUSINESS ADVISORY BOARD for the purpose of establishing the Prince George's Green Business Advisory Board to review and evaluate the County's green business opportunities and to recommend appropriate policies and regulations to implement a green business tax credit program in the County.

(Introduced by Council Members Olson, Turner, Harrison, Franklin, Johnson, Lehman and Campos on 4/5/2011; favorably reported out of THE on 5/12/2011 with amendments)

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

RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) – (CONTINUED)*Rejected*

CR-31-2011 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (“AFSCME”), AFL-CIO, AND ITS AFFILIATED LOCALS 1170 (HEALTH DEPARTMENT, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND DEPARTMENT OF FAMILY SERVICES), 2462 (DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION AND DEPARTMENT OF ENVIRONMENTAL RESOURCES), 2735 (DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND OFFICE OF CENTRAL SERVICES) AND 3389 (DEPARTMENT OF FAMILY SERVICES AND HEALTH DEPARTMENT) – SALARY SCHEDULE A for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George’s County, Maryland and Council 67, AFSCME Locals 1170, 2462, 2735 and 3389.

(Introduced by Council Members Harrison, Franklin and Toles on 4/12/2011; reported out of C.O.W. on 4/19/2011 with no recommendation)

Rejected

CR-32-2011 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, LOCAL 241 – SALARY SCHEDULE X for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George’s County, Maryland and the American Federation of State, County and Municipal Employees, Local 241.

(Introduced by Council Members Franklin, Toles, Harrison and Lehman on 4/12/2011; reported out of C.O.W. on 4/19/2011 with no recommendation)

ADDITIONS TO THE AGENDA

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER’S REPORT – (page 5)**

Chair authorized to sign (a) Proposed letter to the Honorable Rushern L. Baker, III, County Executive, expressing the County Council’s support for a one-time payment for County employees and negotiation of multi-year collective bargaining agreements.

Council Chair Ingrid M. Turner

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

-None-

1:23 P.M.

ADJOURN

2:15 P.M.

**COMMITTEE OF THE WHOLE WORKSESSION – (ROOM 2027) –
COMMITTEE MEETING HELD****M-NCPPC BUDGET CARRYOVER - (If necessary)****REMINDERS**

Wed., May 18, 2011	10:00 a.m.	Committee of the Whole Worksession – Carryover (if necessary) (Room 2027) - CANCELLED
	1:30 p.m.	PSFM Committee Meeting (Room 2027) - CANCELLED
Thurs., May 19, 2011	10:00 a.m.	HEHS Committee Meeting (Room 2027)
	2:30 p.m.	PZED Committee Meeting (Room 2027)
Mon., May 23, 2011		Committee of the Whole Budget Worksession (if necessary)
Tues., May 24, 2011	10:00 a.m.	THE Committee Meeting (Room 2027)
	10:30 a.m.	County Council Call to Order
Thurs., May 26, 2011	11:00 a.m.	Call to Order – Council Hearing Room BUDGET ADOPTION